



# 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, use and store water as follows:

- a) The stream on which the rights are granted is Battle Creek and storage is in Stinking Lake.
- b) The points of diversion and re-diversion and the storage site are located as shown on the attached plan.
- c) The date from which this licence shall have precedence is 11th May, 1908.
- d) The purposes for which this licence is issued are storage and irrigation.
- e) This licence is supplementary to Conditional Water Licence 106482 and the maximum quantity which may be diverted into the reservoir and the maximum quantity which may be released from storage in the reservoir and re-diverted from Battle Creek is the quantity which together with the quantity available under Conditional Water Licence 106482 will provide 217,092.81 cubic metres per annum (176 acre-feet per annum).
- f) The period of the year during which the water may be diverted from Battle Creek into Stinking Lake for storage is 1st November to 15th June and the stored water may be released and used during the period from 1st April to 30th September.
- g) The land upon which the water is to be used and to which this licence is appurtenant is that part of District Lot 583 Kamloops Division Yale District lying south of Plan H686 except Parcel A on Plan B12768 and that part of Lot A District Lot 584 Kamloops Division Yale District Plan 27624 lying north of Canadian Nation Railway right-of-way (Plan A242) of which 23.74 hectares (58.67 acres) may be irrigated.
- h) The authorized works are diversion structures, ditch, dam, silting pond, pipe, pumps and sprinkler 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) The dam authorized under clause (h) is subject to the Dam Safety Regulations and shall be designed, constructed and maintained to the satisfaction of a Dam Safety Officer under the Water Act and in accordance with the Canadian Dam Association Guidelines.
- l) This Licence is issued in substitution of Conditional Water Licence 106477.



Rick Sommer  
Assistant Regional Water Manager/District Manager