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**CONDITIONAL WATER LICENCE**

The owner of the land to which this licence is appurtenant is hereby authorized to divert and use water as follows:


- (a) The stream on which the rights are granted is Silver Creek.
- (b) The point of diversion is located as shown on the attached plan.
- (c) The date from which this licence shall have precedence is 20<sup>th</sup> January, 2000.
- (d) The purpose for which this licence is issued is power (commercial).
- (e) The maximum quantity of water which may be diverted is 0.40 cubic feet per second.
- (f) The water may be used throughout the whole year.
- (g) The land upon which water is to be used is unsurveyed Crown Land on which a powerhouse is situated and the land to which this licence is appurtenant is unsurveyed Crown Land held under Licence of Occupation No. 402167.
- (h) The works authorized to be constructed are diversion structure, penstock, powerhouse, tailrace and transmission line. The construction of the said works shall be completed and a plan/drawing showing the actual location and nature of the works shall be submitted to the Land and Water Manager prior to December 31, 2005.
- (i) The construction of the said works shall be completed and the water beneficially used prior to the 31st day of December, 2005. Thereafter, the licensee shall continue to make beneficial use of the water in the manner authorized herein.
- (j) This licence authorizes the use of water for power (commercial - lodge) purpose in three buildings located approximately as shown on the attached plan.
- (k) This licence is issued for an initial term of 2 years. Upon application the term of the licence may be extended by the Land and Water Manager. Unless extended, this licence shall expire on the 1<sup>st</sup> day of May, 2004.

**PERMIT OVER CROWN LAND  
WATER ACT - Section 26**

You are hereby authorized to enter onto and occupy Crown land for the purpose of constructing works, maintaining and operating works authorized by the above licence. The Crown land so occupied has a length of 3,400 feet and a width of 15 feet.

The area authorized to be occupied is 1.17 acres.

**This permit is issued subject to all subsisting rights of other persons acquired under other provincial legislation, whether or not the permit holder has actual notice of them.**



Herb Hess  
Land and Water Manager  
Kootenays

**COPY**

Conditional Licence 115000