



# Province of British Columbia

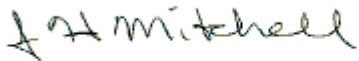
## *Water Act*

### CONDITIONAL WATER LICENCE

The owners of the land 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 Dry 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 December 23, 2011.
- d) The purposes for which this licence is issued are industrial (sediment control and overburden disposal).
- e) The maximum quantity of water which may be diverted for sediment and overburden disposal control is the whole flow at the point of diversion.
- 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 mining project of the licensee within Lot 1 District Lot 4588, Plan 11279 except plans 572, 12976, NEP 70655 and NEP70656, Kootenay District.
- h) The authorized works are a rock drain and valley fill, diversion structure, diversion channels, settling ponds, and a discharge outlet 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, 2017. 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) When the mining operation is completed, the licensee shall re-establish drainage in the area, to the satisfaction of an Engineer under the Water Act.
- l) This water licence does not authorize the disposal or discharge of mine effluent tailings.
- m) The diversion of water authorized under this licence may be restricted or prohibited at any time by an Order in writing of an Engineer under the Water Act, in order to maintain environmental flow needs.
- n) The licensee shall install a flow measuring device to the satisfaction of an Engineer under the Water Act.
- o) The licensee shall retain flow meter records for inspection upon request by an Engineer under the Water Act.
- p) This licensee shall keep records on actual water use as directed by an Engineer under the Water Act and have all records available.
- q) This licence does not authorize the diversion of water for industrial (sediment control and overburden disposal) purposes when the water flow of Dry Creek falls below environmental flow needs approved by an Engineer under the Water Act.



H. Mitchell  
Director of Authorizations