



Province of British Columbia

Water Act

CONDITIONAL WATER LICENCE

Teck Coal Limited is hereby authorized to construct works and divert and store water as follows:

- a) The streams on which the rights are granted are Kilmarnock, Blackmore, and Blaine Creeks and their tributaries.
- b) The points of diversion are located as shown on the attached plan.
- c) The date from which this licence shall have precedence is March 26, 1990.
- d) The purposes for which this licence is issued are industrial (dust and sediment control, truck washing, effluent dilution, and overburden disposal) and mining (coal washing).
- e) The maximum quantity of water which may be diverted for overburden disposal and sediment control is the whole stream; the maximum quantity of water which may be diverted for coal washing is 0.64 cubic metres per second; the maximum quantity of water which may be diverted for effluent dilution is 10,950,000 cubic metres per year; the maximum quantity of water which may be diverted for dust control is 55,000 cubic metres per day; and, the maximum quantity of water which may be diverted for truck washing is 1,000 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 the mining project of the licensee within District Lots 6637, 6646, 6688, 6689, 6690, 6691, 6694, 6695, 6696, 6697, 6701, 6702, 6703, 6706, & 6707 Kootenay District and Vacant Crown Land immediately south of and adjacent to District Lot 6637 under Coal Lease 389310.
- h) The authorized works are a treatment plant and outlet, pipe, wash plant, deflection berms, diversion channels, rock drains and valley fills, diversion structures, and settling ponds which shall be located approximately as shown on the attached plan. Water trucks, water trees, water birds, and associated pumps and pipes will also be used, but are not shown on the attached plan.
- i) The construction of works and alterations to streams has commenced. The treatment plant will be completed by December 31, 2017. The rock drain and valley fill project shall be completed by December 31, 2050.

- j) This Licence is issued in substitution of Conditional Water Licence 126354 and Conditional Water Licence 118533.
- k) 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.
- l) Abandonment of the works authorized under this licence shall be to the satisfaction of an engineer appointed under the Water Act.
- m) The licensee shall keep the designated non-failure area outlined on the attached plan free of spoil failure debris that could jeopardize the hydraulic capacity of the rock drain and cause significant detrimental consequence beyond the impact barriers.
- n) The construction and operation of the rock drain and valley fill shall be monitored by the licensee in accordance with the Kilmarnock Creek Rock Drain Monitoring Program attached to Fording Coal Ltd.'s correspondence dated October 2, 1991. The monitoring program may be amended periodically as directed by an engineer under the Water Act.



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