



Province of British Columbia

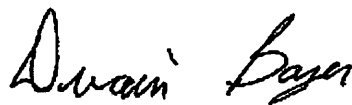
Water Act

CONDITIONAL WATER LICENCE

The Village of Nakusp is hereby authorized to divert and use water as follows:

- a) The streams on which the rights are granted are Brouse Creek and Halfway 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 February 16, 1968.
- d) The purpose for which this licence is issued is waterworks.
- e) The maximum quantity of water which may be diverted is 663,700 cubic metres per year: being 431,400 cubic metres per year from Halfway Creek, and 232,300 cubic metres per year from Brouse 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 this licence is appurtenant is all the lands within the boundaries of the Village of Nakusp and that part of Electoral Area K of the Regional District of Central Kootenay defined in Supplementary Letters Patent dated December 15, 1994 and any amendments or substitutions thereof.
- h) The authorized works are diversion structure, pipe, reservoir, treatment system, and distribution system which shall be located approximately as shown on the attached plan.
- i) The construction of the said works has been completed and the water is being used. The licensee shall continue to make regular beneficial use of the water in a 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) This licence is supplementary to Conditional Water Licence 130710. The maximum quantity of water which may be diverted under this licence and Conditional Water Licence 130710 combined, shall not exceed 663,700 cubic metres per year: being 431,400 cubic metres per year from Halfway Creek, and 232,300 cubic metres per year from Brouse Creek.
- l) The licensee hereunder shall allow such quantities of water past the diversion structure on Brouse Creek as are necessary to provide the amounts authorized to be diverted under Final Water Licence 45818 and Conditional Water Licences 120179 and 120180.
- m) This licence is issued in substitution of Conditional Water Licence 56541.



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