

PROVINCE OF BRITISH COLUMBIA

Ministry of Forests

COPY

IN THE MATTER OF TREE FARM LICENCE NUMBER 55

INSTRUMENT NUMBER 1

Amendment

THIS AGREEMENT is dated the 15 day of May, 1993.

BETWEEN:

THE MINISTER OF FORESTS, on behalf of  
HER MAJESTY THE QUEEN IN RIGHT OF  
THE PROVINCE OF BRITISH COLUMBIA  
Parliament Buildings, Victoria, British Columbia, V8V 1X4.

(The "Licensor")

AND:

WESTSHORE TERMINALS LTD.  
1800 - 1188 West Georgia Street  
Vancouver, British Columbia  
V6E 4B9

(The "Licensee")

WHEREAS:

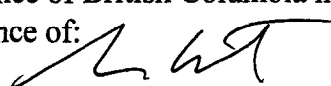
- A. The Licensor and the Licensee entered into Tree Farm Licence Number 55 ("TFL 55"), dated April 6, 1992, pursuant to Section 33.1 of the *Forest Act*.
- B. The Licensee desires and, pursuant to Section 33.1 of the *Forest Act*, has consented to the subdivision of TFL 55 into two tree farm licences, one continuing to be identified as TFL 55 and the other to be identified as Tree Farm Licence Number 56 ("TFL 56"), both of which will be issued in the name of the Licensee.

THEREFORE, in consideration of the mutual covenants set out below, the parties agree to subdivide and amend TFL 55 and to amend TFL 56 as follows:

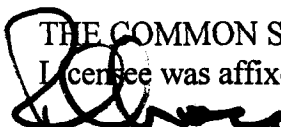
1. The lands described in Schedule "A" to this Subdivision and Amendment are withdrawn from the lands described in Schedule "A" to TFL 55 and are deleted from the licence area of TFL 55 and become the lands described in Schedule "A" to TFL 56 and form part of the licence area of TFL 56.
2. The lands described in Schedule "B" to this Subdivision and Amendment are withdrawn from the lands described in Schedule "B" to TFL 55 and are deleted from the licence area of TFL 55 and become the lands described in Schedule "B" to TFL 56 and form part of the licence area of TFL 56, as shown in hatched-line on the attached Exhibit "A", dated February 19, 1993.
3. The TFL 55 document is amended to delete Part 16.00, relating to the Serenity Peaks Wilderness Area, from the document, as this area is within the boundaries of TFL 56.
4. TFL 55 is amended, and all documents issued to the Licensee under its authority are amended, as required as a result of the subdivision.
5. One amendment within 12 months of the date of this agreement, may be made to the licence areas of TFL 55 and TFL 56 by redefining the boundary separating them which may result in an addition to one licence area and a corresponding deletion from the other licence area.
6. The amendment referred to in Paragraph 5 above shall be made by mutual agreement of the holders of TFL 55 and TFL 56, failing which, any dispute shall be resolved through arbitration funded equally by the holders of TFL 55 and TFL 56 and no further expression of the licensee's consent to such amendment, pursuant to Section 33.1 of the *Forest Act*, shall be required.
7. This Subdivision and Amendment shall become a part of both TFL 55 and TFL 56 and a copy of it shall be affixed to each.

AS EVIDENCE of their agreement to these conditions, the parties have executed this Subdivision and Amendment on the date first written above.

IN WITNESS WHEREOF the parties have executed this Agreement on the day and year first written above.

SIGNED, SEALED AND DELIVERED )  
 by the Minister of Forests on behalf of )  
 Her Majesty the Queen in Right of the )  
 Province of British Columbia in the )  
 presence of:  )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )

  
 \_\_\_\_\_  
 Minister of Forests

THE COMMON SEAL (C/S) of the )  
 Licensee was affixed in the presence of: )  
 )  
 Authorized Signatory )  
 \_\_\_\_\_ )  
 Authorized Signatory )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )

C/S

(OR)

SIGNED, SEALED AND DELIVERED )  
 by the Licensee in the presence of: )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )

\_\_\_\_\_  
 Authorized Signatory  
 \_\_\_\_\_  
 Title

**SCHEDULE "A"**  
**DELETION OF SCHEDULE "A" LANDS**  
**FROM**  
**TREE FARM LICENCE NUMBER 55**

<u>Timber Licence</u>	<u>Replaces Special Timber Licence</u>	<u>Land District</u>	<u>Hectares</u>
T0617	TL 2328P	Kootenay	106
T0646	TL 4898P	Kootenay	259
T0648	TL 5372P	Kootenay	138
T0658	TL 12439P	Kootenay	148
T0662	TL 12440P	Kootenay	<u>259</u>
			910

**SCHEDULE "A"**  
**SELKIRK TREE FARM LICENCE**  
**TREE FARM LICENCE NUMBER 55**

Forest lands and merchantable timber in other tenures owned or controlled  
by the Licensee within Tree Farm Licence Number 55.

