



Province of
British Columbia

Ministry of
Environment,
Lands and Parks

BC
Environment

Water Management Division
765 Broughton Street
Victoria
British Columbia
V8V 1X4

September 17, 1993

File: 0167228

BC HYDRO AND POWER AUTHORITY
PROPERTY TAX SECTION
11TH FLOOR 333 DUNSMUIR ST
VANCOUVER BC V6B 5R3

Dear Sir/Madam:

Re: **Conditional Water Licence 18525 - Whatshan Lake**
Permits under the Water Act
authorizing the occupation of Crown Land

Crown Land Permit Numbers 594, 611, 996 and 1303 were issued in connection with Conditional Water Licence 18525 to authorize the occupation of Crown land for a transmission line right-of-way.

For administrative record keeping purposes, the rights authorized by the above noted Permit numbers have been combined and renumbered as a single Permit authorizing the occupation of Crown land.

Permit numbers 594, 611, 996 and 1303 have now been combined and renumbered as Permit number 20856.

If you have any questions, please feel free to contact this office.

Yours truly,

Chris Morgan
A/Head
Water Licence Administration

cc: Kootenay Region

4. This permit gives the licensee the right to cut or remove from said lands such timber only as is necessary for the construction of the said works thereon under said licence and subject to the payment

by way of stumpage at the rate of \$.....1.50.....per one thousand feet board measure and royalty as provided for under section 53A of the "Forest Act," the same to be determined, paid, and collected according to the provisions of the "Forest Act" relating to the collection of royalty.

5. There is reserved to the Crown the right to grant to other persons permits to enter upon, use, and occupy the lands over which the said right-of-way is granted hereunder without payment to the licensee, or his successors in title, of compensation, save for actual damage.

6. In the event of a dispute arising at any time during the term of this permit between the licensee and the registered owner of the lands immediately adjacent to the said right-of-way respecting the exact location of the said right-of-way, the licensee shall at his own expense have the said right-of-way surveyed by a duly qualified land surveyor, and shall likewise file in the Lands Department at Victoria, B.C., a map or plan showing the said right-of-way as surveyed.

7. This permit and the rights granted hereunder shall be subject always to compliance by the licensee with all the terms and conditions of the said licence, and if the said licence should at any time lapse, expire, be cancelled, abandoned, or declared null and void, this permit shall, *ipso facto*, become void and of no effect and all rights granted hereunder shall cease and determine.

8. This permit and the rights granted hereunder shall be subject always to compliance by the licensee with the terms and conditions herein contained, and if the licensee fail at any time to fulfil, keep, and observe the said terms and conditions, or any of them, it shall be lawful for the Minister of Lands of the Province of British Columbia, his agent or servant, on behalf of the Crown, upon thirty days' notice to that effect, absolutely to cancel all the rights granted hereunder; and thereupon this permit and the said rights shall cease, determine, and be of no effect without any other proceeding whatever.

9. This permit shall have the effect only of a permit issued under section 50 of the said "Water Act," and the easements, rights, and privileges of the licensee in respect of the said lands thereunder shall be construed as subject always to all the provisions of the said Act and amendments thereof and all rules and regulations from time to time made thereunder.

Issued in accordance with the "Railway Belt Re-Transfer Agreement Act (Chapter 60 B.C.S. 1930)".

Issued this.....3rd.....day of.....February....., 1931.



Deputy Minister of Lands.

