

A 02150

FILE No. 0147338

DATE January 10th, 1974

SUBJECT

Kalesnikoff Lumber Ltd's application
for Deer Creek Watershed.

ATTENTION OF:

file

REMARKS

Discussed this AM with K Milne
the need for further contact with
Mr. Kalesnikoff over A 02150, he
apparently has enough timber for
1 1/2 years. At present the Range has
been working on a plan, Fish and Wildlife
staff have reviewed the plan and
Water rights are still looking into it.
No further action required at this
time by Victoria, the district are
looking into it. Are photos flown in 1973,
New Inventory scheduled for 1974.

SIGNATURE

R. L. [Signature]

son, British Columbia.

0134219-S.C.130

0147338

Attention: Mr. E. Milner.

We have now completed the inventory area and volume summaries for Bear Creek watershed, and the required information is shown in the following tables:

Acres by Class of Cover (Crown)

Mature	-	7,473 acres
Immature	-	9,409 "
N.S.B.	-	924 "
N.C.	-	303 "
Non forest	-	1,413 "
Total	-	19,421 acres

Volume by Species in M.c.f.

Level	P	C	H	E	S	Po	Pl	Py	L	Co	B	A	Total
7.1" + class "U" (1 ft. stump to 4.0" top) less decay	2,374	1,866	700	2,355	5,817	342	4,000	82	2,671	5	159	39	21,322
11.1" + intermed. "V" less decay, waste and breakage	7,388	756	427	2,682	4,419	224	1,702	63	1,879	1	26	12	19,559

As for the allowable cut, this watershed would sustain a net A.A.C. of 563 M.c.f. at 7.1" + class "U" (one-foot stump to 4.0" top).

Area classification is based on 1972 field examination and volumes are based on our 1972 Zone G average volume per acre statements.

J.B. Bruce
 J.B. Bruce,
 Forester i/c,
 Forest Inventory Division.

P.S. Enclosed is a forest cover map for the entire area.

DMF:rp

B22W
 July 25/73

P.C.
 Aug 21/73

Chief Forester
Attention: Management Division

DEPT. OF LANDS FORESTS
AND WATER RESOURCES
FOREST SERVICE

Chief Forester,
Parliament Buildings,
Victoria, B. C.

JAN - 9 1973

Nelson

January 4

73

MAIL ROOM
VICTORIA, B. C.

0147338, 0272566

Deer Creek Watershed, Salmo P.S.Y.

Attention: Mr. J. S. Stokes

Please refer to your footnote on your letter to s.22 of
December 18, 1972 concerning the plans for Deer Creek watershed.

We have been in touch with Inventory division since receiving Mr. Reid's memo of June 9, 1972. Inventory division has checked the forest types in the area, and is presently kail-plotting and producing forest cover maps. They will supply us with volume and area information as soon as they have compiled it.

Our intent is not to increase the present distribution of allowable cut in the Salmo as a result of the addition of Deer Creek, but to hold the extra volume as Forest Service reserve. We do expect Mr. Kalesnikoff to consider Deer Creek as the major part of his T.S.H.L. operating area, although we realize that logging practices in a watershed must be better than some examples we have had in the past. Your letter to Mr. Romaine stated our case very well, but if we are to do more detailed planning than was formerly required, we hope that Government will recognize our need for more staff and money to do it.

J. R. Johnston,
District Forester

KJ:lk

WJL
c.c. Mt. Division - We have apparently overlooked replying formally to your memo of June 9 but the matter has been discussed with members of your staff and with Inventory division.

c.c. R.D. 11 - Copy of Mr. Stokes's letter and s.22 letter attached.

December 18, 1972

Files: 0147339.
0272566.

s.22

s.22 British Columbia.

Dear Sir:

Thank you for your letter of December 6 regarding the Deer Creek watershed. The concern you express regarding environmental matters is appreciated.

Land use decisions are one of the most difficult tasks facing modern day government. It is obvious our natural resources must be utilized to provide employment and produce goods necessary to our way of life but at the same time use of one resource need not necessarily be detrimental to the other resources present in a given area. This concept has been referred to under various names such as multiple use, joint use and balanced use but the principle has been adopted as Forest policy and the Forest Service is embarked on a program instituting this policy.

We assume from your letter you are particularly opposed to logging in the Deer Creek valley as you feel it will be the same as done in the past in other areas. We would like to assure you that considerable progress has been made and the Forest Service is demanding and getting much improvement over past practices. Prior to any operation in Deer Creek detailed plans will be required and such plans are subject to participation of the other resource agencies such as Water Services, Fish and Wildlife etc., and we are confident the plans will take cognizance of the many values present in the watershed in addition to the timber resource. We would suggest you make a point of discussing this matter with the District Forester in Nelson.

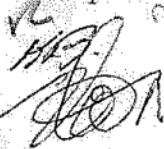
c.c. District Forester, NELSON.

What have you decided as a result of Mr. Reid's memo to you June 9, 1972, A02150?

Yours truly,


J.S. Stokes, R.P.F.,
Deputy Minister.

RWR:rp


mailed 20/12/72
J/S

Robbins s.22

B.C.

Dec. 6th 1972.

0147338 Deer Creek watershed

0282389 wildlife Reserve
DEPT. OF LANDS FORESTS
AND WATER RESOURCES
FOREST SERVICE

0272566 Salmo Planning

DEC 11 1972

MAIL ROOM
VICTORIA, B. C.

Deputy Minister of Forests
Parliament Bldg.
Victoria, B. C.

Dear Sir,

I am writing to request that the Deer Creek Valley and watershed be preserved in its present wilderness condition.

This Nigun creek served as a protected watershed for the Community of Deer Park prior to the Columbia Treaty and the subsequent flooding and dislocation of this community. It is still used as a water supply for several residents and each year there are more applications applied for. This creek has a constant flow even in the years of drought and the waters are clean, pure and cool in the hottest summers due to the magnificent vegetation in the watershed.

Deer Creek is also one of the very few spawning streams on the Levee arrow Lake for the Kokanee trout. The raising of the Lake level has eliminated the creek spawning beds on this system.

This creek is also a unique Ecological area in that it contains so many and varied species

(2)

of trees in an extremely compact area. There are mature stands of Douglas Fir, Ponderosa Pine, Cedar, Larch, Hemlock, white Pine and Spruce.

The location of this wilderness is within twenty-two miles of Selkirk College at Castlegar and could furnish excellent resource material for Ecological and Forestry studies.

There are two other creeks in this vicinity Little Cayuse and Big Cayuse. These are in a Tree Farm license area. They have been ruthlessly raped by logging contractors within the past fifteen years.

In view of this type of logging and for the sake of saving some of our precious heritage for the new generations to come. Will you please consider this appeal?

Yours very truly,

S.22

NELSON

June 9, 1972

0147338, 0272566, A02150.

Deer Creek Watershed,
Salmo P.S.Y.U.,

A02150.

ATTENTION: Management

It is noted that, in most recent correspondence concerning the Deer Creek watershed, we have incorrectly used the Victoria file designation 0282388 which is the file for the Wildlife Reserve in part of T.F.L. 23 and part of Deer Creek watershed. The designation for the Deer Creek watershed file is 0147338. In future most general correspondence concerning this watershed could take place on the Salmo P.S.Y.U. planning file 0272566. The game management reserve should, of course, be taken into account in approving development plans for that portion of the watershed.

Since we do not have an inventory for the Deer Creek watershed, we are in a poor position to proceed with a T.S.H.L. application. We note that the Celgar inventory for this watershed indicates that the main stand is immature with patches of mature and we don't see how a development plan can be prepared or assessed without a good knowledge of the timber types. We require an inventory and cover map for the entire watershed to assess any proposal involving only a portion of it.

This has been discussed with Inventory Division and they advise that they could prepare the inventory summary if the area is classified by District personnel. You might also want tallies in certain types to check your classification and ensure that these are similar to types already in the Salmo inventory. If you are prepared to undertake this work, you should check with Inventory Division to determine whether there has been any revision of classification procedures. You may already have air photos, as we understand there is photo coverage.

Please advise whether you propose to undertake this examination or wish to postpone acceptance of the Kalesnikoff application.

AB

J.A.K. Reid,
i/c Management Division.

RR

CEB:rp

(110)

August 21

B.L. to J. with map

mailed 12/6/72

gk

*
PCPS NOT VIC

PCPS ALSM

294 MAY 31/72 402150

4147312
~~-0242294~~

ATT 5 KNIGHT

RT OF LETTER TO OCC MAY 1 SAYING DEER CR IS RETAINED IN SOLID
CAN BE NOW ACCEPT APPLN FROM MR KALESNIKOFF

K MILNER

16:09 LK

*
PCPS NOT VIC

*
ROFF WLCN

ROFF MGT VIC

* TIME 1732 102150

6-27-11
0249200

* WILNER

DE TLM WE WILL BEING OUR POSITION IN ORDER TO FOLLOW

- KNIGHT

*
ROFF WLSN

May 1, 1972

File: T.F.L. 23 Sec. 11A,
~~0-2308~~, 147338
0212500.

Canadian Cellulose Company Ltd.,
1111 West Hastings Street,
Vancouver, British Columbia.

ATTENTION: Mr. H.C. Jensen

Dear Sir:

The offer you made in your letter of December 10, 1971 to exchange the Faith Creek area for the Bear Creek watershed has now been reviewed.

One of the reasons for making the exchange was to make available to the established licensees of the Salmo Public Sustained Yield Unit an equal or greater volume of mature timber than is available in the Bear Creek watershed.

We find that the Faith Creek area contains a relatively small volume of mature timber which is located in isolated patches. Because of the location of the mature patches of timber, development cost in roads, dump and re-load facilities can be expected to be very high in proportion to the annual production of a small operator. These high development costs can best be handled by the Tree Farm licensees who can amortize these costs over a longer period of time and a larger annual production.

We understand that public access may be completed to Bear Park and this would allow the Bear Creek watershed timber to be developed by the smaller operators in the Salmo Public Sustained Yield Unit without it having to be dumped into the lake.

In view of the above, we are not prepared to consider the Faith Creek area as an equivalent area to the Bear Creek watershed and therefore, must advise that it will be retained within the Salmo Public Sustained Yield Unit.

Yours truly,

c.c. District Forester, NELSON.
Thank you for Mr. Hough's report
of April 13, 1972.


L.F. Swannell, R.F.F.,
Chief Forester.

BLTW:rp

CLB
RB 150
mailed 4/5/72
28

April 10, 1972

File: AM250, 0117336

Kaloumitoff Lumbering Co. Ltd.,
P.O. Box 10,
Thrus, British Columbia.

ATTENTION: Mr. Peter P. Kaloumitoff,
Manager.

Dear Sir:

I regret the delay in answering your letter of February 8, 1972
pertaining to your formal application of October 21, 1969 for a timber
sale harvesting license over the timber in the Bear Creek watershed.

As you may be aware, there has been some discussion about
exchanging the area known as the Bear Creek watershed for an area within
Tree Farm license 13 that will contribute an equivalent cut to the
Sales Public Sustained Yield Unit and be accessible to the operators of that
Unit. To date no agreement has been reached as to the alternate area.

Once a decision had been reached, you will be notified of it
along with the other established operators in the Sales Public Sustained
Yield Unit.

Yours truly,

orig. copy
"Ray Williams"
Minister.

R. c. c. District Forester, B.C. AM250: AM250.
Your file: AM250, Bear Creek Watershed.

BHW:rp

mailed 21/4/72

*150
M*

JLS

April 10, 1972

Files: T.F.L. 23 Sec. 11A,
~~6282303~~, 0117330
0272506.

Canadian Cellulose Company Limited,
1111 West Hastings Street,
Vancouver 110, British Columbia.

ATTENTION: Mr. H.C. Joergensen

Dear Sir:

I must apologise to you for the fact that reply to your letter of December 10, 1971 was overlooked.

We are reviewing your offer of the Faith Creek area in exchange for the Deer Creek watershed and as soon as a decision is reached, you will be advised.

Yours truly,


J.S. Stokes, B.P.F.,
Deputy Minister.

c.c. District Forester, NELSON. ATTENTION: Management.

BLTW:rp


mailed 18/4/72

25.

PROVINCE OF
BRITISH COLUMBIA

FOREST SERVICE

DEPARTMENT OF
LANDS, FORESTS, AND
WATER RESOURCES

DATE: March 30, 1972

FILE NO. T.F.L. 23 Sec. 11A,
8282383, 414 7336
0272566.

SUBJECT:

Land exchange between T.F.L. 23 and
Deer Creek Watershed.

ATTENTION OF:

File

REMARKS:

In response to footnote on letter of February 26, 1972, T.F.L. 23 Sec. 11A file was reviewed to determine latest correspondence between Forest Service and Canadian Cellulose Company Limited.

The letter of December 10, 1971 from Canadian Cellulose Company Limited to Mr. J.S. Stokes was found to be unanswered. The contents indicated that the compartments surrounding Faith Creek ^{U.V.C.} was being offered in exchange for Compartment 356 Deer Creek Watershed.

A phone call was made to Mr. W.S. Hough asking for his comments on the subject. His comments are as follows: "The Faith Creek area is unacceptable, it is rough broken ground, road construction is very expensive and difficult, not compatible to a small operator. Also difficulties with boating and reloading on the lake as the water fluctuates too much. Three or four log dumps would be required."

A review of the T.F.L. 23 inventory map for Faith Creek reveals only a few scattered patches of mature spruce balsam at the head waters of Faith Creek.

B.L.T.

B.L.T. Westhaver,
Planning,
Management Division.

BLEW:rp



CANADIAN CELLULOSE COMPANY, LIMITED
A SUBSIDIARY OF COLUMBIA CELLULOSE COMPANY, LIMITED

1111 WEST HASTINGS STREET
VANCOUVER 110, B.C., CANADA
TELEPHONE: (604) 685-2452
TELEX: 04-53-277
TWX: 610-922-6448-9

0:4737%

File: 629.1(23)

December 10, 1971

Mr. J. S. Stokes, R.P.F.
Deputy Minister
Parliament Buildings
Victoria, B. C.

DEPT. OF LANDS FORESTS
AND WATER RESOURCES
FOREST SERVICE

DEC 15 1971

Dear Sir:

MAIL ROOM
VICTORIA, B. C.

This will confirm my understanding of our discussion at your office on December 7th concerning disposition of certain lands within and adjacent to T.F.L. #23.

T.S.X. 94827

I proposed that the area be included in T.F.L. #23 now in anticipation of deletions reaching the .5% level in the near future.


Your reply was that the area will be kept available for substitution until such time when deletions have in fact reached the .5% level. You suggested that meanwhile a District Forester sale could be considered if we wanted to cut the timber remaining on the area.

Deer Creek Watershed

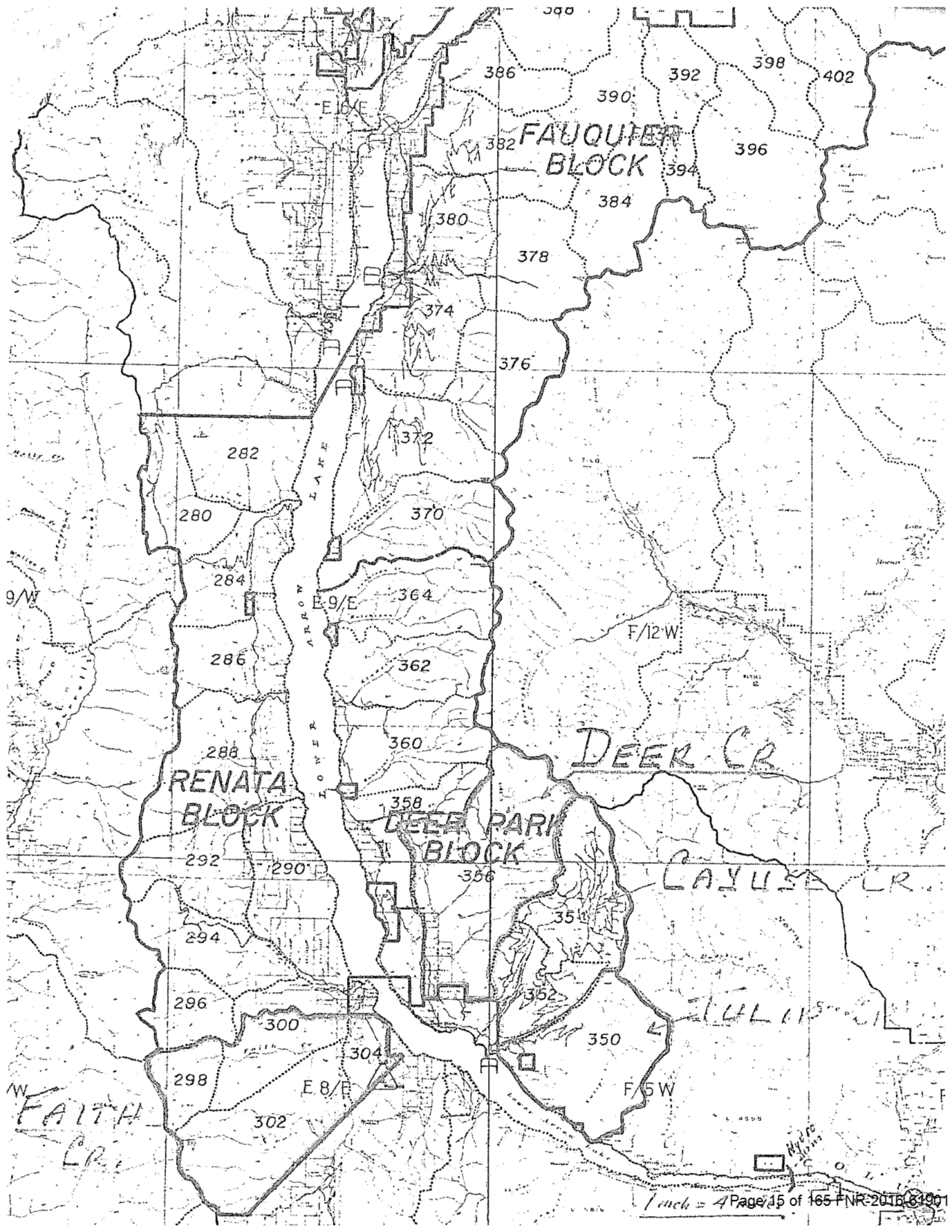
Referring to your letter of November 2nd, in which you advised that the area could be included in T.F.L. #23 only on the basis of a land exchange, I proposed that the Deer Creek Watershed area should be exchanged for the Faith Creek area as originally proposed by the District Forester earlier this year. We are opposed to an exchange involving the Cayuse and Tulip Creek areas, as suggested in the Chief Forester's letter of September 13th, on the grounds that we have a substantial investment in roads and a three-stage log dump in that part of the T.F.L. Also, the timber is included in our current five-year cutting plan.

