

## WATER LICENCE DISPOSITION RECORD

File #: 4001970 Water Licence #: C126354

Stream Name: Kilmarnock Creek

Date of Disposition: Sep 17, 2014

☐ Recorded as Abandoned

☐ Recorded as Cancelled

☒ Superseded by Licence #/s: C131539 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Close File?

☐ Yes

☒ No

Noted by: EB  
(Financial Services Branch Representative)

Date: Nov 25, 2014

# Province of British Columbia

## *Water Act*

### CONDITIONAL WATER LICENCE

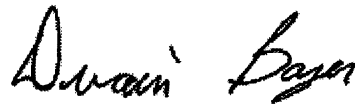
Teck Coal Limited is hereby authorized to construct works and divert and store water as follows:

- a) The stream on which the rights are granted is Kilmarnock Creek.
- b) The points of diversion are located as shown on the attached plan.
- c) The date from which this licence shall have precedence is 26 March 1990.
- d) The purpose for which this licence is issued is industrial (disposal of waste rock material and selenium management).
- e) The maximum quantity of water which may be diverted is the whole stream.
- f) The period of the year during which the water may be used is the whole year.
- g) The land upon which the water is to be used and to which this licence is appurtenant is the mining project of the licensee within District Lots 6637, 6646, 6688, 6689, 6690, 6691, 6694, 6695, 6696, 6697, 6701, 6702, 6703, 6706, & 6707 Kootenay District and Vacant Crown Land immediately south of and adjacent to District Lot 6637 under Coal Lease 389310.
- h) The authorized works are impact barriers, diversion channels, a rock drain and valley fill, control structures, and settling ponds which shall be located approximately as shown on the attached plan.
- i) The construction of works and alterations to streams have commenced. The rock drain and valley fill project shall be completed by December 31, 2050.
- j) Abandonment of the works authorized under this licence shall be to the satisfaction of an engineer appointed under the Water Act.
- k) The licensee shall keep the designated non-failure area outlined on the attached plan free of spoil failure debris that could jeopardize the hydraulic capacity of the rock drain and cause significant detrimental consequence beyond the impact barriers.

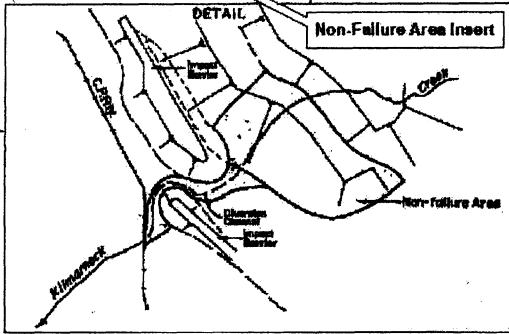
# Province of British Columbia

## *Water Act*

- l) The construction and operation of the rock drain and valley fill shall be monitored by the licensee in accordance with the Kilmarnock Creek Rock Drain Monitoring Program attached to Fording Coal Ltd.'s correspondence dated October 2, 1991. The monitoring program may be amended periodically as directed by an engineer under the Water Act.
- m) This licence is issued under the Water Act (the Act). The exercise of rights under the licence is subject to the Act and its regulations, the terms and conditions of the licence, orders under the Act and the rights of licensees whose rights have precedence on the stream. The licensee must comply with all such requirements, as well as the provisions of all other applicable enactments. In exercising rights under the licence, the licensee must exercise reasonable care to avoid damaging land, works, trees or other property, and must make full compensation to the owners for damage or loss resulting from construction, maintenance, use, operation or failure of the works.



D. Boyer P.Eng.  
Assistant Regional Water Manager,



1991 Control Structure   ●   Points Of Diversion  
 2011 Control Structure      Rock Drain and Valley Fill

**Scale : 1:25,000**

File : 4001970