



PERMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

Utah Construction and Mining Co. of Ste. 525-510 West Hastings Street,
P.O. Box 3297, Vancouver 3, B.C.

the holder(s) of Conditional/~~Form~~ Water Licence(s) 35782 authorizing
the diversion of water from Marble River 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 Lots 176, 2152 and 2153, Special Timber Licences 1978P and 1981P, Parts of Sections 3 and 10, West $\frac{1}{2}$ of Section 15, South-west $\frac{1}{4}$ of Section 22, South $\frac{1}{2}$ of Sections 19 and 20 and 21, Township 4, unsurveyed Foreshore and land covered by water situated in Rupert Inlet, and unsurveyed land, Rupert District,

amended

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 48,800 feet in length and 50 feet in width, having an area of 56 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.

- (d) The annual rental for this permit is \$ 56.00, 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.

This permit replaces Permit # 7599

File No. 0285603

Deputy Minister of Lands.

Ref. Map

92 L/NW (A-6)

W.R. Map -----

Date issued: 1 April 1971

Permit No. 7960

Replaced by
P.C.L. 8039

**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, British Columbia, 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.
6. The permit area lies within the boundaries of Tree Farm Licence No. 39 and the licensee of same has the right to construct road crossings over the right-of-way built under authority of this permit and to cross the right-of-way to carry out all operations connected with the said Tree Farm Licence, provided, however, such does not impede the use thereof by the permittee or damage any improvements constructed under the authority of the permit.
7. It is understood and agreed that the granting of this permit shall not in any way affect or prohibit other agencies from using roads that may already exist within the permit area and that any damage to existing roads resulting from works constructed under authority of this permit shall be made good to the satisfaction of the holder of Tree Farm Licence No. 39.
8. Any fires originating from the construction of the pipeline or operations associated with this permit are the responsibility of the permittee. The permittee shall comply with the rules and regulations governing the use of access roads within Tree Farm Licence No. 39 and comply with forest closures during hazardous weather conditions, as may be set forth in the current approved working plan for Tree Farm Licence No. 39.