



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 Kay 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 4 September, 1941.
- d) The purposes for which this licence is issued are domestic (watering of garden) and land improvement.
- e) The maximum quantity of water which may be diverted for domestic (watering of garden) is 1.136 cubic metres per day and for land improvement is 1.136 cubic metres per day.
- f) The period of the year during which the water may be used for domestic (watering of garden) is April 1 to September 30 and for land improvement is the whole year.
- g) The land upon which the water is to be used and to which this licence is appurtenant is the land improvement project of the licensee within Lot B, District Lots 370 and 372, Kootenay District, Plan 4987, except part included in Plan 13852.
- h) The authorized works are diversion structure, tank, irrigation system, pond and pipe, 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) This licence is issued in substitution of Conditional Water Licence 125947.

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