

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. M327

WHEREAS: I, Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development, after review of information on the decline of flow in Bessette Creek and its tributaries, consider that the flow of water in Bessette Creek has dropped below 826 litres per second and is so low that the survival of the population of Chinook salmon in the stream has become threatened;

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

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: 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 this population of fish I, Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development (the “Minister”), pursuant to section 88 of the *Water Sustainability Act*, order that:

1. Effective at 00:01am, the day following the signature of this order, until September 30th, 2021, all diversion and use of water for irrigation purpose by holders of authorizations from Bessette Creek and its tributaries and by users of groundwater wells diverting from aquifers considered to be hydraulically connected to Bessette Creek and its tributaries, must cease, as follows:
 - a. this Order applies to the water licences listed in Appendix A to this Order and to diversion and use of water for irrigation purpose under them by their licensees; and
 - b. this Order applies to the groundwater wells listed in Appendix B to this Order and to persons using those wells for the diversion and use of groundwater for irrigation purpose.
2. For the purposes of this Order, Bessette Creek tributaries to which this Order applies are: Beaverjack Creek, Alberts Creek, Butters Brook, Vance Creek, Deafies Creek, Moonshine Creek, Gallon Creek, Duteau Creek, Norris Creek, Lawson Creek, Rice Brook, Spider Creek, Nicklen Creek, Harris Creek, Brett Creek, Lagnley Creek, Creighton Creek, Higgins Creek, McCollough Creek, Churchill Creek, Blue Springs Creek, Papp Brook.

3. This Order remains in effect until 23:59, September 30, 2021 or until further order of the Minister.
4. 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*.

August 19, 2021

Date



*Minister of Forests, Land,
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

Appendices to Minister's Order:

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

Water Licences: C131856, C016191, C044753, F053325, F053324, C059172, C068216, C050771, F047372, F051952, C050047, C062230, C116862, C110558, C047465, F021024, C066388, 502081, C114324, C120580, C113140, C129857, C129858, C120331, 502212, C035864, F048085, C050046, F005724, C110801, F048084, F021315, C046178, C124281, C114007, F008549, F008453, C048132, F003597, C119048, F021550, C034665, F047743, C068295, F070840, C068160, C120579, F021423, C068311, C068297, C023827, C041362, C047464, C110797, F003740, C110799, C068310, F047741, F047747, C060413, F047742, C109279, F021424, C133643, C116436, C066387, C070264, C070263, C046180, C133412, C129781, C113141, C043679, F047753, F047740, C066386, C110795, C133644, C124280, C110800, F047912, F047752, C133777, F047911, C060407, C119049, C129780, C129779, C019060, C110796, F048207, C066338, C056535, C129782, F048860, F066403, F041037, C060431, 500035, 500064, 500144, 500490, 501216, 501393, 501441, 501505, 502485, 502628, 502645, 502812, 503222, 503391, 503411, 501007.

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

Wells with the following Well Tag Numbers: 119, 128, 132, 1439, 2754, 3270, 8397, 8404, 8406, 8412, 8424, 8437, 8447, 8452, 8453, 8455, 8456, 8458, 8462, 8465, 8466, 8475, 8478, 8482, 8506, 8507, 8508, 8509, 8520, 8521, 8522, 8524, 8525, 8529, 8534, 8536, 8538, 8544, 8546, 8548, 8554, 8650, 8654, 9163, 13623, 13624, 13626, 13774, 14208, 14209, 14210, 14211, 15524, 15527, 15532, 15538, 15859, 15864, 15870, 15871, 15874, 16506, 16507, 16876, 16878, 16879, 16884, 16886, 16891, 17339, 17345, 17347, 17853, 17855, 17858, 17869, 17870, 18548, 18549, 18550, 18552, 19994, 20714, 20716, 21299, 21301, 21302, 21412, 21475, 21564, 21869, 21886, 21925, 22154, 22160, 22302, 22315, 22487, 22489, 22681, 22728, 23151, 23967, 24232, 24242, 24281, 24540, 24552, 24742, 24828, 24935, 25466, 25741, 25988, 26589, 26745, 26828, 26921, 26922, 26947, 27244, 27308, 27339, 27397, 27429, 27499, 27562, 27839, 28214, 28659, 28707, 28802, 28874, 28875, 28884, 29185, 29218, 29585, 29595, 29729, 29966, 30050, 30141, 30275, 30300, 30330, 30408, 30859, 30985, 31325, 31326, 31625, 32310, 32430, 32459, 32590, 32591, 32728, 33148, 33621, 33700, 33723, 33726, 33727, 33783, 33966, 34143, 34145, 34250, 34807, 34986, 35235, 35490, 37177, 37272, 37323, 37391, 37921, 38193, 38203, 38239, 38347, 39070, 39360, 39410, 39543, 39608, 39822, 39965, 41503, 41504, 41508, 41509, 41512, 43333, 43921, 43928, 43930, 43934, 43935, 43937, 44171, 44280, 44295, 45235, 45349, 45485, 45505, 45559, 45613, 45849, 45853, 46505, 46795, 47223, 47806, 48717, 49581, 49698, 50414, 51179, 51180, 53400, 54108, 54468, 54469, 54903, 55834, 56629, 56727, 57058, 57109, 57171, 57246, 57388, 57451, 57757, 57774, 57851, 57854, 57857, 57871, 58134, 58156, 58157, 58171, 58373, 58436, 58439, 58459, 58599, 58603, 58734, 59020, 62348, 62350, 62379, 62559, 62560, 62561, 62569, 62592, 63235, 63236, 63247, 63248, 63256, 63270, 68458, 69070, 69126, 70083, 70089, 70091, 70093, 70095, 70103, 70105, 70183, 70195, 71583, 71665, 71678, 71683, 75652, 79599, 79601, 79603, 79619, 79620, 79627, 80289, 80349, 80366, 80367, 80403, 80433, 80473, 80477, 80490, 80491, 82384, 82408, 82415, 82422, 82423, 82428, 82504, 82509, 82510, 82511, 82867, 82868, 82979, 82982, 83180, 83181, 83183, 83189, 83462, 83491, 83495, 83497, 84219, 84223, 84233, 84244, 84254, 84255, 84257, 84269, 84271, 84273, 84280, 84282, 84283, 84287, 84288, 84290, 84308, 84359, 84399, 84401, 84406, 84408, 84725, 84726, 84727, 87458, 87463, 87559, 87568, 90134, 90656, 90659, 90803, 90827, 91711, 91714, 93957, 93958, 93961, 93962, 93970, 94032, 94859, 94860, 97244, 97247, 98235, 98238, 98241, 98244, 98292, 98303, 98909, 99549, 100574, 100596, 101726, 103515, 103841, 103845, 103896, 103905, 103976, 103998, 104011, 104018, 104047, 104053, 104054, 104059, 104062, 104077, 104084, 104095, 104112, 104117, 104169, 104185, 104280, 104281, 108452, 108513, 108662, 108685, 108702, 109833, 111218, 111754, 111816, 111847, 112030, 112048, 112049, 112051, 112075, 112079, 112095, 112101, 112266, 112650, 112953, 112958, 112959, 112986, 113289, 113291, 114806, 115230, 116863, 116877, 116886, 116890, 117262, 117573, 117617, 118482, 118826, 119286, 119308, 119386, 119476, 119550, 119856, 119884, 119935, 120606, 120678, 120948, 120995, 121141, 121322, 121881, 122217, 122317, 122601, 122602.