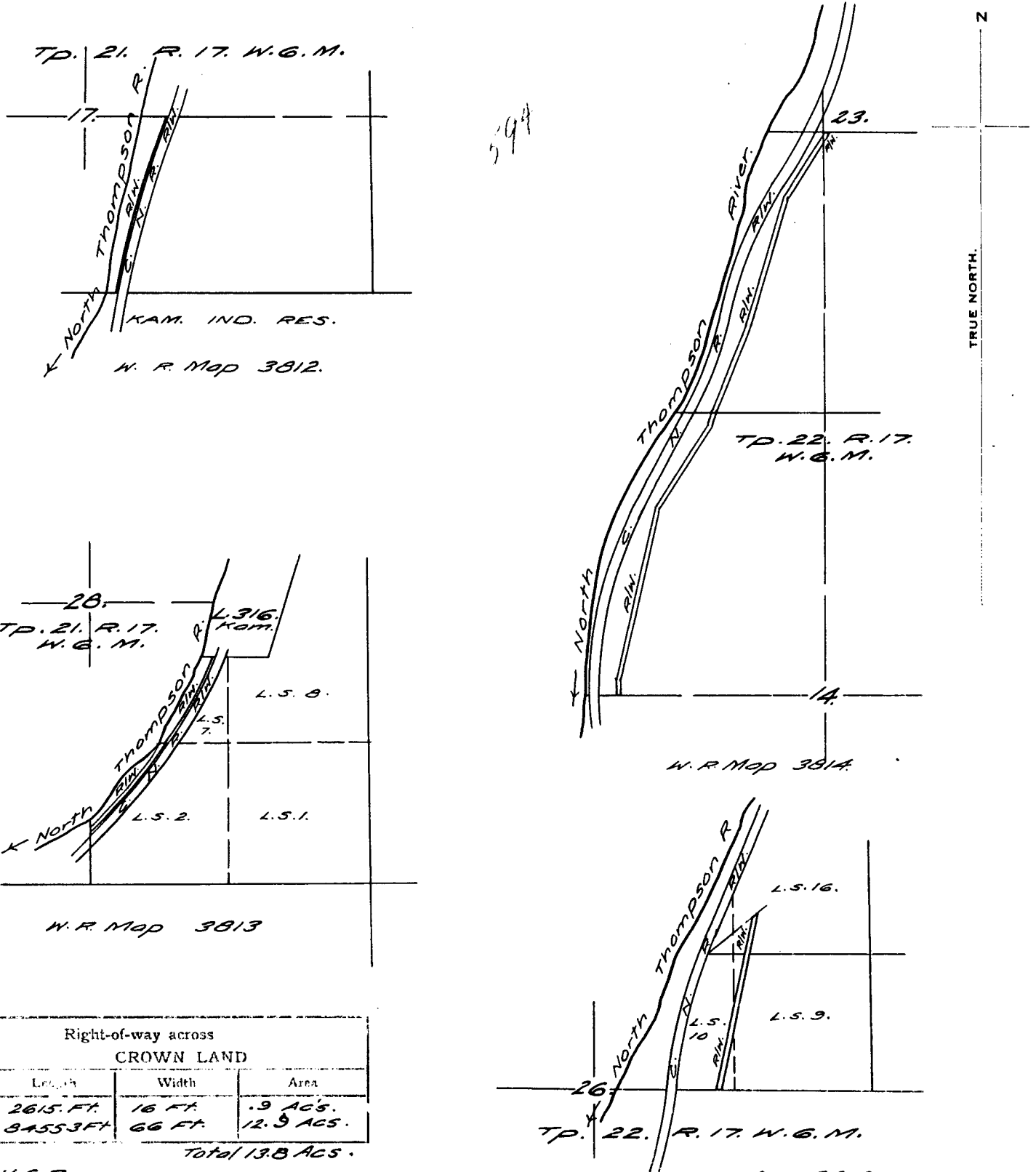
File Nos. 094766 & 3950.

British Columbia.

To accompany Permit for Right-of-way over Crown Land for Conditional Licence No. 1474
Transmission Line.

KAMLOOPS — WATER DISTRICT

Scale, 20 Chains to 1 Inch.



Right-of-way across CROWN LAND		
Length	Width	Area
2615. FT.	16 FT.	.9 ACS.
8453 FT.	66 FT.	12.9 ACS.
Total 13.8 ACS.		

H.G.P.
C.H.

Signature *H. Allard*

Date 3rd Feb. 1931.

R/W Permit for CL 1474

594 File 094766. 3950 N

EXHIBIT "A"



DEPARTMENT OF LANDS.

Permit under the "Water Act," authorizing Entry upon Crown Lands.

