



Province of British Columbia

Water Act

CONDITIONAL WATER LICENCE

The owner(s) of the land to which this licence is appurtenant is/are hereby authorized to divert and use water as follows:

- a) The streams on which the rights are granted are Wolfram Creek (North and South) and Leask 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 April 8, 2004.
- d) The purpose for which this licence is issued is industrial (overburden disposal and sediment control).
- e) The maximum quantity of water which may be diverted for industrial purposes is the whole flow.
- 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 parts of Parcel 35 and Lot 1, District Lot 4588, Plan 11279, Kootenay District, except Plans 572, 12976, NEP70655 and NEP70656.
- h) The authorized works are settling ponds, rock drains and valley fills, deflection berms, and ditches, 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) 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 Number 119426 and Conditional Water Licence Number 119427.
- l) When the mining operation is completed, the licensee shall re-establish drainage in the area, to the satisfaction of an Engineer under the Water Act.
- m) This water licence does not authorize the disposal or discharge of mine effluent tailings.



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