



# Province of British Columbia

## *Water Act*

### CONDITIONAL WATER LICENCE

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

- a) The stream on which the rights are granted is Nascall Lake.
- 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 9, 2014.
- d) The purpose for which this licence is issued is power (commercial).
- e) The maximum quantity of water which may be diverted for power (commercial) purpose is 2.5 cubic metres per second.
- 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 the licence is appurtenant is the land on which the powerhouse is situated, described as that parcel or tract of land within District Lot 1594, Range 3, Coast District.
- h) The authorized works are intake structure, penstock, powerhouse, tailrace and transmission lines 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) The licensee shall measure the flow of water in the stream at the outlet of Nascall Lake, below the intake. The licensee shall also measure the flow of water diverted from the stream into the works. The licensee shall keep records of such measurements, and provide a copy of the records to the Regional Water Manager (RWM) on request.
- k) Before commencing construction of the works authorized under clause (h) of this licence, the licensee must to the satisfaction of the RWM:
  1. Retain a professional engineer registered in the province of British Columbia (the "Independent Engineer") who will provide services to the RWM for the regulation of construction of the works;
  2. Retain a person with professional qualifications (the "Environmental Monitor") who will monitor environmental impacts from the construction of works;

3. Submit the following:
    - a. plans that show the general arrangement of the works;
    - b. criteria for the design of the works;
    - c. criteria for the operation of the works;
    - d. a schedule for the construction of the works; and
    - e. an Environmental Management Plan (EMP) for the management and mitigation of construction impacts.
  4. Obtain Leave to Commence Construction (LCC) in writing from the RWM.
- l) Before undertaking construction of any component of works for which LCC issued under (k)(4), the licensee must:
1. Ensure that the design drawings for the works to be constructed are signed and sealed by a professional engineer registered in the province of British Columbia (the "Design Engineer").
  2. Ensure that a professional engineer registered in the province of British Columbia (the "Construction Engineer") supervises the construction of the works; and
  3. Obtain letter from the Independent Engineer that the actual construction of that component work may proceed.
- m) Before commencing operation of the works authorized under clause (h), the licensee must:
1. Submit a report for acceptance by the RWM on the parameters and procedures for the operation of the works;
  2. Submit and implement a plan to the satisfaction of the RWM for the measurement of in-stream flows and of the flow of water diverted from the stream under this licence [as per clause (j)]; and:
  3. Obtain Leave to Commence the diversion and use of water authorized in this licence in writing from the RWM.
- n) Submit to the RWM, within one year of receiving the Leave to Commence the diversion and use of water, the drawings of record that show the works as they were constructed.
- o) The licensee shall adjust the diversion, rate of diversion, and use of water, as may be ordered by the RWM under the *Water Act* from time to time, for the preservation of fish and fish habitat.
- p) The term of this licence is forty (40) years from the date of issuance of this licence.



Darryl Slater  
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