



Province of British Columbia

Water Act

CONDITIONAL WATER LICENCE

The Lower Kootenay Indian Band is hereby authorized to divert and use water as follows:

- a) The stream on which the rights are granted is Kootenay River.
- b) The point of diversion is located as shown on the attached plan.
- c) The date from which this licence shall have precedence is January 21, 2015.
- d) The purpose for which this licence is issued is irrigation.
- e) The maximum quantity of water which may be diverted is 342,300 cubic metres per year.
- f) The period of the year during which the water may be used is April 1 to September 30.
- g) The land upon which the water is to be used and to which this licence is appurtenant is Creston Indian Reserve No. 5 of which 90 hectares may be irrigated.
- h) The authorized works are screened intake, pump, pipe and irrigation system 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) 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.

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