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APPROVED AND ORDERED 10. FEB. 1976

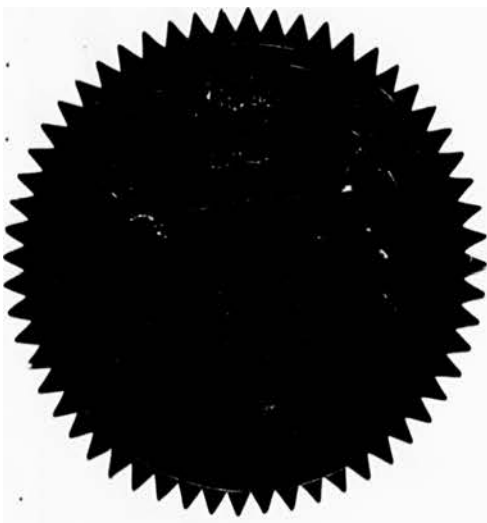
Lieutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA -9. FEB. 1976 Amn. 2162/87, 1710/90

Pursuant to the Water Act, and upon the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that the Letters Patent, in the terms of the Letters Patent herewith, be issued incorporating the tract of land therein described and the owners of land in the said tract into an improvement district under the name of "Rivervale Improvement District" and with the rights, powers, privileges and obligations conferred and imposed on improvement districts under the said Act except as otherwise specified in the said Letters Patent.

Minister of Environment

Presiding Member of the Executive Council



W. Quinn

Lieutenant-Governor

CANADA

PROVINCE OF BRITISH COLUMBIA

ELIZABETH the SECOND, by the Grace of God, of the United Kingdom,
Canada and Her other Realms and Territories, QUEEN, Head
of the Commonwealth, Defender of the Faith.

To all to whom these presents shall come - GREETING.

J. Nielsen

Minister of Environment

WHEREAS by section 53 of
the "Water Act" it is provided
that the Lieutenant-Governor
in Council may incorporate a

tract of land and the owners thereof into an improvement district.

And whereas the Lieutenant-Governor in Council has, by Order
in Council made pursuant to the said Act, been pleased to order that
the tract of land hereinafter described and the owners thereof be
incorporated into an improvement district under the said Act, and has
made further provision to the tenor and effect hereinafter appearing:

Now know ye that by these presents We do hereby order and proclaim:

1. The tract of land within Kootenay Land District and Nelson Land
Registration District bounded and described as follows:

Commencing at the north-west corner of Assigned Block 9 of Lot
367, Plan 1425 being a point on the natural boundary of Hanna Creek
on the right bank thereof; thence in a general easterly direction
along the natural boundary of Hanna Creek on the right bank thereof
to the natural boundary of the Columbia River on the right bank
thereof; thence in a general southerly and south-easterly direction
along the natural boundary of the Columbia River on the right bank
thereof to the most easterly corner of Lot 1 of Lot 367, Plan 2444;

thence westerly along the southerly boundary of Lot 1 of Lot 367, Plan 2444 to the most westerly corner thereof; thence in a general north-westerly and northerly direction along the north-easterly and easterly limits of the Columbia and Western Railway right of way Assigned Block 26 of Lot 367, Plan 1425 to the north-west corner of Assigned Block 9 of Lot 367, Plan 1425 being the point of commencement. Save and except thereout those parts of Lot 367 shown on Reference Plans 76904^I, 83423^I, and 107243^I.

and all subdivisions thereof and all owners of land therein are incorporated into an improvement district under the "Water Act" and subject to the provisions thereof and to the conditions hereinafter contained.

2. The improvement district shall be known as "Rivervale Improvement District".

3. The objects of the improvement district shall be the acquisition, maintenance, and operation of works for waterworks purpose and all matters incidental thereto.

4. There shall be five Trustees of the improvement district.

5. The persons qualified to vote at the first election of Trustees shall be Canadian citizens who are nineteen years of age or older and are entitled to be registered as voters under the "Provincial Elections Act" and are owners of land in the tract of land hereinbefore described, and the persons qualified to be candidates at the election shall be the persons qualified as aforesaid to vote and their wives and husbands.