You acknowledged our opposition to giving up the Cayuse - Tulip Creek area and suggested that we write a letter confirming the proposal to exchange the Faith Creek area for the Deer Creek area. I trust this letter will serve that purpose and I attach a map of the areas referred to for your convenience.

Yours very truly,


H. C. Joergensen
Vice-President, Forestry

H CJ:ds
Enclosure



FAUQUEN
BLOCK

RENATA
BLOCK

DEER PARK
BLOCK

DEER CR

CAYUSA CR

FULLIS CR

FAITH
CR

KALESNIKOFF LUMBERING Co. LTD.

"MANUFACTURERS OF FOREST PRODUCTS"

RECEIVED
 FEB 15 1972
 MINISTER of LANDS, FORESTS,
 and WATER RESOURCES OFFICE

DEPT. OF LANDS FORESTS AND WATER RESOURCES FOREST SERVICE P. O. BOX 10, THRUMS, B. C.

147370

February 8, 1972

FEB 15 1972
 MAIL ROOM
 VICTORIA, B. C.

Comment	Reply Direct In Minister's Absence
Discuss	Attention & File
Report	Information & File
Draft Reply	✓ April 10/72

The Honorable R.G. Williston,
 Minister of Lands, Forests,
 And Water Resources,
 Parliament Buildings,
 Victoria, B.C.

Re: Deer Park Timber Sale

Dear Mr. Williston,

Regarding my first letter to the District Forester at Nelson, B.C. on October 21, 1969, and my formal application on March 23, 1970, I have not, till today, received an answer as to if our application was accepted or not.

I have followed the application up by a few more letters in 1970 and 1971, and had verbally asked the District Forester if a decision was made. The only answer I get is that there has been no final word from Victoria and that it will be followed up again.

I wish to bring the following points to your attention:

- 1 - As you know, we have in the Salmo S.Y.U. Hearn Lumber Co., Atco Lumber Co., and Rotter Lumber Co. all in the Salmo-Fruitvale area; Northwood Mills Ltd. and Glenmerry Sawmills Ltd. occupying the Blueberry-Paulson area; Hadikin Lumbering Co. Ltd. in the Pass Creek area; and ourselves, we are left to clean up the Mount Sentinel plus, the Robson area on the north-east side of the Hugh Keandelyside Dam which will last us 4-5 years in all with our quota.

Now, in order for us not to interfere with any of the above mentioned operators, it appears to me, that, it would be a good idea

KALESNIKOFF LUMBERING Co. LTD.

"MANUFACTURERS OF FOREST PRODUCTS"

P. O. BOX 10,
THRUMS, B. C.,

Continued:

Page - 2

if you would release the Deer Park Water Shed area to our company.

- 2 - We are expecting to let our new Sawmill go into operation in a few days and the new Planermill by March the 15th, 1972. We have spent a lot of money on our new plant, and were banking on the Deer Park area for our future supply of logs.

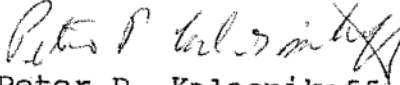
Today you have to know well in advance, 2-3 years, where you are going to get your future supply of timber in order that you may lay your roads and prepare your spring, summer, fall and winter logging.

- 3 - Another important point which I wish to bring to your attention is that it will take us 2-3 seasons to put the road through. This is due to a lot of rock that we have to blast along the Columbia River for which we are in no power to spend that much money in one year.

We are asking you to give your utmost consideration to us.

Thanking you.

Yours very truly,


Peter P. Kalesnikoff,
Manager

PPK;mk

cc District Forester, Nelson, B.C.

Forest Ranger, Castlegar, B.C.

S.N. McLean, Forestry Consultant, Kamloops, B.C.

November 2, 1971

Our Files: 0223897,
6147338,
T.F.L.23 Sec.11B
X94827

Your File: 629.1(23)

Canadian Cellulose Company Limited,
1111 West Hastings Street,
Vancouver 110, British Columbia.

ATTENTION: Mr. H.C. Joergensen

Dear Sirs:

We have studied the points that you raise in your letter of October 18 regarding the inclusion of timber sale X94827 and the Deer Creek watershed in T.F.L. #23, but must advise that we still are prepared to do so only on the basis of an exchange for lands already within the T.F.L.

Contrary to your claim in point #4 in your letter, the Deer Creek watershed is within the Salmo P.S.Y.U. Consequently, the inventory for the watershed has been included in the calculations for the allowable cut for the unit. Furthermore, the area is within the gazetted Salmo Provincial Forest.

We do not consider that the T.F.L. has any prior rights to these areas and while we are prepared to make the exchanges already proposed we also realize that deletions from the licence are approaching the point where substitutions will have to be considered. Timber sale X94827 would be one such area that we might consider. At this time we are not prepared to say whether areas within the Deer Creek watershed would be considered for substitution.

c.c. District Forester, NELSON.
Copy of letter of October 18 attached.

Yours truly,


J.B. Stokes,
Deputy Minister.

JBB:rp
H.C.

PROVINCE OF
BRITISH COLUMBIA

FOREST SERVICE

DEPARTMENT OF
LANDS, FORESTS, AND
WATER RESOURCES

DATE: December 7, 1972

FILE No. 0147338

SUBJECT:

New Creek Watershed

ATTENTION OF:

Mr. Hughes

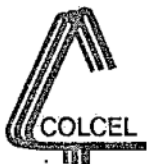
REMARKS:

You asked for correspondence concerning land trades involving the New Creek Watershed. There seem to be copies of most correspondence on this file 0147338. You will note that Mr. Jones has used the same address. Give for copies of his correspondence.

C.P.B.

There is no reply to letter of December 2nd on T.F.L. 23 Sec 11B.

W



CANADIAN CELLULOSE COMPANY, LIMITED
 A SUBSIDIARY OF COLUMBIA CELLULOSE COMPANY, LIMITED

1111 WEST HASTINGS STREET
 VANCOUVER 110, B.C., CANADA
 TELEPHONE: (604) 685-2452
 TELEX: 04-53-277
 TWX: 610-922-6448-9

DEPT. OF LANDS FORESTS
 AND WATER RESOURCES
 FOREST SERVICE

File: 629.1(23)

OCT 21 1971

October 18, 1971

MAIL ROOM
 VICTORIA, B. C.

Mr. John S. Stokes
 Deputy Minister
 B.C. Forest Service
 Parliament Buildings
 VICTORIA, British Columbia

Dear Sir:

Your Files: 0223897; 0147338; TFL 23, Sec. 11A; X 94827;
TFL 23, Sec. B

We have received two letters from your Department, one dated 28 May 1971 concerning inclusion in TFL 23 of expired Timber Sale X 94827; the other dated 13 September 1971, and concerning inclusion of cancelled Deer Creek Watershed reserve.

In both instances you agree to inclusion of the areas, but only on the condition that certain other areas be deleted from the TFL in exchange.

We discussed this matter with you at your office, and subsequently with the Chief Forester, on Friday 17 September 1971. It was agreed then that we should submit a memorandum setting out our reasons for objecting to the condition of giving up other areas in exchange.

1. TS X94827 is contained wholly within the boundaries of TFL 23. This applied also to the Deer Creek Watershed up to 1970, at which time the boundary was redrawn so as to exclude that particular area, despite our objections. Both areas are geographically and operationally natural components of the TFL.
2. Both areas were temporarily excluded from the TFL area as "otherwise alienated" at the time when the TFL boundaries were first established.
3. Expired TS X94827 is in the same category as several other Timber Sales that existed within the boundaries

*Management
 please consult
 1971 2/15*

when the TFL was granted in 1955. As these other timber sales expired their areas were included in TFL 23, without exchange.

4. The Deer Creek Watershed was reserved as a potential water supply area for the Deer Park community. The reserve was, however, never activated for that purpose; and it has now been cancelled. It is not part of any P.S.Y.U.
5. Clause 5 of the Licence is in its effect a one-sided agreement, in that it forces into the TFL all lands that the licensee may acquire within the TFL boundaries, but it is mute on the point of lands acquired by the licensor, by reversion from other alienation, subsequent to the date of the licence.

This is contrary to the wording and effect of the corresponding clause of TFL's 1 and 40, originally written respectively before and after TFL 23, and updated by revision (but not of Clause 5) at the same time as TFL 23 was revised in January 1970. At that time we recommended that Clause 5 of TFL 23 be changed to the wording approved for Clause 5 of TFL 1, but the recommendation was not accepted.

6. Deletions from TFL 23 to-date amount to 3,381 acres with an annual yield corresponding to 0.36% of the allowable cut for the TFL. Further known deletions are expected in the near future, e.g. to B.C. Hydro and Department of Highways' right-of-ways. These are estimated to remove a further 6,033 acres from the TFL with a resulting yield reduction of 0.64% of allowable cut. The total of actual and expected deletions amount to 9,414 acres with a resulting yield reduction of 1.0% of the allowable cut of TFL 23. Future deletions, beyond what is known now, can of course be expected, and will result in further erosion of the TFL's yield capacity.

The recent trend to reserve timber land for aesthetic and other amenity purposes, e.g. parks, and "green belts" along lake shores and public roads, is gathering momentum. It is doubly alarming because it withdraws some of the best and most productive growing sites from the managed forest of the Tree Farm Licence.

In the above losses of yield capacity we have not included the substantial loss of cutting rights to timber of good quality that resulted from Amendment No. 79 (in favour of Downie Street Sawmills).

7. Clause 10 of TFL 23 provides for substitution of other lands, if available, when deletions diminish the productive capacity of the TFL by more than 0.5%. Deletions to-date have not reached the 0.5% level, but they will soon exceed it by a substantial margin.

Since the adjacent P.S.Y.U.'s are fully committed it is unlikely that any lands would be considered available for substitution. Therefore, the only sources of lands for substitution are those which become available from time to time within the geographic and operational territory of the TFL. Once they have gone the TFL can only get smaller, and our only hope of maintaining it at the level intended and required to supply our mills would be to invest capital in purchases of private cutting rights within the TFL boundaries before they revert to the Crown.

8. We have throughout the 15-year history of management of the TFL maintained full utilization of its approved allowable cut (see Record of Cut attached). In fact our utilization standards approached close-u for several years before the current close-u concept took effect.
9. It is becoming increasingly difficult to maintain full production in the sawmill at Castlegar. TFL 23 is the only source of sawlogs available, as purchase opportunities are rare and erratic. We have so far been able to maintain full three-shift operation of the mill, but only by lowering the sawlog standards to a level well below that considered marginal by other mills. We are now facing the alternatives of either lowering the standards further or to revert to two-shift operation and lose the incremental advantage of the third shift. The sawmill is a profitable operation when running at full capacity on logs of reasonable quality, and it generates a substantial volume of chips for the pulp mill.

The sawmill requires 220,000 cunits per year to maintain three-shift operation, five days per week. It is capable of approaching 300,000 cunits per year if operated on a seven-day basis on logs of reasonable quality.

10. The recently proposed allowable cut for TFL 23 is 410,000 cunits per year, - in our opinion the very limit of its capability on a sustained basis, considering the site quality of the land and the high incidence of defect in its predominant species, hemlock, cedar, and balsam. Assuming a reduction of 5% for unavoidable logging residue, the net recoverable cut is 389,500 cunits per year.

October 18, 1971

7. Clause 10 of TFL 23 provides for substitution of other lands, if available, when deletions diminish the productive capacity of the TFL by more than 0.5%. Deletions to-date have not reached the 0.5% level, but they will soon exceed it by a substantial margin.

Since the adjacent P.S.Y.U.'s are fully committed it is unlikely that any lands would be considered available for substitution. Therefore, the only sources of lands for substitution are those which become available from time to time within the geographic and operational territory of the TFL. Once they have gone the TFL can only get smaller, and our only hope of maintaining it at the level intended and required to supply our mills would be to invest capital in purchases of private cutting rights within the TFL boundaries before they revert to the Crown.

8. We have throughout the 15-year history of management of the TFL maintained full utilization of its approved allowable cut (see Record of Cut attached). In fact our utilization standards approached close-u for several years before the current close-u concept took effect.
9. It is becoming increasingly difficult to maintain full production in the sawmill at Castlegar. TFL 23 is the only source of sawlogs available, as purchase opportunities are rare and erratic. We have so far been able to maintain full three-shift operation of the mill, but only by lowering the sawlog standards to a level well below that considered marginal by other mills. We are now facing the alternatives of either lowering the standards further or to revert to two-shift operation and lose the incremental advantage of the third shift. The sawmill is a profitable operation when running at full capacity on logs of reasonable quality, and it generates a substantial volume of chips for the pulp mill.

The sawmill requires 220,000 cunits per year to maintain three-shift operation, five days per week. It is capable of approaching 300,000 cunits per year if operated on a seven-day basis on logs of reasonable quality.

10. The recently proposed allowable cut for TFL 23 is 410,000 cunits per year, - in our opinion the very limit of its capability on a sustained basis, considering the site quality of the land and the high incidence of defect in its predominant species, hemlock, cedar, and balsam. Assuming a reduction of 5% for unavoidable logging residue, the net recoverable cut is 389,500 cunits per year.

October 18, 1971

11. In order to provide 220,000 cunits of sawlogs per year from a total cut of 389,500 cunits the sawlog recovery will have to be 56.5%. The average sawlog recovery for the last ten years has been 45% and the average for the last five years was 53%. The highest achieved was 57% (in 1965) and that only by some favourable purchases.

The TFL is not capable of a sustained sawlog recovery of 50% or more, i.e. 195,000 cunits or more at its proposed allowable cut. It must be recognized that the recent upward revisions of the allowable cut from 300,000 cunits per year to 372,000 cunits, and now to 410,000 cunits, derived almost entirely from calculations on close-u basis. Close-u did not add sawlogs to inventory and allowable cut for this TFL. It added pulpwood and as a result reduced the sawlog percentage that can be expected. We may achieve 40%-45% by stretching the sawlog standards to the limit.

Therefore extraordinary measures must be considered if we are to maintain full operation of the sawmill and a balanced integrated operation of the pulp mill - sawmill complex.

12. We can see no useful purpose in adding more timber to a P.S.Y.U. while at the same time timber is being withdrawn, by deletions, from the TFL. The TFL supports, together with substantial chip purchases for the pulp mill, two efficient and completely integrated mills at Castlegar. Past deletions together with those expected in the near future will progressively aggravate the now existing situation of sawlog shortage, unless substitution is made while there is still timber available for that purpose.

To add such timber to the P.S.Y.U.'s and make it available to non-integrated users would have a double-acting, unbalancing effect on our mill complex. The additional pulpwood generated would tend to increase the supply pressure on our pulp mill without the benefit of additional supply of sawlogs for our sawmill; the sawlogs would be manufactured through other operator's mills and would not be available to us.

We believe we have demonstrated, through past and current performance, that we are able to harvest and manage the timber granted to us and to make full integrated use of it

Mr. John S. Stokes

- 5 -

October 18, 1971

better and more effectively than any other user of timber in the area. We also believe that the substantial and steady employment created by our forest and mill operations in the region, and the sources of income and public revenue deriving therefrom, deserve consideration and support to maintain an adequate, well balanced timber supply for the mill complex.


CONCLUSION:

We request that the condition of including expired TS X94827 and Deer Creek Watershed in TFL 23 by exchange be reconsidered, and that the two areas be added to Schedule B of TFL 23 without our having to surrender land that is now part of the TFL.

