



Province of British Columbia

Water Sustainability Act

CONDITIONAL WATER LICENCE

The Province of British Columbia as represented by Fish & Wildlife Branch (Kamloops Wildlife Branch) is hereby authorized to divert and store water as follows:

- a) The source on which the rights are granted is Beaton Creek and storage is in Small Dairy Lake.
- b) The storage site is located as shown on the attached plan.
- c) The date from which this licence shall have precedence is July 8, 2016.
- d) The purpose for which this licence is issued is conservation: storage.
- e) The maximum quantity of water which may be diverted and stored under this licence is 74,000 cubic metres per year subject to the following:
The licensee shall not divert water from Beaton Creek, at any time the flow measured immediately downstream of Dairy Lake Dam and no further than 475 metres downstream of Dairy Lake Dam, falls below:
 1. a minimum flow of 2.4 litres/second; or
 2. a minimum flow as ordered under clause (o) by the Water Manager.
- f) The reservoir may be filled at any time the conditions of the licence have been met and the water may be released from storage at any time of the year.
- g) The land upon which the water is to be used and to which this licence is appurtenant is the Conservation Project of the Licensee on Small Dairy Lake within Kamloops Division Yale District.
- h) The authorized works are dam, spillway, control gate and flow measuring devices 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 dam authorized under clause (h) is subject to the Dam Safety Regulation and shall be designed, constructed and maintained to the satisfaction of a Dam Safety Officer under the *Water Sustainability Act* and in accordance with the Canadian Dam Association Guidelines.
- l) Following the substantial completion of construction, filling of the reservoir must not commence until written leave to commence diversion is given by a Dam Safety Officer under the *Water Sustainability Act*.
- m) As Constructed Drawings of the works authorized by this licence must be submitted by the licence holder to the Dam Safety Officer before December 31, 2019.
- n) The licensee must operate the works authorized under clause (h) above in accordance with:
 - (1) procedures ordered by an Engineer under the *Water Sustainability Act*, including any order for the regulation of the diversion, rate of diversion and use of water as may be required for the preservation of Fish and/or Aquatic Ecosystems and for the provision of flow for the maintenance of environmental flow needs; and
 - (2) any amendment of the procedures ordered by an Engineer under the *Water Sustainability Act*.
- o) 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.
- p) This licence does not authorize the diversion and storage of water from April 1st to June 30th, unless the minimum flows and durations (non-consecutive) specified below have first been met, as measured immediately downstream of the dam on Dairy Lake and no further than 475 metres downstream of Dairy Lake Dam :

Function:	Target Flow	Flow (litres/second)	Duration
Channel geomorphology/sediment flushing	400% MAD	48	3 days
Off-channel connectivity/riparian function	100% MAD	12	21 days

- q) The works authorized under clause (h) hereof shall be maintained to the satisfaction of an Engineer under the *Water Sustainability Act*.
- r) The licensee shall install water level measuring equipment to the satisfaction of an Engineer under the *Water Sustainability Act*. At a minimum, staff gauges must be installed

and maintained at the following locations:

- 1) Beaton Creek no further than 475m downstream of Dairy Lake;
 - 2) on Small Dairy Lake;
 - 3) on Dairy Lake
- s) The licensee shall retain water level and flow measuring records for inspection upon request by an Engineer under the *Water Sustainability Act*.
- t) The licensee shall develop a dam operating plan for both Small Dairy Lake and Dairy Lake and this plan shall be submitted to Ministry of Forests, Lands and Natural Resource Operations Water Stewardship staff for review and approval prior to enacting this license.



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