



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

The holder of **Conditional Water Licence C114597**, whose licence authorizes the storage, diversion and use of water from Cascade Creek, is hereby authorized to occupy Crown Land by constructing, maintaining and operating thereon the works authorized under the said licence and any licence which may be issued in substitution thereof.

- a) The Crown Land which is authorized to be occupied under this permit for a portion of Unsurveyed Crown Land to be flooded and for the footprints of five structures (dam, saddle dam and 3 saddle dykes) the location of which are shown on Canadian Projects Limited drawings No. 910 and 911.
- b) The approximate areas of Crown Land authorized to be occupied under this permit is 503.13 acres (231.85 hectares) for flooding to an elevation level of 1,022 metres and 76.5 acres (30.6 hectares for the two dams and three saddle dykes) for a total area of 579.63 acres (231.85 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. Prior to the cutting, removal, or 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 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, 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.

**Ian Smythe
Regional Water Manager
Smithers Field Office**