



Province of British Columbia

Water Sustainability Act

CONDITIONAL WATER LICENCE

The Regional District of Central Kootenay is hereby authorized to divert and use water as follows:

- a) The stream on which the rights are granted is Sanca Creek.
- b) The point of diversion is located as shown on the attached plan.
- c) The date from which this licence shall have precedence is July 24, 1979.
- d) The purpose for which this licence is issued is Waterworks: Local Provider.
- e) The maximum quantity of water which may be diverted for Waterworks: Local Provider is 29038 cubic metres per year.
- f) The period of the year during which the water may be used is January 1 to December 31.
- g) The land upon which the water is to be used and to which this licence is appurtenant is all the lands within the boundaries of the Regional District of Central Kootenay defined under By-Law 268, Kootenay District.
- h) The authorized works are screened intake, riffle, pipe and head 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, 2019. 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 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.

- k) The diversion of water authorized under this licence may be restricted or prohibited at any time by an Order in writing under the *Water Sustainability Act*, in order to maintain a minimum flow in a stream.
- l) Care must be exercised during all phases of the work to minimize siltation.
- m) Instream work must be undertaken during the period July 15 to August 31 to minimize the impact on the fisheries' resource, unless authorized by a habitat officer.
- n) The in-stream licenced works must facilitate upstream and downstream fish passage.



Duane Hendricks, P.Eng.
Assistant Water Manager