

FORTISBC

FortisBC Inc.
P.O. Box 130
V1R 4L4
Ph: 250-368-0536
www.fortisbc.com

Ministry of Natural Resources
Operations
Kootenay Boundary

AUG 10 2011
RECEIVED
CRANBROOK, BC

August 9, 2011

Our File 30 Line Crawford Bay to Grey Creek

Ministry of Forests, Lands and Natural Resources Operations
1902 Theatre Road
Cranbrook BC V1C 7G1

ATT. Jessie Lunan, Senior Portfolio Administrator

RE: Crown Land Tenure Application – Crawford Bay Area.

FortisBC Inc. is seeking a Statutory Right of Way to formally permit the pole line facilities from Crawford Bay to Grey Creek on the East Shore of Kootenay Lake within RW Plan 70, to exist on/over the Crown Land for an indefinite period or for as long as required for electrical distribution purposes.

These facilities have been in place since the 1950's in the name of Teck / Cominco and West Kootenay Power. FortisBC now requires a new Statutory Right of Way to encompass all of RW Plan 70, which will enable FortisBC to remove the old charges on the titles.

Included are the following materials in support of the application for your review and consideration:

- 1) Application Form
- 2) General and Site Specific Mapping
- 3) Filing Fee cheque in the amount of \$1120.00
- 4) Title searches
- 5) Documents

Sincerely


Dale Jeffs
Lands Contractor
FortisBC Inc

BC
2 app's

COMPASS
PROVINCE OF LAND SERVICES LTD.
BRITISH COLUMBIA

DEC 21 2011

RECEIVED
CRANBROOK, BC

6275 York Road
Grand Forks, BC
V0H 1H2
250.442.2424 ph
250.442.2624 fx

December 18, 2011

FrontCounterBC
Ministry of Natural Resource Operations
1902 Theatre Road
Cranbrook, BC V1C 7G1

Attention: Jessie Lunan

Dear Ms. Lunan:


Re: Files 0344622 and 191594 – OIC Easement #48471 and #1766

We act as agent for Teck Metals Ltd. ("Teck") in relation to decommissioning and disposition of 30 Line right of way interests and amendment to the subject OICs.

Further to your e-mail dated February 1, 2011 (copy attached), we submit the following on behalf of Teck for your further handling:

1. Crown Land Tenure Application form and materials – Amendment OIC Easement #48471 – *PART I*
 - a. Assignment R/W 70 to FortisBC Inc.
 - b. Cheque in the amount of \$280 – Assignment fee
2. Crown Land Tenure Application form and materials – Amendment OIC Easements-*PART II*
 - a. Exclusions #48471 (R/W 50, 54, 56, 58, 69, 72, 73, 74, 75)
 - b. Retention Part #48471 (Part R/W 54 and 56)
 - c. Cheque in amount of \$112 - Amendment fee
 - d. Cancellation of #1766 *0191594*
3. Agency Letter
4. Copy of OIC Easement

Yours truly,



Lila D. Jensen
Land Consultant

CC LISA FINDLAY, TECK

Date: 20-Jun-2011 TITLE SEARCH PRINT
Requestor: (PH67269) FORTISBC INC. (TRAIL)
Folio: TITLE - XK14461

Time: 11:17:50
Page 001 of 002

NELSON LAND TITLE OFFICE TITLE NO: XK14461
FROM TITLE NO:
AFB 24/265/6792A

APPLICATION FOR REGISTRATION RECEIVED ON: 24 MAY, 1996
ENTERED: 24 MAY, 1996

REGISTERED OWNER IN FEE SIMPLE:
THE CROWN IN RIGHT OF BRITISH COLUMBIA
PARLIAMENT BUILDINGS
VICTORIA, BC

TAXATION AUTHORITY:
NELSON TRAIL ASSESSMENT AREA

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 023-427-191
DISTRICT LOT 1893 KOOTENAY DISTRICT

LEGAL NOTATIONS:

THIS TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT,
SEE AGRICULTURAL LAND RESERVE DF H15999 10/10/1974

CHARGES, LIENS AND INTERESTS:

NATURE OF CHARGE
CHARGE NUMBER DATE TIME

RIGHT OF WAY

48478D 1957-04-24 14:50

REGISTERED OWNER OF CHARGE:

TECK COMINCO METALS LTD.

INCORPORATION NO. A61245

LA66079

REMARKS: INTER ALIA

PART PLAN RW 70

PART INTEREST ASSIGNED TO 49301D

RIGHT OF WAY

49301D 1957-08-01 13:24

REGISTERED OWNER OF CHARGE:

WEST KOOTENAY POWER LTD.

49301D

REMARKS: INTER ALIA

PART PLAN RW 70

ASSIGNMENT OF PART OF 48478D

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

Date: 20-Jun-2011 TITLE SEARCH PRINT
 Requestor: (PH67269) FORTISBC INC. (TRAIL)
 Folio: TITLE - XK14460

Time: 11:18:28
 Page 001 of 001

NELSON LAND TITLE OFFICE TITLE NO: XK14460
 FROM TITLE NO:
 AFB 27/374/13677A

APPLICATION FOR REGISTRATION RECEIVED ON: 24 MAY, 1996
 ENTERED: 24 MAY, 1996

REGISTERED OWNER IN FEE SIMPLE:
 THE CROWN IN RIGHT OF BRITISH COLUMBIA
 PARLIAMENT BUILDINGS
 VICTORIA, BC

TAXATION AUTHORITY:
 NELSON TRAIL ASSESSMENT AREA

DESCRIPTION OF LAND:
 PARCEL IDENTIFIER: 023-427-175
 SUBLOT 69 DISTRICT LOT 4595 KOOTENAY DISTRICT PLAN X31

LEGAL NOTATIONS: NONE

CHARGES, LIENS AND INTERESTS:
 NATURE OF CHARGE
 CHARGE NUMBER DATE TIME

RIGHT OF WAY
 48478D 1957-04-24 14:50
 REGISTERED OWNER OF CHARGE:
 TECK COMINCO METALS LTD.
 INCORPORATION NO. A61245
 LA66079

REMARKS: INTER ALIA
 PART PLAN RW 70
 PART INTEREST ASSIGNED TO 49301D

RIGHT OF WAY
 49301D 1957-08-01 13:24
 REGISTERED OWNER OF CHARGE:
 WEST KOOTENAY POWER LTD.
 49301D
 REMARKS: INTER ALIA
 PART PLAN RW 70
 ASSIGNMENT OF PART OF 48478D

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

Date: 20-Jun-2011 TITLE SEARCH PRINT
 Requestor: (PH67269) FORTISBC INC. (TRAIL)
 Folio: TITLE - 109424I

