

Approved and ordered this 5th day of April, A.D. 1960.

At the Executive Council Chamber, Victoria,


Lieutenant-Governor.

PRESENT:

The Honourable

in the Chair.

Mr. Martin
Mr. Kiernan
Mr. Black
Mr. Gagliardi
Mr. Wicks
Mr. Peterson
Mr. Chant
Mr.
Mr.
Mr.
Mr.
Mr.
Mr.


To His Honour

The Lieutenant-Governor in Council:

Ann. 9/1964/60

The undersigned has the honour to recommend that Orders in Council Nos. 449 and 450, approved March 3rd, 1948, and No. 2494, approved October 2nd, 1956, be rescinded:

AND TO RECOMMEND THAT, pursuant to Section 16 of the Placer-mining Act and Section 14 Sub-section (5) of the Mineral Act and all other powers thereunto enabling, no person may enter, locate, prospect or mine upon the following described areas in the Vancouver and Clinton Mining Divisions, for any mineral therein:-

All and singular, those lands and premises of all that area in the Taseko River drainage basin lying upstream from a point seven miles below the outlet of Taseko Lake and below an elevation of 4500 feet (assuming mean high water of Taseko Lake to be at elevation 4400 feet):

Also: all that area west of the Taseko River, lying between longitude 123° 40' and longitude 123° 50', situated below parallel 51° 30' and extending south to latitude 51° 23'; also an area one mile wide surrounding Konni Lake:

Also: an area one mile wide having one-half mile on either side of Nemaia Creek extending from Konni Lake to Chilko Lake:

Also: all that area in the Chilko River drainage basin lying upstream from a point ten miles below the outlet of Chilko Lake and below an elevation of 3950 feet (assuming mean high water of Chilko Lake to be at elevation 3845 feet):

Also: an area three miles wide being one and one-half miles on either side of a straight line drawn from the north-westerly extremity of Choelquoit Lake westerly to a point on the Homathko River two miles above Tatlayoko Lake:

Also: an area seven miles wide being three and one-half miles on either side of a line commencing at a point on the westerly shore of Chilko Lake 3 miles northerly from the mouth of the lagoon which lies opposite to the mouth of Nemaia Creek, and extending westerly to a point on the east shore of Tatlayoko Lake 4 miles northerly from the outlet thereof:

Also: all that area in the Homathko River drainage basin lying between a point one mile south of the mouth of the Ottarasko River and point on the Homathko River four miles above Tatlayoko Lake, and lying below an elevation of 2825 feet (assuming high water level of Tatlayoko Lake at elevation 2717 feet):

Also: an area four miles wide being two miles on either side of the Homathko River, and extending from the said point one mile below the mouth of the Ottarasko River downstream to high tide mark at the head of Bute Inlet:

Also: an area four miles wide, being two miles on either side of a line drawn from a point at the mouth of Chilko Creek near the south end of Chilko Lake, south westerly to a point on the Bishop River at the mouth of Durham Creek which flows into the Bishop River from the north-east at a point about six and one-half miles above the confluence of the Bishop and Southgate Rivers:

Also: an area two miles wide, being one mile on either side of the Bishop River commencing at a point two miles above the mouth of the above mentioned Durham Creek, downstream to the confluence of the Bishop and Southgate Rivers:

Also: an area four miles wide, being two miles on either side of the following described line: commencing at a point at the mouth of Deschamps Creek at the head of Franklyn Arm of Chilko Lake, thence following along the channel of the said Deschamps Creek and following its south fork to its headwaters in Franklyn Pass thence directly through the pass to the headwaters of the Southgate River, thence along the centre line of the said Southgate River downstream to high tide mark at the head of Bute Inlet:

Also: all that area lying below elevation 1000 feet above sea level, which is situated on the north-east shore of Bute Inlet between the mouths of the Southgate and Homathko Rivers not otherwise covered by areas heretofore described:

except in accordance with and subject to the following terms and conditions:

- (1) That any free miner who locates a placer claim or mineral claim and obtains a record thereof or who obtains a placer lease or a mineral lease shall do so at his own risk and shall not interfere or allow any person exploring, developing, mining, or working in any way the said claim or leasehold to obstruct or to interfere in any manner with the exercise of any right, whether existing or subsequently granted, of any other person to flood, or to occupy for any purpose connected with the development of hydro-electric power, the areas reserved, or to construct, operate and maintain any work done or structure erected for any of the foregoing purposes and the free miner shall not be entitled to compensation for any damage which may be done to his mining operation, plant or equipment by the aforesaid exercise of any right whether existing or subsequently granted;
- (2) No free miner shall carry on any mining operation within fifteen hundred feet of any dam, conduit, water tunnel, spillway or power plant, or within five hundred feet of any transmission line or any other work or structure which may be erected, in the areas reserved except with the permission of the Chief Inspector of Mines;
- (3) A person including the Crown or its agent, who builds or proposes to build a dam, conduit, water tunnel, or power plant, or transmission line, or any ways, works, or structures in the areas reserved shall not interfere with or dislocate or obstruct any existing mining operation, plant, or equipment without:
 - (a) Inserting an advertisement of such intention in one issue of the British Columbia Gazette and in one issue of a newspaper circulating in the district in which the reserved areas are situated, not less than thirty days nor more than ninety days before such interference dislocation or obstruction takes place; and

- (b) Giving at least thirty days notice in writing to the free miner or lessee or his representative, which notice shall be deemed to have been sufficiently given if it is mailed in a prepaid envelope addressed to the address of the free miner or lessee noted upon the last tax notice issued in respect of the relevant claim or lease, or noted in the most recent relevant record of the Minister of Mines and Petroleum Resources or of the Mining Recorder, and any notice so given shall be deemed to have been received when, in the ordinary course of mail, it should have been delivered. No notice under this term or condition need be delivered to a free miner or lessee, or his representative, who records a placer claim or a mineral claim or applies for a mineral lease or files a notice of intention to apply for a placer lease after the insertion of the advertisements required by paragraph (3)(a) above.
- (4) The benefit of the conditions set forth in this order inures to the Crown and its agents, to persons contracting with the Crown with respect to the development of the areas reserved and to licensees under the "Water Act":
- (5) The free miner shall before making application to record a placer claim or a mineral claim or before making application for a mineral lease or filing a notice of intention to apply for a placer lease, execute and deliver to the Gold Commissioner a release, in quadruplicate, in favour of Her Majesty in the right of Her Province of British Columbia, and licensees, assignees, agents and servants, from any cause of action, claim, demand or action, which he may at any time have or allege as the result of any exploration, development, mining or working of any area which may be included in a placer claim, a mineral claim, a placer lease or a mineral lease or as the result of occupation of any land for any purpose connected with the development of hydro-electric power or as the result of any structure, operation, or maintenance of any work done or structure erected for any of the purposes set forth in paragraph (1).

DATED THIS 4th DAY OF April A.D.1960.

APPROVED THIS 4th DAY OF April A.D.1960.

[Signature]
Minister of Mines and Petroleum Resources.

[Signature]
Presiding Member of the Executive Council.

KBB/lm

DEPARTMENT OF MINES

RE O. IN C. 449 and 450, both of 1948, placed an outright reservation on prospecting etc., which was lifted subject to conditions by O/C 2494/56.

This Order rescinds previous ones and continues the reservation but allows prospecting etc., subject to the signing of a release to the Crown for any damage which may occur to mining property as a result of hydro-electric development.

A handwritten signature in black ink, appearing to be 'M. J.', is located in the bottom right corner of the document. The signature is written in a cursive style with a long horizontal stroke at the end.