

Meeting Note - Water Mtn May 16.

Jazz - MARK

Sylvia - Barros.

Karen McDool.

Peter

Sylvia Shelley

Emm

Bob

Chris

Helen

Tracy

Knishko

Ian CKRD.

Jen Spencer.

Ask Daryl re EFN in the decision making process.

- aquifers below confining beds (like clay) tend to be more protected from contaminants.

is this not a prob? - province relying on 3P info for the most part
↳ focusing on the already used aquifer rather than forecasting ahead.
↳ no resources for speculative mapping.

Consider treatment requirements in surface vs. gwater

- Over 70 wells in the region + only a few show depletion

- lack of gw development in the area
means potentially not a lot of
quantity concerns.

BUT we don't know for sure.

- P.R. townsite however, poor yielding
wells or older wells.
↳ bedrock aquifers have
more limited supply.

- Shelley's Q re rainfall & climate
change, & less water recharge.
& how do we make decisions
looking forward proactively.

- Incomplete info re purpose / volume.

- Volume determining based on numerous
factors - for waterwents will
look ~~later~~ 10 yrs down the road
& estimate

- Very little info for DFN.

Helen Qs re: water accen @
Ilkay lands, Sombrio & how
affected by BC Hydro's Water Use
Plan.

Wisty: allocation is negotiated over
a year.

↳ right now - do we have time to
wait that year or is it
being used such that the amount
available is substantially reduced.

ETI

Follow up w Kristine & Terry re
licence application.

⊗ DTZ on licences → s. 13 of WSA
sets out right to object →
existing authorization holder.

↳ if you make an application
you have an alternate way to object

- Is there a way in Oct can we protect the rights.

- you know what you need + where.

↳ a restriction (notation DMs)
an water source for all DMs)
↳ flags that H.O.C. implicated.

↳ will need a report of build out
to determine the renovation

Steven Hill &

Ask Ben

AND TERMS for water??

can we help
put applications
together??

140 day turnaround typically.
to issue licenses

- objectors take 30 days to reply.

< caucus >

- Purdy? Can be directionally
drill to the same source

★ - June Internal to get Stephen Hill
in → understand the process

★ get licence applications going.

→ need TRM.

Kristine

- what if someone else comes into
bottle water?

- the quicker we can lock down
ATP lands quicker you get
reservations.

DFN

- Terry → Watley??
→ forestry company??

- Can we amend an application?

* do the application tomorrow
* In our name.

* EPA + water quality connection.

↳ concern sitting in blue legislated mandates.

waterworks → consider future growth

↳ source
↳ volume.]

- if want to do Ilkay lands licences
have to start using ASAP
it's a new licence.

* confirm consent required for
licences, or water reservation *

Cabinet
Can cancel water reservation
or "borrow" indefinitely

↳ conservation measures is
to environment NOT benefit
of other people

- Cypsy Fischer

- The answer is pretty much yes
if you want to intringe →

but we need to anticipate to
make sure there isn't an
earlier w/in treaty.

↳ don't want a law of general application
to apply here to deprive of
the treaty right.

Research re Counterclaim Matilda Georg

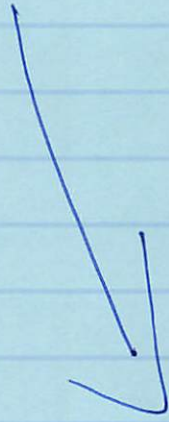
- Under the old rules, a counterclaim could be advanced in the same document as the statement of defense. With the changes to the Rules July 1, 2010, must be in a separate document (3-4(1)).

Chris Hopkins

→ 780-215-3909

PCM

Ugly Worst Case



look what we did

Backgrounder. History

2003 BCCA

2008 FCA 46 ← what does this
say re s. 50

S. 136 → effect of representation
grant (auth to administer)

↳ definition of representation grant
↳ includes admin grant.

↳

So → can't sell lands w/o auth
to do so

↳ Land Code approval? check.

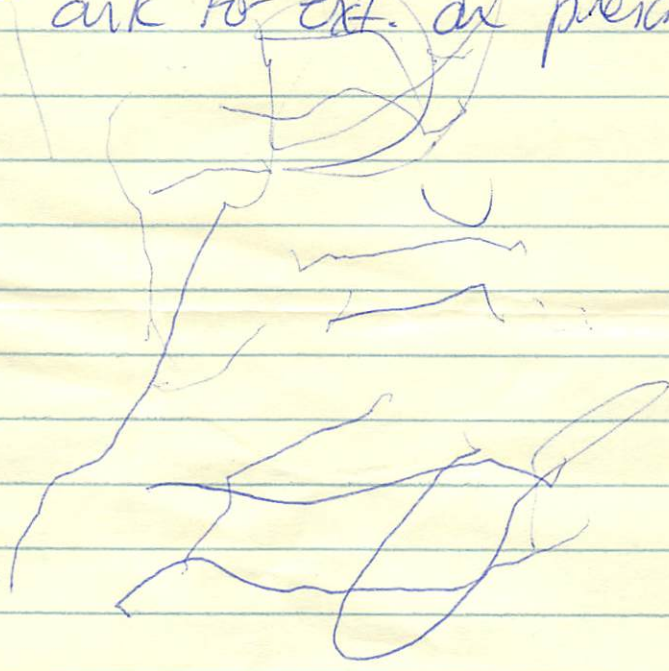
↳ register cet of pending lit.

BUT if we don't oppose as we say
we acknowledge the land forms
part of the estate?
like she did hold them AND if there was
a member here.



+ call Brenda

- ask for ext. or person.



they could inherit so it could form
part of the estate.

Think the proper argument is:

He is the administrator

~~The~~ Lands form part of his estate

BUT in these circumstances by
operation of law the lands
revert to Songhees.

SO do we need him to be legally
able to sign?

Or more to the point: do we need
him to be legally able to
instruct legal counsel on behalf
of the estate for litigation
purposes.

Canadian Estate Admin Guide
Vol 1 | updated to Sep 2015

✓ see "Effect of grant of admin
13,050)

Escheats 13,640 (Intertacy)

Revue Land Special Issues 4125

Renewing 4900

(13,050)
paa

Letters of administration are, [similarly], conclusive evidence of the intestacy of the deceased. However, whereas an executor derives their title & authority from the will, an administrator derives their title from the grant of the letters of administration. This was confirmed in *Chad v. Rae* (1889), 18 OR 371. Once admin appointed, their power relates back to date of death.

Escheat Act RSB (1996 c. 120)