WHEREAS BRITISH COLUMBIA ELECTRIC RAILWAY COMPANY LIMITED Successors to the Corporation of the City of Kamloops, whose address is Kamloops, B.C.

being the holder of Conditional Licence 1474

has petitioned the Minister of Lands for a permit to enter upon the unoccupied Crown lands hereinafter described, and in respect thereof has complied with the requirements of the "Water Act" and the rules and regulations thereunder:

Consequent to abandonment of Barrage Plant in 1951, this permit is now issued under C.L. 16525 Wharfedale Project.

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Now, therefore, in pursuance of the "Water Act," this permit is issued authorizing the holder of the above-mentioned licence (hereinafter called the "licensee") to enter upon, use, and occupy a

right-of-way of the following dimensions: Length, 600 feet; width, 66 feet; the River bed of the South Thompson River area, _____ acres, across the _____ Crown lands known as

Lot _____, and approximately shown in Exhibit "A" hereto, subject to the following terms and conditions:—

- 1. The easement granted by this permit is appurtenant to the undertaking of the Company
2. The period during which the authority granted under this permit may be exercised, unless sooner

terminated as herein provided, is 20 years, subject, however, to renewal at the end of the said term under the laws and regulations then in force.

3. There shall be payable under this permit on the date hereof and annually hereafter, at the office of the Comptroller of Water Rights at the City of Victoria, whether demanded or not, an annual rental of such amount as may be fixed by or under any rules and regulations respecting the entry upon, use of, or occupation of Crown lands made from time to time by His Honour the Lieutenant-Governor in Council under authority lawfully vested in him. The said annual rental until lawfully altered shall

be \$ 1.00, and unless the said annual rental is paid punctually as aforesaid this permit may be cancelled without notice.

W.R.E. 1020 (1)—1M-927-9412

File 3950-W.

18338

611

4. This permit gives the licensee the right to cut or remove from said lands such timber only as is necessary for the construction of the said works thereon under said licence and subject to the payment by way of stumpage at the rate of \$.....1.50.....per one thousand feet board measure and royalty as provided for under section 53A of the "Forest Act," the same to be determined, paid, and collected according to the provisions of the "Forest Act" relating to the collection of royalty.

5. There is reserved to the Crown the right to grant to other persons permits to enter upon, use, and occupy the lands over which the said right-of-way is granted hereunder without payment to the licensee, or his successors in title, of compensation, save for actual damage.

6. In the event of a dispute arising at any time during the term of this permit between the licensee and the registered owner of the lands immediately adjacent to the said right-of-way respecting the exact location of the said right-of-way, the licensee shall at his own expense have the said right-of-way surveyed by a duly qualified land surveyor, and shall likewise file in the Lands Department at Victoria, B.C., a map or plan showing the said right-of-way as surveyed.

7. This permit and the rights granted hereunder shall be subject always to compliance by the licensee with all the terms and conditions of the said licence, and if the said licence should at any time lapse, expire, be cancelled, abandoned, or declared null and void, this permit shall, *ipso facto*, become void and of no effect and all rights granted hereunder shall cease and determine.

8. This permit and the rights granted hereunder shall be subject always to compliance by the licensee with the terms and conditions herein contained, and if the licensee fail at any time to fulfil, keep, and observe the said terms and conditions, or any of them, it shall be lawful for the Minister of Lands of the Province of British Columbia, his agent or servant, on behalf of the Crown, upon thirty days' notice to that effect, absolutely to cancel all the rights granted hereunder; and thereupon this permit and the said rights shall cease, determine, and be of no effect without any other proceeding whatever.

9. This permit shall have the effect only of a permit issued under section 50 of the said "Water Act," and the easements, rights, and privileges of the licensee in respect of the said lands thereunder shall be construed as subject always to all the provisions of the said Act and amendments thereof and all rules and regulations from time to time made thereunder.

Issued this.....30th.....day of.....March....., 1931.

.....*H. B. ...*.....
Deputy Minister of Lands.

