



## PERMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

The Holder of Conditional Water Licence 66104, whose licence authorizes the diversion of water from Percival, Stirling, KLO and Hydraulic Creeks for storage in Turtle Lake and McCulloch Reservoir; Conditional Water Licence 47977, whose licence authorizes the diversion of water from Pooley Creek for storage in McCulloch Reservoir; and Conditional Water Licence 107924, whose licence authorizes the diversion of water from Haynes Lake, for storage in McCulloch Reservoir and re-diversion from Hydraulic Creek for irrigation purpose, 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 is a portion of District Lots 686<sup>s</sup>, 687<sup>s</sup>, 688<sup>s</sup>, 1918<sup>s</sup>, 1919<sup>s</sup>, 2712 and unsurveyed land within Similkameen Division of Yale District and unsurveyed land within Osoyoos Division of Yale District, the location of which is shown approximately on the plan attached.

(b) The approximate areas of the Crown land authorized to be occupied under this permit are:

	Dimensions	Area
1. For conduit:		
a) Percival Cr. to Sterling Cr.	2,550' x 15'	0.88 ac
b) Sterling Cr. to Hydraulic Cr.	6,500' x 15'	2.24 ac
c) Sterling Cr. to Klo Cr.	1,600' x 15'	0.55 ac
d) Pooley Cr. to Klo Cr	18,480' x 100'	42.42 ac
e) Klo Cr. to Hydraulic Cr.	5,280' x 100'	12.12 ac
f) Hydraulic Creek intake	2,050' x 100'	4.71 ac
g) Hydraulic Cr. to Turtle Lk.	1,000' x 15'	0.34 ac
h) Turtle Lk. to Hydraulic Cr.	1,000' x 15'	<u>0.34 ac</u>
	<b>Total</b>	<b>63.60 acres</b>
2. For Dam Sites		
a) Four sites at McCulloch Res.	2 acres each	8 acres
b) Two sites at Turtle Lake	2 acres each	4 acres
c) Hydraulic Creek intake	1 acre	<u>1 acre</u>
	<b>Total</b>	<b>13 acres</b>
3. For Flooding		
a) McCulloch Reservoir		587 acres
b) Turtle Lake		65 acres
c) Hydraulic Cr. settling pond		<u>3.5 acres</u>
	<b>Total</b>	<b>655.5 acres</b>

(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 which the aforesaid water licences are appurtenant.

(e) This permit shall become void if the water licences with respect to which the permit is issued should terminate, be abandoned or cancelled, or amended so as to render this permit unnecessary.

- (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) This permit replaces Permit No. 16612.



J. E. Farrell  
Deputy Comptroller of Water Rights  
duly authorized designate of the  
Minister of Environment, Lands and Parks

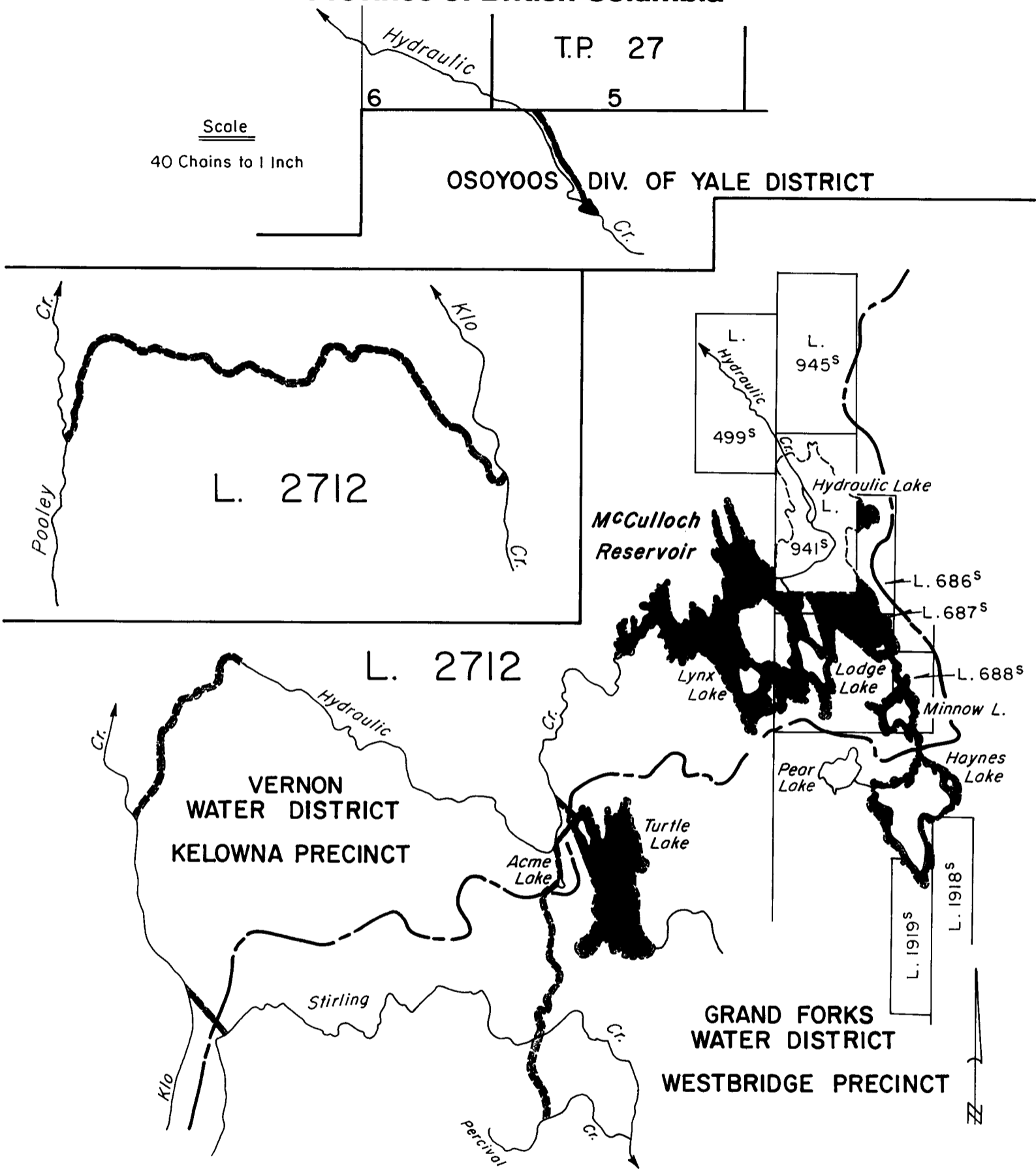
File Nos. 0029672  
0296887  
0068859

Date Issued: July 12, 1994

PERMIT NO. 21088



# Province of British Columbia



### LEGEND

Scale : 1 : 50 000  
 Permit over Crown Land :   
 Map Number : W.R. 3132, 8406, 8415, 82-E-075-3-1,  
 82-E-075-3-3, 82 E/14-c, 82 E/11-w

Signature

Date July 12, 1994

P.C.L. 21088 for C.L. 107924, 66104 & 47977  
 File 0068859