



November 09, 2017

File: 20002837

Marilyn Cooke and Louis Cooke
PO Box 2933 Station Main
Merritt, British Columbia
V1K 1B8

Dear Marilyn Cooke and Louis Cooke:

Re: Groundwater Licence Application 102837

The investigation of the above application has been completed. Enclosed is a copy of your Conditional Water Licence.

Please read the documents carefully. Any error(s) in these documents should be brought to the attention of this office as soon as possible.

You are advised that the Groundwater Protection Regulation under the *Water Sustainability Act* governs the construction, installation, alteration, extension and operation of any water supply wells. It is the responsibility of the licensee to comply with the Groundwater Protection Regulation noted above. Your local Groundwater Protection Officer, Laurie Lyons at (250) 371-6280 will be able to assist you.

Permission for crossing roads or lands under the jurisdiction of any Government Agency must be obtained from the agency concerned.

We wish to inform you that the water body serves as a spawning and rearing area for fish. The protective requirement of the federal *Fisheries Act* must be met. Accordingly, it will be necessary for you to screen your water intake to protect against entry of small fish. Refer to the Fisheries and Oceans Canada Web-site: www.dfo-mpo.gc.ca.

You are advised that the *Drinking Water Protection Act* and the Drinking Water Protection Regulation under that Act govern the construction, installation, alteration, extension and operation of joint works that form part of a domestic water system supplying more than one single-family residence or any facility or establishment where the public consumes water. It is the responsibility of the licensee to comply with the Act and Regulations noted above. Your local Regional Health Authority will be able to assist you.

The diversion of water authorized under this licence may be restricted or prohibited at any time by an Order in writing of an Engineer under the *Water Sustainability Act*, in order to maintain a minimum flow in the stream for the preservation of fish and other aquatic life.

1

Please note the following:

- 1) Water licences do not authorize entry on privately owned land for the construction of works, or flooding. Permission of the affected landowner must be obtained or an easement expropriated. For your protection, permission should be in writing and registered with the appropriate Land Title Office.
- 2) Permission for installing works on lands or roadways which are under the jurisdiction of any government agency, must be obtained from the agency concerned.

Please contact FrontCounter BC to assist you with notifications and any applications required if:

- a) there is any change in your mailing address;
- b) you sell the land to which the licence is appurtenant;
- c) you propose to subdivide the land to which the licence is appurtenant; or
- d) you propose to alter the works authorized under the licence.

In order for you to keep your water licence in good standing, the following must be observed:

- a) continued beneficial use of water, as authorized under your licence;
- b) payment of annual rentals;
- c) compliance with the terms of your licence; and
- d) compliance with the terms of the *Water Sustainability Act*.

One of the obligations of a water licence is the payment of annual rentals and fees to the Crown for the authorization to exercise the rights granted under the licence. Failure to pay water rental invoices by a specified date may result in late-payment penalties, collection action or cancellation of the licence. Any questions in regards to invoices, statements or billing procedures should be directed to the Water Revenue Unit at 1 (800) 361-8866. Callers from the Victoria area should dial (250) 387-9445.

The *Water Sustainability Act* gives the recipient of this notice the right to appeal my decision. Information on filing an appeal can be found on the Environmental Appeal Board Website at: <http://www.eab.gov.bc.ca/>. A right of appeal from my decision lies to the Environmental Appeal Board. Notice of any appeal must (1) be in writing; (2) include grounds for the appeal; (3) be directed by registered mail to the Chair, Environmental Appeal Board, PO Box 9425 Stn Prov Govt., V8W 9V1 or personally delivered to the office of the Board at 4th Floor, 747 Fort Street in Victoria, BC V8W 3E9, eabinfo@gov.bc.ca; (4) be delivered within 30 days of receiving this letter, and (5) be accompanied by a fee of \$25.00, payable to the Minister of Finance.

If you have any questions or concerns, please contact Ted Moore, RFT, Water Authorizations Specialist at (250) 378-8423 or email Ted.Moore@gov.bc.ca

Yours truly,

A handwritten signature in black ink, appearing to read 'P. Farmer', with a long horizontal flourish extending to the right.

