

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF WATER, LAND AND RESOURCE
STEWARDSHIP

Water Sustainability Act

Ministerial Order No. M323

WHEREAS I, Randene Neill, Minister of Water, Land and Resource Stewardship, after review of information on the decline of flow in Bessette Creek, consider that the flow of water in Bessette Creek has dropped below 0.500 cubic metres per second and is so low that the survival of the South Thompson River Chinook salmon fish population 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, the required flow for the South Thompson River Chinook salmon 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;

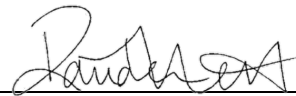
AND WHEREAS in those circumstances, after giving due consideration to the needs of agricultural users, the Minister may make an order pursuant to section 88 of the *Water Sustainability Act* (WSA) respecting the diversion, rate of diversion, time of diversion or use, including storage and time of storage,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

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 the South Thompson River Chinook salmon fish population, I, Randene Neill, Minister of Water, Land and Resource Stewardship, (the "Minister"), pursuant to section 88 of the *Water Sustainability Act*, make the order set out in the attached Schedule.

August 27, 2026

Date



Minister of Water, Land and Resource Stewardship

(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, S.B.C. 2014, c. 15, s. 88

SCHEDULE

1. Effective August 28, 2026, all diversion and use of water for certain irrigation, industrial and mining use purposes by holders of authorizations (identified by licence number in Appendix A to this order, including under any licences subsequently issued in substitution for any of those authorizations) and transitioning groundwater users (defined in section 3 of this order and identified by application number in Appendix B to this order, including under any licences subsequently issued from those applications), and all unauthorized diversion and use of water, from Bessette Creek, its tributaries, and hydraulically connected aquifers must cease, as follows:
 - a. This order applies to the water licences listed in Appendix A to this order, including any licences issued in substitution for any of those licences, and to the transitioning groundwater users listed in Appendix B to this order, including any licences subsequently issued from those applications, and to diversion and use of water for certain irrigation purposes under those licences by their licensees and to diversion and use of groundwater by transitioning groundwater users for irrigation under the provisions of section 140 of the WSA;
 - b. Irrigation for the production of forage/grass crops, including, but not limited to, grass/legume, alfalfa/grass, and corn must cease;
 - c. Authorized irrigation for the production of non-forage/grass crops, including market vegetables, fruits, nursery/tree containers may continue;
 - d. Licensed irrigators who also hold a supporting storage licence and have remaining storage water available may continue to divert and use water from that storage in accordance with the conditions set forth in their licence documents. If and when that storage is exhausted, irrigation of forage/grass crops must cease as required by this order;
 - e. Diversion and use of water for the following water use purposes must cease:
 - i. Mining water use purpose: processing ore;
 - ii. Industrial water use purpose:
 1. Well drilling and transportation/utility corridor management;
 2. Crop harvesting, protection and composting;
 3. Vehicle and equipment;
 4. Greenhouse and nursery.

- f. Diversion and use of water for other industrial or mining water use purposes may continue;
 - g. Diversion and use of water by persons without lawful authority to do so must cease, other than for essential household use as defined in section 22(11) of WSA.
- 2. For clarity, Bessette Creek, its tributaries, and hydraulically connected aquifers, to which this order applies are as follows:
 - a. Alberts Creek, Beaverjack Creek, Blue Springs Brook, Churchill Creek, Creighton Creek, Deafies Creek, Duteau Creek, Gallon Creek, Higgins Creek, Laviolette Spring, Moonshine Creek, Nicklen Creek, Norris Creek, Pickering Brook, Prezeau Creek, Rice Brook, Ross Spring, Rouck Spring, Saunders Spring No. 1, Saunders Spring No. 2, Sheni Spring, Spider Creek, Springs Creek, and Vance Creek, and
 - b. Aquifers 314, 316, 318, 319 and 1002.
- 3. For the purposes of this order, “**transitioning groundwater users**” refers to persons who were already diverting and using groundwater when the WSA came into force on February 29, 2016, and who qualified and applied for authorizations under s.140 of the WSA during the transition period ending March 1, 2022, to continue their existing non-domestic groundwater diversion and use but whose applications for authorizations remain to be decided. This order also applies to the holders of licences issued from any of those applications if any of them are subsequently decided while this order remains in effect.
- 4. This order remains in effect until September 30, 2026, or until further order of the Minister.
- 5. Contravention of an order of the Minister made under section 88 of the WSA may be charged as a high penalty offence under section 107(1)(e) of the Act or may be subject to an administrative monetary penalty under s.99 of the WSA and the Administrative Penalties (*Water Sustainability Act*) Regulation.

Appendix A- List of Water Licences with Irrigation, Mining and Industrial Purposes Subject to Minister’s Order

Groundwater Water Licences: 500487, 501007, 501216, 501393, 501505, 502485, 502628, 502645, 502812, 503134, 503222, 503255, 503391, 503411, 503886, 503987,

504209, 505100, 505713, 505788, 505791, 506029, 506034, 506212, 506577, 508140, 509069, 509106

Stream (Surface) Water Licences: 501405, 502081, 502212, 504009, 504601, C016191, C019060, C023827, C034665, C035864, C041362, C043679, C046178, C046180, C047257, C047464, C047465, C048132, C050046, C050047, C050771, C055035, C059172, C060407, C060416, C060617, C062230, C066386, C066387, C066388, C066399, C066400, C068216, C068295, C068297, C068310, C068311, C070263, C070264, C104269, C109279, C110558, C110795, C110796, C110797, C110799, C110800, C110801, C113140, C113141, C114007, C114324, C116300, C116436, C116862, C119048, C119049, C120331, C120372, C120579, C120580, C124281, C129779, C129780, C129781, C129782, C131856, C133412, C133643, C133644, C133777, F003740, F005724, F008453, F008549, F021024, F021315, F021392, F021422, F021423, F021424, F021550, F041037, F047372, F047741, F047742, F047743, F047747, F047752, F047753, F047911, F047912, F048084, F048085, F048207, F048860, F051952, F053324, F053325, F066390, F066403, F070840

Appendix B – List of Transitioning Groundwater Users by Existing Use Groundwater Applications for Irrigation Purpose Subject to Minister’s Order

Applications with the following FrontCounter BC Tracking Numbers:

FCBC Tracking Number	Application Purpose
100380795	Irrigation