



# 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 Meadow 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 May 28, 2013.
- d) The purpose for which this licence is issued is irrigation.
- e) The maximum quantity of water which may be diverted is 35,460 cubic metres per year at a rate not to exceed 295.5 cubic metres per day.
- f) The period of the year during which the water may be used is April 1 to September 30.
- g) The land upon which the water is to be used and to which this licence is appurtenant is Lot 1, District Lots 573, 881, and 1751, Kootenay District, Plan NEP68627 of which 9.31 hectares may be irrigated.
- h) The authorized works are screened intake, pumphouse, pipe, and irrigation system 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 intake works employed to divert water from Meadow 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.
- l) The diversion of water authorized under this licence may be restricted or prohibited at any time by an Order in writing of the Engineer in order to maintain a minimum flow in the stream for the passage of fish.



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