



February 3, 2011

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

Reply to the attention of Martin Collins
ALC File: 52079

Rob Fortuin
Focus Corporation
702 – 170 Dolphin Ave.
Kelowna, B.C.
V1Y 9S4

Dear Sir:

Re: Application for utility right of way in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #35/2011 and a sketch plan outlining the Commission's decision as it relates to the above noted application.

As proponent it is your responsibility to notify any affected landowner of the Commission's decision. A copy of the minutes must be provided to the landowner.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact the local government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: District of Lake Country

MC/52079d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on February 2, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 52076 (Submitted pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation))

Application: 52079
Applicant: Eldorado Ranch Ltd.
Agent: Focus Corporation
Proposal: To dedicate a 460 sq meter RW in order to construct a 400 meter cubic meter buried concrete water reservoir, to augment an adjoining existing reservoir.
Legal: PID 013-536-532
Location: Lake Country, west facing hillside on east side of valley
Background: The existing reservoir predates the ALR
Attachment: Maps and sketch plan

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

On January 26, 2011 the Commission delegated decision-making to the CEO by Resolution #008N-2011 (File: 135-45/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, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion # 4 of Resolution #008N/2011 and approve the application on behalf of the Commission.

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 # 35/2011

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

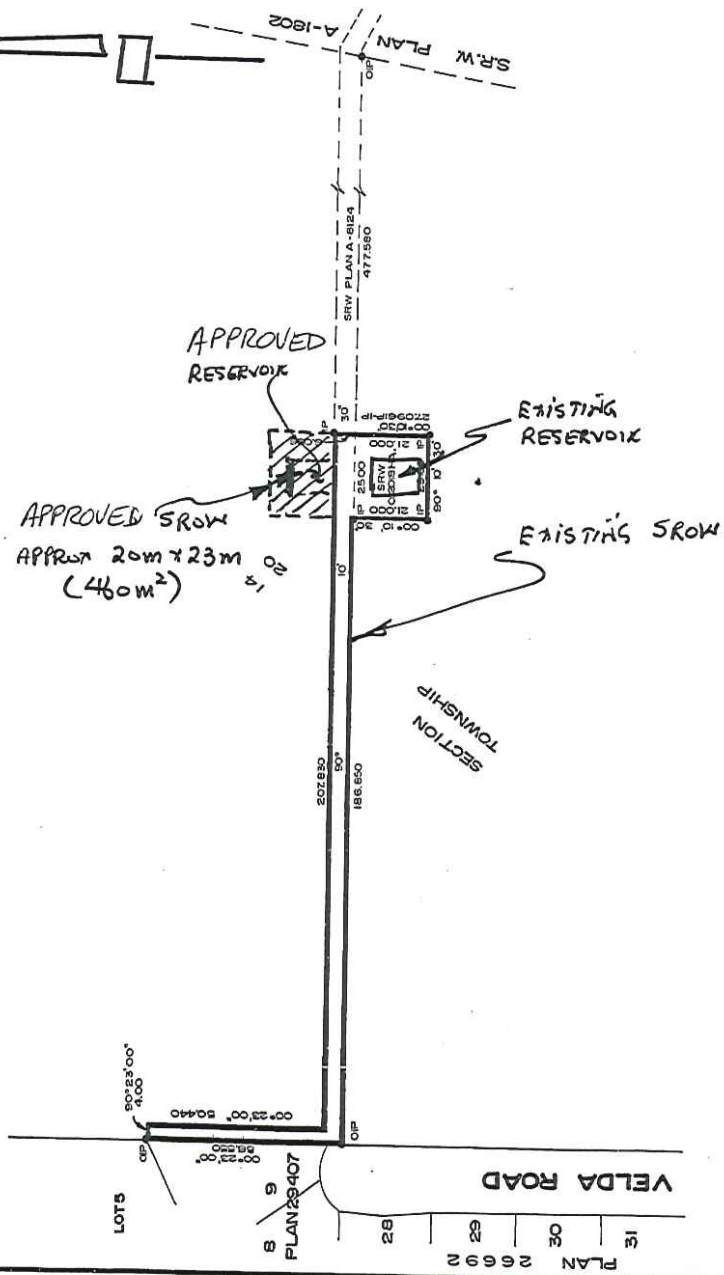

Richard Bullock, Chief Executive Officer

19-CO

PLAN OF STATUTORY RIGHT OF WAY THROUGH SECTION 14, TOWNSHIP 20, O.D.Y.D.

FOR WATER UTILITY PURPOSES

SCALE: 1: 1000 METRES



PLAN No. 38346

DEPOSITED IN THE LAND TITLE OFFICE AT KAMLOOPS, B.C.

THIS 14th DAY OF JULY 1988

[Signature]
REGISTRAR

LEGEND
BEARINGS ARE ASTRONOMIC AND ARE DERIVED FROM PLAN A-824
● OIP DENOTES OLD IRON POST FOUND
● IP DENOTES IRON POST SET

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF CENTRAL OKANAGAN.

I, THOMAS E. FERGUSON, A BRITISH COLUMBIA LAND SURVEYOR OF THE CITY OF KELOWNA IN BRITISH COLUMBIA, CERTIFY THAT I WAS PRESENT AT AND PERSONALLY SUPERINTENDED THE SURVEY REPRESENTED BY THIS PLAN, AND THAT THE SURVEY AND PLAN ARE CORRECT. THE SURVEY WAS COMPLETED ON THE 22nd DAY OF MAY 1988.

[Signature]
B.C. 15

Kane & Ferguson,
BRITISH COLUMBIA LAND SURVEYORS
216 - 1653 RICHTER STREET, KELOWNA, B.C.
TEL. 763-3115

SKETCH PLAN
ALC APPLICATION # 52079
RESOLUTION # 35/2011