



# Province of British Columbia

## *Water Act*

### CONDITIONAL WATER LICENCE

The owners of the land to which this licence is appurtenant are hereby authorized to divert and use water as follows:

- a) The stream on which the rights are granted is Orde Creek.
- b) The point of diversion is located as shown on the attached plan.
- c) The date from which this licence shall have precedence is March 24, 2010.
- d) The purpose for which this licence is issued is power (residential).
- e) The maximum quantity of water which may be diverted for power (residential purpose) is 0.0027 cubic metres per second exercisable only when irrigation authorized under Conditional Water Licence 127290 is being conducted.
- f) The period of the year during which the water may be used is April 1 to September 30.
- g) The land upon which water is to be used is Lot 22, District Lot 812, Kootenay District, Plan 1419 on which a powerhouse is situated, and the land to which the licence is appurtenant is said land.
- h) The authorized works are pond, diversion structure, pipe, and powerhouse which shall be located approximately as shown on the attached plan.
- i) The construction of the said works shall be completed and the water shall be beneficially used prior to December 31, 2015. Thereafter, the licensee shall continue to make regular beneficial use of the water in the manner authorized herein.
- j) 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.

- k) The term of this licence is forty years from the date of issuance of this licence.
- l) The right to use water to generate power as authorized under this licence may only be exercised at such times as when water is being diverted under Conditional Water Licence 127290 for the purpose of irrigation.

DJW

Assistant Regional Water Manager