

PERMIT AUTHORIZING THE OCCUPATION OF CROWN LAND

The holder of Final Water Licence 14255, Conditional Water Licence ("CWL") 37867 and CWL 112021 whose licences authorizes the diversion and use of water from Kootenay River, is hereby authorized to occupy Crown land by constructing, maintaining and operating thereon the works authorized under the said licences.

- (a) The Crown land which is authorized to be occupied under this permit is a portion of unsurveyed foreshore and land covered by the water of Kootenay River, Kootenay District, the location of which is shown approximately on the plan attached to CWL 112021.
- (b) The approximate area of Crown land authorized to be occupied under this permit is;

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| Dam site: | 0.405 hectare | (1.0 acre) |
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- (c) Prior to cutting or destruction of any timber necessary to permit construction, maintain and operate the said works, the permittee shall apply for and obtain a licence to cut timber from the Ministry of Forests, District Manager. 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 undertaking and land to which the aforesaid water licences are 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 authorized surveyor.
- (i) This permit is issued in substitution of Permit #7844.



Glen Davidson, P.Eng.
Deputy Comptroller of Water Rights