

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF FORESTS, LANDS, NATURAL RESOURCE OPERATIONS AND RURAL DEVELOPMENT

Water Sustainability Act, SBC 2014, c.15, section 88

Ministerial Order No. M280

WHEREAS: I, Doug Donaldson, Minister of Forest, Lands, Natural Resource Operations and Rural Development, after review of information on the decline of flow in the Koksilah River, consider that the flow of water in the Koksilah River has dropped below 180 litres per second and is so low that the survival of populations of anadromous and resident trout, including steelhead, in the stream have become threatened;

AND WHEREAS: in those circumstances, after giving due consideration to the needs of agricultural users, the Minister may make an order respecting the diversion, rate of diversion, time of diversion, or use, including storage and time of storage, of water from a stream, or an aquifer hydraulically connected to that stream, regardless of the precedence of rights, pursuant to section 88 of the *Water Sustainability Act*;

AND WHEREAS: based on the scientific evidence presented to me, I am satisfied that, without intervention on the Koksilah River, its tributaries and hydraulically connected aquifers, through such an order, the required flow for these fish populations will not be available until a significant precipitation event occurs in that area, which event is not expected to occur in time to protect the survival of these populations of fish;

AND WHEREAS: I have given due consideration to the needs of agricultural users who may be affected by this order.

THEREFORE, for the purposes of protecting the survival of these populations of fish I, Doug Donaldson, Minister of Forest, Lands, Natural Resource Operations and Rural Development (the “Minister”), pursuant to section 88 of the *Water Sustainability Act*, order that:

1. Effective from 00:01, August 17, 2019, until 23:59, September 30, 2019, all diversion and use of water for industrial purpose and for irrigation purpose for irrigation of forage crops (such as hay, and corn) by holders of authorizations from the Koksilah River and its tributaries and by users of groundwater wells diverting from aquifers considered to be hydraulically connected to the Koksilah River and its tributaries for irrigation of forage crops, must cease, as follows:
 - a. this Order applies to the water licences listed in the Appendix to this Order and the diversion and use of water for irrigation purpose under them for irrigation of forage crops (such as hay and corn) by their licensees;
 - b. this Order applies to the groundwater wells listed in the Appendix to this Order and to persons using those wells for the diversion and use of groundwater for irrigation purpose for irrigation of forage crops (such as hay and corn); and

- c. this Order applies to the water licences listed in the Appendix to this Order and the diversion and use of water under them for industrial purposes by their licensees.
2. This Order remains in effect until 23:59 September 30, 2019 or until further order of the Minister.
3. For information, it is a high penalty offence under section 107(1)(e) of the *Water Sustainability Act* to contravene an order of the Minister made under section 88 of the *Water Sustainability Act*.

Appendices to Minister's Order:

Appendix A- List of Water Licences for Irrigation Purpose subject to Minister's Order.

Appendix B- List of Unlicensed Groundwater Wells Subject to Minister's Order.

Appendix C- List of Water Licences for Industrial Purpose subject to Minister's Order

August 16, 2019

Date



*Minister of Forest, Lands,
Natural Resource Operations and
Rural Development*

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Water Sustainability Act*, SBC 2014, c.15, section 88

Appendix A - Water Licences for Irrigation Purpose Subject to Minister's Order

Licence #	Source Name
C023731	Koksilah River
C036936	Koksilah River
C038835	Koksilah River
C049211	Weeks Creek - tributary to Koksilah River
C053152	Patrolas Creek
C116549	Patrolas Creek
C125192	Patrolas Creek
C125373	Patrolas Creek
C125926	Koksilah River
C128608	Patrolas Creek
C128609	Patrolas Creek
C128610	Patrolas Creek
C128637	Patrolas Creek
C128638	Patrolas Creek
C128639	Patrolas Creek
C128652	Patrolas Creek
C129194	Ellison Brook - tributary to Glenora Creek
C129261	Kelvin Creek
C129262	Kelvin Creek
C129908	Koksilah River
C130015	Tattam Brook - tributary to Glenora Creek
C131052	Ellison Brook - tributary to Glenora Creek
F013994	Koksilah River
F017608	Dougan Lake - tributary to Patrolas Creek
F044138	Patrolas Creek
F048573	Koksilah River
F052155	Koksilah River
F053546	Koksilah River
F054151	Koksilah River
F054152	Koksilah River
F054154	Koksilah River
F056335	Dykema Brook - tributary to Neel Creek / Koksilah River Groenewold Creek - tributary Koksilah River
501189	Dougan Ditch - tributary to Patrolas Creek
501190	Stephen Ditch - tributary to Patrolas Creek
501191	Stephen Ditch - tributary to Patrolas Creek
501193	Dougan Lake - tributary to Patrolas Creek
501194	Dougan Lake - tributary to Patrolas Creek
501195	Dougan Lake - tributary to Patrolas Creek
500153	Aquifer 197 – hydraulically connected to Koksilah River and an unnamed tributary
500154	Aquifer 197 – hydraulically connected to Koksilah River and an unnamed tributary

Appendix B- List of Unlicensed Groundwater Wells subject to Minister's Order

Well Tag #	Estimated Source	Assumed Hydraulically Connected Stream
4227	Unknown aquifer	Unnamed - tributary to Glenora Creek
8963	Aquifer 198	Koksilah River
17613	Aquifer 197	Patrolas Creek
19242	Aquifer 197	Patrolas Creek
21372	Aquifer 197	Koksilah River
24704	Aquifer 185	Unnamed - tributary to Glenora Creek
26452	Aquifer 185	Ellison Brook - tributary to Glenora Creek
29551	Aquifer 198	Koksilah River
39403	Aquifer 185	Kelvin Creek
39404	Aquifer 185	Kelvin Creek
39889	Aquifer 185	Ellison Brook - tributary to Glenora Creek
42579	Aquifer 185	Ellison Brook - tributary to Glenora Creek
63148	Aquifer 185	Unnamed - tributary to Glenora Creek
63427	Aquifer 185	Unnamed - tributary to Kelvin Creek
63432	Aquifer 185	Unnamed - tributary to Kelvin Creek
63620	Aquifer 185	Unnamed - tributary to Glenora Creek
63653	Aquifer 185	Ellison Brook - tributary to Glenora Creek
64016	Aquifer 197	Koksilah River
64110	Aquifer 197	Koksilah River
68629	Aquifer 197	Patrolas Creek
69029	Aquifer 197	Patrolas Creek
75007	Aquifer 197	Unnamed - tributary to Koksilah River
77097	Aquifer 197	Unnamed - tributary to Dougan Lake
77192	Aquifer 199	Koksilah River
84069	Aquifer 199	Neel Creek - tributary to Koksilah River
84799	Aquifer 199	Koksilah River
88829	Aquifer 197	Patrolas Creek
88831	Aquifer 198	Patrolas Creek
96108	Aquifer 199	Koksilah River
100459	Unknown aquifer	Koksilah River
100460	Aquifer 199	Koksilah River
100813	Aquifer 199	Koksilah River
104944	Aquifer 197	Koksilah River
110049	Aquifer 197	Unnamed - tributary to Dougan Lake
111255	Aquifer 197	Patrolas Creek
111962	Aquifer 197	Unnamed - tributary to Dougan Lake
116018	Aquifer 197	Koksilah River

Appendix C- List of Water Licences for Industrial Purpose subject to Minister's Order

Licence #	Source Name
F053413	Koksilah River
F053415	Koksilah River