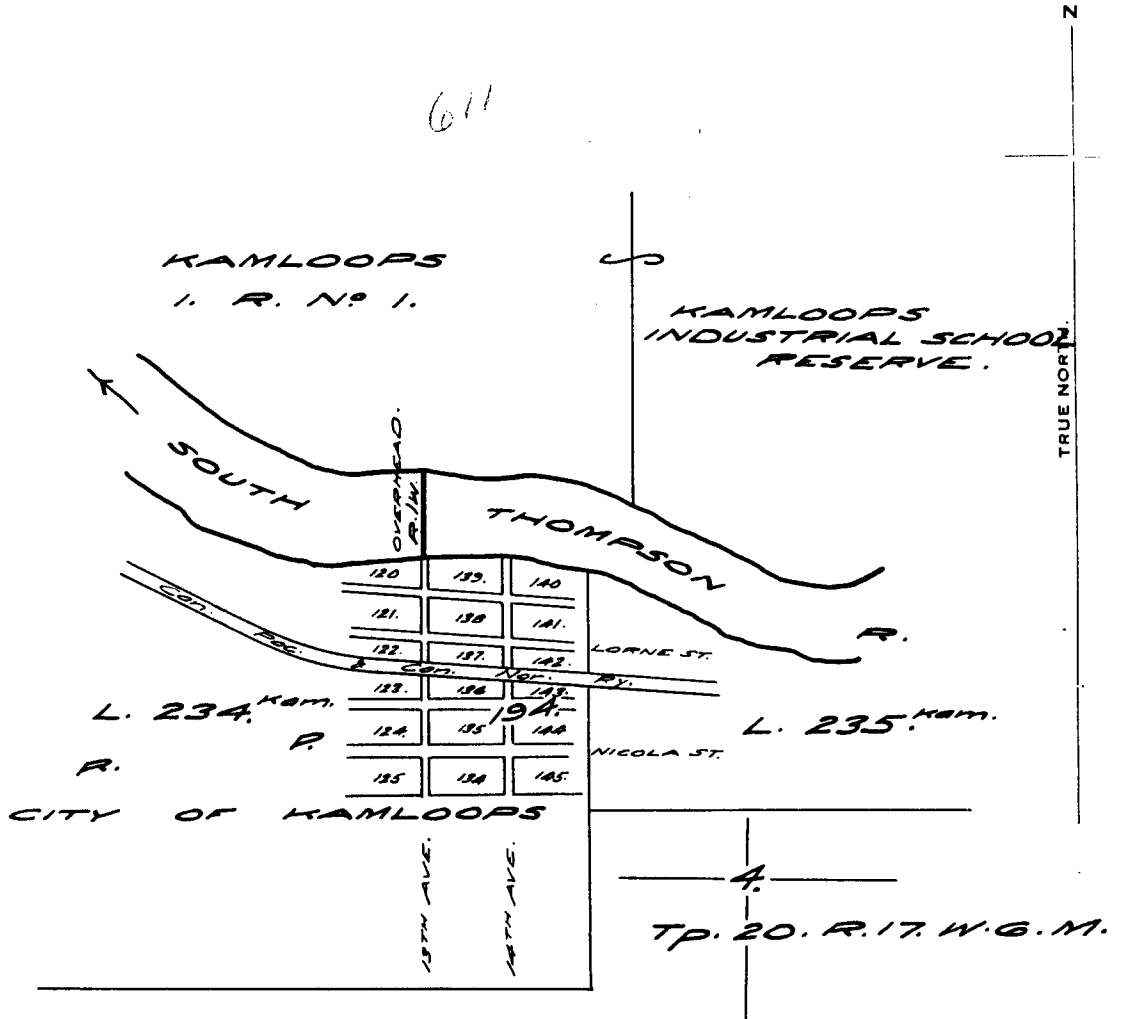
File No.....3950-W.....

British Columbia.

To accompany Permit for Right-of-way over Crown Land for Conditional Licence No. 147A

KAMLOOPS ——— WATER DISTRICT

Scale, 20 Chains to 1 Inch.



