



# Province of British Columbia

## *Water Act*

### CONDITIONAL WATER LICENCE

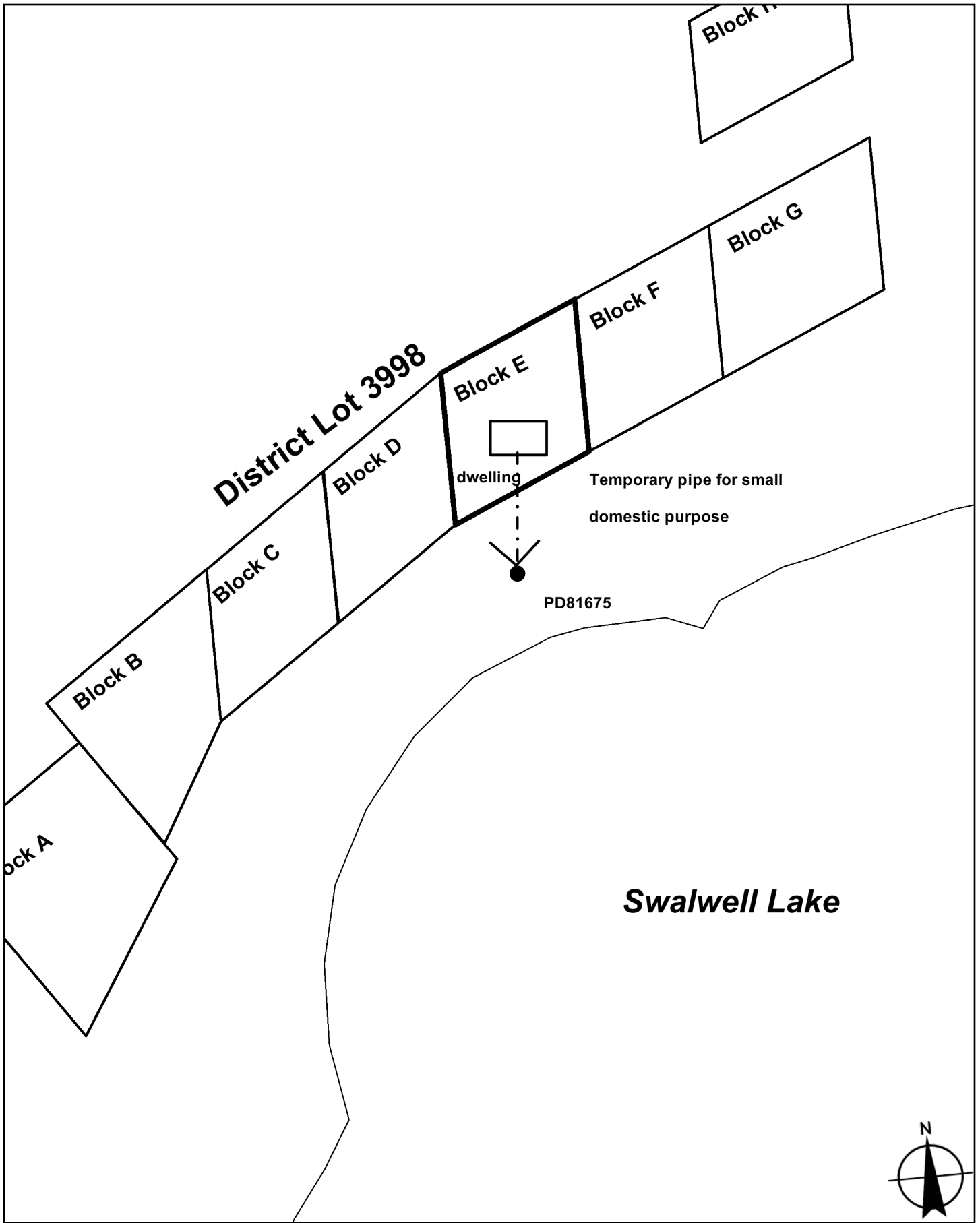
The holders of a lease held under Lands file 3400623 to which this licence is appurtenant are hereby authorized to divert and use water as follows:

- a) The stream on which the rights are granted is Swalwell Lake.
- 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 10, 2008.
- d) The purpose for which this licence is issued is domestic.
- e) The maximum quantity of water which may be diverted is 0.68 cubic meters (150 gallons) per day.
- f) The period of the year during which the water may be used is 1<sup>st</sup> May to 31st October.
- g) The land upon which the water is to be used and to which this licence is appurtenant is Block E of District Lot 3998, Osoyoos Division Yale District - Lands File 3400623.
- h) The authorized works are a pump, pipe, and screened intake 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 authorizes the use of water for domestic purpose in one dwelling located approximately as shown on the attached plan.
- k) This licence does not authorize the diversion and use of water at any time when the water level of Swalwell Lake falls below 30% of live storage volume. This equates to an elevation of 1342.9 meters (4405.8 feet).
- l) This licence terminates on March 17, 2018. Prior to the termination date, the licensee may apply to amend this licence to extend its term.


- m) The licence holder is required to install a flow metering device to record the volume of water diverted under this licence. You will be required to submit in writing to the Assistant Regional Water Manager a record of total annual water use (cubic meters per year) by November 30th of each calendar year.
  
- n) 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.





Conrad J. Pryce, P.Eng.  
Assistant Regional Water Manager




WATER DISTRICT: Vernon  
 PRECINCT: Okanagan Centre  
 LAND DISTRICT: ODYD

Signature:   
 Date: August 21, 2012

LEGEND:

Scale: Not to scale  
 Point of Diversion:   
 Map Number: 8467  
 Pipe: 

C.L. 128797  
 File 8002783

The boundaries of the land to which this licence is appurtenant are shown thus: 



ORDER UNDER THE *WATER SUSTAINABILITY ACT*  
SECTION 26

File No. 8002783

In the matter of Conditional Water Licence 128797, which authorizes the diversion of water from Swalwell Lake for domestic purpose within Block E of District Lot 3998, Osoyoos Division Yale District, CROWN LEASE – Lands File 3400623; and

In accordance with the decision on Appeal No. 2012-WAT-030(a), dated November 13, 2013, in which the Panel has directed the decision maker to vary licence conditions e), k), and m) as per paragraphs [135] and [136] of the decision, I hereby amend clauses e), k), and m) as follows:

- e) The maximum quantity of water that may be diverted is 0.68 cubic metres (150 gallons) per day, all of which is for indoor domestic use.
- k) This licence does not authorize the diversion of water during the implementation of, and after notification by, the District of Lake Country of Stage 2 drought restrictions, in the *District of Lake Country Drought Management Plan*.
- m) The licence holder is required to measure and record the volume of water diverted under this licence, and to submit in writing to the Assistant Water Manager a record of annual use (Imperial gallons per year or cubic metres per year) by November 30 of each calendar year.

Dated at Penticton, B.C. this 30<sup>th</sup> day of May, 2016

Conrad J. Pryce, P.Eng.  
Assistant Water Manager