Time: 11:19:08
 Page 001 of 001

NELSON LAND TITLE OFFICE TITLE NO: 109424I
 FROM TITLE NO:
 CROWN

APPLICATION FOR REGISTRATION RECEIVED ON: 25 APRIL, 1957
 ENTERED: 02 MAY, 1957

REGISTERED OWNER IN FEE SIMPLE:
 HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA

TAXATION AUTHORITY:
 NELSON TRAIL ASSESSMENT AREA

DESCRIPTION OF LAND:
 PARCEL IDENTIFIER: 016-340-116
 SUBLOT 117 DISTRICT LOT 4595 KOOTENAY DISTRICT PLAN X31, EXCEPT BLOCK A

LEGAL NOTATIONS: NONE

CHARGES, LIENS AND INTERESTS:
 NATURE OF CHARGE
 CHARGE NUMBER DATE TIME

RIGHT OF WAY
 48478D 1957-04-24 14:50
 REGISTERED OWNER OF CHARGE:
 TECK COMINCO METALS LTD.
 INCORPORATION NO. A61245
 LA66079
 REMARKS: SEE 48471I
 PART TRANSFERRED TO 49301D
 PART PLAN RIGHT OF WAY 70

RIGHT OF WAY
 49301D 1957-08-01 13:24
 REGISTERED OWNER OF CHARGE:
 WEST KOOTENAY POWER LTD.
 49301D
 REMARKS: ASSIGNMENT OF PART 48478D
 REC'D 24/04/1957 @ 14:50
 PART PLAN RIGHT OF WAY 70
 SEE 49300D

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

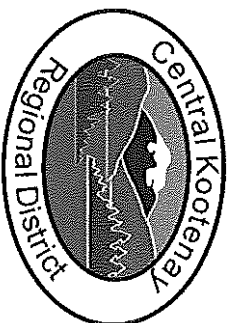
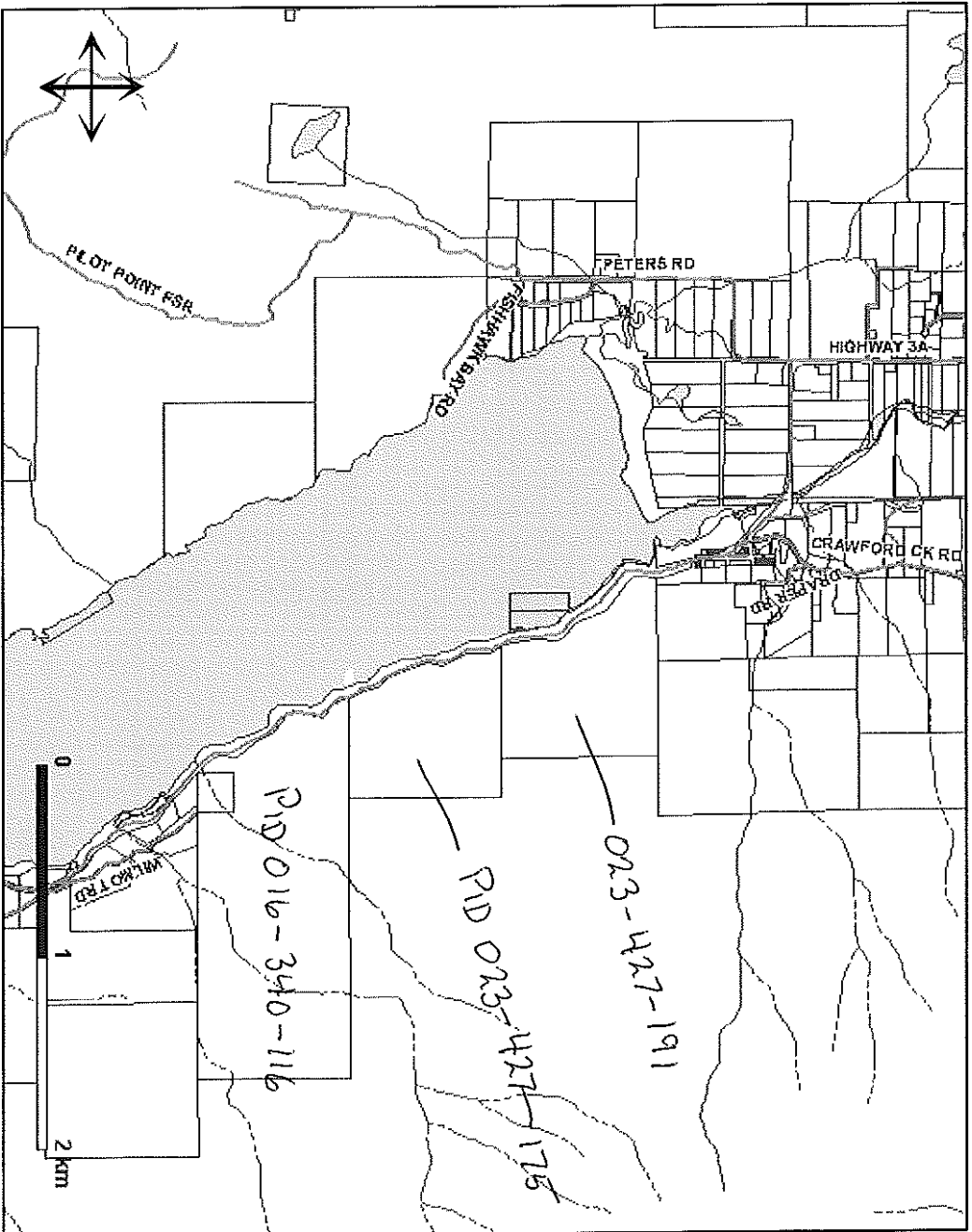
DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

Crawford Bay



Legend

- Creeks
- Roads
- RDCK Boundary
- Cadastre
- Cadastre_Owner

Disclaimer: This map was compiled by RDCK, using data believed to be accurate; however, a margin of error is inherent in all maps. This product is distributed without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability of particular purpose or use.

Scale 1:34746
13 July 2011, 09:51

I hereby certify that the following is a true copy of a Minute of the Honourable the Executive Council of the Province of British Columbia, approved by His Honour the Administrator on the 14th day of January, A.D. 1957.

[Signature]
DEPUTY PROVINCIAL SECRETARY

To His Honour

The Administrator in Council.

The undersigned has the honour to report:

THAT an application has been received from the Consolidated Mining and Smelting Company of Canada Ltd., for an easement for an electric power transmission line right-of-way over Crown lands as described in Schedule "A" attached, owned by Her Majesty the Queen in the right of the Province of British Columbia.

