



DEPARTMENT OF LANDS AND FORESTS

Permit under the "Water Act" Authorizing the Occupation of Crown Land

John Harold Smith, of R. R. #2, Nelson, B. C.,

the holder of a water licence authorizing the diversion of water from Fortynine Creek

is hereby authorized to occupy by constructing, maintaining and operating thereon the works authorized under the said water licence, and any licence which may be issued in substitution thereof,

the following Crown land, namely:— a portion of unsurveyed vacant Crown land, Kootenay District, being 1300 feet + in length and 15 feet in width, the location of which is shown approximately on the plan attached to the said water licence,

having an area of 0.4 + acres.

And, subject to the payment of royalty, stumpage, and other compensation as provided under Condition 5, 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 \$2.00, 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 3rd day of July, 1961.

Handwritten initials

Signature of Deputy Minister of Lands

File 0233285
W.R. Map 5225
Ref. Map 82 F/SW (F-4)
W.R.B. 12-o

Conditional Licence No. 26558
Final
PERMIT OVER CROWN LAND No. 4874

CONDITIONS RELATIVE TO THE RIGHTS GRANTED  
UNDER THIS PERMIT

23

1. This permit is issued under section ~~20~~ of the "Water Act," 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 stumpage, royalty, and (or) compensation payable to the Crown by the permittee in respect of trees, including merchantable or young growth, cut, removed, damaged, or destroyed by the permittee, shall be the sum or sums fixed by the Forest Service of the Province of British Columbia.