KAMLOOPS LAND REG. DISTRICT.

Right-of-way across unoccupied CROWN LAND		
Length	Width.	Area.
600 FT.	66 FT.	.9 AC.

H.G.P.
att.

Signature: *H. B. ...*

Date: 30th Mar. 1931.

Part of R/W Permit for CL. 147A
File 3950.

EXHIBIT "A"

W. R. Map 3750 & 3811.

611



DEPARTMENT OF LANDS.

Permit under the "Water Act," authorizing Entry upon Crown Lands.

WHEREAS BRITISH COLUMBIA ELECTRIC RAILWAY COMPANY, LIMITED

whose address is 425 Carrall St., Vancouver, B.C.

being the holder of Conditional Licence No. 1474

has petitioned the Minister of Lands for a permit to enter upon the occupied Crown lands hereinafter described, and in respect thereof has complied with the requirements of the "Water Act" and the rules and regulations thereunder:

Consent to abandonment of Barrere Project this R/W is now under the wholean project.

Now, therefore, in pursuance of the "Water Act," this permit is issued authorizing the holder of the above-mentioned licence (hereinafter called the "licensee") to enter upon, use, and occupy a

right-of-way of the following dimensions: Length, 11634.6" feet; width, 100 feet;

area, 26.7 acres, across the occupied Crown lands known as Fractional S.E. 1/4 Sec. 17, S.W. 1/4 Sec. 21, N.E. 1/4 Sec. 21, S.W. 1/4 Sec. 27 and S.E. 1/4 Sec. 28, all Township 21, Range 17, West of 6th Meridian. Lot, and approximately shown in Exhibit "A" hereto, subject to the following terms and conditions:—

- 1. The easement granted by this permit is appurtenant to the undertaking of the Company.
2. The period during which the authority granted under this permit may be exercised, unless sooner

terminated as herein provided, is 20 years, subject, however, to renewal at the end of the said term under the laws and regulations then in force.

3. There shall be payable under this permit on the date hereof and annually hereafter, at the office of the Comptroller of Water Rights at the City of Victoria, whether demanded or not, an annual rental of such amount as may be fixed by or under any rules and regulations respecting the entry upon, use of, or occupation of Crown lands made from time to time by His Honour the Lieutenant-Governor in Council under authority lawfully vested in him. The said annual rental until lawfully altered shall

be \$ 6.75 7.00, and unless the said annual rental is paid punctually as aforesaid this permit may be cancelled without notice.

W.R.B. 1020 (1)--1M-927-9412

File No. 3950.

Robert ... 22581

996

4. This permit gives the licensee the right to cut or remove from said lands such timber only as is necessary for the construction of the said works thereon under said licence and subject to the payment **"as may be determined by the Forest Branch"** by way of stumpage at the rate of \$/.....per one thousand feet board measure and royalty as provided for under section 53A of the "Forest Act," the same to be determined, paid, and collected according to the provisions of the "Forest Act" relating to the collection of royalty.

5. There is reserved to the Crown the right to grant to other persons permits to enter upon, use, and occupy the lands over which the said right-of-way is granted hereunder without payment to the licensee, or his successors in title, of compensation, save for actual damage.

6. In the event of a dispute arising at any time during the term of this permit between the licensee and the registered owner of the lands immediately adjacent to the said right-of-way respecting the exact location of the said right-of-way, the licensee shall at his own expense have the said right-of-way surveyed by a duly qualified land surveyor, and shall likewise file in the Lands Department at Victoria, B.C., a map or plan showing the said right-of-way as surveyed.

7. This permit and the rights granted hereunder shall be subject always to compliance by the licensee with all the terms and conditions of the said licence, and if the said licence should at any time lapse, expire, be cancelled, abandoned, or declared null and void, this permit shall, *ipso facto*, become void and of no effect and all rights granted hereunder shall cease and determine.