AND TO RECOMMEND THAT under authority of Section 71 of the "Land Act", Chapter 175 of the Revised Statutes of British Columbia, 1948, there be and there is hereby granted to the said Consolidated Mining and Smelting Company of Canada Ltd., its servants, agents and licensees, the full, free and uninterrupted right and privilege to enter, labour and pass along and over those lands hereinafter designated and referred to as the right-of-way, for the purpose of constructing, operating, maintaining, inspecting and safeguarding thereon:

- (a). One or more electric transmission or distribution lines;
- (b). Certain telephone or other signal lines or apparatus, including the right to construct, erect, operate and maintain thereon, towers and poles with anchors, guy wires, brackets, crossarms, insulators, transformers and their several attachments and to string thereover one or more wires for the transmission and distribution of electrical energy and for telephone purposes, and to dig up the soil thereof, and to place therein underground conductors which shall be placed at a minimum depth of twelve inches (12") below all arable land and to remove timber and underbrush therefrom, subject to the provisions of the "Forest Act", and any regulations pursuant thereto, and to clear any obstruction therefrom, and the right to prohibit the erection or maintenance of any building, structure, or pile of material and the carrying out of blasting or aerial logging operations thereon without permission in writing from the Company first being obtained, which permission shall not be unreasonably withheld.

To Have and to Hold the rights and privileges hereby granted unto the said Company and its successors forever. No assignment of this agreement shall be made without permission in writing from the Crown in the right of the Province, which permission shall not be unreasonably withheld.

The foregoing easement to be subject to the following terms and conditions:

- (a). That the Company shall pay to the Crown in the right of the Province, the sum of two hundred dollars (\$200.00) per annum for the first five years, subject to adjustment at the discretion of the Grantor for each successive five year period for which the easement remains in force.
- (b). That the Company shall pay all taxes, rates, duties and assessments whatsoever, whether municipal, parliamentary, or otherwise now charged or hereafter to be charged upon the said demised premises or any part thereof or upon the rent thereof or any part thereof or upon the Crown in the right of the Province, its successors or assigns in respect thereof.
- (c). That if the Company shall not over a period of two years make use of its works on the Right-of-Way for the purpose of transmitting or distributing electrical energy, then its rights hereunder shall cease and terminate and within one year therefrom the Company shall have the right to remove its works from the Right-of-Way. Any works of the said Company not so removed shall become the property of the Crown in the right of the Province, provided, however, that the Company shall, in any event, leave the Right-of-Way, insofar as its works are concerned, in a safe and satisfactory condition.
- (d). The right is hereby reserved to the Crown in the right of the Province of British Columbia to grant uses for any purposes across the Right-of-Way hereinafter described.
- (e). Provided that this easement is made subject to the right of the Grantor to enter and occupy any part of the said lands which may be required for the construction, operation and maintenance of roads, trails, canals, bridges, railways or other works of public utility or conveniences and provided also, that with respect to any part of the said lands upon which entry and occupation is required as aforesaid, the Grantee, its successors and assigns, shall remove and relocate to the satisfaction of the Grantor any poles, towers, buildings or other structures existing thereon, such removal and relocation to be without cost to the Grantor.

AND TO FURTHER RECOMMEND THAT a certified copy of this Minute, if approved, be forwarded to Mr. P. Clayton Stewart, Assistant Solicitor, Consolidated Mining and Smelting Company of Canada Ltd., Trail, B.C.

DATED this 11th day of January A.D. 1956

"Ray Hillston"
 Minister of Lands and Forests

APPROVED this 11th day of January A.D. 1956

"W.A.C. Bennett"
 Presiding Member of the Executive Council.

Rehe 50

48471² — 431/109417-9

1. That part of Block C of Lot 8257, Kootenay District, Plan 936, shown on the Official Plan in the Department of Lands and Forests and numbered 6 Tube 393 and on Plan R.W.50, on file in the Land Registry Office, Nelson.

2. That part of Lot 3262, "Maple Leaf" mineral claim, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 6 Tube 393 and on Plan R.W.50, on file in the Land Registry Office, Nelson.

3. That part of Lot 637, "Nevada" mineral claim, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 6 Tube 393, and on Plan R.W.50, on file in the Land Registry Office, Nelson.

4. That part of Lot 3934, "Colorado Fraction" mineral claim, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 6 Tube 393 and on Plan R.W.50, on file in the Land Registry Office, Nelson.

5. Lot 15902, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 6 Tube 393 and on Plan R.W.50, on file in the Land Registry Office, Nelson.

6. That part of Lot 14443, "Lika Chahco" mineral claim, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 6 Tube 393, and on Plan R.W.50, on file in the Land Registry Office, Nelson.

7. That part of Lot 7242, "Dundas Fraction" mineral claim, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 6 Tube 393 and on Plan R.W.50 on file in the Land Registry Office, Nelson.

8. Lot 15903, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 6 Tube 393 and on Plan R.W.50, on file in the Land Registry Office, Nelson.

9. That part of Lot 11744, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 6 Tube 393 and on Plan R.W.50, on file in the Land Registry Office, Nelson.

10. Lot 15904, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 6 Tube 393 and on Plan R.W.50, on file in the Land Registry Office, Nelson.

Rehe 54

48472² — 431. 109418-9

1. Lot 15906, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 12 Tube 397 and on Plan R.W.54, on file in the Land Registry Office, Nelson.

2. That part of Lot 27 of Lot 393, Kootenay District, Plan 1634, shown on the Official Plan in the Department of Lands and Forests and numbered 12 Tube 397 and on Plan 1634, on file in the Land Registry Office, Nelson.

27460

- That part of Lot 6585, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 12 Tube and on Plan K.W. 54, on file in the Land Registry Office, Nelson:

2:16
7/17/10 5834-8
7/10/10 10130/61
8/4/10 10130/61

- 74552
1468
That part of Lot 7672, Kootenay District, except thereout Parcel A (B.D. 184431), as shown on the Official Plan in the Department of Lands and Forests and numbered 22 Tube 397 and on Plan L.W.54, on file in the Land Registry Office, Nelson.

74552
23/418
15475

5. Lot 15907, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 12 Tube 397 and on Plan K.O.D. 54, on file in the Land Registry Office, Nelson.

c.c. 143

6. Lot 15908, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 12 Tube 397 and on Plan K.K.54, on file in the Land Registry Office, Kelowna.

2000

7. Lot 15909, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 12 Tube 397 and on Plan R.W.54, on file in the Land Registry Office, Nelson.

11/3

8. That part of Parcel A (D.B. 227571) of Lot 11724, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 12 Tube 397 and on Plan R. 54, on file in the Land Registry Office, Nelson.

44-280-4
34487527

9. Lot 15910, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 12 Tute 397 and on Plan R.R. 54, on file in the Land Registry Office, Nelson.

2014

10. That part of Lot 7831, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 12 Tube 397 and on Plan A.W.54, on file in the Land Registry Office, Nelson.

and 1983.

