



# 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 Johnson Draw 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 November 12, 2014.
- d The purpose for which this licence is issued is Land Improvement.
- e The maximum quantity of water which may be diverted 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 that portion of the Southwest Quarter of Section 10, Township 25, Range 20, West of the 5th Meridian, Kootenay District, lying west of Hwy 95 and east of the CPR R/W Plan 1155.
- h The authorized works are diversion structure (berm) and pond, 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 Surface erosion of the stockpile and work area shall not cause sedimentation of Johnson Draw Creek.
- k The north and west edge of the stockpile shall be a minimum of 10 metres from the top of the left bank of Johnson Draw Creek. Stockpile slopes shall be 1.5:1 (H:V) or flatter.
- l Instream work shall be undertaken only when Johnson Draw Creek is dry. In the event a heavy rainstorm generates a flow in Johnson Draw Creek within the dominant land, work shall be stopped until the channel is dry.

- m Excavation of material shall commence at the downstream end of the pond and proceed upstream.
- n All disturbed soils shall be seeded after the pond materials are excavated to minimize erosion.
- o Any machinery operated on site shall be in good repair and be free of hydraulic leaks and excess surface oil and grease.
- p Fuelling and servicing of vehicles and equipment must occur a minimum of 30 metres away from Johnson Draw Creek and any spills must be properly cleaned up and reported as required by the Spill Reporting Regulation (B.C. Reg. 263/90).
- q The cleared channel must have a cross-sectional area equal to or greater than the present cross-sectional area and with the same slope as the present stream. Channel side slopes shall be 2:1 (H:V) or less and the channel bottom profile shall be left with a defined thalweg so low flows can be concentrated in the center of the channel.
- r This licence, or a copy of it, must be kept or posted on the work site so that it may be shown to a Ministry official upon request.



P. Johnstone  
Assistant Regional Water Manager