8. This permit and the rights granted hereunder shall be subject always to compliance by the licensee with the terms and conditions herein contained, and if the licensee fail at any time to fulfil, keep, and observe the said terms and conditions, or any of them, it shall be lawful for the Minister of Lands of the Province of British Columbia, his agent or servant, on behalf of the Crown, upon thirty days' notice to that effect, absolutely to cancel all the rights granted hereunder; and thereupon this permit and the said rights shall cease, determine, and be of no effect without any other proceeding whatever.

9. This permit shall have the effect only of a permit issued under section 50 of the said "Water Act," and the easements, rights, and privileges of the licensee in respect of the said lands thereunder shall be construed as subject always to all the provisions of the said Act and amendments thereof and all rules and regulations from time to time made thereunder.

Issued this.....24th.....day of.....November....., 1932..

.....H. B. Heathcote.....
Deputy Minister of Lands.

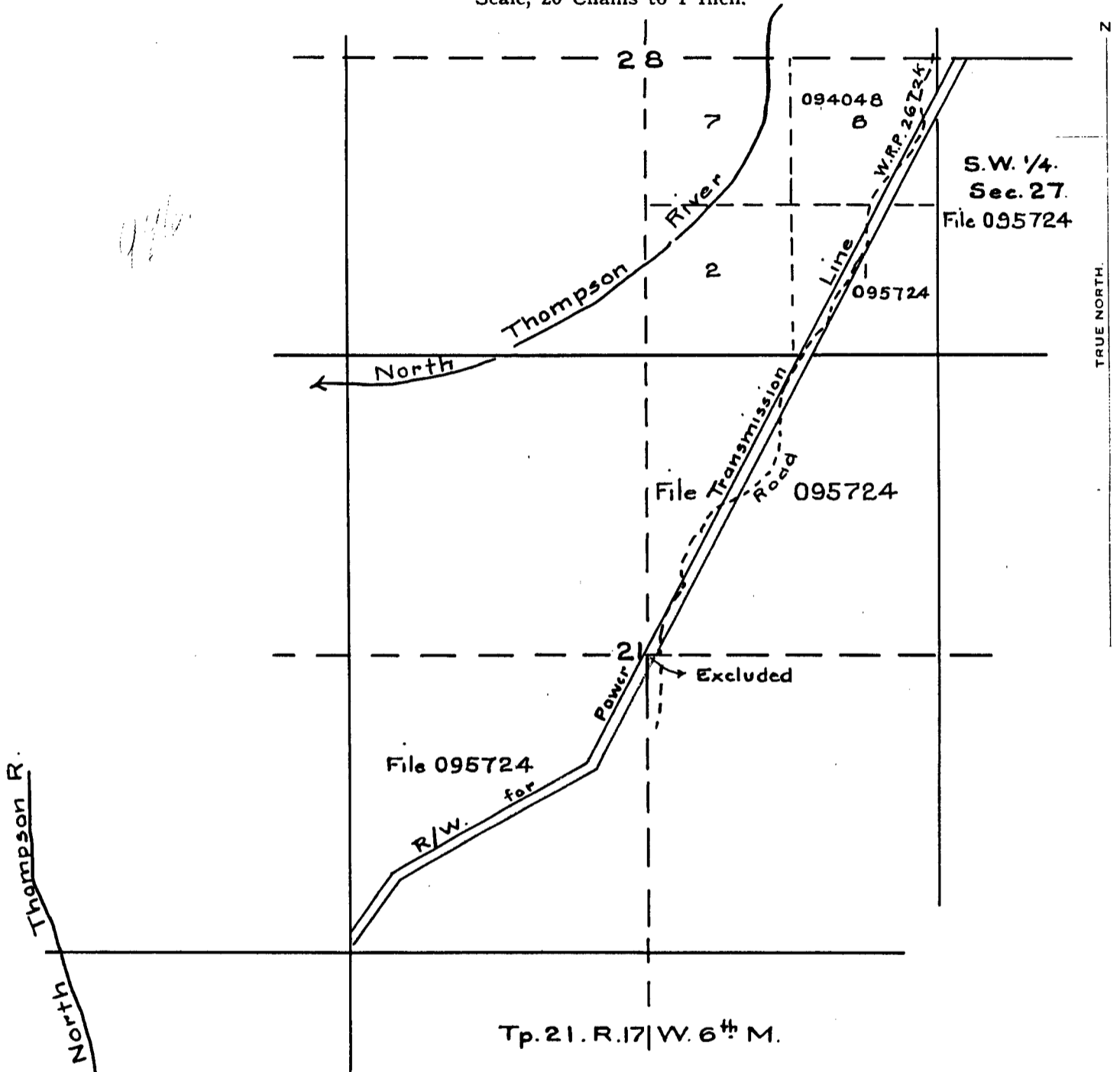
File No.....3950.....

