



DEPARTMENT OF LANDS, FORESTS, AND WATER RESOURCES

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

Oscar W., Wilfred R. and Clare F. Higgins, of Box 703, Cranbrook, B.C.

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

are hereby authorized to occupy by flooding, constructing and maintaining thereon the dyke authorized under the said water licence and any licences which may be issued in substitution thereof,

the following Crown land, namely:— a portion of Sublot 8 of Lot 312, Kootenay District, Plan X40, on which is situated a dyke of 1 acre ± and a flooding Right-of-Way containing 44 acres ±, the locations of which are shown approximately on the plan attached to the said water licence,

a total having an area of 45 ± 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 construct the dyke and clear the land which may be flooded.

There is payable in respect of this permit an annual rental of \$21.00, 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 September, 1965.

[Signature] Deputy Minister of Lands.

File 0239584
W.R. Map 1802
Ref. Map 82 G/NW (A-3)

Conditional Licence No. 30216
Final
PERMIT OVER CROWN LAND No. 5920

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

1. This permit is issued under section 23 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, Forests, and Water Resources 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.