11. Lot 15911, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 12 Tube 397 and on Plan R.L. 54, on file in the Land Registry Office, Nelson.

113

Letter 55 48473^{u2} — 431/109419.1

1. That part of Lot 12694, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 13 Tube 397 and on Plan L.W. 55, on file in the Land Registry Office, Nelson. (2)

10

2. Lot 15912, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 13 Tube 397 and on Plan S & L 3114-55, on file in the Land Registry Office, Nelson. 104

40

3. Lot 15913, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 13 Tube 397 and on Plan R.W. 55, on file in the Land Registry Office, Nelson.

20

48471

4. Lot 15914, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 13 Tube 397 and on Plan R.W.55, on file in the Land Registry Office, Nelson. *107/419-41*
- see 143*
5. That part of Lot 11 of Lot 7465, Plan 1035, shown on the Official Plan in the Department of Lands and Forests and numbered 13 Tube 397 and on Plan R.W.55, on file in the Land Registry Office, Nelson. *11/22/1922*
6. That part of Lot 9325, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 13 Tube 397 and on Plan R.W.55, on file in the Land Registry Office, Nelson. *32405*
7. That part of Lot 8350, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 13 Tube 397 and on Plan R.W.55, on file in the Land Registry Office, Nelson. *2/8/1922*
8. That part of Lot 9286, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 13 Tube 397 and on Plan R.W.55, on file in the Land Registry Office, Nelson. *107/419-41*
- see 143*

R.W. 56

1. That part of Parcel C of Lot 4151, Kootenay District, Plan 761, shown on the Official Plan in the Department of Lands and Forests and numbered 14 Tube 397 and on Plan R.W.56, on file in the Land Registry Office, Nelson. *7140*
2. Part of that part of Block 4 of Lot 7069, Plan 768, as shown outlined in red on Reference Plan 88697, as shown on the Official Plan in the Department of Lands and Forests and numbered 14 Tube 397 and on Plan R.W.56, on file in the Land Registry Office, Nelson. *368/88697*

R.W. 57

1. Lot 15915, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 15 Tube 397 and on Plan R.W.57, on file in the Land Registry Office, Nelson. *109421-1*
- see 143*
2. Part of that part of Lot 7623, Kootenay District, lying to the West of Lot 192, and shown on the Official Plan in the Department of Lands and Forests and numbered 15 Tube 397 and on Plan R.W.57, on file in the Land Registry Office, Nelson. *125/32959*
3. That part of Lot 15 of Lot 192, Kootenay District, Plan 762, shown on the Official Plan in the Department of Lands and Forests and numbered 15 Tube 397 and on Plan R.W.57, on file in the Land Registry Office, Nelson. *125/32961*
4. Lot 15916, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 15 Tube 397 and on Plan R.W.57, on file in the Land Registry Office, Nelson. *109421-1*
- see 143*
5. Lot 15917, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 15 Tube 397 and on Plan R.W.57, on file in the Land Registry Office, Nelson. *109421-1*
- see 143*

6. Lot 15918, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 15 Tube 397 and on Plan R.W.57, on file in the Land Registry Office, Nelson. *104/112/11*

R.W. 58 *48476*

1. That part of Block 27 of Lot 6899, Kootenay District, Plan 806, as shown on the Official Plan in the Department of Lands and Forests and numbered 16 Tube 397 and on Plan R.W.58, on file in the Land Registry Office, Nelson, except therout that part lying East of a line parallel to and 5 chains distant from the Easterly boundary of said Block. *29/183/14984*

2. Those parts of Blocks 3, 4, 7, 28, 29, 30, 31 and 32 of Lots 6899, 6894 and 6896, Plan 806, as shown on the Official Plan in the Department of Lands and Forests and numbered 16 Tube 397 and on Plan R.W.58, on file in the Land Registry Office, Nelson. *24/417/7411* *29/183/14984* *33/214/26429*

3. That part of Lot 2227, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 16 Tube 397 and on Plan R.W.58, on file in the Land Registry Office, Nelson. *16323*

4. Lot 15919, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 16 Tube 397 and on Plan R.W.58, on file in the Land Registry Office, Nelson. *107/122*

R.W. 69 *48477*

1. That part of Lot 6 of Lot 5021, Kootenay District, Plan 790, shown on the Official Plan in the Department of Lands and Forests and numbered 9 Tube 225 Rlys., and on Plan R.W.69, on file in the Land Registry Office, Nelson. *10990* *37/10990*

R.W. 70 *48478*

1. That part of Lot 1893, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 10 Tube 225 Rlys., and on Plan R.W.70, on file in the Land Registry Office, Nelson. *24/265/6792*

2. That part of Sublot 69 of Lot 4595, Kootenay District, Plan X31, shown on the Official Plan in the Department of Lands and Forests and numbered 10 Tube 225 Rlys., and on Plan R.W.70, on file in the Land Registry Office, Nelson. *27/474/13677*

3. That part of Sublot 117 of Lot 4595, Kootenay District, Plan X31, shown on the Official Plan in the Department of Lands and Forests and numbered 10 Tube 225 Rlys., and on Plan R.W.70, on file in the Land Registry Office, Nelson, except therout Block A of said Sublot 117 of Lot 4595, Plan X31. *143*

R.W. 72 *48479*

1. Lot 15920, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 5 Tube 228 Rlys., and on Plan R.W.72, on file in the Land Registry Office, Nelson. *109425*

48471

R.W. 73

1180

109426. 9.

1. Lot 15921, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 8 Tube 226 Rlys., and on Plan R.W. 73, on file in the Land Registry Office, Nelson.
Sec 14/3
2. Lot 15922, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 8 Tube 226 Rlys., and on Plan R.W. 73, on file in the Land Registry Office, Nelson.
Sec 14/3
3. Lot 15923, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 8 Tube 226 Rlys., and on Plan R.W. 73, on file in the Land Registry Office, Nelson.
Sec 14/3
4. Lot 15924, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 8 Tube 226 Rlys., and on Plan R.W. 73, on file in the Land Registry Office, Nelson.
Sec 14/3

R.W. 74

1181

109427. 9.

