



# Province of British Columbia

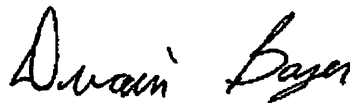
## *Water Act*

### 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 May 14, 2013.
- d) The purpose for which this licence is issued is power and the category for the licence is power-general.
- e) The maximum quantity of water which may be diverted is 0.02105 cubic metres per second of which 0.01368 cubic metres per second may be diverted from Halfway Creek and 0.00737 cubic metres per second may be diverted 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 the licence is appurtenant is the land on which the powerhouse is situated, described as Lot 2, District Lot 8513, Kootenay District, Plan 1331 except part included in Plan 10178.
- h) The authorized works are diversion structure, pipe/penstock, powerhouse, and transmission line, 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, 2016. 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) This licence is supplementary to Conditional Water Licence 130709. The maximum quantity of water which may be diverted under this licence and Conditional Water Licence 130709 combined shall not exceed 0.02105 cubic metres per second: being 0.01368 cubic metres per second from Halfway Creek and 0.00737 cubic metres per second 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) The rights granted hereunder are exercisable only during such times as the works authorized under Conditional Water Licence 130709, or any licence issued in substitution thereof is being maintained and operated to the satisfaction of an Engineer under the Water Act.
- n) This Licence is issued in substitution of Conditional Water Licence 56541.
- o) The term of this licence is forty years from the date of its issuance.



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