



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

February 18, 2014

ALC File: #53571
Your file: 061300147

Jean Horton
FOCUS Corporation
303-535 Victoria Avenue North
Cranbrook, B.C. V1C 653

Dear Ms. Horton:

Re: Application to Conduct a Non-Farm Use on Land within the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #65/2014 as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly. The Commission has also attached a sketch plan depicting the decision.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'B Underhill', is written over a light blue horizontal line.

Brian Underhill, Deputy Chief Executive Officer

Enclosures: Minutes of Resolution #65/2014
Sketch plan

cc: Regional District of East Kootenay (File: UWgh 611 001)

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PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on February 18, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 53571
Applicant: Regional District of East Kootenay
Agent: Jean Horton, Focus Corporation
Proposal: To drill, test, construct, develop and operate a permanent potable water well within an area of approximately 2.5 ha of the subject property for the purpose of creating a safe drinking water supply to the Spur Valley Community. Additional wells may be required if the quality or quantity required is not available in the first well. (Submitted pursuant to section 6 of BC Regulation #171/2002 - ALR Use, Subdivision and Procedure Regulation)

Legal: District Lot 7572, Kootenay District
Location: Untitled Crown Land directly East of Spur Valley Community
Background: The surface water source currently supplying the Spur Valley Community has been on a BC Interior Health Boil Water Advisory for more than 10 years. The Regional District of East Kootenay has been granted provincial funding to complete this project and to take over the current Improvement District.

DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)

On June 27, 2011 the Commission delegated decision-making to the CEO by Resolution #016N-2011 (File: 140-60/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

Criterion 4

Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation)

DECISION:

After reviewing the entire file material, I, Brian Underhill, Deputy Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion #4 of Resolution #016N/2011 and approve the application on behalf of the Commission.

Approval is subject to the following conditions:

- the project be in substantial compliance with the plan submitted with the application
- the construction of a fence around the well site

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

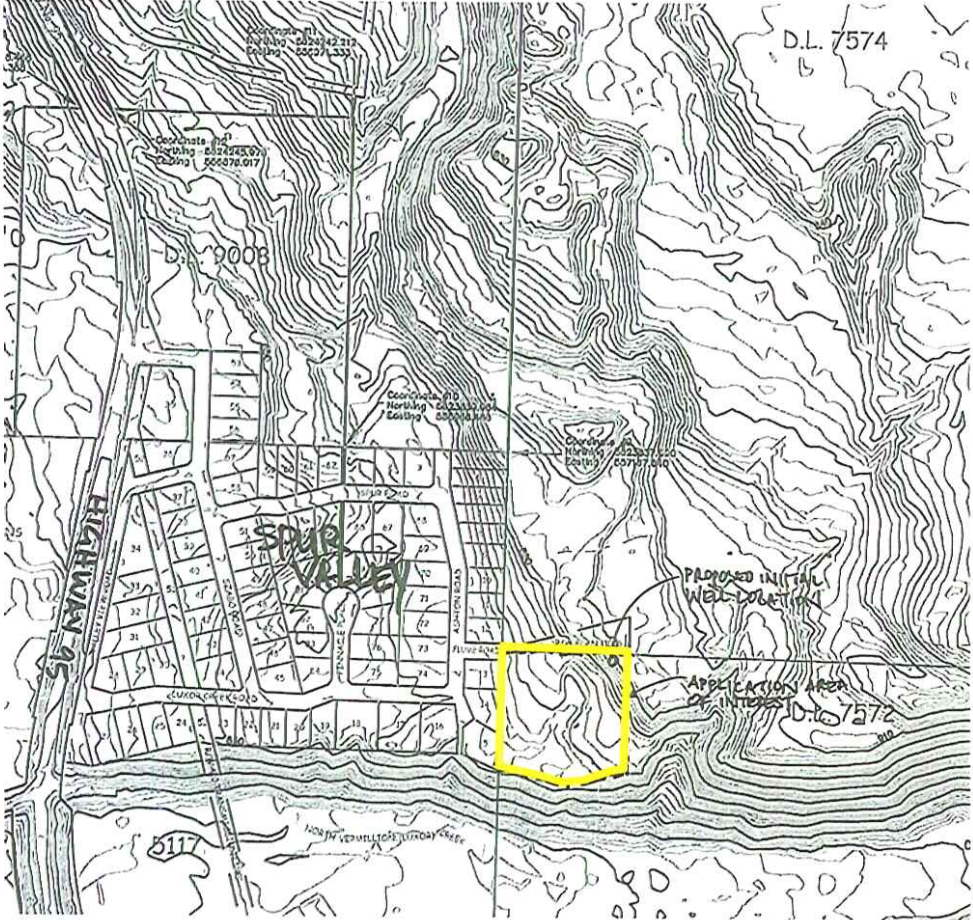
RESOLUTION #65/2014

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

A handwritten signature in black ink, appearing to read "B Underhill", written over a horizontal line.

Brian Underhill, Deputy Chief Executive Officer

ALC Application # 53571 (RDEK)



**Approximately 2.5 ha area approved
for well location by Resolution #65/2014**