



# Province of British Columbia

## *Water Act*

### CONDITIONAL WATER LICENCE

The owner(s) 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 Mitchell 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 March 6, 2013.
- d) The purpose for which this licence is issued is Power (residential). The power generated, up to 0.09791 KW, may be supplied for use for household requirements in up to two dwellings, as shown on the attached plan.
- e) The maximum quantity of water which may be diverted under this licence is 0.00130 cubic metres per second, subject to the following:
  1. The licensee must maintain seven percent of the total flow (or a minimum flow as ordered under clause (1) by an Engineer under the Water Act) during any time of the year, immediately below the point of diversion, and
  2. The water diverted shall be returned to the stream at the tailrace location shown on the attached plan.
- f) The period of the year during which the water may be used is the whole year.
- g) The land upon which water is to be used is Lot 51, Block A, District Lot 3042, Group 1, New Westminster District, Plan VAP11055 (PID 009-171-398), on which a powerhouse is situated, and the land to which the licence is appurtenant is said land.
- h) The authorized works are screened intake, penstock, tank, 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, 2017. Thereafter, the licensee shall continue to make regular beneficial use of the water in the manner authorized herein.

- j) The intake must be screened to prevent the entry of aquatic wildlife. For further guidance, refer to the Fisheries and Oceans Canada Freshwater Intake End-of-Pipe Fish Screen Guideline at <http://www.dfo-mpo.gc.ca/Library/223669.pdf>
- k) To construct the works authorized under clause (h) of this licence, the licensee must submit As-Built, record drawings to the Regional Water Manager, within one year of substantial completion of the works.
- l) The diversion of water authorized under this licence may be regulated at any time by an Order in writing of an Engineer under the Water Act, in order to maintain a minimum flow in the stream and /or protect aquatic life. Regulation includes stopping, limiting, opening, shutting and prohibiting the diversion of water.
- m) The licensee is hereby authorized to remove sediment and debris from the stream near the intake when needed to ensure proper operation of the works, provided that removal is done in a manner that does not adversely impact surrounding land, other water users, or stream habitat.
- n) Modification and maintenance of the works authorized under clause (h) hereof may be ordered at any time by an Engineer under the Water Act to ensure proper operations of said works.
- o) The term of this licence is 40 years from the date of issuance of this licence.
- p) 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.



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