We further suggest that an amendment of Clause 5 of TFL 23 should be considered to the effect of making it an equitable agreement, i.e. all land within the TFL boundaries, whether acquired by the licensee or the licensor (by reversion) shall be included in the Tree Farm Licence area.

We have endeavoured to give you as complete a picture of the situation as possible. Should we have overlooked anything, however, that you feel would be of value in making a decision we shall be pleased to comply with your request.

Yours very truly,


H. C. Joergensen
Vice-President, Forestry

H CJ/dm
Attach.

RECORD OF CUT, TFL 23, 1956-1970

(Source of data: District Office, Nelson)

<u>Year</u>	<u>Approved Cut, cunits</u>	<u>Recorded Cut, cunits</u>	<u>% over/(under)</u>
1956	134,000	84,224	
1957	134,000	91,546	
1958	110,250	80,552	
1959	77,000	81,078	
1960	<u>126,600</u>	<u>222,943</u>	
<u>5-year total</u>	<u>581,850</u>	<u>560,343</u>	(3.7%)
1961	300,000	274,127	
1962	300,000	264,233	
1963	300,000	358,256	
1964	300,000	316,746	
1965	<u>300,000</u>	<u>305,876</u>	
<u>5-year total</u>	<u>1,500,000</u>	<u>1,519,238</u>	1.3%
1966	300,000	299,239	
1967 ⁽¹⁾	300,000	218,692	
1968	300,000	318,227	
1969	300,000	331,601	
1970 ⁽²⁾	<u>372,000</u>	<u>232,201</u>	
<u>5-year total</u>	<u>1,572,000</u>	<u>1,399,980</u>	(10.9%)
15-YEAR TOTAL	3,653,850	3,479,561	(4.8%)

(1) Strike, loss of production, 76 days

(2) Strike, loss of production, 54 days; 1st year of close-u adjustment of allowable cut

(3) Total strike loss of 130 operating days is equivalent to a production loss of 185,000 cunits.

September 13, 1971

Our Files: 0223897
0117338
T.F.L. #23 Sec. 11A

Your File: 629.1(23)

Canadian Cellulose Company Limited,
1111 West Hastings Street,
Vancouver 110, British Columbia.

Dear Sirs:

This is with reference to your letters of January 29, and May 6, 1971 requesting that the Deer Creek watershed be included in Tree Farm Licence #23 now that the reserve has been cancelled.

We are prepared to give consideration to your request since the area is cut off from the rest of the Salmo P.S.Y.U. by T.F.L. #23. Conversely that portion of T.F.L. #23 east of Deer Creek is cut off from the rest of the licence. Such an inclusion, however, must be on the basis of an exchange for an equivalent area and it appears logical that this should be in the Tulip and Cayuse Creek areas.

A review of the inventory for Deer Creek and for Tulip - Cayuse Creeks presents problems in the way the compartment boundaries are presently established.

<u>Compt.</u>	<u>Volume Units</u>	<u>Productive Acreage</u>	<u>Total Acreage</u>
356 Deer Creek	124,477	14,131	19,460
350 Tulip Creek	21,635	7,020	12,617
352 Lower Cayuse	20,667	5,672	6,039
354 Upper Cayuse	136,593	8,142	8,489

If you still wish to proceed with an exchange would you please relocate the compartment boundaries in order to provide equivalent volumes and acreages and we will then give further consideration to your request.

Yours truly,


L.F. Swannell,
Chief Forester.

c.c. District Forester, NELSON.

JBB:rp

mailed Sept 16/71



Chief Forester,
Parliament Buildings,
Victoria, B. C.

Nelson

August 4

71

TPL 23 Sec. 11A, 022347, 0147338
TPL 23

Attention: Management - J. Bruce.

Re your 277 of August 4, 1971 with proposed letter.

Our only comment on the letter is that it might help if Canadian Cellulose were advised that the new boundary, as far as possible, should not leave any block isolated from either the T.F.L. or the P.^U.Y.L. if the lease is acceptable.

Re Nelsonian Lumbering Co. Ltd.

Their present timber supplies are estimated to be sufficient to last them until 1976 considering their present holdings on Sentinel Mtn and the Nialla Creek area and other areas north of Nelson. By 1976 he will have to move to a new area.

It would appear that the only logical split would be by cutting the Little Coyne drainage from the rest for T.F.L. 423 (parts of Camp 354 and 352).

We would like the opportunity to examine Canadian Cellulose proposal when submitted.


H. S. Bennett, B.F.F.
Forester i/c
Management.

WWS/MSU/ak

13 vince

MEMORANDUM

FROM DISTRICT FORESTER

DEPT. OF LANDS FORESTS
AND WATER RESOURCES
FOREST SERVICE

Nelson

B.C.

TO Chief Forester,

Parliament Buildings,

Victoria, B. C.

AUG 9 1971

August 6

1971

MAIL ROOM

VICTORIA B.C.

YOUR FILE: TFL 23 Sec. 11A, 0223897, 0147338

MY FILE: TFL 23

REFER TO YOURS OF

Attention: Management - J. Bruce.

Re your 297 of August 4, 1971 with proposed letter.

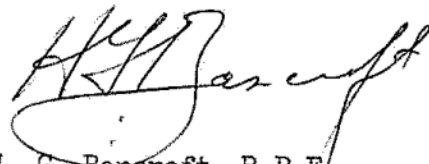
Our only comment on the letter is that it might help if Canadian Cellulose were advised that the new boundary, as far as possible, should not leave any block isolated from either the T.F.L. or the P.^S.Y.U. if the trade is acceptable.

Re Kalesnikoff Lumbering Co. Ltd.

Their present timber supplies are estimated to be sufficient to last them until 1976 considering their present holdings on Sentinel Mtn and the Rialto Creek area and other areas north of Robson. By 1976 he will have to move to a new area.

It would appear that the only logical split would be by cutting the Little Coyuse drainage from the rest for T.F.L. #23 (parts of Comp 354 and 352).

We would like the opportunity to examine Canadian Cellulose proposal when submitted.



H. G. Bancroft, R.P.F.
Forester i/c
Management.

NRW/WSH/pk

Chief Forester,
Parliament Buildings,
Victoria, B. C.

Halifax

August 6

71

TEL 23 Box 111, 620077, 614550
TEL 23

Attention: Management - J. Hunt,

Re your 27 of August 5, 1971 with proposed letter.

Our only comment on the letter is that it might help if Canadian
Geologists were advised that the new boundary, as far as possible, should
not leave any tract isolated from either the U.S.A. or the P.E.I. if
the trade is acceptable.

Re Kalamitoff Lumbering Co. Ltd.

Their present timber supplies are estimated to be sufficient to last
them until 1976 considering their present holdings on Southern 50a and the
White Brook area and other areas north of Halifax. By 1976 we will have to
move to a new area.

It would appear that the only logical outlet would be by cutting the
Little Dykes drainage from the rest for U.S.A. 50a (parts of Camp 354 and 352).

We would like the opportunity to examine Canadian Geologists proposal
when submitted.

S. C. Macintosh, B.C.F.O.
Forester i/c
Management.

mm/m/m/jh

July 23, 1971

Not sent

Our Files: 022097
0147330
T.F.L. #23 Sec. 11A

Your File: 689.1(23)

Canadian Cellulose Company Limited,
1111 West Hastings Street,
Vancouver 110, British Columbia.

Dear Sirs:

This is with reference to your letters of January 20,
and May 6, 1971 requesting that the Deer Creek watershed be
included in Tree Farm Licence #23 now that the reserve has been
cancelled.

We are prepared to give consideration to your request
since the area is cut off from the rest of the Salmo P.S.T.U.
by T.F.L. #23. Conversely that portion of T.F.L. #23 east
of Deer Creek is cut off from the rest of the licence. Such
an inclusion, however, must be on the basis of an exchange for
an equivalent area and it appears logical that this should be
in the Tulip and Cayuse Creek areas.

A review of the inventory for Deer Creek and for
Tulip - Cayuse Creeks presents problems in the way the compartment
boundaries are presently established.

<u>Comp.</u>	<u>Volume</u> <u>Units</u>	<u>Productive</u> <u>Acreage</u>	<u>Total</u> <u>Acreage</u>
356 Deer Creek	124,477	14,151	19,480
350 Tulip Creek	21,635	7,020	12,617
352 Lower Cayuse	20,667	5,672	6,039
354 Upper Cayuse	136,593	8,142	8,489

/s/

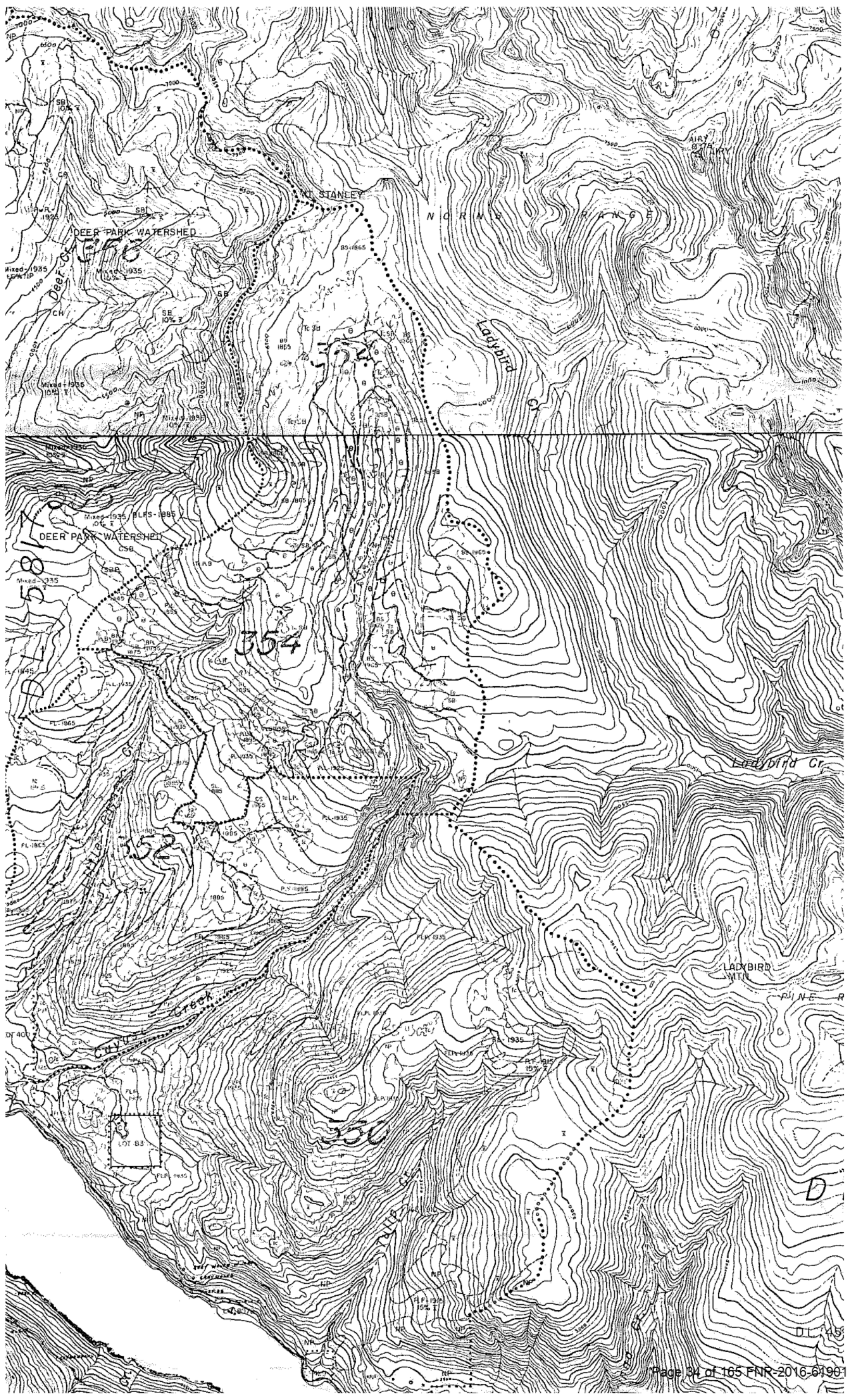
If you still wish to proceed with an exchange would you please relocate the compartment boundaries in order to provide equivalent volumes and acreages and we will then give further consideration to your request.

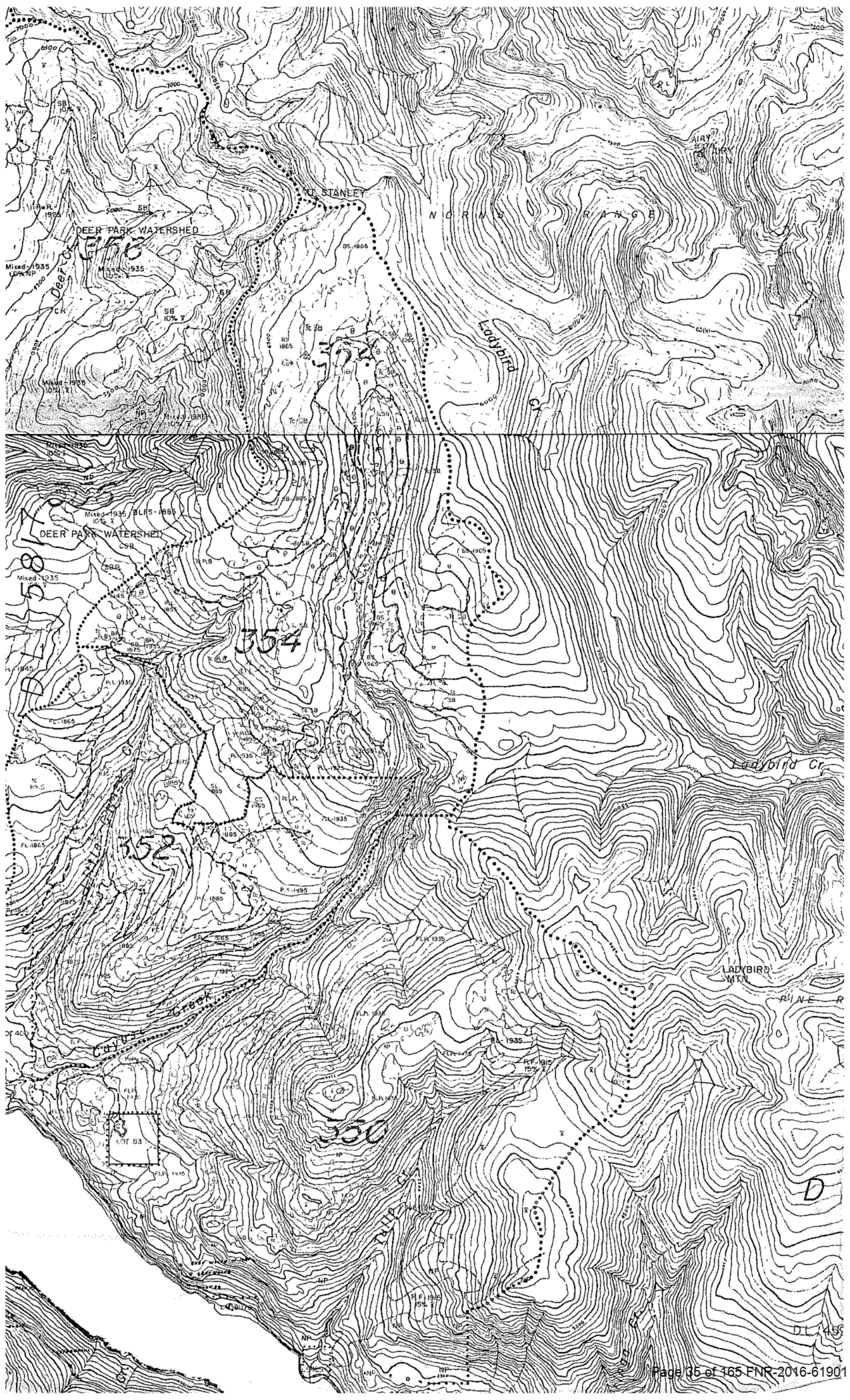
Yours truly,

L.F. Swannell
Chief Forester.

c.c. District Forester, NELSON

JBB:rp





DATE: June 14, 1971

FILE No. 0223897, 0147338,
T.F.L. #23, Sec. 11 A

SUBJECT:

Deer Creek Watershed

ATTENTION OF: Mr. W.G. Hughes

REMARKS:

On May 25, 1970, the Salmo P.S.Y.U. was amended to include the Deer Creek watershed. Over the years Columbia Cellulose has argued that although the watershed was under reserve it was within the boundaries of the T.F.L. and that if the reserve was ever lifted the area would revert to the licence. On August 2, 1957, W.G. Hughes advised the Company "Because of this prior reserve (Deer Park Watershed) the area cannot be considered a part of Forest Management Licence." Then, finally, Amendment Letter #94 for T.F.L. #23, dated January 1, 1970, ended the argument as far as the Forest Service is concerned, because it cancelled the agreement as it stood at that date and substituted "Exhibit 'A'" attached hereto including Schedules A, B, C, D, E, and F thereto and Appendix I, attached to Exhibit 'A'. Please note that Schedule 'F' excludes the Deer Creek Watershed.

