

Resumes

OIC 396.

FEB 18 1930 AM



DEPT. OF MINES

REFERRED TO	DATE	INITIAL
D. M.	2/3	[initials]
C. C.	1/3	[initials]
D. C. C.	2/3	[initials]
C. C.		
P. & T.		
A. S.		
C. M. K.		
C. I.		
C. A.		
R. & T.		
C. C. F.		
FB	1/3	[initials]
FRING CLERK 2.3.30 [initials]		

recommend that Orders in Council Nos. 2558 and 2559, approved on the 31st day of October 1931, be rescinded: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 thereto enabling no person may enter, locate, prospect or mine upon the following areas in the Omineca and Skeena Mining Divisions, for any mineral therein:

All that area in the Nanika River, Kidpice Lake, and Nanika Lake drainage basins, including all connecting and tributary streams and lakes lying upstream from a line drawn east and west across the Nanika River four miles below the outlet of Kidpice Lake and below an elevation of 3,200 feet

An area eight miles wide (between Nanika Lake and Tahsta Lake) lying to the northeast of a straight line drawn from the west end of a small lake (immediately to the west of the west end of Nanika Lake) to the west end of Tahsta Lake

District Lots 3049, 3050, 3051, 3052, and 3077, Range 4, Coast District, and all lands on the southerly side of the said Lot 3077 within 5,000 feet thereof:

District Lots 3079, 3080, 3081 and all lands within one mile of any part of any of the said lots:

AND TO FURTHER RECOMMEND THAT no person may enter, locate, prospect or mine upon the following areas for any mineral therein:

All and singular those lands and premises of all that area in the Nechako River, Ecker Lake, Totachuk River, Totachuk Lake, Eutsuk Lake, Natalus Lake, Intata Lake, Ooten River, Ooten Lake, Sinclair Lake, Whitesail River, Whitesail Lake, Tahsta River, Tahsta Lake, Murray Lake, Cheslatia Lake, Cheslatia River and Skina Lake drainage basins, including all connecting and tributary streams and lakes lying upstream from a line drawn northwest and southeast across the Nechako River one-half mile downstream from the outlet of Cutoff Creek and below an elevation of 3,000 feet (assuming mean highwater of Eutsuk Lake to be at an elevation of 2,817 feet) excepting thereout that part of the valley of the stream draining Knapp Lake beyond one mile from Cheslatia Lake:

flimsy and relating copy on 173 Totachuk Eutsuk Knapp Rivers under date of 17.9.39.

see 113(8)

District Lots 53, 5032, and 5033, Range 4, Coast District and all lands within 1,500 feet thereof:

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 sixty 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 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

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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 16th DAY OF Feb A.D.1960

"W.K. Kiernan"

Minister of Mines.

APPROVED THIS 16th DAY OF Feb A.D.1960

"E.C.F. Martin"

Presiding Member of the Executive Council.

/s/