



DEPARTMENT OF LANDS.

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

George Simms, of Box 544, Kimberley, B. C.

being the holder of Final Licence No. 11143

is hereby authorized to enter upon, use, and occupy a right-of-way of the following dimensions:—

Occupied Crown lands: Length, feet; width, feet; area, acres;
Unoccupied Crown lands: Length, 1950 feet; width, 15 feet; area, 0.67 acres;

across the Crown lands known as District Lot 10344 and south portion of District Lot 8103, Kootenay District, excluding Registered Plan 1728, Nelson Land Registration District,

which right-of-way is shown approximately on the plan attached to the said licence.

And is authorized to cut and remove from said Crown lands such timber only as is necessary for the construction of works for use of the water authorized to be used under the said licence, such authority being subject to the royalty as provided for under section 58A of the "Forest Act" and to the payment by way of stumpage as may be determined and collected by the Forest Branch.

There shall be payable under this permit on the date hereof and annually hereafter an annual rental which until altered shall be \$1.00, and unless the said annual rental is paid punctually this permit may be cancelled without notice.

The further terms and conditions under which this permit is issued are printed on the reverse side of this form and are made a part thereof.

Issued this 15th day of November, 1940.

Handwritten note: This permit replaces permit 1113

A. Bathcall Deputy Minister of Lands.

File No. 082441

W.R. Map, Ref. Map 16-9N (E-7)

Handwritten note: Written off on June 1972. C/w new licence 997

### FURTHER TERMS AND CONDITIONS OF PERMIT FOR RIGHT-OF-WAY.

1. This permit shall have the effect only of a permit issued under section <sup>20</sup>~~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. 1909

2. 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.

3. 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.

4. 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.