1/284/751 91.
1/413/1279

1. That part of the East 1/2 of Sublot 7 of Lot 1592, Kootenay District, Plan X30, shown on the Official Plan in the Department of Lands and Forests and numbered 9 Tube 226 Rlys., and on Plan R.W. 74, on file in the Land Registry Office, Nelson.
2. Lot 15925, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 9 Tube 226 Rlys., and on Plan R.W. 74, on file in the Land Registry Office, Nelson.
Sec 14/3
3. Lot 15926, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 9 Tube 226 Rlys., and on Plan R.W. 74, on file in the Land Registry Office, Nelson.
Sec 14/3
4. That part of Sublot 27 of Lot 1592, Kootenay District, Plan X30, shown on the Official Plan in the Department of Lands and Forests and numbered 9 Tube 226 Rlys., and on Plan R.W. 74, on file in the Land Registry Office, Nelson.
22/60/1819 RV
CB
5. That part of Sublot 34 of Lot 1592, Kootenay District, Plan X30, shown on the Official Plan in the Department of Lands and Forests and numbered 9 Tube 226 Rlys., and on Plan R.W. 74, on file in the Land Registry Office, Nelson, except thereout that part shown on Reference Plan 946411.
22/30/1819 RV
CB
6. That part of Sublot 35 of Lot 1592, Kootenay District, Plan X30, shown on the Official Plan in the Department of Lands and Forests and numbered 9 Tube 226 Rlys., and on Plan R.W. 74, on file in the Land Registry Office, Nelson, except thereout that part shown on Plan 2122.
22/30/1819 RV
CB
24708-9
27121-9
7. That part of Sublot 36 of Lot 1592, Kootenay District, Plan X30, shown on the Official Plan in the Department of Lands and Forests and numbered 9 Tube 226 Rlys., and on Plan R.W. 74, on file in the Land Registry Office, Nelson.
22/30/1819 RV
CB

R.W. 75

47482² 131/109428 1 48471

1. Those parts of Sublot 37 of Lot 4592, Kootenay District, Plan 230, shown on the Official Plan in the Department of Lands and Forests and numbered 10 Tube 226 Rlys., and on Plan R.W. 75, on file in the Land Registry Office, Nelson, except theretout that part shown on Plan 2678.
22/30 ✓
18/19/22
2. Those parts of Lots 2 and 3 of Sublot 37 of Lot 4592, Kootenay District, Plan 2678, shown on the Official Plan in the Department of Lands and Forests and numbered 10 Tube 226 Rlys., and on Plan R.W. 75, on file in the Land Registry Office, Nelson.
22/30
18/19/22
3. Those parts of Sublot 51 of Lot 4592, Kootenay District, Plan 230, shown on the Official Plan in the Department of Lands and Forests and numbered 10 Tube 226 Rlys., and on Plan R.W. 75, on file in the Land Registry Office, Nelson.
22/30/18/19/22
4. That part of Parcel 1 (D.D. 6777) of Lot 6439, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 10 Tube 226 Rlys., and on Plan R.W. 75, on file in the Land Registry Office, Nelson.
6777
31/36/22/28
5. Part of that part of Lot 5270, Kootenay District, lying outside the boundaries of Lot 3064 and shown outlined in red on the Official Plan on file in the Department of Lands and Forests and numbered 10 Tube 226 Rlys., and on Plan R.W. 75, on file in the Land Registry Office, Nelson.
12/16/75
29/78
6. That part of Lot 13977, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 10 Tube 226 Rlys., and on Plan R.W. 75, on file in the Land Registry Office, Nelson.
31/71/1/10/20
7. That part of Lot 14263, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 10 Tube 226 Rlys., and on Plan R.W. 75, on file in the Land Registry Office, Nelson.
31/75/1/10/20
8. That part of Lot 14266, Kootenay District, shown on the Official Plan in the Department of Lands and Forests and numbered 10 Tube 226 Rlys., and on Plan R.W. 75, on file in the Land Registry Office, Nelson.
31/76/1/10/20
9. Part of that part of Lot 14273, Kootenay District, lying to the South of the South boundary of former Lot 5589 and shown outlined in red on the Official Plan in the Department of Lands and Forests and numbered 10 Tube 226 Rlys., and on Plan R.W. 75, on file in the Land Registry Office, Nelson.
31/75/1/10/20
10. Lot 15927, Kootenay District, as shown on the Official Plan in the Department of Lands and Forests and numbered 10 Tube 226 Rlys., and on Plan R.W. 75, on file in the Land Registry Office, Nelson.
10/9/22
566/43

48471
No. 48471 Registered the 24 day of May 1927 in 22
Book Vol. 24 of 1927 on application
received the 24 day of May 1927
19. 27 at the hour of 2:45 p.m.
Registrar

493000 & 493010
1/8/57

ASSIGNMENT

APPROVED
Management
DMC
Comptroller, Div.
R. B.
Legal Div.
gsm
sea

THE CONSOLIDATED MINING AND SMELTING COMPANY OF CANADA LIMITED,
being the registered holder of easements or rights-of-way for transmission
line purposes under the terms and conditions set forth in the original
grants of the said easements or rights-of-way in all those certain parcels
of land in the District of Kootenay, in the Province of British Columbia
set forth in the first column of Schedule "A" hereto attached which said
easements or rights-of-way are registered in the Land Registry Office at
Nelson, British Columbia, under the Charge Numbers set forth in the second
column of said Schedule "A" DOETH HEREBY, in consideration of the sum of
One Dollar (\$1.00) paid to it by WEST KOOTENAY POWER AND LIGHT COMPANY,
LIMITED, of the City of Trail, in the Province of British Columbia, the
receipt of which sum is hereby acknowledged, assigns to the said West
Kootenay Power and Light Company, Limited, all its estate and interest in
and to those parts of the said rights-of-way lying to the south and west
of a line parallel to and Seventy-five (75) feet perpendicularly distant
from the southerly and westerly boundaries thereof as shown on Plans R. W.
Sixty-nine (69) and R. W. Seventy (70), ^{as the line is presently constructed,} subject, however, to the right of
The Consolidated Mining and Smelting Company of Canada Limited for access
over and along the said parts of the rights-of-way under the conditions
set forth in the original grants of the entire rights-of-way from the
owners thereof.

IN WITNESS WHEREOF the said parties have hereunto set their
hands and seals this 14th day of June, A. D. 1957.

THE CONSOLIDATED MINING AND SMELTING
COMPANY OF CANADA LIMITED

IMAGE

[Signature]
Vice-President and General Manager

[Signature]
Vice-President and Comptroller

WEST KOOTENAY POWER AND LIGHT COMPANY,
LIMITED

[Signature]
Assistant Secretary-Treasurer

PQS:dm
Legal Div.
cc: (4)

SCHEDULE "A"

TO ASSIGNMENT FROM THE CONSOLIDATED MINING AND SMELTING
COMPANY OF CANADA LIMITED TO WEST KOOTENAY POWER AND
LIGHT COMPANY, LIMITED DATED THE 11TH DAY OF JUNE, 1957

