



Province of British Columbia

Water Act

CONDITIONAL WATER LICENCE

Kitsault Hydro Electric Corporation is hereby authorized to divert & use water as follows:

- a) The stream on which the rights are granted is Trout Creek.
- b) The point of diversion on Trout Creek is located as shown on the ESS Consulting Drawing No. TC-3.
- c) The date from which this licence shall have precedence is April 26, 2002.
- d) The purpose for which this licence is issued is power (general).
- e) The maximum quantity of water which may be diverted for power (general) purpose is 2.4 cubic metres per second.
- f) The period of the year during which the water may be used is throughout the whole year.
- g) This licence is appurtenant to the lands on which the powerhouse is located for the Trout Creek Generating System within Unsurveyed Crown Land Cassiar District held under Land Act tenure on File 6407544.
- h) The authorized works are dam, intake, spillway, penstock, tailrace and powerhouse which shall be located approximately as shown on ESS Consulting Drawing No. TC-3.
- i) The construction of the said works shall be completed and the water shall be beneficially used prior to December 31, 2014. Thereafter, the licensee shall continue to make regular beneficial use of the water in the manner authorized herein.

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- j) Before commencing construction of the works authorized under clause (h) of this licence, the licensee must:
- 1) Prepare and submit for acceptance by the Engineer or Regional Water Manager, a Water Management Plan (WMP), establishing and monitoring a base flow regime, including specifications for ramping rates; within the affected reach and below the tailrace, to meet both Federal and Provincial Fisheries requirements;
 - 2) Prepare and submit a draft manual that identifies the long term Operation, Maintenance and Surveillance (OMS) and an Emergency Preparedness Plan (EPP), to the satisfaction of the Engineer or Regional Water Manager;
 - 3) Prepare an Environment Management Plan (EMP), for the management and mitigation of construction impacts, to the satisfaction of the Engineer or Regional Water Manager;
 - 4) Submit, to the satisfaction of the Engineer or Regional Water Manager, the following:
 - a) plans that show the general arrangement of works to be constructed,
 - b) criteria for the design and operation of these works to be constructed,
 - c) a schedule for the construction of these works.
 - 5) Ensure the plans for the works to be constructed are signed and sealed by a Professional Engineer (the "Design Engineer"), registered in the province of British Columbia, and
 - 6) Obtain Leave to Commence Construction (LCC) in writing, from the Comptroller of Water Rights.
- k) Before submitting the information required under clause (j), the licensee must retain, to the satisfaction of the Engineer or Regional Water Manager;
- a) a person (the "Environmental Monitor") who will provide services to the Engineer or Regional Water Manager and other agencies to monitor the environmental impacts from the construction of the works in accordance with the EMP.
- l) Before commencing operation of these works authorized under clause (h), the licensee must;
- a) upon acceptance of the WMP under clause (j), by both Federal and Provincial Fisheries and by the Engineer or Regional Water Manager, implement this plan,
 - b) submit a report for acceptance by the Engineer or Regional Water Manager on the parameters and procedures for the operation of the works authorized under clause (h). These parameters and procedures shall be based on the information on the generation of electricity and the social and environmental values considered in the issuance of this licence,
 - c) receive leave to commence operation of these works in writing, from the Engineer or Regional Water Manager.
- m) The licensee must operate the works authorized under clause (h) above in accordance with:
- a) procedures ordered by the Engineer, including any order for the regulation of the diversion, rate of diversion and use of water as may be required for the preservation of fish and fish habitat as outlined in the WMP; and,
 - b) any amendment of the procedures ordered by the Engineer.

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- n) After the first year of operation (commissioning the power plant), an Operation, Maintenance and Surveillance (OMS) Manual and an Emergency Preparedness Plan (EPP) to the Dam Safety Officer and the Regional Water Manager or Engineer under the Water Act, for acceptance.
- o) The term of this license is 40 years from the date of issuance of this license.
- p) This Licence is issued in substitution of Conditional Water Licence 117307.



Robert M Piccini
Assistant Regional Water Manager



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ORDER

SECTION 18

FILE NO: 6001019

LICENCE NO: C126206

In the matter of **Conditional Water Licence 126206**, which authorizes the diversion and use of water from Trout Creek for power (general) purpose.

Having determined that that an error was made in clause o), and being satisfied that no person's rights will be injuriously affected, I hereby amend clause o) of said licence, to read as follows:

- o) The term of this licence is 40 years from July 21, 2005.

Dated at the City of Prince George, British Columbia this 7th day of April, 2011.

Robert Piccini
Assistant Regional Water Manager