

TEMPLATE: Joint Works Agreement for _____ Dam

This agreement identifies the sharing of responsibilities and costs of operation for this water storage site which is authorized under the Water Sustainability Act for use by the parties identified below.

Identification of Works :

The identified works of this agreement are the dam and reservoir located at _____.
(and the diversion works from _____ Creek, and the saddle dam located at _____, and the common supply pipe/ditch at _____, and _____)

Available Storage Capacity :

The constructed storage volume is _____ AF at _____ Feet of storage, of which _____ AF is normally available for use each year. Unlicensed live storage: _____ AF.

Water Licence Holders :

	Licensee	Licence Number	Licensed Storage Volume	Proportion of Total Licensed
1			AF	%
2			AF	%
3			AF	%
4			AF	%
Total			AF	%

Ownership of Works:

The identified works are deemed to be jointly owned by the licensees in the proportion of the individual licence to the total of the licenced volume, and any liability that may arise from the construction, maintenance, use, operation or failure of the works would be in like proportion.

Owners' Designate: Under Section 22 of the Dam Safety Regulation, one of the owners must be designated by the owners or the Dam Safety Officer "for the purposes of receiving, providing and retaining information and records in relation to the dam".

Name of owners designate: _____, Date of Designation:

Use of Available Water:

An individual licensee's use of the available water that is held in storage as at June 30 of any year shall be shared in the proportion of the individual licence to the total of the licenced volume. (OR by priority date - as would be regulated under the WSA)
(OR as set out in the Operation Maintenance and Surveillance Plan for this storage site)

Operation, Maintenance and Inspection of Works:

An operator shall be designated to coordinate the operation, maintenance, inspection and record keeping for the identified works. All adjustments to the works shall be approved by the operator and made in a manner which appropriately shares the stored water.

Access to the Site on Private Land:

The dam is located on Private Land and the landowner has endorsed this Joint Works Agreement or has provided written permission for access to the site.

Financial:

Each licensee agrees to pay, annually and prior to April 1 of each year, \$_____ per AF of their individual storage licence(s) to provide for the operation, maintenance and minor repairs of the identified works.

An expenditure for extraordinary items such as Dam Safety Reviews, construction, major repairs, investigations, alterations, improvements, replacement or decommissioning shall have the prior approval of the licensees, and costs will be shared in the proportion of the individual licence to the total of the licenced volume.

Failure to pay any required costs will result in the suspension of usage of the identified works, and an interest charge of _____ % per month shall be levied on overdue payment.

Meetings and Voting at Meetings:

A meeting may be requested by any one licensee on 2 weeks notice to all other licensees. All matters to be determined at a meeting shall have a quorum of at least 2/3 of the licensees and be decided by a 2/3 majority of the licensees represented at the meeting.

(OR with a quorum of 2/3 of the licenced storage represented and with a 2/3 majority of the AF of the licenced storage represented at the meeting)

Continuance of Agreement with New Licensee:

Should a licensee propose to sell the property on which the stored water may be used they shall make this agreement known to the potential purchaser, and this agreement shall transfer with the sale of the property and shall be binding on the new owner.

Withdrawal From Agreement:

A licensee may withdraw from this agreement subject to the abandonment, cancellation or transfer of the water licence, and subject to settlement of any payment in arrears, and subject to a new agreement being made between the remaining licensees.

This agreement is made by the water licensees;

1) Water Licence _____ Date Signed _____
(Name _____)

2) Water Licence _____ Date Signed _____
(Name _____)

3) Water Licence _____ Date Signed _____
(Name _____)

4) Water Licence _____ Date Signed _____
(Name _____)

5) Water Licence _____ Date Signed _____
(Name _____)