RW
493002

	DESCRIPTION OF LAND - KOOTENAY DISTRICT	CHARGE NO.	CERT. OF CHARGE
	<u>Plan R.W. 69</u>		
✓ 1.	Parcel No. 1 (Reference Plan 6655-I) of Lot 5025.	42351-D ✓	
✓ 2.	Lot 5025, save and except that part shown outlined in red on Plan D.D. 15196.	40089-D ✓	
✓ 3.	That part of Sublot 73 shown outlined in red on Plan D.D. 17585 of Lot 4595, Plan X-31.	40089-D ✓	
✓ 4.	Block "M" of Lot 5021, Plan 1243, save and except that part of the said Block lying North of the Government Road as shown on the said plan.	40090-D ✓	
✓ 5.	Block 5 of Lot 5021, Plan 790.	40237-D ✓	
✓ 6.	Block 6, of Lot 5021, Plan 790.	48477-D ✓	2772
✓ 7.	Block 2, ³⁺⁴ of Lot 5021, Plan 790.	40091-D	
✓ 8.	Block 1, Lot 5021, Plan 790.	41369-D ✓	
✓ 9.	Parcel No. 1 (D.D. 9659-I) of Lot 5021, save and except thereout that part lying south of a line parallel to and 330 feet distant from the Southerly boundary of the said parcel.	40088-D ✓	
✓ 10.	The North half of Block 5, Lot 3888, Plan 789.	40165-D ✓	
✓ 11.	That part of Block 5, Lot 3888, Plan 789, lying to the South of a line bisecting the Easterly and Westerly boundaries of the said Block.	40162-D ✓	
✓ 12.	Block 4, of Lot 3888, Plan 789.	40165-D ✓	
✓ 13.	Block 3, of Lot 3888, Plan 789.	40087-D ✓	
✓ 14.	Lot 2, of Lot 3888, Plan 789	40086-D ✓	
✓ 15.	Block 1, of Lot 3888, Plan 789.	40085-D ✓	
✓ 16.	Block "A", of Lot 3888, Plan 789.	40210-D ✓	
✓ 17.	Blocks 11 and 12, of Lot 2335, Plan 788.	40085-D ✓	
✓ 18.	Lot 196, save and except those parts subdivided by Plans 1017 and 721 and Lot "D" (Assigned), Plan 1253.	40164-D ✓	
✓ 19.	Block "B", of Lot 2335, Plan 788.	40164-D	
✓ 20.	Lots 6, 7, 8, in Block 2, of Lot 196, Plan 721.	40164-D ✓	
✓ 21.	Lots 9, 10 and 11, in Block 2, of Lot 196, Plan 721.	40083-D ✓	

IMAGE

DESCRIPTION OF LAND - KOOTENAY DISTRICT

CHARGE NO.

CERT. OF
CHARGE

Plan R.W. 69 (Cont'd)

22. ^{4, 5, 6} Lots 3 to 7 (inclusive) in Block 5, of Lot 196,
Plan 721.

40241-D

23. ✓ Block 7, of Lot 196, Plan 1017.

40241-D ✓

✓ Block 8, of Lot 196, Plan 1017.

40241-D ✓

RW
49301-D

Plan R.W. 70

✓ 1. Parcel "B" (D.D. 25981-I), Block 1, Lot 7615,
Plan 838.

42664-D ✓

✓ 2. Lot 1893.

48478-D ✓

2773

✓ 3. Sublot 69, of Lot 4595, Plan X-31.

48478-D ✓

2773

✓ 4. Sublot 117, of Lot ⁴⁵⁹⁵ 4595, Plan X-31.

48478-D ✓

2773

✓ 5. That part of Sublot 28, of Lot 4595, Plan X-31,
shown outlined in red on Reference Plan 73860-I.

41970-D ✓

✓ 6. Sublot 28, of Lot 4595, save and except the part
shown on Reference Plan 73860-I.

40926-D ✓

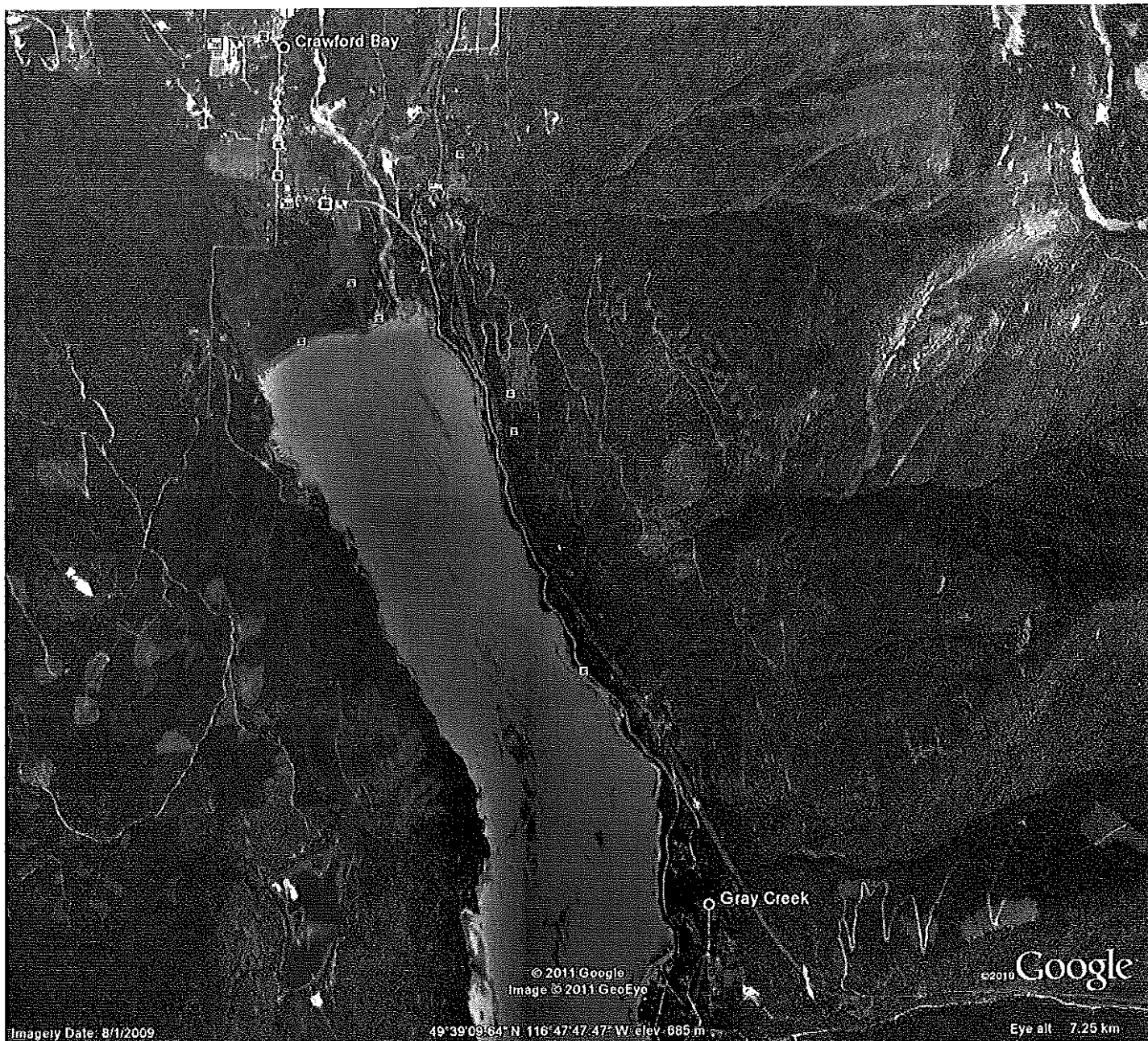
✓ 7. Blocks 9 and 10, of Lot 1489, Plan 779.

