



Province of British Columbia

Water Sustainability Act

CONDITIONAL WATER LICENCE

The owner of the mine to which this licence is appurtenant is hereby authorized to divert and use water as follows:

- a) The streams on which the rights are granted are Goddard, Lindsay, Feltham and Fenelon 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 September 30, 2015.
- d) The purpose for which this licence is issued is Miscellaneous Industrial - Sediment Control.
- 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 the mining project of the licensee within Lot 1, District Lot 4588, Kootenay District, Plan 9330, except parts included in Plans 9591, 10218, RW Plan 12980 and Plan NEP89674.
- h) The authorized works are diversion structures, diversion channels, rock drains, valley fills, sediment control ponds and flow measuring devices (weirs), 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) This licence authorizes the construction and operation of flow measuring weirs. The weirs shall be designed by and constructed to the standards set by a qualified professional. The weirs shall be rated, operated and maintained to the standards set by the Resource Information Standards Committee. The data collected for each water year (October 1 - September 30) shall be submitted to the Cranbrook Water Management Regional office no later than March 1st of the following year.

- k) When the mining operation is completed, the licensee shall re-establish drainage in the area, to the satisfaction of an Engineer under the *Water Sustainability Act*.
- l) 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 "P. Johnstone". The signature is written in a cursive style with a long horizontal flourish at the end.

P. Johnstone
Assistant Regional Water Manager