Crown Grants

Nil

**SCHEDULE "B" LANDS**  
**WITHDRAWN FROM**  
**TREE FARM LICENCE NUMBER 55**

Commencing at the confluence of the natural boundaries of Cap Creek on the left bank thereof and Revelstoke Lake on the easterly shore thereof; thence in a general northeasterly direction along the natural boundary of said Cap Creek on the left bank thereof to a point being 400 metres south and 3.100 kilometres east of the northeast corner of Lot 3414, Kootenay Land District; thence north 25 degrees east 940 metres, more or less, to the westerly boundary of the watershed of Holdich Creek; thence in a general northerly and easterly direction along the westerly and northerly boundaries of the watershed of said Holdich Creek to the southwesterly boundary of the watershed of Downie Creek; thence in a general southeasterly, easterly and northerly direction along the southwesterly, southerly and easterly boundaries of the watershed of said Downie Creek to the easterly boundary of the watershed of Goldstream River; thence in a general northerly direction along easterly boundary of the watershed of said Goldstream River to the southerly boundary of the watershed of Stitt Creek; thence in a general westerly direction along the southerly boundary of the watershed of said Stitt Creek to a point 3.480 kilometres east and 220 metres south of the southeast corner of Lot 16941; thence south 60 degrees west 280 metres, more or less, to the natural boundary of an unnamed creek on the left bank thereof, said unnamed creek flowing southerly into aforesaid Goldstream River at a point 3.090 kilometres east and 2.200 kilometres south of the southeast corner of aforesaid Lot 16941; thence in a general southerly direction along the natural boundary of said unnamed creek on the left bank thereof to the natural boundary of said Goldstream River on the right bank thereof; thence in a general westerly direction along the natural boundary of said Goldstream River on the right bank thereof to the

easterly boundary of Section 24, Township 2, Kootenay Land District; thence southerly along the easterly boundary of said Section 24 to the southeast corner thereof; thence westerly along the southerly boundaries of Sections 24 and 23 to the northeast corner of Section 14; thence southerly along the easterly boundaries of Sections 14, 11 and 2, and Lot 80A to the most northerly corner of Lot 4685; thence southeasterly and southwesterly along the northeasterly and southeasterly boundaries of said Lot 4685 to the easterly boundary of said Lot 80A; thence southerly and westerly along the easterly and southerly boundaries of said Lot 80A to the natural boundary of aforesaid Revelstoke Lake on the easterly shore thereof; thence in a general southerly direction along the natural boundary of said Revelstoke Lake on the easterly shore thereof to a point due west of a tie point, said tie point being 6.172 kilometres north and 1.658 kilometres west of the northwest corner of Lot 8296; thence east to said tie point; thence south 805 metres; thence east 402 metres; thence south 1.207 kilometres; thence east 402 metres; thence south 805 metres; thence due west to the natural boundary of aforesaid Revelstoke Lake on the easterly shore thereof; thence in a general southerly direction along the natural boundary of said Revelstoke Lake on the easterly shore thereof to the northerly boundary of Lot 2772; thence easterly along the northerly boundary of said Lot 2772 to the southwest corner of Block A of Lot 2712; thence northerly, easterly and southerly along the westerly, northerly and easterly boundaries of Block A of said Lot 2712 to the northerly boundary of aforesaid Lot 2772; thence easterly along the northerly boundary of said Lot 2772 to the natural boundary of Downie Arm on the northerly shore thereof; thence in a general northeasterly and southwesterly direction along the natural boundary of said Downie Arm on the northwesterly and southeasterly shores thereof to the easterly boundary of Lot 1880; thence southerly along the easterly boundary of said Lot 1880 to the natural boundary of aforesaid Revelstoke Lake on the easterly shore thereof; thence in a general southerly direction along the natural boundary of said Revelstoke Lake on the easterly