6. Mrs. Margaret Ross, 228 - 1st Avenue, Trail, British Columbia, V1R 2Y8, shall be Returning Officer for the first election of Trustees. She shall call a general meeting of the persons who are qualified as aforesaid to vote and shall, at least seven days before the date of the meeting send to each of the said persons by ordinary first class mail a notice signed by her giving the date, time, and place of holding the meeting. The Returning Officer shall be chairman of the meeting and, subject to the provisions of clause 5, shall have power to determine whether or not any

person who desires to vote is qualified to do so. She shall have power to determine the procedure to be followed at the meeting and the method of taking the votes. Each qualified voter shall be entitled to cast one vote for each of five candidates. The Returning Officer shall declare the result of the election and shall notify the Comptroller of Water Rights of the said result.

7. The candidate elected as Trustee for whom the greatest number of votes is cast at the general meeting called pursuant to clause 6 hereof shall hold office until the annual general meeting of 1979, the candidates elected for whom the second and third greatest numbers of votes are cast shall hold office until the annual general meeting of 1978, and the candidates elected for whom the fourth and fifth greatest numbers of votes are cast shall hold office until the annual general meeting of 1977, but should there be nominated no more than five candidates for the office of Trustee, or should any two or more candidates receive an equal number of votes, then the Returning Officer shall have power to and shall declare which of the candidates are elected and which shall hold office until the next, the second, and the third succeeding annual general meetings respectively.

8. All subsequent elections of Trustees shall be held at the annual general meetings of the improvement district, and it shall be the duty of the Trustees to call a general meeting to be held between January 1st and May 1st in each year, except 1976, for the following purposes:-

- (a) To receive from the Trustees a report on the condition of the works and a statement of the financial condition of the improvement district;
- (b) To discuss with the Trustees any matter relating to the works or finances of the improvement district;
- (c) To fix the remuneration of the Trustees for the ensuing year;
- (d) To elect a Trustee or Trustees to succeed those whose terms of office expire coincident with the holding of such annual general meeting, and to elect a Trustee or Trustees to fill any other vacancy or vacancies that has or have occurred or is or are about to occur among the Trustees;

(e) To choose the auditor for the ensuing year.

A special general meeting may be called by the Trustees at any time for the purpose of electing a Trustee or Trustees to fill any vacancy or vacancies among the Trustees, or for the purpose of discussing with the owners any matter or matters which in the opinion of the Trustees should be brought up at a general meeting.

At least fourteen day's notice of every general meeting shall be given by a notice sent by ordinary first-class mail setting out the date, time, and place of holding the meeting.

The secretary shall enter in a book provided by the Trustees for this purpose minutes of all matters brought before the meeting and the action taken thereon. At any general meeting every person shall be qualified to vote who is a Canadian citizen and is nineteen years old or older and is an owner of land in the improvement district, or the authorized agent of any board or corporation that is an owner of such land, or legal representative of any owner of such land who has died, become insolvent, or insane, and is entitled to be registered as a voter under the "Provincial Elections Act". Every person qualified as aforesaid to vote and the wife or husband of any such person shall be qualified to be a candidate for Trustee of the improvement district. In the event of the right of any person to vote at any general meeting being challenged, the chairman shall have authority to determine whether or not such person is entitled to vote, and the chairman may require such person to make and file with him a statutory declaration showing that the declarant is qualified as aforesaid to vote at such general meeting. Forthwith after the holding of a general meeting the Trustees shall file with the Comptroller of Water Rights a true copy of the minutes of such meeting and copies of all auditor's reports and financial statements presented or discussed at the meeting.

9. All words and phrases given special meaning in section 2 of the "Water Act" shall, where used herein, be ascribed the meaning given them in the said section unless the context otherwise requires.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Our said Province to be hereunto affixed.

WITNESS, Colonel the Honourable Walter S. Owen, Q.C., LL.D. Lieutenant-Governor of Our said Province, in Our City of Victoria, this *tenth* day of *February*, in the year of our Lord one thousand nine hundred and seventy-six, and the 25th year of Our Reign.

By Command.


Provincial Secretary