40584-D ✓

✓ 8. That part of Sublot 32, of Lot 4595, Plan X-31,
lying North of Parcel "A", shown on Reference
Plan 8220-I.

40161-D ✓

IMAGE



Crawford Bay

Gray Creek

© 2011 Google
Image © 2011 GeoEye

© 2010 Google

Imagery Date: 8/1/2009

49°39'09.64" N 116°47'47.47" W elev. 685 m

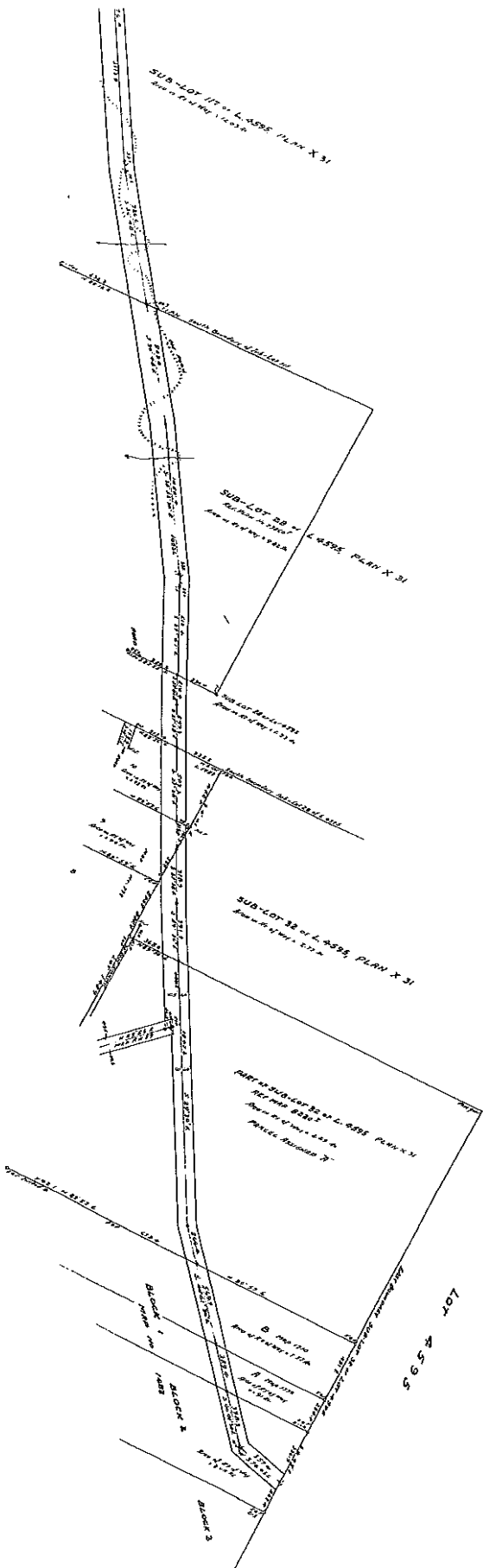
Eye alt 7.25 km



PLAN No RW-70.

Prepared by the Surveying Office of the State of Michigan
for the Survey of Section 100-100-10-11-16-187
J. J. 1919, and
C. J. 1919, and
C. J. 1919, and

LINE
595



Lisa Findlay
Legal Services Coordinator
Lisa.Findlay@teck.com

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September 22, 2011

Teck

Ministry of Agriculture and Lands
Front Counter BC
441 Columbia Street
Kamloops, BC
V2C 2T3

Dear Sir/Madam:

This letter will confirm that Teck Metals Ltd. ("Teck") has retained the services of Compass Land Services Ltd. ("Compass") to act as our agent in dealing with an amendment to crown order in council (the "Project"). Compass' contact information is as follows:

Compass Land Services Ltd.
6275 York Road
Grand Forks, BC V0H 1H2
(250) 442-2424 ph
(250) 442-2624 fax
compassl@telus.net

Attention: Lila Jensen, Land Agent

Compass has been appointed to do the Project. Compass will be researching requirements, gathering information, completing and submitting applications and correspondence as well as responding to inquiries on our behalf as necessary.

The term of this appointment will be in effect until December 31, 2011.

Yours truly,



Lisa Findlay
Legal Services Coordinator

cl

TECK METALS LTD.**CROWN LAND APPLICATION for
AMENDMENT of RIGHT OF WAY
Crown Land – Kootenay District
Order In Council #48471 Easement #63**

Crown File: 0344622
2011-12-15

**AMENDMENT APPLICATION
DEVELOPMENT APPLICATION - PART I
TENURE ASSIGNMENT****A. PROJECT OVERVIEW****BACKGROUND:**

In the 1950s, Teck Metals Ltd. ("Teck") formerly Consolidated Mining and Smelting Company of Canada Ltd. (formerly Teck Cominco Metals Ltd. and Cominco Ltd.) developed an electrical power transmission line (30 Line) to transport power from their hydroelectric generating stations in the West Kootenay over the Purcell Mountain Range to Sullivan Mine in Kimberley, BC. Affected Crown lands were included and described in Schedule A of Order in Council ("OIC") #48471 issued by Executive Council, approved and ordered January 11, 1957 which included R/W Plans 50, 54, 55, 56, 57, 58, 69, 70, 72, 73, 74 and 75.

In 2001, Sullivan Mine shut down after 92 years of operation and as a result 30 Line was no longer required. In 2005, 30 Line was de-energized and ultimately, in 2010, Teck removed the electrical power transmission line infrastructure from right of way #297 between Gray Creek and Kimberley, BC. A report to Crown was filed with the Crown Lands office in Cranbrook in January, 2011 by SNC-Lavalin Environmental on behalf of Teck.

A section of 30 Line power line assets between Gray Creek and Crawford Bay that is currently operated and maintained by FortisBC Inc. ("Fortis") has been transferred to Fortis under an Asset Purchase Agreement dated October 29, 2010. Assignment and assumption of rights from Teck to Fortis over all of the private lands has been completed at the Kamloops Land Title office (copy attached). FortisBC Inc. ("Fortis") has submitted a Crown Land Tenure Application – Crawford Bay Area (copy attached) to transfer Crown lands affected by existing R/W Plan 70 to Fortis.

