



# Province of British Columbia

## *Water Act*

### **CONDITIONAL WATER LICENCE**

The holder of tenure on Crown Land File No.1413685 covering 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 Little Nitinat 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 August 3, 2011.
- d) The purpose for which this licence is issued is power (general). The power is to be generated with the Little Nitinat Generating Station.
- e) The maximum quantity of water which may be diverted for power (general) purpose is 20.0 cubic metres per second, subject to a minimum in stream flow release of 0.60 cubic metres per second being allowed to pass the intake structure on the Little Nitinat River.
- 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 of the Little Nitinat Generating Station is situated, described as that part of District Lot 148, and unsurveyed Crown land lying in the vicinity of Little Nitinat River together with unsurveyed Crown foreshore or land covered by water being part of the bed of Little Nitinat River, unnamed creek and tributaries, all within Barclay District as held under Crown Land File 1413685.
- h) The works authorized for the Little Nitinat Generating Station are:
  1. a diversion structure consisting of a Coanda screen side draft intake, control gate and weir;
  2. headpond;
  3. penstock;
  4. a powerhouse, tailrace and switch yard;
  5. access road;
  6. transmission line from the powerhouse to the existing BC Hydro grid which shall be located approximately as shown on the attached plans; and
  7. flow measuring devices suitable to the Regional Water Manager shall be incorporated into the works at the sources to measure amounts of water diverted into the penstock and the amount released to meet the in stream flow requirements of Little Nitinat River.
- 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) Before commencing construction of the works authorized under clause (h) of this licence, the licensee must, to the satisfaction of the Regional Water Manager (RWM) under the *Water Act*:
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.
- k) Before undertaking construction of any component of works for which the LCC is issued under clause (j) 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") and accepted by the independent engineer;
  2. ensure that a qualified professional supervises the construction of the works; and
  3. obtain letter from the independent engineer that the actual construction of that component work may proceed.
- l) 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; and
  3. obtain leave to commence the diversion and use of water authorized in this licence in writing from the RWM.
- m) 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.
- n) The term of this licence is forty [40] years from the date of issuance of this licence.
- o) This licence will remain valid only for so long as a valid tenure exists for the land described in clause (g) herein, or the licensee acquires ownership of the said land.



Darryl Slater  
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