



Province of British Columbia

Water Sustainability Act

CONDITIONAL WATER LICENCE

The owner(s) of the land to which this licence is appurtenant is/are hereby authorized to divert and use water as follows:

- a) The stream on which the rights are granted is Havelock Pond.
- b) The point of diversion and re-diversion are located as shown on the attached plan.
- c) The date from which this licence shall have precedence is August 12, 1980.
- d) The purpose for which this licence is issued is irrigation.
- e) The maximum quantity of water which may be diverted is 39,470 cubic metres per year.
- f) The period of the year during which the water may be used is April 1 to September 30, subject to the water level of Havelock Pond being at or above a minimum level established in writing for this licence by an Engineer under the *Water Sustainability Act*.
- g) The land upon which the water is to be used and to which this licence is appurtenant is LOT B SECTION 6 TOWNSHIP 9 OSOYOOS DIVISION YALE DISTRICT PLAN EPP41993 of which 6.475 hectares may be irrigated.
- h) The authorized works are diversion structure, pump, pipe and irrigation system which shall be located approximately as shown on the attached plan.
- i) The construction of the said works has been completed and the water is being beneficially used. The licensee shall continue to make regular beneficial use of the water in a manner authorized herein.
- j) This licence authorizes the diversion of 39,470 cubic metres per year from PD78756, provided that the maximum rate at which water may be diverted from Havelock Creek at any time shall not exceed the available rate of flow from Havelock Pond to Havelock Creek.
- k) This Licence is issued in substitution of Conditional Water Licence 121511, in part.

- l) The licensee shall install a flow measuring or other measuring device to the satisfaction of an Engineer under the *Water Sustainability Act*.
- m) The licensee shall retain flow meter/measurement records for inspection upon request by an Engineer under the *Water Sustainability Act*.
- n) 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.



Michael Epp
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