



Province of British Columbia

Water Act

CONDITIONAL WATER LICENCE

The holder of tenure on Crown Land File No. 1413113 covering the land to which this licence is appurtenant are hereby authorized to divert and use water as follows:

- a) The streams on which the rights are granted are Winchie Creek, and two of its tributaries, Bearberry Brook and Silverweed Creek.
- b) The points of diversion are Winchie Creek (denoted as PD185436), Bearberry Brook (denoted as PD185443) and Silverweed Creek (denoted as PD185446) and are located as shown on the attached plan.
- c) The date from which this licence shall have precedence is February 27, 2008.
- d) The purpose for which this licence is issued is power (general). The power is to be generated with the Winchie Creek Generating Station.
- e) The maximum quantity of water which may be diverted from Winchie Creek and used for power (general) purpose under this licence is 3.5 cubic metres per second, subject to a minimum flow of 0.060 cubic metres per second being allowed to pass the intake structure on Winchie Creek. The maximum quantity which may be diverted from Bearberry Brook into Winchie Creek is 0.017 cubic metres per second. The maximum quantity which may be diverted from Silverweed Creek into Winchie Creek is 0.369 cubic metres per second, subject to a minimum flow of 0.008 cubic metres per second being allowed to pass the intake structure on Silverweed Creek.
- 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 the licence is appurtenant is the land on which the powerhouse of the Winchie Creek Generating System is situated, described as those parts of District Lots 617, 1548 and that parcel or tract of unsurveyed Crown land lying in the vicinity of Winchie Creek; together with unsurveyed Crown foreshore or land covered by water being part of the bed of Kennedy, Larry Lakes, Kennedy, Winchie Creeks and various unnamed creeks and tributaries, all within the Clayoquot District, shown outlined on sketch below, containing 197.58 hectares, more or less, tenured under the *Land Act*, held under Lands File No. 1413113.

- h) The works authorized for the Winchie Creek Generating System are:
1. a diversion structure on each of the sources with one main penstock intake to the generating station;
 2. headwater pond and spillway;
 3. penstocks;
 4. powerhouse, tailrace and associated electrical works;
 5. transmission line from the powerhouse to the existing BC Hydro grid;
 6. access road;
which shall be located approximately as shown on the attached plan; and
 7. flow measuring devices suitable to the Regional Water Manager shall be incorporated into the works at the sources to measure amounts diverted into the penstocks and the amounts released to meet the instream flow requirements of Winchie and Silverweed Creeks.
- i) The construction of the said works shall be completed and the water shall be beneficially used prior to December 31, 2016. 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 Regional Water Manager (RWM) under the *Water Act*:
1. Retain a professional engineer registered in the province of British Columbia (the "Independent Engineer") who will provide services to the RWM 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.
 3. Submit the following:
 - a. plans that show the general arrangement of the works;
 - b. criteria for the design of the works;
 - c. criteria for the operation of the works;
 - d. a schedule for the construction of the works; and
 - e. an environmental management plan (EMP) for the management and mitigation of the construction impacts.
 4. Obtain Leave to Commence Construction (LCC) in writing from the RWM.
- k) Before undertaking construction of any component of works for which LCC issued under (j) 4, 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") and accepted by the independent engineer;
 2. ensure that a qualified person 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 the RWM on the parameters and procedures for the operation of the works;
 - 2. submit and implement a plan to the satisfaction of the RWM for the measurement of in-stream flows and of the flow of water diverted from the stream under this licence; and
 - 3. obtain leave to commence the diversion and use of water authorized in this licence in writing from the RWM.
- m) Submit to the RWM, within one year of receiving the leave to commence the diversion and use of water, the drawings of record that show the works as they were constructed.
- n) The term of this licence is forty (40) years from the date of issuance of this licence.
- o) This licence will remain valid only for so long as a valid tenure exists for the land described in clause (g) herein, or the licensee acquires ownership of the said land.



Paul Marquis
Assistant Regional Water Manager

ORDER

Water Act

Section 18 (e)

File No: 1002632

In the matter of Conditional Water Licence No. C130584 which authorizes the diversion and use of water from Winchie Creek, Silverweed Creek and Bearberry Brook for power (general) purpose and is appurtenant to the Winchie Creek Hydro Power Project, tenured under the *Land Act*, held under Lands File No. 1413113.

Having determined that the works are inadequately described in the licence, and being satisfied that no person's rights will be injuriously affected, I hereby amend the licence to read as follows:

- (h) The works authorized for the Winchie Creek Generating System are:
1. a diversion structure on each of the sources with one main penstock to the generating station;
 2. headwater pond, flood control berms and spillway;
 3. penstocks;
 4. powerhouse, flood control berm, tailrace, and associated electrical works;
 5. transmission line from the powerhouse to the existing BC Hydro grid;
 6. access road which shall be located approximately as shown on the attached plan; and
 7. flow measuring devices suitable to the Regional Water Manager shall be incorporated into the works at the sources to measure amounts diverted into the penstocks and the amounts released to meet the instream flow requirements of Winchie and Silverweed Creeks.

DATED at Nanaimo, British Columbia, this 14th day of May, 2014.