British Columbia.

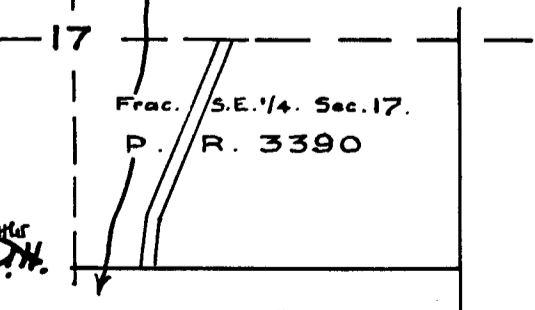
To accompany Permit for Right-of-way over Crown Land for Conditional Licence No. 1474

KAMLOOPS WATER DISTRICT

Scale, 20 Chains to 1 Inch.



Right-of-way across occupied CROWN LAND		
Length	Width.	Area.
11634.6"	100'	26.7 Acs



Signature *A. G. ...*

Date 24 Nov. 1932

R/W Permit for CL. 1474
File 3950 #2
Barriere River

996

EXHIBIT "A". Ref. Map 90 (D-6) W.R. Maps 3812/13.



DEPARTMENT OF LANDS.

Permit under the "Water Act," Authorizing Entry upon Crown Lands.

The British Columbia Electric Railway Co. Ltd., of Vancouver, B.C.

being the holder of Conditional Water Licence No. 18525 1474, is

hereby authorized to enter upon, use, and occupy a right-of-way of the following dimensions:—

Occupied Crown lands: Length, 13,278.8 feet; width, 100 feet; area, 30.48 acres;
Unoccupied Crown lands: Length, feet; width, feet; area, acres;

across the Crown lands known as NE 1/4 Section 26, SE 1/4 Section 35, SW 1/4 Section 36 and NW 1/4 Section 36, Township 22, Range 17, West 6th Meridian; NW 1/4 Section 6, Township 23, Range 16, West 6th Meridian; and Lot 3316, Kamloops Division of Yale District,

which right-of-way is shown approximately on the plan attached to the said licence.
Note under what has been subject of abandonment of Barrage Project in 1951

And is authorized to cut and remove from said Crown lands such timber only as is necessary for the construction of works for use of the water authorized to be used under the said licence, such authority being subject to the royalty as provided for under section 53A of the "Forest Act" and to the payment by way of stumpage as may be determined and collected by the Forest Branch.

There shall be payable under this permit on the date hereof and annually hereafter an annual rental which until altered shall be \$7.75 3.00, and unless the said annual rental is paid punctually this permit may be cancelled without notice.

The further terms and conditions under which this permit is issued are printed on the reverse side of this form and are made a part thereof.

Issued this 7th day of May, 1935.

W. Galtchert Deputy Minister of Lands.

File No. 094766

W.R. Map, Ref. Map 90 (E & F6)