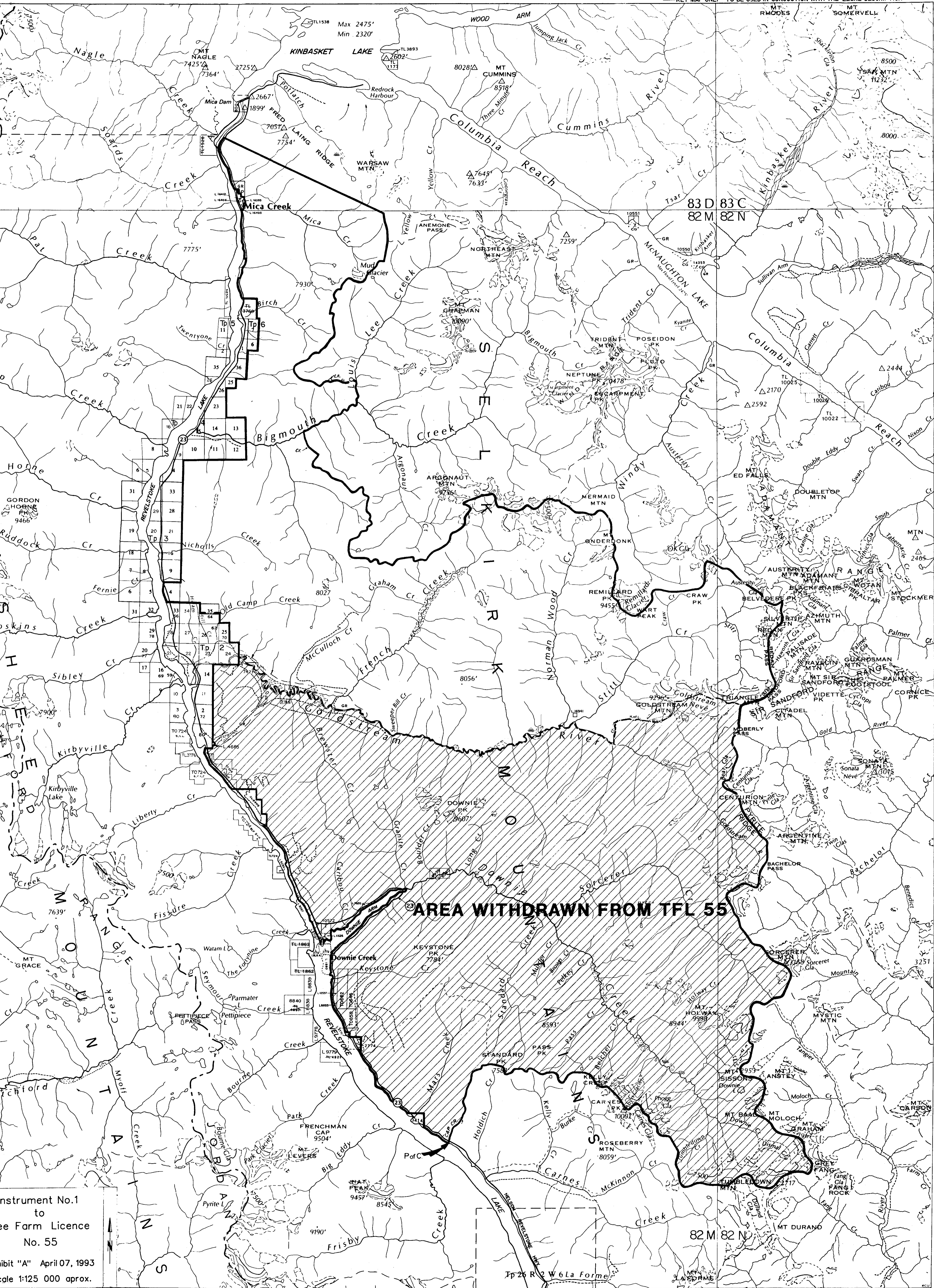
shore thereof to the second most northerly boundary of Lot 2771; thence easterly and southerly along the northerly and easterly boundaries of said Lot 2771 to the northerly boundary of Lot 2774; thence easterly, southerly and westerly along the northerly, easterly and southerly boundaries of said Lot 2774 to the natural boundary of said Revelstoke Lake on the easterly shore thereof; thence in a general southeasterly direction along the natural boundary of said Revelstoke Lake on the easterly shore thereof to the northerly boundary of Lot 3414; thence easterly and southerly along the northerly and easterly boundaries of said Lot 3414 to the natural boundary of aforesaid Revelstoke Lake on the easterly shore thereof; thence in a general southeasterly direction along the natural boundary of said Revelstoke Lake on the easterly shore thereof to the natural boundary of aforesaid Cap Creek on the left bank thereof, being the point of commencement.

Excluding thereout all of that foreshore and land covered by water within the above described area, and lands that were deleted by notice or instrument under Tree Farm Licence Number 23, namely:

1. Notice dated September 20, 1955, which deleted various surveyed lots within Kootenay Land District.
2. Amendment No. 2, which deleted Lot 7486, Kootenay Land District.
3. Amendment No. 73, replaces Amendment No. 63, removes radio site.

See copies attached.





**AREA WITHDRAWN FROM TFL 55**

Instrument No. 1  
to  
see Farm Licence  
No. 55  
Subsit "A" April 07, 1993  
Scale 1:125 000 approx.

NOTE: FLOODING OF REVELSTOKE LAKE BASED ON 1:20 000 INVENTORY BRANCH FOREST COVER MAPS