APPLICATION SCOPE & PURPOSE:

As a result of the decommissioning of 30 Line infrastructures between Kimberley and Gray Creek and the transfer of ownership of 30Line facilities from Teck to Fortis

between Gray Creek and Crawford Bay, approval is required from the Province of British Columbia for the Amendment of OIC #48471 and Assignment of rights over 3 Crown land parcels.

LOCATION:

Crown lands affected by this assignment application are associated with a section of Teck's 30 Line Statutory Right of Way R/W Plans 60 and 70 which is located between Gray Creek and Crawford Bay in the Province of British Columbia. Note - these right of way plans cover private properties as well as Crown lands.

B. PROJECT DESCRIPTION

ASSIGNMENT of R/W:

Regarding the transfer of power line facilities from Teck to Fortis between Gray Creek and Crawford Bay, Teck wishes to assign 100% of its RW 70 Interest No 48478D to Fortis with respect to the following Crown lands:

1. PID 016-340-116 – Sub lot 117 DL 4595 KD Plan X31 Except Block A
2. PID 023-427-175 – Sub lot 69 DL 4595 KD Plan X31
3. PID 023-427-191 – DL 1893 KD

(see Schedule A)

Pursuant to an Asset Purchase Agreement, Fortis has agreed to assume all of Teck's right, title and interest in and to this section of the 30 Line easement or right of way including applicable rental fees. Teck hereby consents to the assignment to Fortis as it relates to the above Crown land titles. Additionally, Fortis has submitted, concurrently, an Application for Crown Land Tenure over these same parcels - copy attached for information purposes only.

4. PID 016-036-778 - Lot 6 DL 5021 KD Plan 790 – Re: this fourth parcel, Jessie Nunan at the Crown Lands office has confirmed that RW 69 Interest No 48477D over lands described as "R/W over parts of DL 5021 KD as shown on Plan RW 69 filed in Nelson Land Title Office" is registered as a prior right over these private lands. Lot 6 was forfeited to the Crown in 1938, the R/W was established in 1957 and then the lands were Crown Granted in 1982 with the R/W being a prior right. As the right of way is now over private land it is not necessary to obtain a Crown Land assignment from Teck to Fortis. A location map and copy of title is included for information purposes only.

In support of this assignment application, attached are the following materials for reference and further handling by the Crown:

- Completed Crown Land Application Form
- Application Development Plan – Part I – Tenure Assignment

- General Site Location Map (x2) (R/W 70)
- Site Specific Map - Assignment to Fortis
- Site Location Map for Lot 6 and Copy of Title
- Copies of Titles
- Copy of Teck-Fortis "Assignment and Assumption Agreement" filed with LTO (October 29, 2010)
- Copy Fortis – Crown Land Tenure Application – Crawford Bay area dated September 22, 2011

C. ADDITIONAL INFORMATION

LAND IMPACTS & ACCESS:

1. Environment & Access:

Consultation for the 30 Line decommissioning between Kimberley and Gray Creek took place in 2010 by way of Open Houses, direct contact and written communications with landowners, agency regulators, First Nations, tenure holders, community, environmental and recreational groups and other stakeholders. The decommissioning, power line removal, road deactivation and reclamation work took place between May and August, 2010. A completion report to Crown was filed with the Cranbrook office in January, 2011 by SNC-Lavalin Environmental on behalf of Teck.

With respect to the section of 30 Line between Gray Creek and Crawford Bay, Fortis has been operating and maintaining this section of Teck's system for some time on Teck's behalf. No adverse impacts to the environment or changes in current operations, maintenance or other activities are anticipated as a result of an assignment of rights to Fortis.

2. Socio-Economic:

No adverse impacts to future land use, public health or socio economic conditions are expected as a result of the proposed OIC Amendment and assignments to Fortis.

SCHEDULE:

As soon as practicable – no later than Q-2 - 2012.

* * * * *

TECK METALS LTD.

**CROWN LAND APPLICATION for
AMENDMENT AND EXCLUSION of RIGHT OF WAY
Crown Land – Kootenay District**

Order in Council #48471 Easement #63

SCHEDULE A

R/W #	#	PID	OIC #	LEGAL	AREA (acres)
70	49301D	016-340-116	3	Sub lot 117 DL 4595 KD Plan X31 Except Block A	
70	48478D	023-427-175	2	Sub lot 69 DL 4595 KD Plan X31	
70	49301D	023-427-191	1	DL 1893 KD	
					10.5 +/-

Lila Jensen

Subject: FW: File#0344622 - 30L Decommissioning - SRW Release/Transfer
Attachments: 0344622 Scanned SRW.pdf

From: Lunan, Jessie ILMB:EX [<mailto:Jessie.Lunan@gov.bc.ca>]
Sent: Tuesday, February 01, 2011 1:25 PM
To: Schneider, Daniel
Cc: Albo Troy TRAIL; Findlay Lisa TRAIL; Bisset, Kathy B ILMB:EX
Subject: RE: File#0344622 - 30L Decommissioning - SRW Release/Transfer

This email is to bring you up to speed on the administrative component of the Teck Cominco Right of Way.

The Right of Way is currently tenured under an Order in Council (OIC) Easement of which I have attached a copy for your information. I need confirmation that the land that Teck Cominco is decommissioning includes all the lands in the OIC Easement with the exception of R/W 69 & 70 which are the Lands that Fortis wishes to apply for. If that is the case then these are our options:

Teck Cominco submits, in writing, a request for cancellation describing the lands that they wish to relinquish (no charge providing the lands encompass all lands described in the OIC Easement) and Fortis applies for the portion of the Right of Way which they require with an application fee of \$1,120 and we would in turn cancel the OIC Easement and issue a new Statutory Right of Way over that land in the name of Fortis or;

Teck Cominco makes application for amendment indicating which lands are to be excluded from the OIC Easement with a \$112 amendment fee and a \$280 assignment fee indicating that the remainder of the Lands are to be assigned to FortisBC

- If the lands that Teck Cominco is decommissioning and the lands that Fortis requires does not include all the lands described in the OIC Easement then Teck will have to apply for an amendment (\$112 amendment fee) for the OIC Easement and Fortis will have to apply for a Statutory Right of Way for the lands they require (\$1,120 application fee) and we will end up with 2 tenures – one for the remainder of the lands that Teck did not decommission and one for the Stat R/W for Fortis.

If you have questions on this process, please give me a call.

Jessie Lunan
Senior Portfolio Administrator
Ministry of Natural Resource Operations
1902 Theatre Rd., Cranbrook, BC V1C 7G1
Ph: 250-420-2169 Fax 250-426-1767