On December 4, 1970, the Watershed Reserve was cancelled, and in their letters of January 29 and May 6 the Company continues to argue that the area should be included in the T.F.L. Their attention should be drawn to Amendment Letter #94 and advised once and for all that the area is not in the licence.

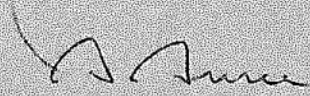
Nevertheless, the watershed is isolated from the rest of the Salmo P.S.Y.U., being surrounded by the T.F.L. The question therefore arises as to whether there should be an exchange of lands in order to consolidate both the T.F.L. and the P.S.Y.U. It has been suggested that this can be done either by:

- 1) Including Deer Creek in the T.F.L. and deleting an equivalent area of the T.F.L. adjoining the P.S.Y.U., e.g., Tulip and Cayuse Creeks, or
- 2) Including Deer Creek in the T.F.L. in exchange for a part of the licence near Revelstoke to be made available to Downie Street Sawmills Ltd.

- 1) The third band distribution has been completed for the Salmo P.S.Y.U. Except for Kalesnikoff, who will receive 100% of his stated needs, no operator will get more than 66% of what he needs for a two shift mill operation.
- 2) No distribution of the third band has been made in the Arrowhead yet because none of the licensees are operating to C.U. standards. Nevertheless, if a distribution were made, Downie St. Sawmills (including Farwell Construction Co.), with an A.A.C. of 1,085 M.c.f., would get a one third increase of 362 M.c.f. and a tentative third band increase of 1,443 M.c.f. for a total increase of 1,805 M.c.f. The allowable cut on special sale X98731 is 670 M.c.f. and a one third increase would give a cut of 893 M.c.f. Thus the possible increase in cut for the Company's Arrowhead operation is twice the allowable cut on the special sale.

Taking the above facts into consideration, we see no justification for making further timber in T.F.L. #23 available to Downie Street and recommend Alternative #1.

If you are in agreement, we will prepare a letter advising Columbia Cellulose and we will request Inventory Division to prepare volume summaries for Cayuse and Tulip Creeks. We have a summary for Deer Creek.


J.B. Bruce,
Forester 2 i/c,
Planning Section,
Management Division.

JBB:lh



CANADIAN CELLULOSE COMPANY, LIMITED

A SUBSIDIARY OF COLUMBIA CELLULOSE COMPANY, LIMITED

1111 WEST HASTINGS STREET
VANCOUVER 110, B.C., CANADA
TELEPHONE: (604) 685-2452
TELEX: 04-53-277
TWX: 610-922-6448-9

File: 629.1 (23)

May 26, 1971.

The Chief Forester,
British Columbia Forest Service,
Parliament Buildings,
Victoria, B.C.

Attn: Mr. J. Bruce, R.P.F.,
Planning Division

Re: Deer Creek, T.F.L. # 23

DEPT. OF LANDS FORESTS
AND WATER RESOURCES
FOREST SERVICE

MAY 31 1971

MAIL ROOM
VICTORIA, B. C.

Dear Sir:

As requested in your phone call of 26 May,
enclosed you will find T.F.L. # 23 inventory figures for the Deer
Creek drainage and hope that these are of assistance.

We trust that now the reserve is no longer
in effect the formalization of the return of this area to the Tree
Farm Licence can soon be completed.

Yours Sincerely,
COLUMBIA CELLULOSE COMPANY, LIMITED

H.W.F. Bunce,
Staff Forester.

HWFB:jc
Attach.

fcc: Mr. C. Joergensen

FROM T.F.L. # 23 Inventory Cruise.

1% intensity 1952 - revised for Working Plan purposes 1970.

DEER CREEK DRAINAGE

AREA

Mature T.c	2,757 acres
Immature - tc	
Age Class 1855	112 acres
1885	5,288 acres
1895	67 acres
1925	1,161 acres
1935	<u>4,746 acres</u>
<u>TOTAL tc.</u>	<u>11,374 acres</u>

Productive Total	14,131 acres
Now Productive	2,454 acres
Scrub- non merchantable	2,895 acres
<u>GRAND TOTAL AREA</u>	<u>19,480 acres</u>

VOLUME

Mature only - C.U. 6" top, 12" stump 7'1" dbh + (Cunits)	
Species - Hemlock	22,829
Cedar	5,543
Spruce	36,514
Balsam	17,743
White Pine	4,782
Douglas fir	3,735
Larch	4,247
Lodgepole Pine	<u>29,084</u>
<u>TOTAL</u>	<u>124,477 cunits</u>

Chief Forester
Atty. J.B. Burrows

c.c. to D.F., Nelson.



CF
at John Burr Hough

From this file note
it would appear the CF
realizes the is is not
within TFL 23 but is
willing to get a proposition
from Celgar Hough
May 31/71

August 24, 1966.

File: T.F.L. 23, Sec. 9

FILE NOTE

DEPT. OF LANDS FORESTS
AND WATER RESOURCES
FOREST SERVICE

JUN 2 1971

Re: Deer Park Watershed Reserve

MAIL ROOM
VICTORIA, B. C.

Chris. Joergensen was in to see me to-day on
the above subject.

He agreed that the Deer Park watershed was not
in the T.F.L. but felt that if and when the timber on it was
available it should be included, as it was topographically a
part of the T.F.L. He understood that the Community of Deer
Park was being bought out completely by B.C. Hydro and that the
watershed reserve could then be cancelled.

I told him that as far as we were concerned we
felt that the Salmo S.Y.U. needed the timber values of the
reserve more than the T.F.L. did but that we could discuss the
matter and possibly a swap could be arranged. He did not agree
to the latter idea.

He is to write me in the near future proposing
that if and when the reserve is cancelled it be then included
in the T.F.L. He had some arguments that this should happen
legally under the provisions of Section 5 of the T.F.L. document.
I told him I felt this was very weak legally. He would also ask
us to make inquiries of the Water Resources Branch to see if the
reserve could be cancelled due to the relocation of the community.

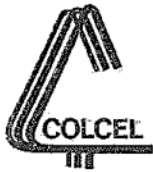
The purpose of Celgar's letter would be purely to
put their interest on file. They were left under no doubt that
the Forest Service felt that they needed the resources, or their
equivalent, to add to the S.Y.U.

Previous correspondence dealing with Celgar's
contention that the watershed was already part of the T.F.L.
can be found on the following files:

- T.F.L. 23, Section 5, p. 1904. Letter of February 9, 1960,
from C. Dunham.
- T.F.L. 23, Section 6. Green Sheet of February 14, 1961, signed
by I.R. Burrows.
- T.F.L. 23, Section 7. Memo. dated November 5, 1962, to J.S.
Stokes from H.M. Pogue.

L. F. Swannell
Chief Forester

and A-



COLUMBIA CELLULOSE COMPANY, LIMITED

1111 WEST HASTINGS STREET, VANCOUVER 110, B.C., CANADA, TEL: (604) 685-2452

3 Bunce

File: 629.1(23)

May 6th 1971.

The Chief Forester,
British Columbia Forest Service,
Parliament Buildings,
Victoria, B.C.

DEPT. OF LANDS FORESTS
AND WATER RESOURCES
FOREST SERVICE

MAY 11 1971

Re: T.F.L. # 23 Deer Creek Watershed

MAIL ROOM
VICTORIA, B. C.

Dear Sir:

Further to our letter of January 29, 1971, we would appreciate to know our position in respect to the request we made to have the Deer Creek Watershed returned in Tree Farm Licence # 23. In view of the fact that it was originally within T.F.L. # 23 but was subsequently put under reserve for possible watershed use, which use is not now relevant, we feel that the watershed was and is logically a part of T.F.L. # 23. We trust that you are of the same opinion and that we may anticipate its return to the T.F.L. soon.

Yours sincerely,
COLUMBIA CELLULOSE COMPANY, LIMITED

H.W.F. Bunce,
Staff Forester.

HWFB: jc

Nelson

December 17

70

T.F.L. #23

Watershed Deer Creek

Canadian Cellulose Company Limited
Box 1000
Nakusp, B.C.

Attention: W.R. Thorp, R.P.F.


Dear Sir:

Please refer to Mr. Bancroft's letter of November 17, 1970 concerning the Deer Creek Watershed. We have been advised that the Order-in-Council establishing this watershed has been cancelled and disposition of the area can now proceed.

If you have any proposals concerning the area we must advise that you should forward them to this office prior to February 18, 1971. If a trade is proposed the land to be traded from Tree Farm Licence #23 must be adjacent to the Salmo Public Sustained Yield Unit. If we have not received your submission by that date we will make representation to our Victoria office to dispose of the area without reference to T.F.L. #23.

We trust you will forward your submission shortly.

Yours truly,


J.P. Johnston, R.P.F.
District Forester

WSH/lis

c.c. C.F. Your files 01A7338, 0272566, A02150, T.F.L. #23
Copies for A02150 and Salmo PSYU

c.c. R.D. 11

Handwritten initials

FILE..0.177.338..

THE ATTACHED GAZETTE NOTICE REFERS TO ORDER-IN-COUNCIL

NO. 4034 APPROVED 4-12-70

ENTERED IN RESERVE BOOK IN VAULT BY [Signature]

DATE 21-12-70

NOTICE OF CANCELLATION
OF RESERVE

NOTICE is hereby given that, pursuant to Order in Council 4034, approved December 4, 1970, the reserve established pursuant to Order in Council 2517, approved October 21, 1957, for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park, situated on Lower Arrow Lake, Kootenay District, is cancelled.

D. BORTHWICK,

Deputy Minister of Lands.

*Department of Lands, Forests,
and Water Resources,
Victoria, British Columbia,
December 9, 1970.*

Files 0282388, 0147338. de17-1244

December 14, 1970

RAYNES, 087234, A02150,
T.F.L. #23
H Watershed Deer Creek,
H P.O.P.H. Salvo,
H T.F.L. #23 Sup., A02150

ATTENTION: Management

O.I.C. #4031, approved December 1, 1970, cancels
O.I.C. #2117, approved October 1, 1967, establishing the
Deer Creek watershed reserve.

Your letter of November 17th indicates that you
are discussing a trade of the area with T.F.L. #23. We
will therefore await your recommendations regarding disposal
of the area or the timber thereon.

Though the reserve has been cancelled, harvesting
in this watershed should be planned to protect watershed
values.

E.T.B.
C. E. Bennett,
Forester,
Management Division.

cm/1h

*B.C.A. January 15/71
March 1/71
April 5/71.*

NOTICE OF CANCELLATION OF RESERVE

Notice is hereby given that pursuant to Order-in-Council No. 4634 approved December 4, 1970, the reserve established pursuant to Order-in-Council No. 2517 approved October 21st, 1957, for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park situated on Lower Arrow Lake, Kootenay District, is cancelled.

B. MONTGOMERY
Deputy Minister of Lands

Department of Lands, Forests, and Water Resources
Victoria, B.C.

December 9, 1970
Files: 0382306, 0147338

JJJ:cn
cc Land Commissioner, Nelson
Land Inspector, Nelson

J
4/1/70

4034.

recommend:

THAT under authority of Subsection 2 of Section 12 of the Land Act, being Chapter 17, Statutes of British Columbia, 1970, the reserves established pursuant to Order-in-Council No. 2517 approved October 21st, 1957, for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park situated on Lower Arrow Lake, Kootenay District, be cancelled.

AND TO FURTHER RECOMMEND THAT this Minute if approved, become effective upon its publication as provided in Subsection 2 of Section 11 of the Land Act.

DATED this 3rd day of December A.D. 1970.

"Ray Williston"

Minister of Lands, Forests, and Water Resources

APPROVED this 3rd day of December A.D. 1970.

"W.A.C. Bennett"

Presiding Member of the Executive Council

Files: 0117330
0202308

JES/jam

C. E. Bennett

Nelson

November 17 70

T.F.L.23 and M. Watershed
Deer Creek

DEPT. OF LANDS FORESTS
AND WATER RESOURCES
FOREST SERVICE

NOV 19 1970

MAIL ROOM
VICTORIA, B. C.

Canadian Cellulose Company Limited,
P. O. Box 1000,
Nakusp, B. C.

Attention: W. R. Thorp, R.P.F.

Dear Sir:

With reference to our discussion concerning the Deer Creek Watershed area we can advise that the possibility of a trade of land for the area was discussed at a meeting in Victoria between Mr. C. Jorgensen and the Chief Forester on August 24, 1966.

Mr. Jorgensen was to write to the Chief Forester with proposals of your Company. We are not aware of any letter he may have written.

A further meeting was held between Mr. Jorgensen and the Chief Forester on April 24, 1967 when the subject was again discussed and the attached letter dated May 1, 1967 was sent to your Vancouver office.

Yours truly,

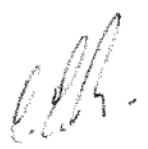


H. G. Bancroft, R.P.F.,
Forester i/c,
Management

WSH/bh

✓ c.c. Chief Forester Your files: T.F.L.23 and 0147338.

Canadian Cellulose people are raising the question of Deer Creek watershed again and locally appear interested in a trade of area but have not made any specific proposal.



B. C. FOREST SERVICE

MAY 4 1967

NELSON, B. C.

May 1, 1967.

Files: T.F.L. #23, Sec. 9B
0117338

Mr. C. Joergensen,
Columbia Cellulose Company Limited,
1111 West Hastings Street,
Vancouver 1, B.C.

Dear Sir:

In our discussion of April 24th you asked that I again look into the Deer Park watershed reserve.

This reserve was made pursuant to Order-in-Council No. 2517, dated October 18, 1957, and approved by the Lieutenant-Governor on October 21, 1957. It cancelled and replaced a previous Order-in-Council.

The Order-in-Council is under authority of Section 96, Chapter 175, R.S.B.C. 1948, being the Land Act. This Section is the same as Section 88, Chapter 206, R.S.B.C. 1960.

The B.C. Hydro has not yet finished purchasing all the land in Deer Park and may not be able to. We are reviewing the matter again in six months, at which time we will contact the Lands Service to see what the standing of the reserve is then.

Yours truly,


L. F. Swannell
Chief Forester

M E M O

Recommends that the reserve established pursuant to Order-in-Council No. 2517 approved October 21st, 1957, covering certain lands situated in the vicinity of Deer Park on Lower Arrow Lake, Kootenay District, for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park be cancelled.

The Comptroller of Water Rights has been contacted and has recommended the cancellation of this reserve.

WRR
G.A.

17/12/70

NOTE.—See reverse side for instructions—Preparation of Distribution Sheet and Order in Council.

NOTE.—This form must be typewritten.

SUBJECT MATTER
(Quote Statute and summarize.)

“ Subsection 2 of Section 11 of the ”
(Statute.)

Land Act, being Chapter 17, Statutes of British Columbia, 1970

(Summary.)

Cancellation of Deer Creek watershed reserve.

DISTRIBUTION FORM—ORDERS IN COUNCIL

Complete (a), (b), and (c). Form MUST be signed.

(a) ORDINARY COPIES

(Complete address to be given, i.e., name, street address, zone number, location.)

(Not to exceed twelve copies in each individual case.)

- (1) Copy(ies)—C. J. Ferber, Esq., Comptroller-General, Department of Finance.
(2) ” — D. Borthwick, Deputy Minister of Lands, Buildings
(4) ” — J. O. Moore, Surveyor of Taxes, Buildings
(1) ” — G. L. Brodie, Land Commissioner, P.O. Box 730, Nelson, B.C.
(1) ” — H. K. Boas, Land Inspector, Room 6, Court House, Ward Street, Nelson, B.C.
(1) ” — C. W. House, Lands Administration, Buildings
(1) ” — W. G. Hughes, c/o Management Division, B. C. Forest Service, Buildings

(b) CERTIFIED COPIES

(Complete address to be given, i.e., name, street address, zone number, location.)

(Type “ Nil ” if none required.)

- () Copy(ies)— Nil
() ” —
() ” —
() ” —
() ” —
() ” —
() ” —

(c) GAZETTE REFERENCE

(Complete and sign.)

To be gazetted by Lends (Department or Branch.) [X]

Not to be gazetted []

To be gazetted by the Registrar of Regulations pursuant to the Regulations Act []

PLEASE MARK AN “ X ” IN THE SPACE PROVIDED.

Dated Dec 1, 1970 (Signature) [Signature] (Must be signed.)

(The following is for use of the Department of the Provincial Secretary only.)

Ordinary copy(ies) sent Certified copy(ies) sent
Notified Ottawa notified
Civil Service Commission notified

Gazette Particulars

Table with 4 columns: Part I, Date, Page, Part II. Rows include Order in Council gazetted, Appointment gazetted, Rescission gazetted, and B.C. Reg. / Date / Page.

