



PERMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

Brenda Mines Ltd. of 1111 West Hastings Street, Vancouver 1, B.C.

the holder(s) of Conditional Water Licence No. 33155 authorizing
the diversion and storage of water of MacDonald Creek is/are hereby

authorized to occupy Crown land by
flooding and by constructing, maintaining and operating thereon the
works authorized under the said water licence and any licences which
may be issued in substitution thereof.

- (a) The Crown land which is authorized to be occupied under this permit is
portions of unsurveyed land within Osoyoos Division of Yale
District, the location of which is shown approximately on the
plan attached to the said water licence.
- (b) The approximate dimensions of the Crown land authorized to be occupied under this permit are
- (1) two damsites having a total area of 161 acres.
 - (2) pipeline right-of-way, 8100 feet in length and 15 feet in width,
having an area of 2.76 acres.
 - (3) ditch right-of-way, 7700 feet in length and 100 feet in width,
having an area of 17.67 acres.
 - (4) area which may be flooded of 992 acres.
- (c) Subject to the payment of royalty, stumpage, and other compensation as provided under Condition 5,
the permittee is authorized to
cut and remove from the said land any timber the removal of
which is necessary to permit construction and maintenance of the
said works and clearing of the area which may be flooded.
- (d) The annual rental for this permit is \$ 1,879.00 which is subject to review and revision at any time
at the discretion of the Crown.
- (e) This permit is appurtenant to the land to which the aforesaid water licence is appurtenant.
- (f) The conditions relative to the rights granted under this permit are printed on the back of this form.

File No. 0273527
Ref. Map 82 E/NW (E-1)
W.R. Map -----

Date issued: 8 April 1968

Permit No. 6738


FOR Deputy Minister of Lands.

Superseded by
FCL 18364
July 19, 1991

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

1. This permit is issued under 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.