



DEPARTMENT OF LANDS.

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

WHEREAS Alexander Hurry, Lester Clapp, L.P. Sullivan, J. Leask and W.P. Ratcliffe, whose address is Cranbrook, B.C.

being the holder of Conditional Licence 11620,

has petitioned the Minister of Lands for a permit to enter upon the occupied & unoccupied Crown lands hereinafter described, and in respect thereof has complied with the requirements of the "Water Act" and the rules and regulations thereunder:

Now, therefore, in pursuance of the "Water Act," 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 4150 ft. 15 feet; width 15 feet; Unoccupied 9750 ft. 15 " area 1.43 3.36 4.79 acres, across the occupied & 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 P.M.L's. 255, 256, 257, 258 & 404, Fort Steele Mining Division of Kootenay District.

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 \$ 1.25 100, and unless the said annual rental is paid punctually as aforesaid this permit may be cancelled without notice.

VOID Rec No 24642

1050

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 \$ 1.50 per one thousand feet board measure and royalty as provided for under section 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 of the said "Water Act," 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 14<sup>th</sup> day of June, 1933.

A. B. Battershall  
Deputy Minister of Lands.

File No. 0110580.

# British Columbia

To accompany Permit for Right-of-Way for Conditional Licence No. 11620

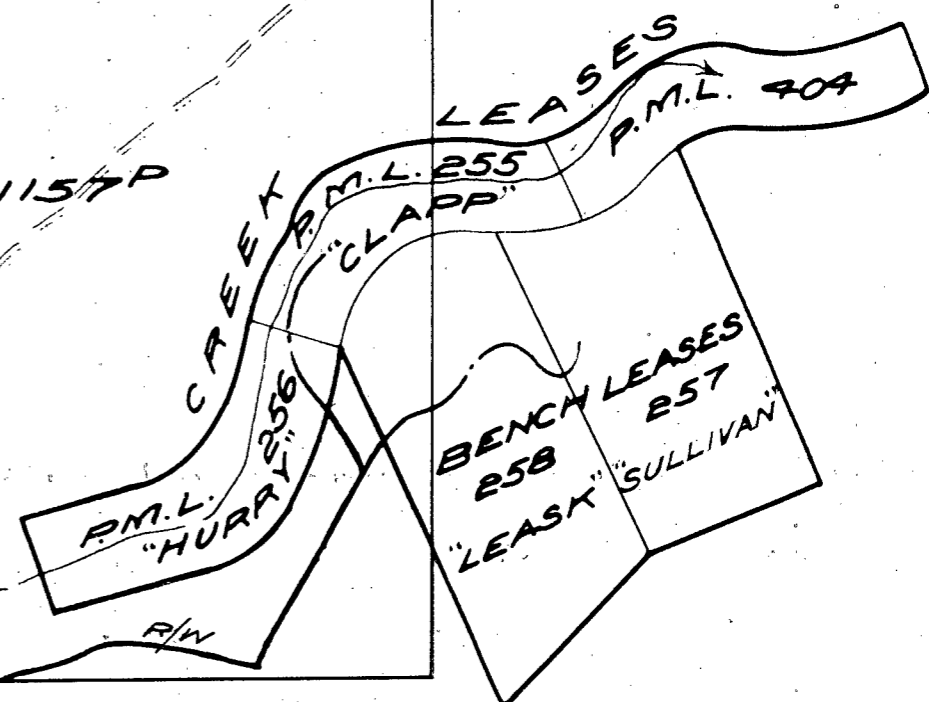
## CRANBROOK WATER DISTRICT.

Scale: 20 Chains to 1 Inch.

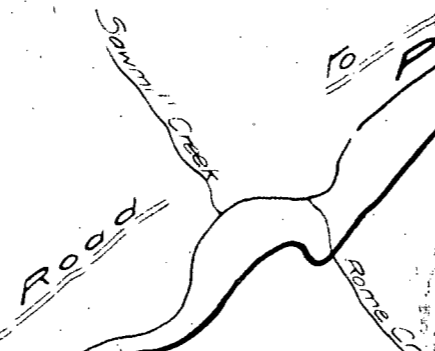
L.4592

KOOTENAY LAND DISTRICT

S.T.L. 11157P



To Perry Creek R/W



FORT STEELE MINING DIVISION

Point of Diversion  
"C" W.R. Map 1301

East boundary of L.4592

TRUE NORTH

NOTE: - This right-of-way easement is issued subject to the rights of the holders of Placer Mining Leases in existence prior to, & in good standing on, 18th Nov. 1932 & which may be affected by this right-of-way.

Right-of-way across CROWN LAND		
Length	Width	Area
9750 Ft.	15 Feet	3.36 Acs. unoccupied.
7150 "	" do.	1.43 " occupied.
Total		4.79 Acs.

L.5446

Ref. Map 16-9N(A-4)  
Perry Creek Precinct

Signature *Mathcarl*

Date 14 June 1933

R/W Permit for C.L. 11620

File 0110580

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