



DEPARTMENT OF LANDS AND FORESTS.

Permit under the "Water Act, 1939," authorizing the Occupation of Crown Land.

SESTO G. BIAGIONI, of Trail, B.C.

the holder of a water licence authorizing the diversion of water from Luscher Brook, is hereby authorized to occupy by maintaining and operating thereon the works authorized under Final Water Licence No. 12458

the following Crown land, namely:—

a portion of Lots 36, 37 and 38, Registered Plan 794 (as amended) of Sub Lot 3, of District Lot 4599, Kootenay District being 1500 feet in length and 15 feet in width, the location of which is shown approximately on the plan attached to the said water licence and marked "R/W". having an area of .52 acres.

And, subject to the payment of royalty and stumpage under the "Forest Act" is authorized to cut and remove from the said land any timber the removal of which is necessary to permit the construction of the said works.

There is payable in respect of this permit an annual rental of \$1.00, which is subject to alteration at any time. Failure to pay the annual rental will render this permit subject to cancellation.

This permit is appurtenant to the land to which the aforesaid water licence is appurtenant.

The conditions relative to the rights granted under this permit are printed on the back of this form.

Issued the 1st day of April, 1947

*This permit replaces permit 2292*

*[Signature]*  
Deputy Minister of Lands and Forests

File 0148692

W.R. Map

Ref. Map 18-9<sup>s</sup> (D-6)

W.R.B. 12-1M-845-8083

*Abandoned  
30 mar 1965*

*2884*

**CONDITIONS RELATIVE TO THE RIGHTS GRANTED  
UNDER THIS PERMIT.**

1. This permit is issued under section 20 of the "Water Act, 1939," and the rights hereby granted are subject at all times to the provisions of that Act and all Acts passed in amendment or substitution thereof and to all regulations from time to time made under any such Act.

2. There is reserved to the Crown the right to grant to other persons permits to occupy the land affected by this permit without compensation to the permittee or his successors in title.

3. In the event of any dispute arising at any time between the permittee and any owner of land adjacent to the land affected by this permit with respect to the area or boundaries of the land so affected, the licensee shall at his own expense, when so directed by the Deputy Minister of Lands, have the said land surveyed by a duly qualified surveyor, and shall likewise file with the Department of Lands and Forests at Victoria, B.C., a plan showing the result of the survey.

4. This permit and the rights granted hereunder are subject always to compliance by the permittee with the terms of his water licence, and if the rights granted under the said licence should at any time be suspended or terminated the rights granted under this permit are thereupon likewise suspended or terminated.

5. The amount of royalty and stumpage payable by the permittee in respect of the timber cut or destroyed by him shall be the sum or sums fixed by the Forest Service of the Government of British Columbia.