Order in Council No. _____

INSTRUCTIONS

PREPARATION OF DISTRIBUTION SHEET AND ORDER IN COUNCIL

1. Requests for ordinary copies NOT to exceed twelve copies for an individual office. Anything above this amount must be handled within the Department concerned. No additional copies will be supplied after the initial distribution; if extra copies are required, Departments MUST make their own from the copies originally provided.
2. Complete addresses to be given in the distribution sheet for ordinary and certified copies, i.e., name, street address, zone number, location. (See sample below.)
3. Gazette reference to be completed—an "X" to be made in the appropriate square.
4. Distribution sheet to be signed and dated by Departmental official concerned.
5. One copy only of the distribution sheet to accompany Order in Council.
6. Distribution sheet to be stapled to the back of the Order in Council, NOT on the front. The front of the Order must be left clear with the exception only of any explanatory memorandum or note.
7. Distribution of copies will be made only in accordance with the requirements set forth in the distribution sheet. Departments must co-ordinate arrangements one with the other to ensure complete coverage.
8. It is unnecessary to make provision in an Order in Council for the distribution of certified copies. The requirements for certified copies should be included on the distribution sheet.
9. Orders in Council exceeding single page must be properly assembled in the following order: First page (original), second page (original), etc., etc. (original), with ditto sheets in same order, i.e., originals together, dittos together.
10. If an Order is to be numbered in a particular sequence, please attach a note to this effect.
11. The numerals of the year to be typed in the Order in Council when it is prepared, e.g. dated this day of , A.D. 1969.
12. It is important the protective sheet be reinserted after the Order is typed.
13. Refer to *Regulations Act* and regulations thereunder when preparing orders requiring regulations. Rules should be strictly followed.
14. In the preparation of Orders in Council requiring more than one page, the last page must contain at least three lines of the body of the Order in Council.

SAMPLE DISTRIBUTION SHEET (Referred to in Instruction No. 2.)

Ordinary Copies

- (1) Copy(ies)—C. J. Ferber, Comptroller-General, Department of Finance.
- (1) „ —J. E. Brown, Deputy Minister of Municipal Affairs.
- (2) „ —S. M. Carling, Land Commissioner, Courthouse, 1600 Third Avenue, Prince George, British Columbia.
- (1) „ —R. W. Brown, Land Inspector, Box 309, Pouce Coupe, British Columbia.
- (1) „ —D. Borthwick, Deputy Minister of Forests.
- (4) „ —J. O. Moore, Surveyor of Taxes.
- (1) „ —R. Thompson, City Clerk, City of Vancouver, City Hall, 453 West Twelfth Avenue, Vancouver 10, British Columbia.
- (1) „ —The Hon. D. L. Brothers, Minister of Education.
- (1) „ —V. J. Belknap, Superintendent of Child Welfare.

Certified Copies

- (1) Copy(ies)—A. A. Smith, Registrar, Land Registry Office, Courthouse, 800 West Georgia Street, Vancouver 1, British Columbia.
- (1) „ —A. A. Paine, Messrs. Paine and Dawson, Barristers and Solicitors, Standard Building, 510 West Hastings Street, Vancouver 2, British Columbia.
- (3) „ —J. W. Allan, Municipal Clerk, Corporation of the Township of Esquimalt, 1229 Esquimalt Road, Victoria, British Columbia.

MEMORANDUM

DEPT. OF LANDS FORESTS
AND WATER RESOURCES
LANDS SEROM

TO Mr. W. R. Redel,

Director of Lands,

Buildings,

NOV 23 1970

Comptroller of Water Rights,

MAIL ROOM

November 20, 1970

VICTORIA, B. C.

SUBJECT Deer Creek Watershed Reserve,
O/C 2517 - October 21, 1957.

OUR FILE 0259026C

YOUR FILE 0282388
0147338
0257675 ✓

Attention: C. W. House

In reply to your memorandum dated November 4, 1970 regarding the above mentioned reserve, this matter has been reviewed by my District Engineer and Branch personnel and we concur with the recommendation that this watershed reserve be cancelled. I would further recommend that any future reserves in this area contain a proviso that all timber cutting contracts let contain specific conditions to insure that no damage occurs to the quality of the water in Deer Creek.



H. D. DeBeck,
Comptroller of Water Rights.

MEMORANDUM

TO Director of Lands

FROM

Attn: Mr. C. W. House

Forest Management

BUILDINGS

November 26th, 1970

SUBJECT.....

0147338, 0282388

OUR FILE 0257675

YOUR FILE.....

Please refer to your memo of November 23rd, 1970. In the circumstances here, we can satisfy the requirements of the Comptroller of Water Rights through a map notation. The reserve for the Fish and Wildlife Branch will continue.

On that basis we can see no reason why the Deer Creek watershed reserve should not be cancelled and so recommended.

W. G. Hughes
i/c Management Division



1966 CENTENARY OF THE UNION OF THE COLONIES OF VANCOUVER ISLAND AND BRITISH COLUMBIA UNDER THE NAME BRITISH COLUMBIA.
1967 CENTENARY OF THE CONFEDERATION OF CANADA.

Director of Lands

Attn: Mr. C. W. House

BUILDINGS

Forest Management

November 26th, 70

0117338, 0222388 &
0257675

Please refer to your memo of November 23rd, 1970. In the circumstances here, we can satisfy the requirements of the Comptroller of Water Rights through a map notation. The reserve for the Fish and Wildlife Branch will continue.

On that basis we can see no reason why the Deer Creek watershed reserve should not be cancelled and so recommend.


W. G. Hughes
i/c Management Division


EK/gw

MEMORANDUM

TO Forester in Charge
 Management Division
 B. C. Forest Service
 BUILDINGS

FROM DIRECTOR OF LANDS
 ATTENTION C. W. House

DEPT OF LANDS
 ATTENTION
 C. W. HOUSE

November 23 19 70

SUBJECT.....

11.23.70

0147338

OUR FILE 0282388

MAIL ROOM
 VICTORIA, B. C.

YOUR FILE 0257675

ATTENTION: W. G. Hughes

Further to our memo of November 4, 1970 in connection with the water shed reserve at Deer Park, Arrow Lake, we have now received a letter dated November 20, 1970 from the Comptroller of Water Rights.

We are sending you our files and would draw your attention to the memo from the Director of Fish and Wildlife Branch dated November 18, 1970, and would appreciate any comments you may care to make at this time.



C. W. HOUSE
 for Director of Lands

CWH:cg

Forester in Charge
Management Division
B. C. Forest Service

C. W. House

BUILDINGS

November 23 70

0127338
0282388
0257675

ATTENTION: W. G. Hughes

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We are sending you our files and would draw your attention to the memo from the Director of Fish and Wildlife Branch dated November 18, 1970, and would appreciate any comments you may care to make at this time.

CWH:cg


C. W. HOUSE
for Director of Lands

FISH AND WILDLIFE BRANCH

YOUR FILE NO. 0202388
0257675
0147338MEMORANDUM

TO W. R. Redel

Director, Lands

Attention: C. W. House

FROM J. Hatter

Director

DATE November 18, 1970

DEPT. OF LANDS, FORESTS
AND WATER RESOURCES
LAND SERVICE

NOV 20 1970

MAIL ROOM
VICTORIA, B. C.

Further to our memorandum of November 2nd, we have the following comments with regard to the application to purchase timber within the Wildlife Management area on Lower Arrow Lakes.

It is the intention of the Fish and Wildlife Branch to actively manage this area for big game such as white-tailed and mule deer and elk. Present plans call for introduction of elk into this area, this coming fall. Well controlled and properly managed logging practices in this area will serve to enhance wildlife production and therefore the Fish and Wildlife Branch does not object to timber cutting within the reserve. However, the Branch requests that all cutting permits, development plans and timber sales be referred to our regional office for comment. Specific recommendations and special clauses incorporated into cutting permits can optimize wildlife production and protect fisheries habitat.



J. Hatter
Director

WAMcK:jw

cc: C. E. Stenton

MEMORANDUM

TO Mr. W. R. Redel,
Dir. of Lands,
Buildings.

FROM

Comptroller of Water Rights,November 20, 1970

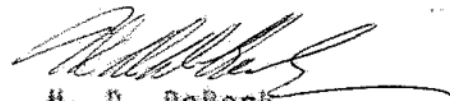
SUBJECT Deer Creek Watershed Reserve,
O/C 2517 - October 21, 1957.

OUR FILE 02590260

YOUR FILE 0282308
0147338
0257675

Attention: C. W. House

In reply to your memorandum dated November 4, 1970 regarding the above mentioned reserve, this matter has been reviewed by my District Engineer and Branch personnel and we concur with the recommendation that this watershed reserve be cancelled. I would further recommend that any future reserves in this area contain a proviso that all timber cutting contracts let contain specific conditions to insure that no damage occurs to the quality of the water in Deer Creek.


H. D. DeBeck,
Comptroller of Water Rights.

Forester in Charge
Hawaii Division
B. C. Forest Service

C. W. House

BUILDINGS

November 4

70

020358
0147330
6251675

ATTENTION: W. G. House

Reference is made to your telephone conversation of today's date with Mr. Alex Smith and to the letter of October 29, 1970 from the Chief Forester in connection with the watered reserve at Deer Park.

We are attaching a print showing the Deer Park watered which was reserved by Order-in-Council No. 8317 approved October 21, 1957 for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park.

We note that the Chief Forester sent a copy of his letter to the Comptroller of Water Rights, and we have also noted the report from the District Engineer, Water Rights Branch, Halsea, and we will require a letter from the Comptroller of Water Rights approving of the cancellation of this reserve.

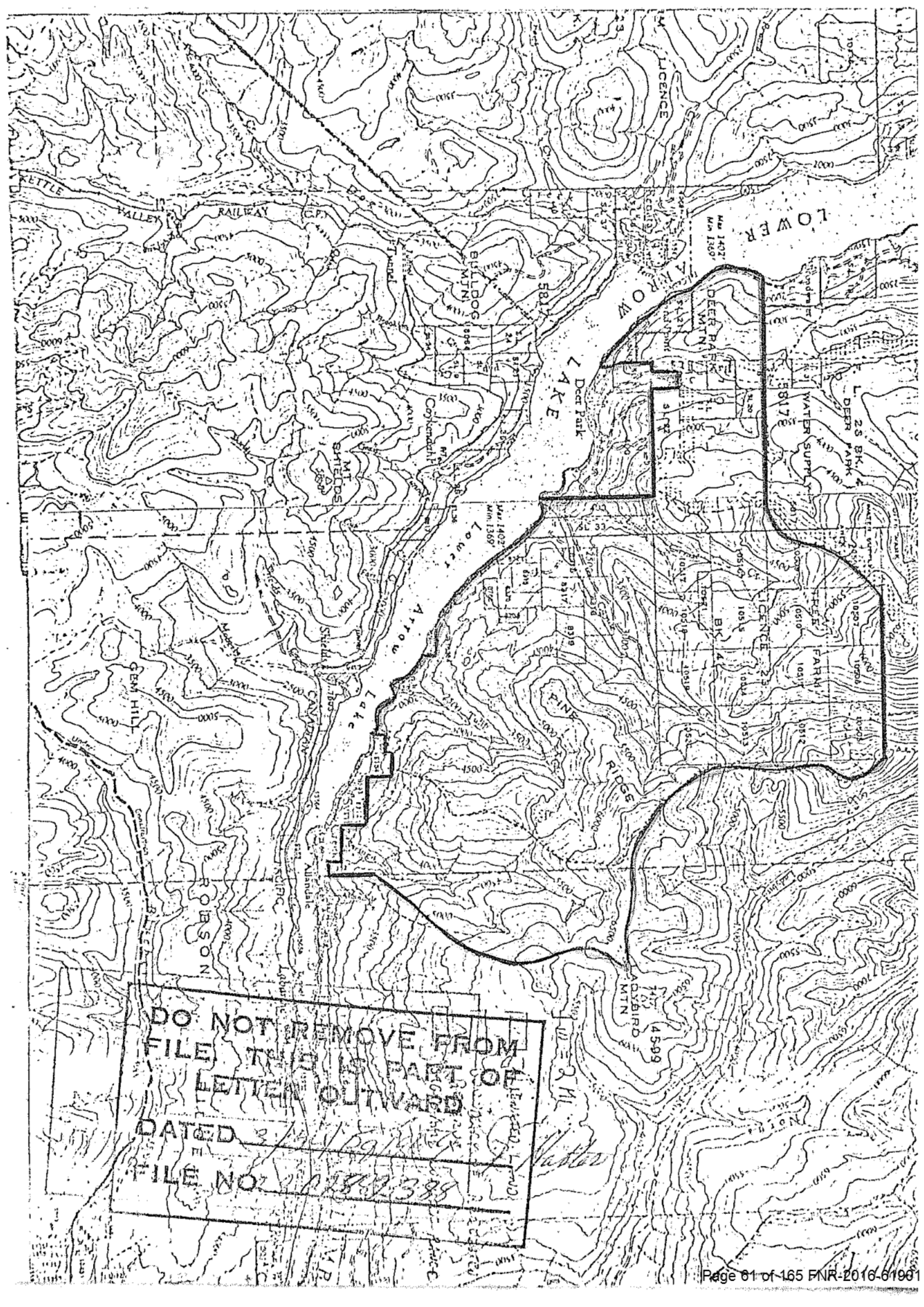
On June 5, 1969 a reserve for the Fish and Wildlife Branch of the Department of Recreation and Conservation for wildlife management purposes was established over the area outlined in red on the attached print, and as it is in conflict we have written to that Department asking for their comments.

CHW:mg
Encl.


C. W. HOUSE
For Director of Lands

C.C. - Comptroller of Water Rights, Water Resources Service, Buildings

C.W.H.



DO NOT REMOVE FROM
 FILE THIS IS PART OF
 LETTER OUTWARD OF
 DATED 3/29/1949
 FILE NO. 102880388

Director, Fish & Wild Life Branch,
Dep. of Recreation & Conservation,
Buildings.

C. W. House

October 29th,

70

0282388; 0257675;
0117338

80-09-05 X 79-04

On June 5th, 1969 an area was reserved on the Lower Arrow Lake for your Department for wild life management on our file 0282388.

On file 0257675 a memorandum dated October 13th, 1970 has been received from the Chief Forester and, as a result, we are sending you our files and would appreciate your comments.

C. W. HOUSE
for Director of Lands.

CWH:rh

letter of May 27/69 file 0282388
indicates This reserve not intended
to exclude logging. CWH

LANDS BRANCH
MEMORANDUM

00411
FILE

TO: Mr. R. P. [unclear]
SUBJECT: [unclear]

IB 10

0251675 please note
27 Oct 13-76

0147338 - Resurvey in O.H.C.
Sent All

Please note 1st June 1976
from Hyatt
your instructions from
[unclear]

The Dept. has no objection to removal of the
[unclear] in order to allow restoration of the
land reserve, a grass management reserve is still
in existence over part of the area. [unclear] 2/11/76.

Director of Lands,
Lands Office,
BUILDINGS.

Chief Forester,
Forest Management Division.

October 13, 70


0147338, 0272566

We have received an application to purchase timber within the Deer Creek Watershed Reserve in the vicinity of Deer Park on Lower Arrow Lake, within the Salmo P.S.Y.U.

In view of the flooding of Lower Arrow Lake, much of the property previously served by water licences within this watershed has been purchased by B.C. Hydro, and we assume that this has reduced the necessity for this reserve. We therefore request that consideration be given to cancellation of the reserve.

Since B.C. Hydro advise that there will be land available above the flood level for a future settlement at Deer Park, it will be recognized that any timber harvesting permitted in this watershed will have to be planned to avoid damage to watershed values.

You will note that personnel of the Water Resources Service are aware of this request and have a field report on which to base comments.


L.F. Swannell, R.P.F.,
Chief Forester.

2.7.70

c.c. Comptroller of Water Rights

c.c. District Forester, NELSON - Attention: Management,
Files: M. Watershed - Deer Creek and M. P.S.Y.U. Salmo

P.C. November 4th
initials

GOVERNMENT OF BRITISH COLUMBIA
WATER RESOURCES SERVICE

MEMORANDUM

TO: Controller of Water Rights
Parliament Bldgs.
Victoria, B.C.

FROM: District Engineer
Water Rights Branch
Nelson, B.C.

Sept. 30, 1970

SUBJECT Re: Deer Creek Watershed Reserve
O/C 27, January 10, 1956

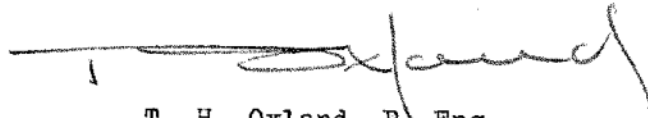
YOUR FILE(S) 0147338
OUR FILE (Land Service)

Regarding your memo of June 14, 1968, we completed a water use survey on Deer Creek on Aug. 20, 1970. The results of this survey are shown in the memo attached. Only six of the twenty-three licences, in force on the creek, are being used and plans for future use of the remaining licences are vague.

In view of the use being made on the creek at the present time, and, considering the request by the Forest Service to lift this the reserves so that forest resources may be developed, I would recommend that the watershed reserve on Deer Creek be abandoned.

If this recommendation is accepted, I would further recommend that the Forest Service be required to include, in any timber cutting contracts, specific conditions to protect the water quality in Deer Creek.