John Baldwin
Assistant Regional Water Manager

ORDER

Water Act

Section 18 (e)

File No: 1002632

In the matter of Conditional Water Licence No. C130584 which authorizes the diversion and use of water from Winchie Creek, Bearberry Brook and Silverweed Creek for Power (general) purpose and is appurtenant to the Winchie Creek Hydro Power Project, tenured under the *Land Act*, held under Lands File No. 1413113.

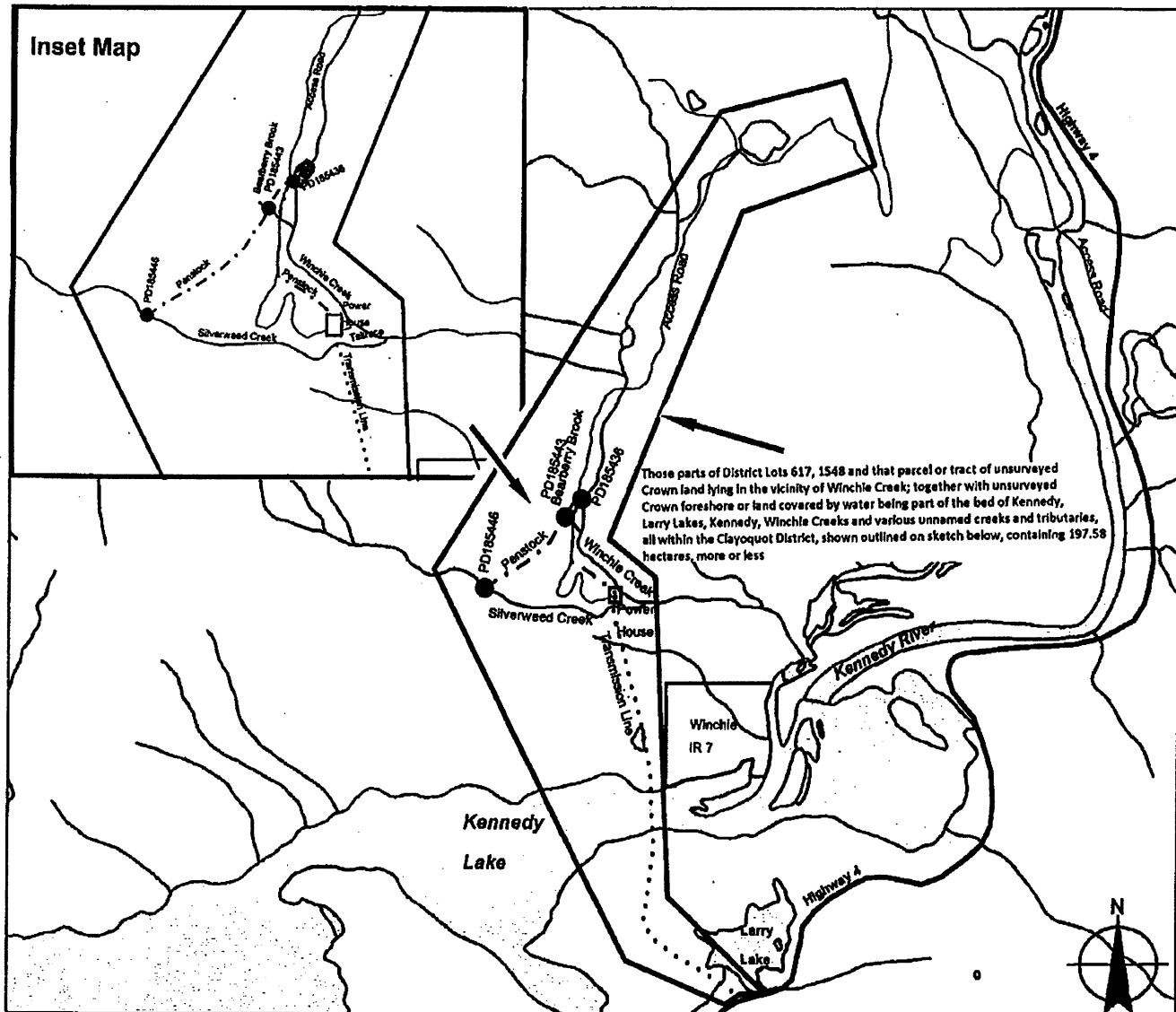
In response to a formal request for an extension of time to complete the project, and being satisfied that no person's rights will be injuriously affected, I hereby amend the licence to read as follows:

- (i) The construction of the said works shall be completed and the water shall be beneficially used prior to December 31, 2018. Thereafter, the licensee shall continue to make regular beneficial use of the water in the manner authorized herein.

DATED at Nanaimo, British Columbia, this 11th day of May, 2015.



Darryl Slater
Assistant Regional Water Manager





WATER DISTRICT: Alberni
 PRECINCT: Alberni
 LAND DISTRICT: Clayoquot

Signature: 

Date:

JUL 12 2013

LEGEND:

Scale: 1:25,000
 Point of Diversion: 
 Map Number: 92F.013.2.4
 Pipe: 

→ C.L.

C130584

File

1002632

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