



Province of British Columbia

Water Sustainability Act

CONDITIONAL WATER LICENCE

The owners of the undertaking to which this licence is appurtenant are hereby authorized to divert water as follows:

- a) The stream on which the rights are granted is Industry Brook.
- b) The point of diversion is located as shown on the attached plan.
- c) The date from which this licence shall have precedence is March 26, 2015.
- d) The purpose for which this licence is issued is Land Improvement: General.
- e) The maximum quantity of water which may be diverted for Land Improvement: General is the total flow.
- f) The period of the year during which the water may be used is January 1 to December 31.
- g) This licence is appurtenant to the land improvement (channel realignment) project of the licensee from the top of left bank to the top of right bank of Industry Brook for a length of channel within Lot 3, Section 31, Township 27, Osoyoos Division Yale District, Plan KAP80993, as shown on the attached plan.
- h) The authorized works are diversion channel (not constructed) 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, 2019. Thereafter, the licensee shall continue to make regular beneficial use of the water in the manner authorized herein.
- j) During all phases of construction and maintenance, the holder of this licence shall adhere to the submitted design drawings and plans, namely: Industry Brook Restoration Sheet Numbers 6 and 7, and the March 26, 2015 document entitled "Proposed Industry Brook Re-Alignment at Solstice at Tower Ranch - Phase One Development, Kelowna, BC". Additionally, the licensee shall follow the habitat protection terms and conditions specified in the document "Terms and Conditions for changes in and about a stream Thompson Nicola or Okanagan" and any other additional conditions stipulated from a Habitat Officer (contact BC Government at 1-877-855-3222).

- k) This licence is issued under the Water Sustainability 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 or on an aquifer. 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.

A handwritten signature in black ink, appearing to read "Michael Epp".

Michael Epp
Assistant Water Manager