Yours truly,



T. H. Oxland, P. Eng.
District Engineer

THO:bag



DEPARTMENT OF RECREATION AND CONSERVATION
FISH AND WILDLIFE BRANCH

MEMORANDUM

TO W. R. Adel
Director of Lands

FROM J. Hatter
Director

DEPT. OF LANDS, FORESTS
AND WATER RESOURCES
LANDS SERVICE

Attention: C. W. House

DATE November 2, 1970 FILE No. 79-04

(Granbrook)

NOV 3 1970

Your file nos: 0282388
0257675
0147338

MAIL ROOM
VICTORIA, B. C.

Reference is made to your memorandum of October 29th regarding an application to purchase timber within our wildlife management reserve on Lower Arrow Lake. We have referred copies of your memorandum and that of the Chief Forester to our regional office for comment and will reply more conclusively when we have this.

Your files 0257675 and 0282388 are returned herewith.


J. Hatter
Director

WAMcK: jw

cc: C. E. Stenton

Sept. 29, 1970

Memo to File

Water Use Study - Deer Creek

On August 20, 1970 a field inspection was made of the use of water and the condition of the works authorized under all the Deer Creek licences.

The attached table is a summary of our field investigation. The reference map is W.R. 5127 A-2.

Mr. Mottershead, the major licensee in the area was away s.22
s.22 so we were not able to discuss his future plans with him. Most of
the information was obtained from s.22 a resident of the area for
s.22

Some of the active licences require amendments and a few of the conditional licences could be cancelled. Individual reports on these licences will be prepared at a later date.

Yours truly,

T. H. Oxland, P. Eng.
District Engineer



per D. W. Roberts, P. Eng.

DWR:bag

Licence	Victoria File	Local File	Name	Dominant Land	Remarks
#16 F. 7611	0265543		500 g.p.d.	3.67 ac. pcl. situated in the S.E. corner of D.L. 385	House has been destroyed. Property not occupied.
#17 F. 12438	0242057		1000 g.p.d.	L's 1 and 2 of D.L. 385 Kty. Dist. Plan 877	All of dominant land below the flood line. Licence should probably be in B.C. Hydro name.
#18 F. 6843	060757		2 ac.ft.+(500 g.p.d.)	L. 39 of D.L. 400 Kty. Dist. Plan 656A	Property not occupied. Intake works in creek temporarily destroyed. Was used last year by another licensee.
#19 F. 10740	08393		0.94 ac.ft.+(500 g.p.d.)	L. 11 of D.L. 400 Kty. Dist. Plan 910	Property not occupied.
#20 10739	08393		5.05 ac.ft.+(500 g.p.d.)	L. 39 of D.L. 400 Kty. Dist. Plan 656A	Property not occupied, probably should be in B.C. Hydro's name. Intake works destroyed. Coleman may buy back part of land.
#21 F. 1074	08393		250 g.p.d.	Pcl.A (D.D. 18256I) of L. 39 of D.L. 400 Kty. Dist. Pl. 656A	Property not occupied. Property may be owned by B.C. Hydro.
#22 F. 11139	059703 060629		3.5 ac.ft.+(500 g.p.d.)	W. half of L.40 of D.L. 400 Kty. Dist. Pl. 656A	Property not occupied. Lower intakes destroyed. Property may be owned by B.C. Hydro.
#23 F. 4141	0265301		36 ac.ft.	S.L.'s 5 to 87 of D.L. 385 Kty. Dist. Plan 877	About 1/3 of irr. area below flood line old flume beyond repair, replaced with 14" plastic pipe using about 12-15 ac.ft. Orchard not kept up.

LICENCE	VICTORIA FILE	LOGAL FILE	NAME	QUANTITY	DOMINANT LAND	REMARKS
#8 F 15051	0130993	2716	Mrs. Mildred Oswald	0.88 ac. ft.	Lot 14 of D.L. 400, Kty. Dist., Plan 910.	Property above flood line. No buildings on the property. No intake works in the creek.
#9 F 9321	0106086	2075	B.C. Hydro & Power Authority	3.75 ac. ft.	Lot 57 of D.L. 400, Kty. Dist., Plan 656 A.	Property above flood line but not occupied. Intake works in creek temporarily out of order but was used last year by another licensee.
#10 F 16135	067907	1502	B.C. Hydro & Power Authority	2.75 ac. ft.	The northerly 334 ft. of Pcl. 5, D.D. 27380I, Kty. Dist., of Blk. C of D.L. 400.	All of the dominant land is below the flood line. Intake works destroyed.
#11 F 6847	064330	1411	Pat Romaine	6.0 ac. ft. + 500 g.p.d.	Lot 58 of D.L. 400, Kty. Dist., Plan 656 A.	Property not occupied at time of inspection but was occupied last year and water was used.
#12 F 6842	060415	1364	B.C. Hydro & Power Authority	3.0 ac. ft.	East half of Blk. 40 of D.L. 400, Kty. Dist., Plan 656 A.	Property not occupied. Intake works in creek temporarily destroyed, used last year by another licensee.
#13 F 4710	051756	1201	Harry Mottershead	500 g.p.d.	S.L. 86 of D.L. 385, Kty. Dist., Plan 877.	s.22 to validate new P.O.D. C/W required
#14 F 4706	015029	698	Eng. Services Div. B.C. Forest Service	500 g.p.d.	Lot 3 of D.L. 400, Kty. Dist., Plan 910.	Majority of dominant land below flood line. Intake works in creek destroyed.
#15 F 6833	04900	481	B.C. Hydro & Power Authority	4 ac. ft. + (500 g.p.d.)	Lot 41 of D.L. 400 Kty. Dist., Plan 656 A.	Property not occupied. Houses and intake works in creek destroyed.

Licence	Victoria File	Local File	Name	Quantity	Dominant Land	Remarks
#1 F. 17806	0227949	4832	Eng. Services Div. B.C. Forest Service	500 g.p.d. (Domestic stockwatering)	That part of Blk. 1 of D.L. 400 Pl. 2236, Kty. Dist. shown on Ex. Pl. 84275I	Small cabin on property. Believed water is piped to it. Not occupied on date of inspection used as a temporary summer bunk- house.
#2 F. 17803	0220784	4829	B.C. Hydro and Power Authority	500 g.p.d.	That part of Blk. B of D.L. 400 Kty. Dist. Pl. 656A shown on Ex. Pl. 38102I except part shown on Ref. Plan 101718I	Water being used in a house on the property. B.C. Hydro is renting the house to a local citizen.
#3 C. 26496	0203737	4242	Harry Mottershead	10,000 g.p.d. Waterworks	Blk.3 Blk.4 except the easterly 100 ft. and Blk. 5 of L's 385 & 400 Kty. Dist. Plan 2236	Dominant land all below the flood line. No evidence that the works were ever constructed. Not known what plans Mottershead has for this licence.
#4 C. 22216	0203909	4223	B.C. Hydro and Power Authority	1.0 ac.ft.+500 g.p.d.	L.6 of D.L. 400 Kty. Dist. Plan 910	Majority of dominant land be- low flood line. No intake works in the creek.
#5 C. 22218	0203820	4225	Harry Mottershead	1.0 ac.ft.+500 g.p.d.	L.2 of D.L.400 Kty. Dist. Plan 2236	All of the dominant land be- low flood line. No intake works in the creek.
#6 F. 15928	044318	3120	Eng. Services Div. Forest Service	2.5 ac. ft.	That part of Blk. 1 of D.L. 400 Kty. Dist. Plan 2236 shown on Ex. Plan 84275I	Licence is not being exercised at the present time.
#7 F. 15927	044318	3120	Harry Mottershead	10.3 ac.ft.+ 1000 g.p.d.	Blk.1 except Ex. Plan 84275I, and Blk.5 of D.L. 400 Kty. Dist. Pl. 2236	One house below the flood line, Mottershead is living in the upper house. Not home on date of inspection.

MEMORANDUM

DEPT. OF LANDS FORESTS
AND WATER RESOURCES FROM DISTRICT FORESTER
FOREST SERVICE

TO Chief Forester

Nelson, B.C.

Parliament Buildings

AUG 24 1970

August 18th, 1970

Victoria, B.C.

MAIL ROOM
VICTORIA, B.C.

YOUR FILE: 0147338, 0272566

REFER TO YOURS OF

MY FILE: M. P.S.Y.U., Salmo

H. Watershed - Deer Creek

Attention: Mr. C.E. Bennett,
Management Division

Reference your memorandum August 10th, 1970 concerning the Deer Creek Watershed.

We have contacted Mr. Tom Oxland, District Water Rights Engineer in Nelson on this matter and he feels that the water users still in the area that called for the reserve in the first place should be consulted. In this regard he plans a field trip to the area around the first of September, following which he will give us a letter expressing his views on the advisability of a sale in the watershed.

As a result of the above you can expect to be advised on this matter about September 15th.



N. R. Wright,
Forester

NRW/lb



NEILSON

August 10, 1970

0117330, 0272566

N Watershed - Deer Creek
N P.S.Y.U. Salmu

ATTENTION: Management

There are currently no water licences in good standing in the Deer Creek Watershed but the O.I.C. creating this reserve seems to make it fairly tight, though the water engineers could not see any necessity for the reserve in 1945.

Will you please therefore consult the District Engineer of the Water Resources Service as indicated by Section 2.17 of the Management Manual. If his reply is favorable, we will discuss the reserve with the Director of Lands, as it may now be possible to have it cancelled.

We attach copies of letter dated June 30th from B.C. Hydro, which indicates that there could be further settlement at Deer Park. Therefore, since so much attention has been focused on this watershed, any logging should be planned to avoid damage to watershed and aesthetic values.

C. E. Bennett,
Forester,
Management Division.

CEB/1h

Attach.

Oct. 5th
Sept. 9th
Nov. 21st
December 15th

MEMORANDUM

TO Director of Lands,
Land Service,
BUILDINGS.

FROM Chief Forester,
Forest Management Division.

July 27, 1970

SUBJECT.....

OUR FILE 0147338, 0272566

YOUR FILE.....

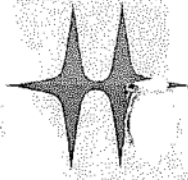
On the attached file, 0147338, you will note by memo note of May 12, 1970 that there are currently no individual water licences in the Deer Creek watershed, and the British Columbia Hydro and Power Authority letter of June 30, 1970 indicates that there are no plans for resettlement in this area. In reviewing the file, we further note by letters of June 10 and June 15, 1948 that there does not appear to be any particular need for a total reserve of this watershed from all activities.

We don't have specific information on the timber in this watershed, though there is an indication that it may not yet be mature. However, we would like to consider an application for a timber sale harvesting licence which extends into the watershed. It appears from information in the Hydro letter that a further demand may develop for the water in Deer Creek and any logging in the watershed would therefore have to be carefully planned.

Will you please advise whether the reserve on this watershed is intended to prevent harvest of the timber on a planned basis.

L. F. Swannell, R.P.F.,
Chief Forester.

c.c. District Forester, NELSON. Salmo and Deer Creek files.
Attention: Management.



BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

Box 580,
Nakusp, B.C.

June 30, 1970

File: ~~0229802~~
0147335

B.C. Forest Service,
Management Division,
Parliament Buildings,
Victoria, B.C.

DEPT. OF LANDS FORESTS
AND WATER RESOURCES
FOREST SERVICE

Attention: Mr. W. G. Hughes

JUL 2 1970

Dear Sir:

Re: Arrow Reservoir
Deer Park

MAIL ROOM
VICTORIA, B. C.

In reply to your letter of June 17, 1970 please be advised that the B.C. Hydro and Power Authority has no plans for re-settlement of the subject area. There are several private property owners still living in Deer Park and it is likely that there will be an increased number over the next few years.

The B.C. Hydro is discussing arrangements with the Parks Branch to make available property in Deer Park suitable for creation of a public park. It would appear advisable to protect the watershed values in view of the potential growth of population and land use in the area.

Yours very truly,
Charles W. Watson
Charles W. Watson
Land Supervisor.

CWW:fd

c.c. R.W. Gross

R.W. Gross

June 17, 1978

File: 027200,
014700

B.C. Hydro & Power Authority,
970 Burrard Street,
Vancouver 1, British Columbia.

Dear Sirs:

We have received an application for a timber sale harvesting license which includes the Deer Creek watershed near Deer Park on Lower Arrow Lake. We understand that there may have been plans to use land in part of this drainage for resettlement of persons displaced by flooding. Hence, before dealing with the application, we would like to know whether there has been any decision concerning resettlement in the area and what land will be involved. We would also like to know the number of families involved in the proposal, as this would affect watershed values.

If logging is approved in this watershed, there would be a requirement that it be planned to avoid undue damage to watershed values.


W. C. Hughes,
Forester i/c
Management Division.


GEB/ln

c.c. District Forester, NELSON. Attention: Management

B.C. to July 15th.
noted l.h.

Forest Service Training School,
9300 140th Street,
NORTH SURREY, BRITISH COLUMBIA.


Forest Inventory Division, Victoria,
June 9, 70.

0134219-S.C.#180

Attention: Mr. L.W. Lehrle

0147338

The attached key map is forwarded for your information
and records.


E.L. Young,
Forester i/c,
Forest Inventory Division.

JEM:ls

Attach.

DISTRIBUTION LIST

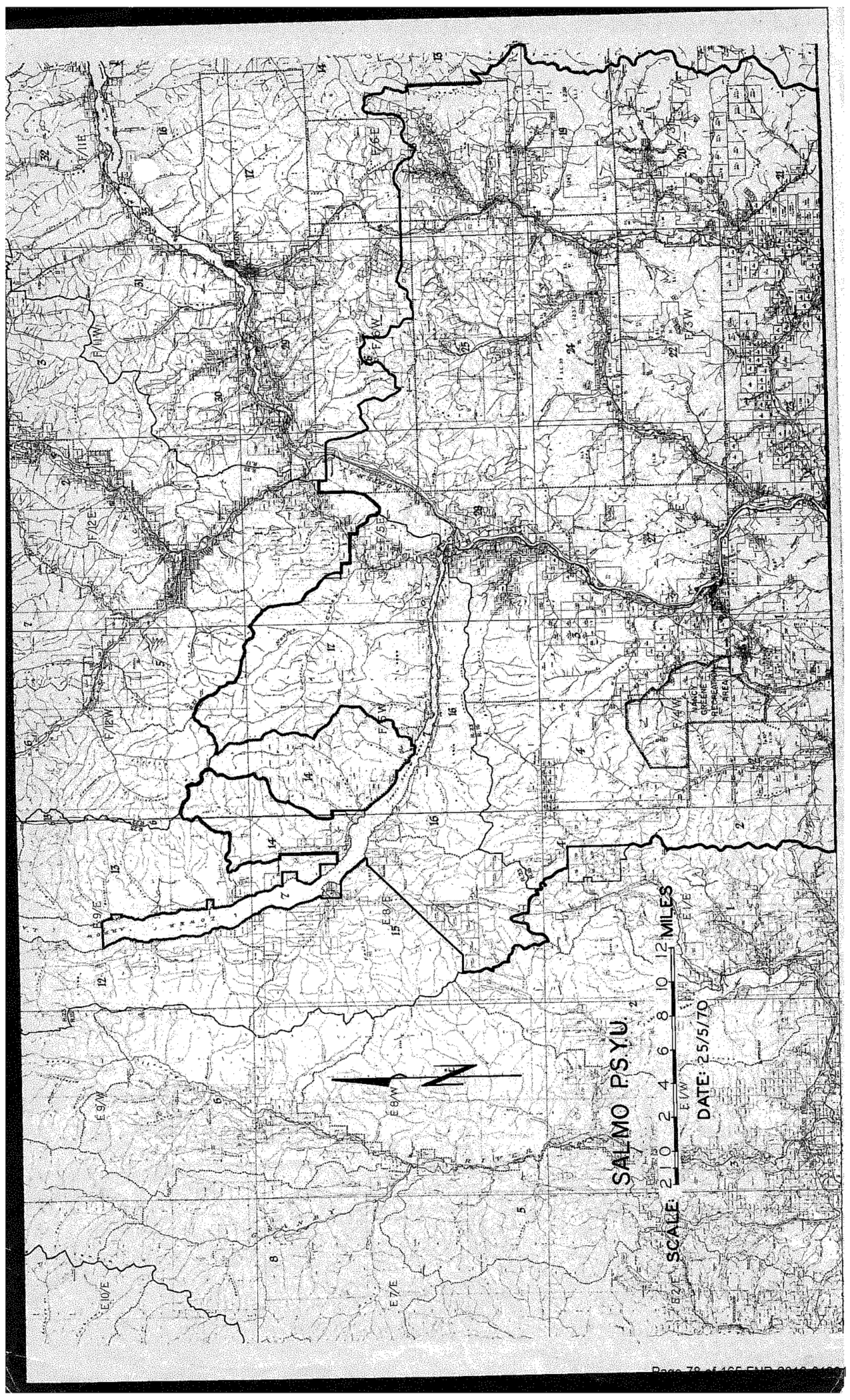
File: 0147338
0134219 - S.C.# 180
0272566

