

Approved and ordered this 9th day of August, A.D. 1960.

At the Executive Council Chamber, Victoria,

[Signature]
Lieutenant-Governor.

PRESENT:

The Honourable

in the Chair.

Mr. Bennett
Mr. Kiernan
Mr. Black
Mr. Bonner
Mr. Williston
Mr. Steacy
Mr. Wicks
Mr. Peterson
Mr. Martin
Mr. Westwood
Mr.
Mr.
Mr.

[Signature]
To His Honour

The Lieutenant-Governor in Council:

The undersigned has the honour to recommend that Orders in Council 2055[✓] and 2079[✓], approved on the 15th day of August 1952 and the 20th day of August 1952 respectively, and Order in Council 2555, approved on the 12th day of October 1956, be rescinded as of 11:59 a.m. on the 15th day of August 1960:

AND TO RECOMMEND THAT pursuant to the Placer-mining Act and Mineral Act and all other powers thereunto enabling no person may on and after twelve o'clock noon on the 15th day of August 1960, enter, locate, prospect or mine upon the following areas in the Nelson Mining Division, or for any mineral therein:

All and singular those lands and premises in the Nelson Mining Division lying along the valley of the Pend d'Oreille River and its tributaries as follows:-

1. Below the 1800 foot contour of elevation from the points where the said 1800 foot contour intersects the 49th parallel of latitude downstream to the point where the 1800 foot contour intersects the west boundary of Lot 8077 on the right-hand side of the valley and intersects the west boundary of Lot 4425 on the left-hand side of the valley; thence southerly along the west boundaries of Lots 8077 and 5127 and northerly along the west boundary of Lot 4425, respectively, to the 1550 foot contour of elevation.
2. Below the 1550 foot contour of elevation from the points where the said 1550 foot contour intersects the west boundary of Lot 5127 on the right-hand side of the valley and intersects the west boundary of Lot 4425 on the left-hand side of the valley downstream to the point where the 1550 foot contour intersects the westerly extension of the south boundary of Lot 3617 on the right-hand side of the valley and intersects a line drawn south from this intersection on the left-hand side of the valley.

THAT for the purpose of determining the said 1800 foot and 1550 foot contours of elevation the said contours be taken to mean 1800 feet and 1550 feet, respectively, above sea level as shown on Sheets MS13 and MS23, Columbia River Basin; the contours on said sheets being based on mean sea level as determined by the Geodetic Survey of Canada according to the 1947 International Joint Adjustment:

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 the actual start of the work or operation which will result in such interference dislocation or obstruction takes place; and
 - (b) Giving at least ninety days notice in writing to the owner or holder of a mineral claim, lease or placer-mining claim, as the case may be, or his representative, which notice shall be deemed to have been sufficiently given if it is mailed to the address noted upon the last tax notice issued in respect of a Crown-granted mineral claim or noted in the most recent relevant record of the Gold Commissioner, 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-mining 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 8th DAY OF Aug. A.D.1960.

APPROVED THIS 8th DAY OF Aug. A.D.1960.

[Signature]
Minister of Mines and Petroleum Resources.

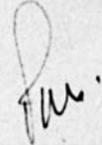
[Signature]
Presiding Member of the Executive Council.

KBB/lm

DEPARTMENT OF MINES

RE O. IN C. recommending that the mineral reserve in the valley and tributaries of the Pend d'Oreille River, Nelson Mining Division, presently in force be rescinded and the same area placed under a reserve allowing prospecting, locating and mining within its boundaries upon completion of signed release forms holding the Government or its agents free from damage claims etc., in connection with flooding.

The change has been approved by the Consolidated Mining and Smelting Company.

A handwritten signature in dark ink, appearing to be 'J.M.', is located in the lower right quadrant of the document. The signature is written in a cursive style with a large initial 'J' and a smaller 'M'.