



DEPARTMENT OF LANDS.

Permit under the "Water Act," ~~1914~~ authorizing
Entry upon Crown Lands.

WHEREAS MAX T. BENTHIEN
whose address is Gray Creek, B.C.
being the holder of Conditional Licence 8157,
has petitioned the Minister of Lands for a permit to enter upon the unoccupied
Crown lands hereinafter described, and in respect thereof has complied with the requirements of the
"Water Act," ~~1914~~ and the rules and regulations thereunder:

Now, therefore, in pursuance of the "Water Act," ~~1914~~, this permit is issued authorizing the holder
of the above-mentioned licence (hereinafter called the "licensee") to enter upon, use, and occupy a
right-of-way of the following dimensions: Length, 1400 feet; width, 15 feet;
area, .48 acres, across the unoccupied Crown lands ~~known as~~
~~Lot~~ and approximately shown in Exhibit "A" hereto, subject to the following terms
and conditions:—

1. The easement granted by this permit is appurtenant to Lot 1, R.P. 1174, Nelson
L.R.D. being part of Sublot 42 of Lot 4595, Group 1, Kootenay Dist.
2. The period during which the authority granted under this permit may be exercised, unless sooner
terminated as herein provided, is 20 years, subject, however, to renewal at the end of the
said term under the laws and regulations then in force.

3. There shall be payable under this permit on the date hereof and annually hereafter, at the office
of the Comptroller of Water Rights at the City of Victoria, whether demanded or not, an annual rental
of such amount as may be fixed by or under any rules and regulations respecting the entry upon, use of,
or occupation of Crown lands made from time to time by His Honour the Lieutenant-Governor in
Council under authority lawfully vested in him. The said annual rental until lawfully altered shall
be \$ 1.00, and unless the said annual rental is paid punctually as aforesaid this
permit may be cancelled without notice.

W.R.B. No. 1020—500-1-22—5567

File No. 061543

Crawford B.P.

281

abandoned
29 Jan 65

The Lessee covenants that no Chinese or Japanese shall be employed on any work carried out on the demised premises.

PROVIDED always that nothing in this clause contained shall apply to any treaty now existing between Great Britain and any other country or countries, or any treaty which may hereafter be entered into between Great Britain and any other country or countries, and which may be hereafter sanctioned and declared to have the force of law in Canada.

4. This permit gives the licensee the right to cut or remove from said lands such timber only as is necessary for the construction of the said works thereon under said licence and subject to the payment by way of stumpage at the rate of \$ 1.00 per one thousand feet board measure and royalty as provided for ~~in the Timber Royalty Act~~ under Sec. 53a of the "Forest Act", the same to be determined, paid, and collected according to the provisions of the "Forest Act" relating to the collection of royalty.

5. There is reserved to the Crown the right to grant to other persons permits to enter upon, use, and occupy the lands over which the said right-of-way is granted hereunder without payment to the licensee, or his successors in title, of compensation, save for actual damage.

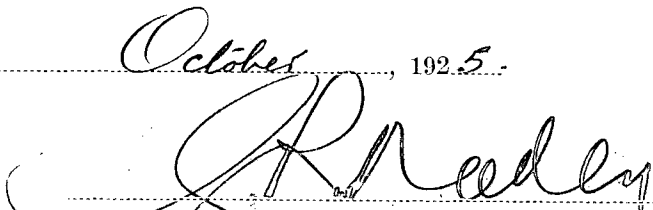
6. In the event of a dispute arising at any time during the term of this permit between the licensee and the registered owner of the lands immediately adjacent to the said right-of-way respecting the exact location of the said right-of-way, the licensee shall at his own expense have the said right-of-way surveyed by a duly qualified land surveyor, and shall likewise file in the Lands Department at Victoria, B.C., a map or plan showing the said right-of-way as surveyed.

7. This permit and the rights granted hereunder shall be subject always to compliance by the licensee with all the terms and conditions of the said licence, and if the said licence should at any time lapse, expire, be cancelled, abandoned, or declared null and void, this permit shall, *ipso facto*, become void and of no effect and all rights granted hereunder shall cease and determine.

8. This permit and the rights granted hereunder shall be subject always to compliance by the licensee with the terms and conditions herein contained, and if the licensee fail at any time to fulfil, keep, and observe the said terms and conditions, or any of them, it shall be lawful for the Minister of Lands of the Province of British Columbia, his agent or servant, on behalf of the Crown, upon thirty days' notice to that effect, absolutely to cancel all the rights granted hereunder; and thereupon this permit and the said rights shall cease, determine, and be of no effect without any other proceeding whatever.