*Ditto Co

SALMO P.S.Y.U. KEY MAP

June 11/70

DISTRIBUTION		O. I. C.	KEY MAP	CONTRACTS	BLUE SHEETS
<u>FOREST SERVICE</u>					
	Deputy Minister of Forests - no memo - Map Folia and Contract File		1	1	
	<u>UNIT FILE</u> (1 copy for each unit involved)	1*	1 ✓	1	
<u>MANAGEMENT DIVISION</u>					
	Forester i/c, Mr. W.G. Hughes	1*			1
	Mr. H.N. Marshall (Prov.For.only)	1			
	Mr. D. Selkirk	1	1 ✓		
	Mr. C.P. Axhorn	1*			
Atlas	Mrs. R. Phillips	1*	1 ✓		1
Draughting	Mr. R.O. Noakes	1*	1 ✓		
	Mr. R. McLaren (Prov.For.only)	1			
	Mr. C. Shergold (Prov.For.only)	1			
	Mr. D. Glew		1 ✓		
<u>PLANNING</u>	Mr. C.E. Bennett	1	1 ✓		1
<u>GRAZING DIVISION</u>					
	Director, Mr. W.C. Pendray (Prov.For.only)	1			
<u>INVENTORY DIVISION</u>					
	Mr. C.J. Calder		1 ✓		
	Mr. C.J.T. Rhodes	Prov.For.	1 ✓		
	Mr. M.W. Bradshaw		1 ✓		
	Mr. D. Fligg (P.S.Y.U. only)		1 ✓		
<u>PROTECTION DIVISION</u>					
	Forester i/c, Mr. W.C. Phillips	1			
	Mr. E.A. Moyes		1 ✓		
<u>REFORESTATION DIVISION</u>					
	Forester i/c, Mr. E.W. Robinson	1			
	Mr. D. Wallinger		1 ✓		
<u>ENGINEERING SERVICES DIVISION</u>					
	Forester i/c, Mr. P.J.J. Hemphill	1			
	Mr. H. Waelti		1 ✓		
<u>RESEARCH DIVISION</u>					
	Forester i/c, Mr. R.H. Spilsbury		1 ✓		
<u>PUBLIC INFORMATION AND EDUCATION DIVISION</u>					
	Director, Mr. E.H. Lyons		1 ✓		
<u>FOREST ACCOUNTS</u>					
	Mr. G. Holyhead				1
297	<u>DISTRICT FORESTER</u> <u>NELSON</u>	1* 10	21	11	
M	Forest Service Training School, Forester i/c Mr. L.W. Lehrle	1	1 ✓	1	
<u>LANDS SERVICE</u>					
M	Director of Lands, Mr. W.R. Redel	1* ✓			1
M	Director of Surveys & Mapping				
M	Geographic Division, Chief, Mr. W.R. Young	1*	1 ✓		
	Mr. A. Gosse	Prov.For.			
	Mr. L. Hooper (Prov.For.only)		1		
M	Legal Surveys Division, Chief, Mr. D. Pearmain	1*	1 ✓		1
M	Land Commissioner of Area Involved - NELSON	1*	1 ✓		
<u>OTHER DEPARTMENTS</u>					
M	Deputy Minister of Mines & Petroleum Resources	1	1 ✓		
M	Parks Branch, Director, Mr. R.H. Ahrens	1	1 ✓		
L	MacMillan Bloedel Limited, Mr. B.A. Rhuman (P.S.Y.U. only)		1 ✓		
L	P.H.A. Licensee	Prov.For.			
L	U.B.C. Library			P.H.A.	
<u>OTHER</u>					



SALMO PS YU

SCALE: 2 10 2 4 6 8 10 12 MILES

DATE: 25/5/70

E 10/E E 9/W E 8/E E 7/E E 6/W E 5/E



PROVINCE OF
BRITISH COLUMBIA

FOREST SERVICE

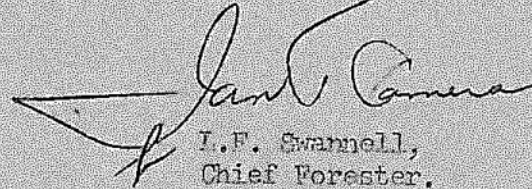
DEPARTMENT OF
LANDS, FORESTS, AND
WATER RESOURCES

DATE: May 25, 1970.

FILE No. 0117338, 0272566SUBJECT: Inclusion of Deer Creek Watershed in the
Salmo P.S.Y.U.ATTENTION OF: Forester i/c
Inventory Division.

REMARKS:

Will you please amend the description of the Salmo
P.S.Y.U. to include the Deer Creek watershed adjacent to
Deer Park on Lower Arrow Lake.



I.F. Swannell,
Chief Forester.

PROVINCE OF
BRITISH COLUMBIA

FOREST SERVICE

DEPARTMENT OF
LANDS, FORESTS, AND
WATER RESOURCES

DATE: May 25, 1970.

FILE No. 0117338, 0272566SUBJECT: Inclusion of Deer Creek Watershed
In Salmo P.S.V.U.ATTENTION OF: Mr. J.F. Swannell,
Chief Forester.

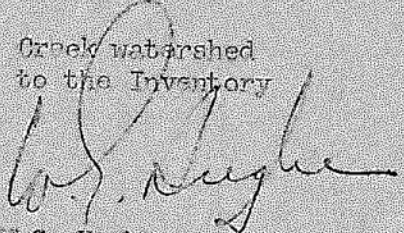
REMARKS:

Nelson District have, for some time, been pressing to have the Deer Creek watershed, near Deer Park on Lower Arrow Lake, included in the Salmo P.S.V.U. to help augment the supply of timber in this unit.

Calgar have claimed that this watershed should be included in T.F.L. 23, but the Forest Service has never agreed and recently the boundary of T.F.L. 23 was designated in this vicinity to exclude the Deer Creek watershed.

This area was once held in what appeared to be a tight watershed reserve for the residents of Deer Park, but the advice from Water Rights dated May 12, 1970, indicates that there are no longer any water licenses to individuals in good standing within the area.

It is therefore recommended that Deer Creek watershed be included in the Salmo P.S.V.U. and a request to the Inventory Division is attached for your signature.



W.G. Hughes,
Forester i/c
Management Division.

W.G.
1-5-C

GOVERNMENT OF BRITISH COLUMBIA

MEMORANDUM

TO: District Forester,
Court House,
Nelson, B. C.

FROM: District Engineer,
Water Rights Branch,
Court House, Nelson, B. C.

Attention: R. Johnston

May 20, 1970.

SUBJECT:

051756 - 1201
044318 - 3120
0203737 - 4242
0203820 - 4225

OUR FILE.....
YOUR FILE.....

A few days ago we had a gentleman in our office expressing concern about possible pollution of his water supply in Deer Park.

Could you give us information on any planned logging or timber sales along Deer Creek?

T.H. Oxland, P. Eng.,
District Engineer.

L.R. Lewis
Per: L.R. Lewis

LRL:lg



1966
1967

CENTENARY OF THE UNION OF THE COLONIES OF VANCOUVER ISLAND AND BRITISH COLUMBIA UNDER THE NAME BRITISH COLUMBIA
CENTENARY OF THE CONFEDERATION OF CANADA

c.c. Chief Forester
c.c. R.D. 11

Nelson

DEPT OF LANDS FORESTS
AND WATER RESOURCES
FOREST SERVICE

May 29,

70

JUN 3 1970

M Watershed - Deer Creek

051756 - 1201, 044318-3120
0203737- 4242, 0203820-4225

MAIL ROOM
VICTORIA, B. C.

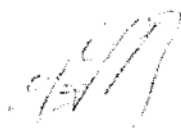
District Engineer,
Water Rights Branch,
Court House,
Nelson, B. C.

Dear Sir:

Reference is made to your May 20, 1970,
memorandum inquiring about any planned logging
or timber sale operations in the Deer Creek
drainage.

We have had an inquiry regarding the avail-
ability of the timber within this area, however,
at the present, we have no plans to proceed with
the issuing of any timber sales in the Deer Creek
drainage. If and when we do consider issuing any
harvesting rights in this drainage we will advise
you of our plans prior to proceeding with same.

Yours truly,


H. G. Bancroft,
Forester i/c
Management

RAT/pk

c.c. Chief Forester - Att Management - C.E. Bennett

We have attached copy of Water Rights memo
for your file and information. If and when approval
to include Deer Creek within the Salmo P.S.Y.U. is
obtained we presume initial contact with Water Rights
will be through the Victoria Management Office.
c.c. R.D. 11 - We have attached copy of Water Rights

1. 100 82000071
2. " 92000

PROVINCE OF
BRITISH COLUMBIA

FOREST SERVICE

DEPARTMENT OF
LANDS, FORESTS, AND
WATER RESOURCES

APR 27 1970

Date April 22, 1970

From Nelson

Office MAIL ROOM
VICTORIA, B.C.

Our File No. M Lo-op Park Reserves

To Victoria

Your File No. 0267200

Attention Management

CPA

Referring to Herewith copy of correspondence
received from Fish and Wildlife Branch
for your records

*Copies sent to
100-22000
T.B.V. 01/10*

(Signature) K.J. McCall T.F.O.

F.S. 297-(50)-0

MEMORANDUM

X

TO Dr. J. Hatter,
 Director,
 Fish and Wildlife Branch,
 Department of Recreation and
 Conservation,
 BUILDINGS.

FROM DIRECTOR OF LANDS

ATTENTION J. J. Jones

June 5, 1969.

SUBJECT

OUR FILE C282388
 YOUR FILE 80-09-05
 X 79-04

As requested in your memorandum of February 3, 1969, a reserve from alienation has been established on Departmental records for wildlife management purposes covering all those unalienated and unencumbered Crown lands, Kootenay District, situated within the area shown outlined in red on the enclosed map.

This reserve is established on the distinct understanding that there will be no interference with Celgar Limited's Tree Farm licence operation in this area.

W. R. REDEL,
 Director of Lands.

JJJ:bl
 encl.

- c.c. Land Commissioner, Nelson
- Land Inspector, Nelson
- Director, Provincial Parks Branch, Department of Recreation and Conservation, Buildings
- Mr. Jack White, Castlegar and District Wildlife Association, Box 576, Castlegar, B. C.

FISH & WILDLIFE BRANCH
RECEIVED

JUN 11 1969

CRAFBROOK, B.C.



WHEN REPLYING PLEASE
STATE OUR FILE NO. 79-04-5
YOUR FILE NO.

Kifer & CF

DEPARTMENT OF RECREATION AND CONSERVATION
FISH AND WILDLIFE BRANCH

Box 729
Cranbrook, B.C.

April 15, 1970

The District Forester
B.C. Forest Service
Nelson, B. C.

Attention: J.R. Johnston

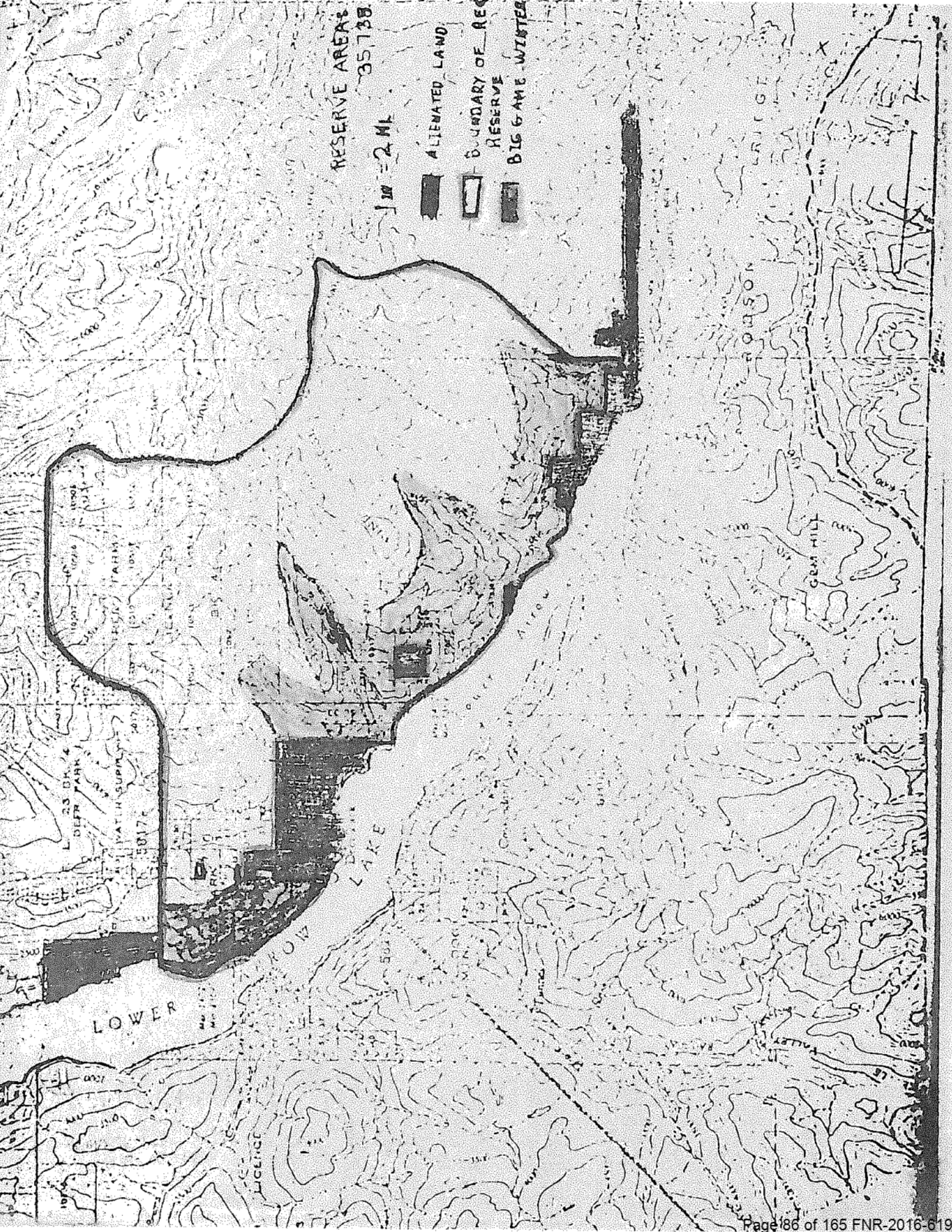
Dear Sir:

Attached is a copy of the reserve
established for wildlife management purposes in
the Deer Park area which I promised to send you.

Yours very truly

CES:igl

C. F. Stenton
C.F. Stenton
Regional Supervisor



MEMORANDUM

TO DISTRICT FORESTER,

NELSON

FROM FOREST SERVICE,

VICTORIA, B.C., March 25th, 1970

REFER TO YOURS OF

OUR FILE NO. A02150, 0147388, 0223897

M.P.S.Y.U. Salmo, A02150

YOUR FILE NO. M. Deer Creek Watershed Reserve

ATTENTION: MANAGEMENT

We have to apologize for the delay in reviewing the application by Kalesnikoff Lumbering Co. Ltd. for timber situated in the Deer Creek Watershed Reserve.

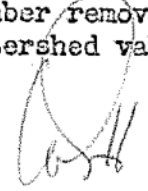
Review of the proposal to add the Deer Creek Watershed Reserve to the Salmo P.S.Y.U. is in hand and we will endeavor to obtain a final decision as to whether this area is to be added to the S.Y.U. or held for possible future addition to T.F.L. #23.

However, even if approval should be given to addition of the area to the S.Y.U. at this time, we will still have to determine the status of the reserve before proceeding with sale of the timber, and it may be necessary, in this case, to obtain agreement of Water Rights and Lands Service to such sale if it is their intention to maintain the reserve.

There is also the question of whether this timber will prove to be mature when examined.

You should, therefore, advise the applicant that there is likely to be a further delay in reaching a final decision concerning disposition of this timber and suggest that they consider an interim development in some other location to carry them over.

It is noted that there appears to be a possibility that homesites could be established above the flood level at Deer Park and the water may again be required for domestic use. Therefore, if sale of Deer Creek timber should be approved, the pattern of logging and volume of timber removed should be controlled to prevent damage to the watershed values.


W. G. Hughes
Forester i/c
Management Division

e ED EK/gw



1967 CENTENARY OF THE CONFEDERATION OF CANADA.

Mr. T. Oxland,
District Engineer,
Nelson, B.C.

Water Rights Branch,
Buildings.

14 June

68

Deer Creek Watershed Reserve

Lands Dept. xxx

0147338

019-D6

As requested in your memo of May 16 we are enclosing information regarding the above noted reserve.

The reserve was established by the Lands Department to protect the domestic and irrigation rights of water users in Deer Park. If the B.C. Hydro have purchased all of the land which the reserve was to protect then it would appear that the reserve could be lifted.

Apparently there is some thought that the previous land owners within Deer Park may be established above Deer Park and if so there is some question as to whether the reserve should be lifted.

H. D. DeBeck,
Comptroller of Water Rights.

Per: *[Signature]*

WRT/pd

Enc.

PROVINCE OF
BRITISH COLUMBIA

FOREST SERVICE

DEPARTMENT OF
LANDS AND FORESTS

DATE: April 9th/70

FILE NO. 0147338
A02150.

