



PERMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

John and Mary Frank of Lister, B.C.

the holder(s) of **Conditional Water Licence 34130** authorizing
the diversion of water of Orde Creek is/are hereby

authorized to occupy Crown land 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
**a portion of Lot 22 of Lot 812, Kootenay District, Plan 1494,
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
**250 feet in length and 15 feet in width, having an area of 0.086
acre.**
- (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.**
- (d) The annual rental for this permit is \$ **2.00** , 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. **0281291**

Ref. Map **82 F/SE (A-4)**

W.R. Map **5175B**

Date issued: **14 February 1969** Permit No. **7035**

A handwritten signature in cursive script, appearing to read 'A. Smithwick', written over a horizontal line.

Deputy Minister of Lands.

written off
3-9-74

**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.