



# 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 and use water as follows:

- a) The stream on which the rights are granted is Dennis 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 April 19, 2002.
- d) The purpose for which this licence is issued is power (residential).
- e) The maximum quantity of water which may be diverted for power (residential) purpose is 0.05663 cubic metres per second.
- 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 Lot 7, District Lot 6513, Kootenay District, Plan NEP70681.
- h) The authorized works are screened intake, penstock, tailrace, 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, 2018. 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) The power generation pursuant to this licence may be supplied to one dwelling on Lot 7, District Lot 6513, Kootenay District, Plan NEP70681, as shown on the attached plan.
- l) Any in-stream work in Dennis Creek may only be undertaken between July 15 and August 15 of any given year unless otherwise authorized by the Regional Water Manager.
- m) The intake works and diversion structure employed to divert water from Dennis Creek must allow free passage of any fish present in the stream, at all life stages and in both directions (upstream and downstream), and the intake works must be screened to prevent entrainment of any fish present in the stream at all life stages.
- n) This Licence is issued in substitution of Conditional Water Licence 117290
- o) This licence terminates on March 10, 2044. Prior to the termination date, the licensee may apply to the Comptroller of Water Rights or the Regional Water Manager in accordance with the provisions of the Water Act to amend this licence to extend its term.



Duane Hendricks, P.Eng.  
Assistant Regional Water Manager