Ac 30500

1203

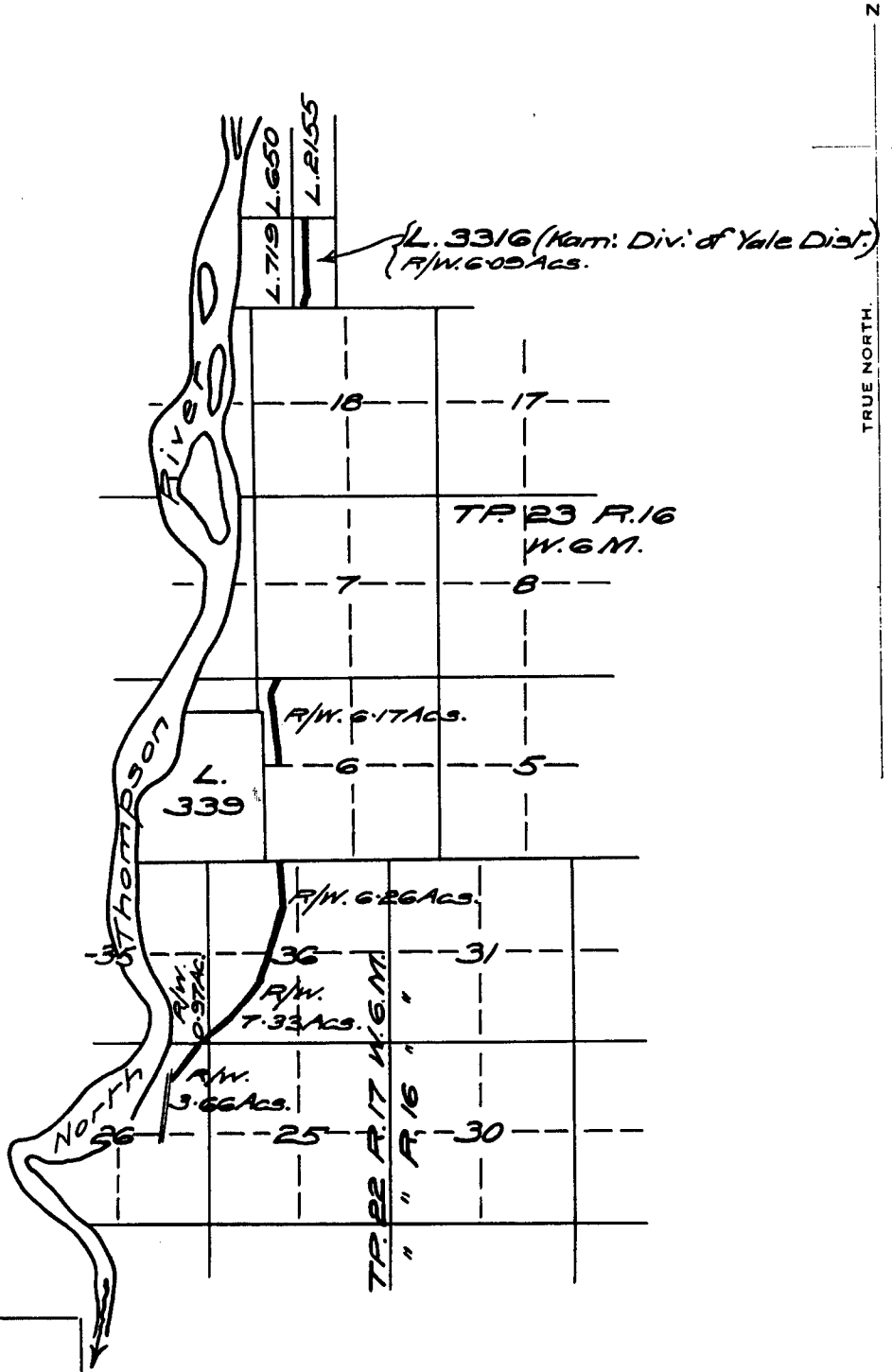


To accompany Permit for Right-of-way over Crown Land for Conditional Licence No. 1474

KAMLOOPS WATER DISTRICT

Scale, 80 Chains to 1 Inch.

1303



Right-of-way across occupied CROWN LAND		
Length	Width.	Area.
13278.8 FT.	100 FT.	30.48 Acs.

DL

Signature: *[Handwritten Signature]*
 Date: 7th May 1935
 R/W Permit for CL. 1474

EXHIBIT "A"

Ref. Map 90 (E & F-6)

File 094766 & 3950

1303