9. This permit shall have the effect only of a permit issued under section ~~50~~ 50 of the said "Water Act," ~~1914~~ and the easements, rights, and privileges of the licensee in respect of the said lands thereunder shall be construed as subject always to all the provisions of the said Act and amendments thereof and all rules and regulations from time to time made thereunder.

Issued this 24th day of October, 1925.
File No. 061543.


Deputy Minister of Lands.

abandoned
29 Jan 1965

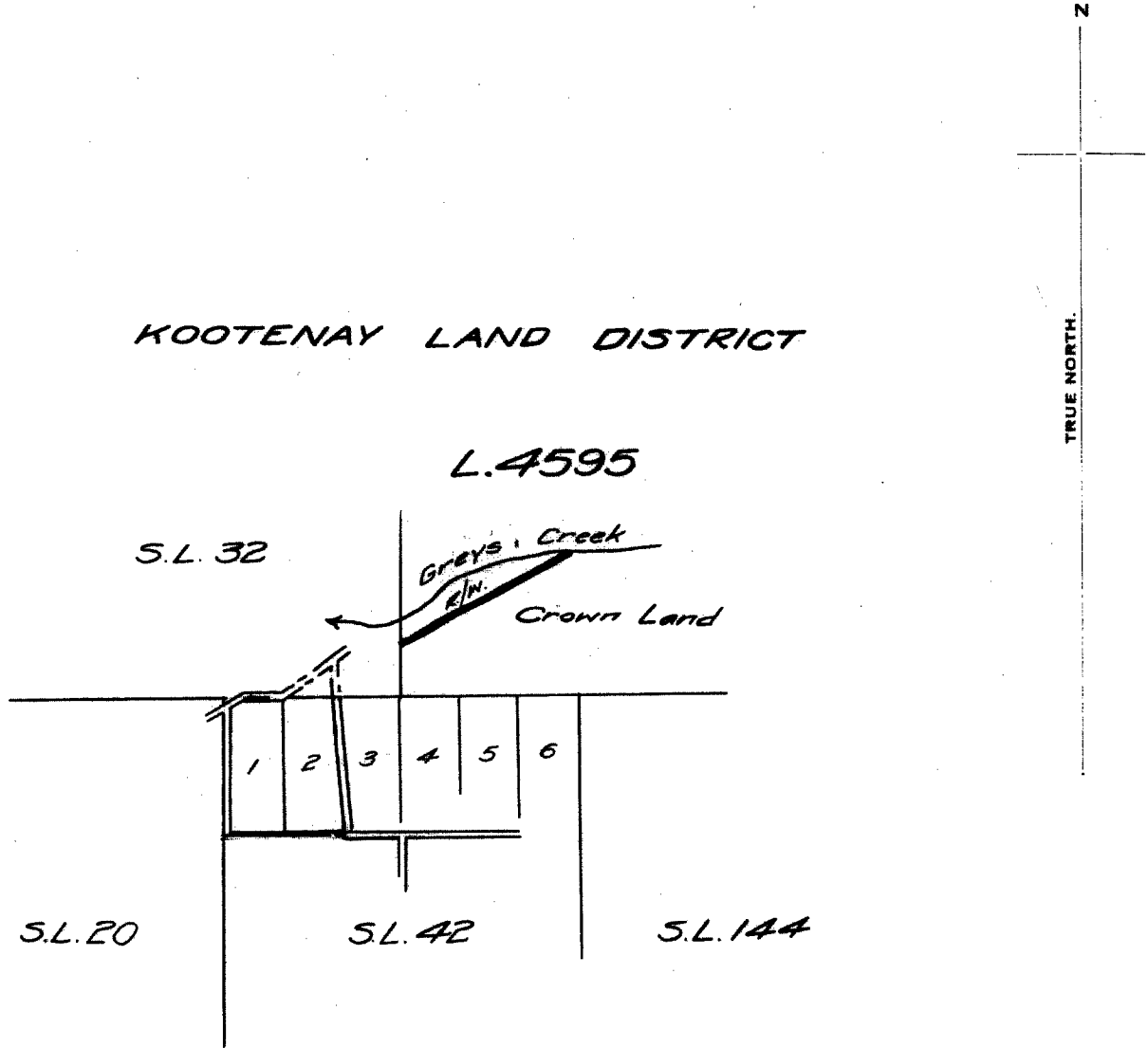
British Columbia.

To accompany Permit for Right-of-way over Crown Land for Conditional Licence No. 8157

NELSON ——— WATER DISTRICT

Scale, 20 Chains to 1 Inch.

KOOTENAY LAND DISTRICT



*G.R.F.
D.H.*

Right-of-way across unoccupied CROWN LAND		
Length	Width	Area
1400 Feet	15 Feet	.48 Ac. ✓

Signature _____

R. Radey

Date _____

24 Oct. 1925

R/W Permit for CL 8157
File 88888

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