



Province of British Columbia

Water Act

CONDITIONAL WATER LICENCE

The holders of the Crown Land tenure held under Lands file 4403997 to which this licence is appurtenant are hereby authorized to divert and use water as follows:

- a) The streams on which the rights are granted are Apex Creek and Dynamite Creek.
- b) The points of diversion are located as shown on the attached plan.
- c) The date from which this licence shall have precedence is June 20, 2008.
- d) The purpose for which this licence is issued is Industrial (Enterprise).
- e) The maximum quantity of water which may be diverted is 45.46 cubic metres per day, of which 2.273 cubic metres may be drawn from Dynamite Creek.
- 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 those parts of District Lots 1240 and 1241 together with District Lots 16956, 16957 and 16958 of Kootenay District comprising the Controlled Recreational Area held under Crown Lands Master Development Agreement on Lands file 4403997.
- h) The authorized works are diversion structures, tank 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 authorizes the use of water for industrial purpose in one lodge and one building located approximately as shown on the attached plan.
- l) This Licence is issued in substitution of Conditional Water Licence Number 127851.

A handwritten signature in black ink, appearing to read "D. Hendricks".

Duane Hendricks, P.Eng.
Assistant Regional Water Manager