



# Province of British Columbia

## *Water Act*

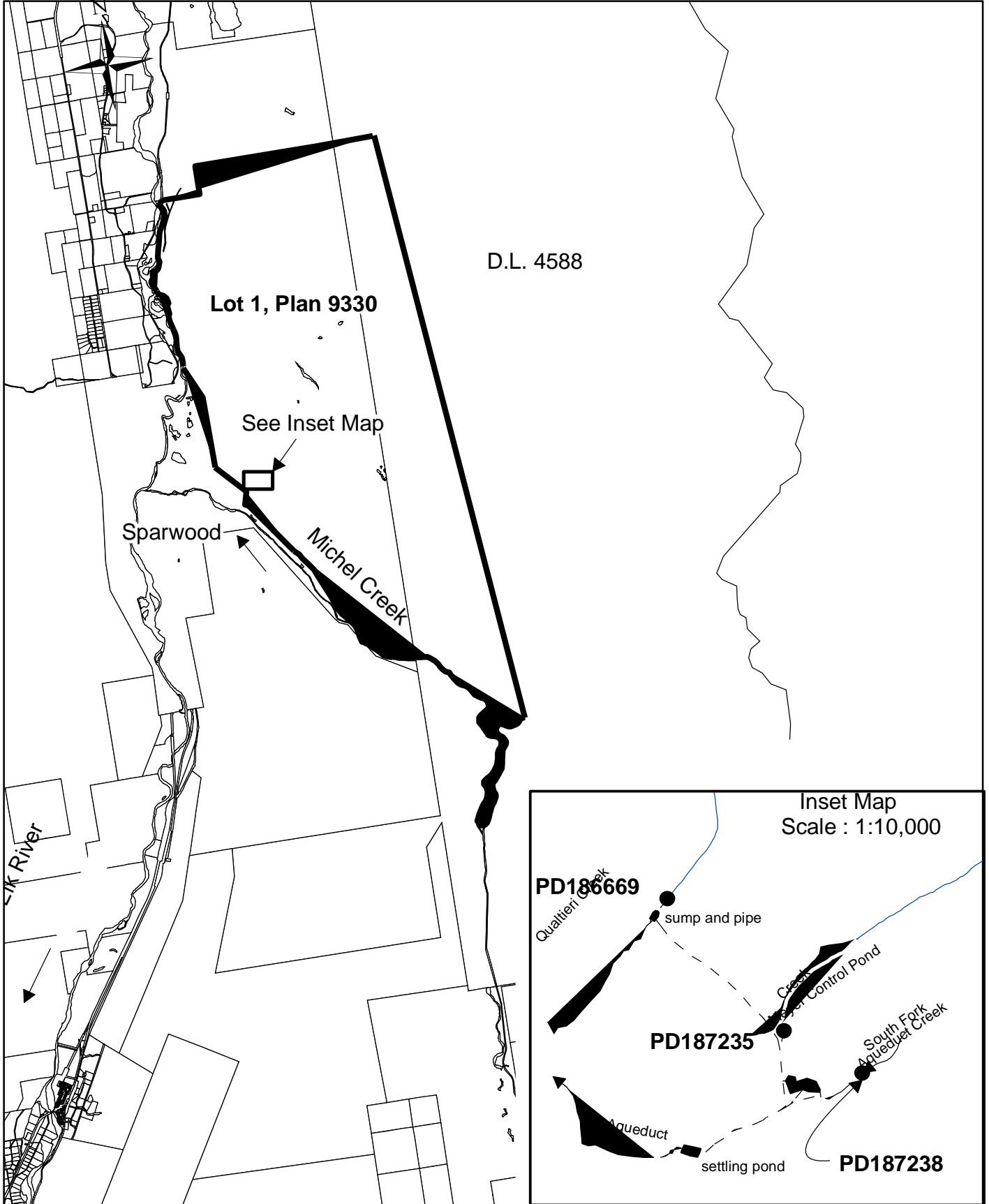
### CONDITIONAL WATER LICENCE

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

- a) The streams on which the rights are granted are Qualtieri, Aqueduct and South Fork Aqueduct Creeks.
- b) The points of diversion are located as shown on the attached plan.
- c) The date from which this licence shall have precedence is November 23, 2014.
- d) The purpose for which this licence is issued is Industrial - Sediment Control.
- e) The maximum quantity of water which may be diverted from Qualtieri Creek is 0.32 cubic metres per second and from Aqueduct and South Fork Aqueduct Creeks is 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 Lot 1, District Lot 4588, Kootenay District, Plan 9330, except Parts included in Plans 9591, 10218, R/W Plan 12980 and Plan NEP89674.
- h) The authorized works are diversion structure, sump, pipe, diversion channel, culvert and settling 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) 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.

A handwritten signature in black ink, appearing to read "P. Johnstone". The signature is written in a cursive style with a prominent initial "P" and a long, sweeping underline.

P. Johnstone  
Assistant Regional Water Manager



WATER DISTRICT: FERNIE  
 PRECINCT: MICHEL  
 LAND DISTRICT: KOOTENAY  
 LEGEND:  
 Scale: 1:150,000  
 Point of Diversion: ●  
 Map Number: WR 1929  
 Diversion Channel: - - - - -

Signature: 

Date: April 28, 2015

C.L.: 132255

FILE: 4006417

**ORDER**

**UNDER THE *WATER SUSTAINABILITY ACT***

**SECTION 26(1)(d)**

File No: 4006417

In the matter of Conditional Water Licence No 132255 which authorizes the diversion and use of water from Qualtieri, Aqueduct and South Fork Aqueduct Creeks for industrial (sediment control) purpose.

