



PERMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

The holder of Conditional Water Licence 103346, whose licence authorizes the diversion and use of water from Johnstone Creek and storage in Johnstone Lake, is hereby authorized to occupy Crown Land by flooding and by constructing, maintaining and operating thereon the works authorized under the said licence.

- (a) The Crown Land which is authorized to be occupied under this permit for the pipe is a portion of Lot 293s and Lot 229, Similkameen Division of Yale District and for the dam and flooded area is a portion of Lot 2704, Similkameen Division 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 for the pipe 5280 feet (1069 metres) in length by 15 feet (4.6 metres) in width having an area of 1.8 acres (.728 hectares) for the dam is 1 acre (0.405 hectares) and for the area flooded is 50 acres (20.35 hectares) having a total area of 52.8 acres (21.368 hectares).
- (c) The permittee may cut and remove from the said Crown Land any timber necessary to permit construction and maintenance of the said works and clearing of the said lands which may be flooded. Prior to the cutting, destruction or flooding of any timber, the permittee shall apply for and obtain a licence to cut timber from the District Manager and the amount of stumpage, royalty and (or) compensation payable to the Crown 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.
- (d) This permit is appurtenant to the land, mine or undertaking to the which the aforesaid water licence is appurtenant.
- (e) This permit shall become void if the water licence with respect to which the permit is issued should terminate, be abandoned or cancelled,
- (f) This permit is issued and accepted on the understanding that the permittee shall indemnify and save harmless the Government of the Province of British Columbia for all loss, damage to works, cost or expense suffered by the permittee by reason of the Crown Land or any portion thereof being submerged or damaged by erosion or otherwise affected by flooding.
- (g) The holder of this permit shall not be entitled to compensation if the Crown grants permits to other persons to occupy the land affected by this permit.
- (h) In the event of a dispute at any time with respect to the area or boundaries of the land affected by this permit, the holder shall, at his own expense, have the said land surveyed by a duly qualified surveyor.
- (i) The annual rental for this permit is as follows:
pipeline 1.8 acres \$8.00; dam 1 acre \$50.00; flooded area first 10 acres is \$8.00; additional 40 acres at \$.90 per acre is \$36.00 for a **total cost of \$102.00**, which is subject to review and revision at any time at the discretion of the Crown.

A. D. Zackodnik

A.D. Zackodnik, P.Eng.
Regional Water Manager
duly authorized designate of
the Ministry of Environment,
Lands and Parks

Date Issued: **MAY 25 1992**

File No. 8001719

Permit No. 20290