Patrick Farmer

Enclosure(s): Conditional Water Licence C500080 and Map



Province of British Columbia

Water Sustainability Act

CONDITIONAL WATER LICENCE

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

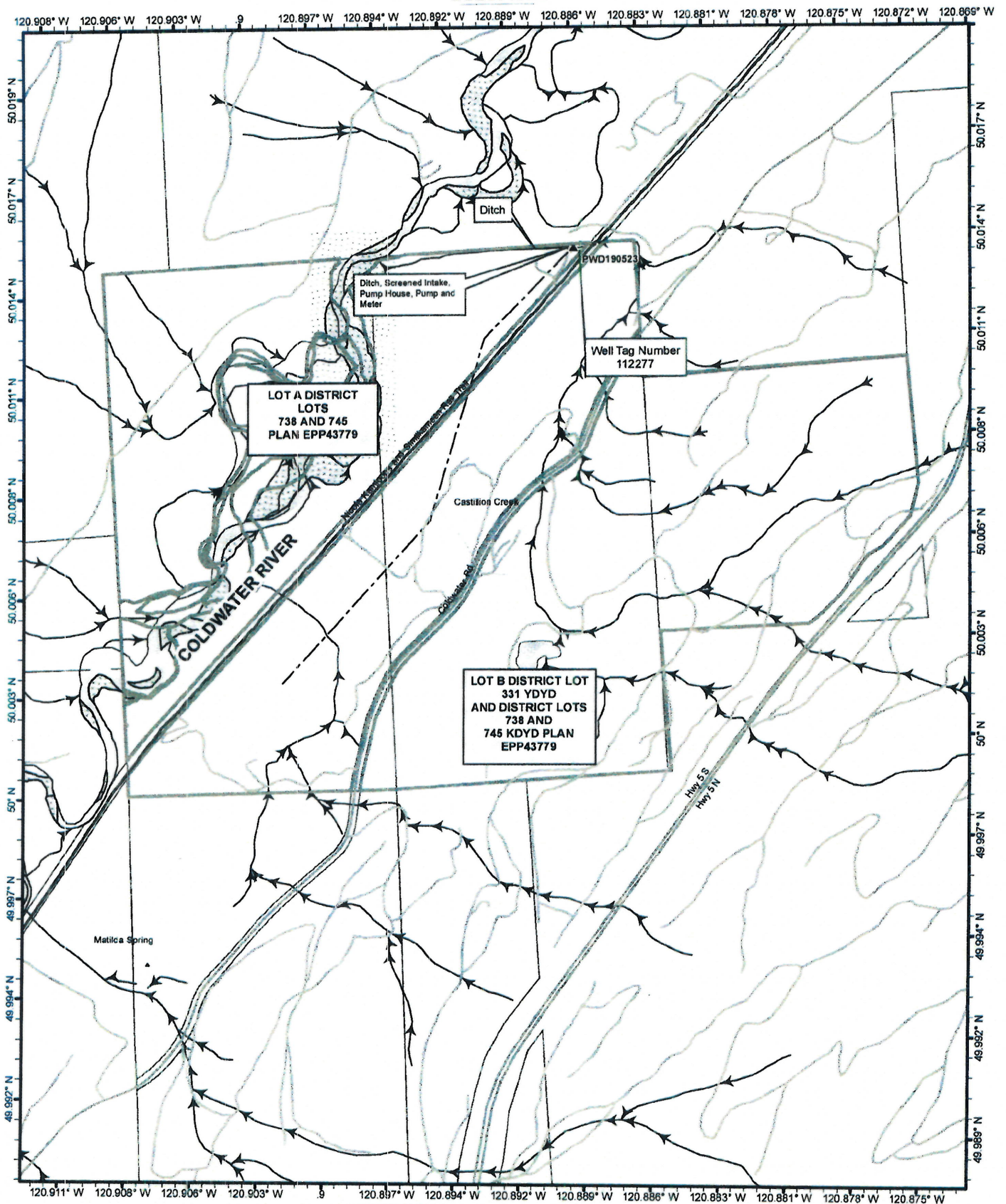
- a) The aquifer on which the rights are granted is Merritt Unconsolidated.
- b) The point of well diversion is located as shown on the attached plan.
- c) The date from which this licence shall have precedence is December 31, 1984.
- d) The purpose for which this licence is issued is irrigation: private.
- e) The maximum quantity of water which may be diverted for irrigation: private is 50577.6 cubic metres per year at a rate not to exceed 0.00488 cubic metres per second.
- f) The period of the year during which the water may be used is May 1 to September 30.
- g) The land upon which the water is to be used and to which this licence is appurtenant is Legal Description: Lot A District Lots 738 And 745 Kamloops Division Yale District Plan EPP43779; Legal Description: Lot B District Lot 331 Yale Division Yale District And District Lots 738 And 745 Kamloops Division Yale District Plan EPP43779 of which 8.17 hectares may be irrigated.
- h) The authorized works are ditch, pumphouse, meter, screened intake, pipe and sprinklers which shall be located approximately as shown on the attached plan.
- i) The construction of the said works has been completed and the water is being beneficially used. The licensee shall continue to make regular beneficial use of the water in a manner authorized herein.
- j) This licence is issued under the *Water Sustainability Act* (the Act). The exercise of rights under the licence is subject to the Act and its regulations, the terms and conditions of the licence, orders under the Act and the rights of licensees whose rights have precedence on the stream or on an aquifer. The licensee must comply with all such requirements, as well as the provisions of all other applicable enactments. In exercising rights under the licence, the licensee must exercise reasonable care to avoid damaging land, works, trees or other property, and must make full compensation to the owners for damage or loss resulting from

construction, maintenance, use, operation or failure of the works.

- k) This licensee shall keep records on actual water use as directed by the Comptroller of Water Rights, a Water Manager, or an Engineer under the *Water Sustainability Act* and have all records available.
- l) The diversion of water authorized under this licence may be restricted or prohibited at any time by an Order in writing under the *Water Sustainability Act*, in order to maintain a minimum flow in a stream for the preservation of fish or for maintaining the health of aquatic ecosystems.
- m) The licensee shall install a flow measuring device to the satisfaction of an Engineer under the *Water Sustainability Act*.
- n) This licence does not authorize the diversion and use of water at any time when the water level of the Coldwater River falls below the minimum critical environmental flow of 400 litres per second (0.400 cubic metres per second) as recorded at the Water Survey Canada (08LG010) within the City of Merritt, BC.
- o) This licence terminates on December 31, 2021. Prior to the termination date, the licensee may apply to the Comptroller of Water Rights or the Water Manager in accordance with the provisions of the *Water Sustainability Act* to amend this licence to extend the term.



Patrick Farmer
Assistant Water Manager



Merritt Unconsolidated Aquifer

Scale: 1:15,000

0 270 540 810 1,080 1,350 Meters

Point of Diversion:

Works points

Ditch

Pipeline:

Direction of Flow:

The boundaries of the land to which this licence is appurtenant are shown thus:

Mapsheet: 0921006

Land District: KDYD

Water District: Nicola

Precinct: Merritt

Signature:

Date: November 9, 2017

Conditional Licence: 500080

File: 20002837

PCL#: N/A