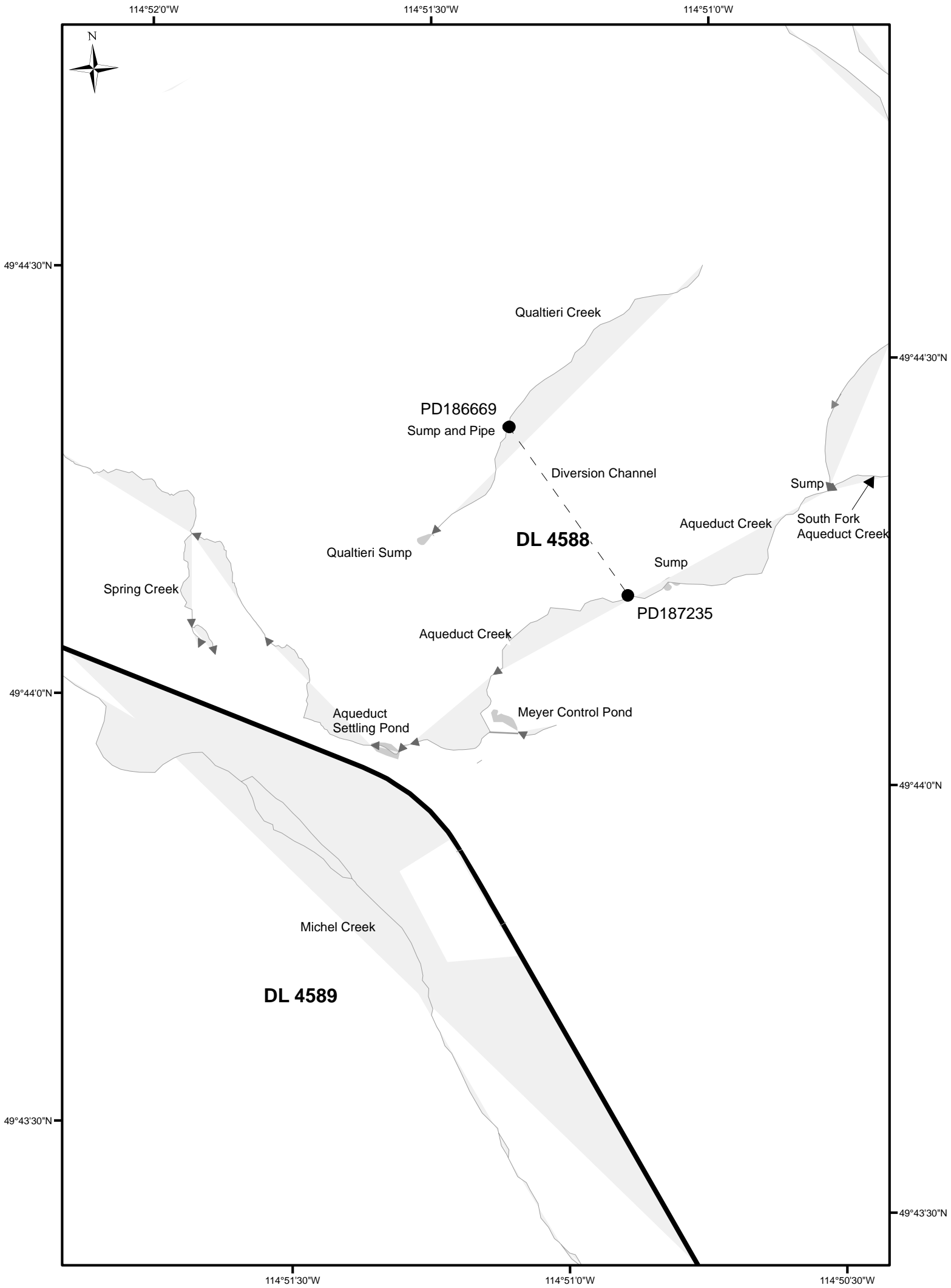
Having determined that the change of works proposed for the diversion channel on Qualtieri Creek in the memo titled “Water Licence 132255 Amendment” dated August 10, 2016 conforms with the *Water Sustainability Act* and its Regulations, I hereby authorize the request to complete the change of works described in the above references, and amend clauses (b) and (h) of said Water License to read as follows:

- b) The points of diversion are located as shown on the attached amended plan.
- h) The authorized works are diversion structures, sumps, pipes, diversion channel, and control and settling ponds, which shall be located approximately as shown on the attached amended plan.





DATED at Cranbrook, British Columbia, this 07day of December, 2016.




Pierre Johnstone  
Assistant Water Manager



WATER DISTRICT: FERNIE  
 PRECINCT: MICHEL  
 LAND DISTRICT: KOOTENAY  
 SCALE: 1:10,000  
 MAP NUMBER: WR 82G/NE  
 C.L. 132255  
 FILE: 4006417

- LEGEND**
-  Appurtenant Land
  -  Parcel Fabric
  -  Water Polygons
  -  Diversion Channel

Signature:   
 Date: December 07, 2016  
 Amended Plan