



# 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 Polecabin Creek.
- b) The points of diversion and re-diversion are located as shown on the attached plan.
- c) The date from which this licence shall have precedence is April 9, 2008.
- d) The purpose for which this licence is issued is domestic.
- e) The maximum quantity of water which may be diverted is 2.273 cubic metres per day.
- 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 that portion of Lot 1, Section 3, Township 29, Range 22, West of the 5th Meridian, Kootenay District, Plan 16469, lying north of Johnson Road.
- h) The authorized works are diversion structure, division tank, pipe, ditch, re-diversion structure and pipe, 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) Construction, maintenance or operation of the works outlined in clause (h) shall not result in the lowering or weakening of the natural stream bank or any existing bank protection works.
- l) All water diverted must pass through a division tank constructed to specifications set by an Engineer under the *Water Act* and maintained by the licensee.
- m) When required to do so by the Comptroller or the Regional Water Manager, the licensee shall install a pipeline to convey the water from the point of diversion to the place of use and shall discontinue the use of any ditch.
- n) This licence authorizes the use of water for domestic purpose in one dwelling, located approximately as shown on the attached plan.
- o) This Licence is issued in substitution of Conditional Water Licence 124022.

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