



Province of British Columbia

Water Act

CONDITIONAL WATER LICENCE

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

- a) The stream on which the rights are granted is McKelvie 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 October 14, 2008.
- d) The purpose for which this licence is issued is power (general). The power is to be generated with the McKelvie Creek Generating Station.
- e) The maximum quantity of water which may be diverted for power (general) purpose is 2.55 cubic metres per second.
- 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 land upon which the powerhouse of the McKelvie Creek Generating Station is situated, described as Lot A (DD ET119798), District Lot 595, Nootka District, Plan 30676.
- h) The works authorized for the McKelvie Creek Generating Station are:
 1. an intake structure, weir, spillway and head pond for the diversion of McKelvie Creek water;
 2. a penstock;
 3. access road;
 4. a powerhouse, tailrace and switch yard; and
 5. transmission linewhich shall be located approximately as shown on the attached plans.
- i) The construction of the said works shall be completed and the water shall be beneficially used prior to December 31, 2017. Thereafter, the licensee shall continue to make regular beneficial use of the water in the manner authorized herein.
- j) Before commencing construction of the works authorized under clause (h) of this licence, the licensee must to the satisfaction of the Engineer under the *Water Act* (the "Engineer"):
 1. retain a professional engineer registered in the province of British Columbia (the "Independent Engineer") who will provide services to the Engineer for the regulation of construction of the works;
 2. retain a person with professional qualifications (the "Environmental Monitor") who will monitor environmental impacts from the construction of works; and
 3. obtain Leave to Commence Construction (LCC) in writing from the Engineer.

- k) Before undertaking construction of any component of works for which LCC issued under (i) 3), the licensee must:
 - 1. ensure that the design drawings for the works to be constructed are signed and sealed by a professional engineer registered in the province of British Columbia (the "Design Engineer");
 - 2. ensure that a professional engineer registered in the province of British Columbia (the "Construction Engineer") supervises the construction of the works; and
 - 3. obtain letter from the Independent Engineer that the actual construction of that component work may proceed.
- l) Before commencing operation of the works authorized under clause (h), the licensee must:
 - 1. Submit a report for acceptance by an Engineer under the *Water Act* 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; and
 - 2. Receive leave to commence the diversion and use of water authorized in this licence, in writing, from an Engineer under the *Water Act*.
- m) As-built record drawings, that have been signed by a Professional Engineer registered in British Columbia, must be submitted to the Regional Water Manager within one year of commencing operation.
- n) This licence must at all times, allow a minimum of 0.015 cubic metres per second of the flow in McKelvie Creek to pass the diversion point. This IFR is supplemental to the IFR release rate required in Conditional Water Licence C130289.
- o) The licensee is required to release an additional 0.050 cubic metres per second of flow past the diversion point on McKelvie Creek in order to facilitate the pumping parameters of the Village of Tahsis water supply system.
- p) This water licence has been issued to be supplemental to Conditional Water Licence C130289.
- q) The term of this licence is forty (40) years from the date of issuance of this licence.



Paul Marquis
Assistant Regional Water Manager