



Province of British Columbia

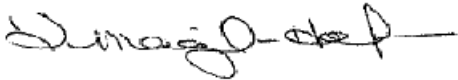
Water Sustainability Act

CONDITIONAL WATER LICENCE

The owner(s) of 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 Butters Brook.
- b) The point of diversion is located as shown on the attached plan.
- c) The date from which this licence shall have precedence is April 27, 1970.
- d) The purpose for which this licence is issued is land improvement.
- e) The maximum quantity of water which may be diverted for land improvement is the total flow.
- f) The period of the year during which the water may be used is the whole year.
- g) The land on which the water is to be used and to which this licence is appurtenant is the West 1/2 of the West 1/2 of Section 16, Township 40, Osoyoos Division Yale District, except Plans 20087 and KAP80531.
- h) The authorized works are pipe and pond 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) In your application for licence amendment you indicated your intention to comply with all of the recommendations provided by M.J. Milne and Associates in their report dated September 14, 2016. A condition of this licence is that you comply with those recommendations as stated. Furthermore, the work must occur prior to February 28, 2017.
- k) The holder of this water licence shall perform regular, pro-active maintenance at the point of diversion for this water licence. The objective of that maintenance shall be to prevent sediment and/or debris from obstructing the pipe intakes, causing Butters Brook to overflow its banks, and causing flooding on the eastern side of the alluvial fan.
- l) This licence is issued in substitution of water licence C047748.

- m) 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 'Kimm Magill-Hofmann', with a horizontal line extending to the right.

Kimm Magill-Hofmann
Assistant Water Manager