SUBJECT:

ATTENTION OF: Water Rights Draughting

REMARKS:

We would appreciate being supplied with a list of the active water licences lying within the Deer Park Watershed Reserve, and also the holders of same.
Please refer to flogged sketch map for watershed boundary.

McGarrett

W.R.
5/26-42.

F.L. 5137 - 0242058 issued to B.C. Hydro + Power
- Priority Date - 15 July 1907

This is the only licence within the Area known as "Deer Park Watershed."

MAY 12 1970

L King

See Over →

DATE: April 7, 1970.

FILE NO. 0147338

SUBJECT:

Status of Land in Deer Creek Settlement

ATTENTION OF:

Mr. R. Lavin.

REMARKS:

Will you please check the present status of land in the former Deer Creek settlement and water licenses in the Deer Creek Watershed Reserve.

In the event that all ^{right} ~~land~~ has been purchased by B.C. Hydro, it should be possible to have the water licenses and reserve cancelled so that it will be feasible to include the reserve area in the Selkirk B.C. F.R. and proceed with ~~planned~~ disposal of the timber on a planned basis.

C. P. Bennett.

DATE: March 25, 1970.

FILE No. 0147388, 0272566,
T.F.L. #23, A02150.

SUBJECT: Deer Creek Watershed for
Deer Park Settlement and T.S.H.L.
Proposal by Kalesnikoff Lumbering Co. Ltd.

ATTENTION OF: Mr. W.G. Hughes.

REMARKS: Review of File 0147388 indicates that the Deer Creek Watershed Reserve is not included in T.F.L. #23, though there is no provision for showing this in the T.F.L. documents. Letter of August 2, 1957 to the licensee on this file confirms this fact, and Mr. Burrows advises that the matter has been raised at other times and there are other letters on the T.F.L. #23 file. Memos on File 0147388 between June and November 1962 record further discussion.

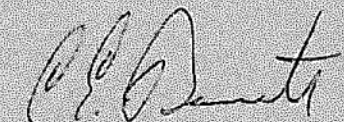
Celgar have made representations on several occasions to have this watershed area included in T.F.L. #23 since it lies within the T.F.L. area and is logically a part of the license. However, the District have recommended that the area be included in the Salmo P.S.Y.U., claiming that the unit is short of timber whereas the T.F.L. has an over-supply. They are particularly concerned about the supply of mature timber in the Salmo but evidently can give no assurance that timber in the Deer Creek Watershed is mature.

Though this watershed is surrounded by T.F.L. #23, it should be accessible from Lower Arrow Lake if all private property at Deer Park has been acquired by B.C. Hydro and if provision is made for public access through any future subdivision or reserves. Mr. Bancroft advises that the area is also accessible from the Norns Range area without excessive adverse grade and this is the route Kalesnikoff proposes to use. It appears that this route would pass through T.F.L. #23 for a short distance.

In considering the recommendation to include the Deer Creek Reserve in the Salmo S.Y.U., we thought it might be desirable to trade this area for an equivalent area of equivalent timber in T.F.L. #23, situated adjacent to the south-easterly boundary of the T.F.L. However, H. Bancroft advises that he thinks it would be difficult to find an area of equivalent timber in this location.

If it is considered that this area should be added to the Salmo S.Y.U. rather than T.F.L. #23, the description of the S.Y.U. should now be amended to include it. If this is to be the case, we will write a memo for the Chief Forester's signature requesting that this be done.

However we will not be in a position to proceed with the application by Kalesnikoff Lumbering Co. Ltd. without a current check of the status of lands at Deer Park and of the water licenses in the reserve, as correspondence on the reserve file indicates that there could be problems with the reserve while the water licenses are in good standing. This might be overcome by some agreement with Water Rights, but if it should be necessary to preserve watershed values, the plan of logging and logging costs will be affected. Kalesnikoff Lumbering Co. Ltd. should therefore be advised that this area cannot immediately be made available and a memo to this effect is attached.



C.E. Bennett,
Forester,
Management Division.

CEB/lf

W 7 1 2 2 0 () / 1 2 3 4 5 6 7 8 9 10
R 8 2 S - S / W (F - 1)
WATER RESOURCES
WATER

GOVERNMENT OF BRITISH COLUMBIA

MEMORANDUM

TO Comptroller of Water Rights
Victoria, B. C.

FROM

District Engineer

Nelson, B. C. May 16, 1968

SUBJECT Deer Creek Watershed Reserve
Deer Park, Lower Arrow Lake

OUR FILE 019-D6

348381 YOUR FILE

A representative of the Celgar Company was inquiring as to the status of the reserve on this watershed and the formalities required to have the reserve lifted.

I cannot find any reference in our files on this matter but understand that the Deer Park Farmers Institute was the group that initially requested this reserve.

The reservoir behind the High Arrow Dam will eventually flood a good part of the land around Deer Park and, therefore, the B. C. Hydro have purchased the land which will be affected and hold several of the many licences on Deer Creek.

Would you please send me some detail on this matter, particularly the purpose for the reserve and requirements for having the reserve removed.

T. H. Oxland
District Engineer



CENTENARY OF THE UNION OF THE COLONIES OF VANCOUVER ISLAND AND BRITISH COLUMBIA UNDER THE NAME BRITISH COLUMBIA.
CENTENARY OF THE CONFEDERATION OF CANADA.

Mr. Mitchell please review possibility of lifting reserve

PROVINCE OF
BRITISH COLUMBIA

FOREST SERVICE

DEPARTMENT OF
LANDS, FORESTS, AND
WATER RESOURCES

DATE: November 9, 1967

FILE No. TFL 23, Sec. 9B

SUBJECT: Deer Park Watershed

ATTENTION OF: Mr. L.F. Swannell,
Chief Forester.

REMARKS:

In reply to your FS75 dated 6th Nov., 1967. B.C. Hydro have now acquired all the property at Deer Park with the exception of a summer home belonging to s.22 [redacted] s.22 [redacted] Negotiations for which are still in progress.



D.R. Glew,
Forester,
Management Division.

DRG:et

PROVINCE OF
BRITISH COLUMBIA

FOREST SERVICE

DEPARTMENT OF
LANDS, FORESTS, AND
WATER RESOURCES

DATE: November 6, 1967.

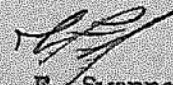
FILE No. T.F.L. 23, Sec. 9B
0147338SUBJECT: Deer Park Watershed

ATTENTION OF: Mr. D.R. Glew

REMARKS:

On May 1, 1967, we wrote Mr. Joergensen, of Celgar, a letter regarding the Deer Park watershed. You will find it tagged on file T.F.L. 23, Sec. 9B.

Will you please update your Green Sheet of April 28, 1967, on which our letter was based, and advise the present situation.


L. F. Swannell,
Chief Forester.

LFS:ch

8.11.67
see added comments
on G.S. of April 28/67

September 11, 1967.

Our File: 0134219 - S.C. 823

Your File: 0147338

Mr. D.R. Grant,
Land Representative,
B.C. Hydro and Power Authority,
Box 580,
Nakusp, B.C.

File 


Dear Sir:

Your letter of August 15, 1967 concerning the Deer Park Watershed has been forwarded to this Division for reply.

On the enclosed map, the watershed boundary has been outlined in red by the Management Division, and we have worked to this boundary in compiling the area and volume information you require. (See attached table)

Areas are based on 1953 field classification with no updating for fires, and volumes are based on our 1966 Zone 6 averages.

Yours truly,


E.L. Young,
Forester i/c,
Forest Inventory Division.

DMF:lc

Attach.

c.c. Mr. W.G. Hughes,
Forester i/c,
Management Division.

AREA AND VOLUME SUMMARY - DEER PARK WATERSHED

Class of Cover	Area (Acres)	Volume Level	NET VOLUME BY SPECIES IN M.C.F.												
			F	C	H	B	S	Pw	Pl	L	Co t	Bt	A	TOTAL	
Mature	3,755	7.1"+d.b.h. Close Utilization (4.0" top d.i.b.) Less Decay	1077	1120	596	2144	8167	201	107	122	5	24	25	13,588	
			893	546	328	1012	6689	120	49	85	2	8	16	9,748	
Immature Non Commercial Not Forest	10,815 2,335 2,615	11.1"+d.b.h. Interm. Utilization (8.0" top d.i.b.) Less Decay, Waste and Breakage.													
TOTAL	19,520														

PROVINCE OF
BRITISH COLUMBIA

DEPT. OF LANDS, FORESTS AND WATER RESOURCES
FOREST SERVICE
FOREST SERVICE

DEPARTMENT OF
LANDS, FORESTS, AND
WATER RESOURCES

AUG 15 1967 Date Aug 11, 1967

From Nelson Office, MAIL ROOM Our File No. TFT# 23
VICTORIA, B. C.

To Victoria Your File No. D147338

Attention Management & Surveys

Referring to the Deer Park Watershed Reserve
excluded from TFT# 23

- Mr. D. Grant of B.C. Hydro Products
has been referred to Victoria to see
if you will give him the volume of timber in
the watershed. We do not know the reason
behind the request.

(Signature) [Handwritten Signature]

P.C.
1st Ntd

F.S. 297-(50)-0

PROVINCE OF BRITISH COLUMBIA	<h2 style="margin: 0;">FOREST SERVICE</h2>	DEPARTMENT OF LANDS, FORESTS, AND WATER RESOURCES
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Date 16.6, 1967

From Victoria Office. Our File No. 0147255

To Wetson Your File No. TR 23

Attention H. G. Campbell

Referring to 297 - 16/5/67

W. J. Co.

(Signature) H. G. Campbell

PROVINCE OF
BRITISH COLUMBIA

LANDS, FORESTS
AND WATER RESOURCES
FOREST SERVICE
FOREST SERVICE

DEPARTMENT OF
LANDS, FORESTS, AND
WATER RESOURCES

MAY 18 1967 Date May 16, 1967

From Nelson Office. MAIL ROOM File No. TFR#23
To Victoria VICTORIA, B. C. Your File No. TFR#23 Sec 9B 0147338

Attention Management - D.R. Glen
Referring to letter of May 1 re Deer Park watershed Res.

Before any change is made in
this reserve we would appreciate giving
our recommendations

DLG
(Signature) [Signature]

F.S. 297-(50)-0

PASSED TO
DRC
23 1967
INITIALS S

May 1, 1967.

Files: T.F.L. #23, Sec. 9B
0147338

Mr. C. Joergensen,
Columbia Cellulose Company Limited,
1111 West Hastings Street,
Vancouver 1, B.C.

Dear Sir:

In our discussion of April 24th you asked that I again look into the Deer Park watershed reserve.

This reserve was made pursuant to Order-in-Council No. 2517, dated October 18, 1957, and approved by the Lieutenant-Governor on October 21, 1957. It cancelled and replaced a previous Order-in-Council.

The Order-in-Council is under authority of Section 96, Chapter 175, R.S.B.C. 1948, being the Land Act. This Section is the same as Section 88, Chapter 206, R.S.B.C. 1960.

The B.C. Hydro has not yet finished purchasing all the land in Deer Park and may not be able to. We are reviewing the matter again in six months, at which time we will contact the Lands Service to see what the standing of the reserve is then.

Yours truly,


L. F. Swannell
Chief Forester

LF8:eh

c/c. to D.F., Nelson.

PC
Please note
from Nelson dated
16/5/67 at time
PC becomes due.
DLG

DATE: April 28, 1967

FILE No. T.F.L. 23 Sec 9B
0147338

SUBJECT:

Deer Park Watershed Reserve

ATTENTION OF:

Mr. L.F. Swannell

REMARKS:

*683-8711
-loc 3504
Mr. E.W. Gross
(away at time of call)*
Phoned B.C. Hydro
Nov. 8/67

In reply to your F.S. 75 dated 24th April 1967.

- 1) The watershed reserve is in good standing.
- 2) B.C. Hydro have acquired title to all property in Deer Park except 2 parcels.
- 3) It is anticipated that there will be residents at Deer Park even after the reservoir is filled.
- 4) Parks Branch are intending establishing a large campsite nearby which may use water from the watershed. However, while they would require protection they would not prevent logging.
- 5) Lands are prepared to entertain an application to lift the reserve if they can be assured Hydro will not ultimately release their properties for settlement.

*is under what is
now Sec 88 Chap 206
R5BC 1960
would probably
allow us to give
T.S.*

*All property
acquired except
summer home
of Charles H. Clegg
Roseland, B.C.
(still to negotiate)*

*Advice is
there is no
relocation by
residents in the
area.*

8.11.67

16

D.R. Glew

D.R. Glew,
Forester.

DRG/se

PROVINCE OF
BRITISH COLUMBIA

FOREST SERVICE

DEPARTMENT OF
LANDS, FORESTS, AND
WATER RESOURCES

DATE: April 24, 1967.

FILE No. T.F.L. #23, Sec. 9B

SUBJECT: Deer Park Water Supply Area


ATTENTION OF: Mr. W. G. Hughes

REMARKS:

Mr. Joergensen, of Celgar Ltd., was in to see me on April 24th and briefly discussed the above-mentioned subject. Please refer to his letter of September 7, 1966, and my File Note dated Aug. 24, 1966, for the most recent file reference.

Mr. Joergensen would like us to review the matter and give a fuller reply to the matters raised in his letter. Legal discussion can wait until we know the present status of the reserve and when and if it could be cancelled.

Would you investigate this phase so that we can advise Mr. Joergensen.


L. F. Swannell
Chief Forester

LFS:ch

PROVINCE OF
BRITISH COLUMBIA

FOREST SERVICE

DEPARTMENT OF
LANDS, FORESTS, AND
WATER RESOURCES

DATE: September 20, 1966

FILE No. T.F.L. 23

SUBJECT:

Deer Park Water Supply Area

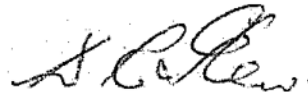
ATTENTION OF:

Mr. J. B. Bruce
Mr. J. S. Stokes

REMARKS:

Attached letter from Celgar Ltd. is the result of a recent meeting between the Chief Forester and Mr. H.C. Joergensen (see File Note by Chief Forester dated 24th Aug.)

No action is required at this time other than to acknowledge receipt of Celgar's submission. However, if and when the Deer Park water supply area is released, it might be used in trade for the Heart Creek watershed which is required for the new town of Fauquier. Celgar have objected to B.C. Hydro's request that the area be withdrawn from the licence.



D.R. Glew,
Forester,
Management Division.

DRG/se

September 20, 1966

File: T.F.L. 23

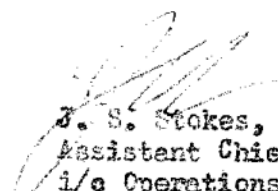
Celgar Ltd.,
1030 West Georgia Street,
Vancouver 5, B. C.

Attention: Mr. H.C. Joergensen

Your letter of 7th September 1966 relating to the Deer Park water supply area is acknowledged.

As you know this reserve is still in good standing. However, if the area becomes available your submission will be considered but, as was pointed out to you at a recent interview with the Chief Forester the final disposition of the area will only be made after a careful study of the timber resources of the area.

Yours truly,


J. S. Stokes,
Assistant Chief Forester,
i/c Operations.

DIG/se

*File 0147338 checked
this date, 10/20/66 in
good standing
11/16
209'66*

CELGAR LIMITED

14-0000-0000

1080 WEST GILGRIA STREET, VANCOUVER 2, B.C.

629(23)

September 7, 1966

The Chief Forester,
Parliament Buildings,
Victoria, B.C.

Subject: TFL 23 - Deer Park Water Supply Area

Dear Sir,

In anticipation of the Deer Creek watershed reserve being cancelled as a result of the flooding of the access road to the Deer Park community, we wish to place on record that in the event that the reserve is cancelled we expect to obtain full use of the area, subject to the terms and conditions of Tree Farm Licence No. 23.

In support of this expectation we draw attention to the following points:

- 1) The Deer Creek watershed is contained wholly within the interior boundaries of TFL 23 as described in Schedule B of the Agreement dated 20 July 1955.
- 2) The intent of Clause 5 of the Agreement is that the Tree Farm Licence area, in addition to lands as set forth in Schedules A and B, shall include, immediately following their reversion, all the lands not permanently alienated at the date of the TFL Agreement all of which are within the interior boundaries of the Tree Farm Licence.

While the wording of Clause 5 of the TFL 23 Agreement appears to limit this intent to lands which are held under other tenure by the Licensee (Celgar Limited), it is our understanding that this is a narrow interpretation and not consistent with the intent of the parties nor with that of your Department as evidenced by subsequent TFL provisions.

In submitting that the true interpretation of intent is as stated and underlined above, we refer to Clause 5 of the Agreement for TFL 40 which was executed on 5 February 1965, and to Clause 5 (reproduced below) of the Agreement for TFL 1 as revised by Amendment No. 34 dated 13 August 1965. The revision of the TFL 1 Agreement was proposed and formulated by your Department specifically to update the Agreement and bring it into line with other and more recent TFL Agreements. In both of these documents there is no limitation such as the narrow interpretation of Clause 5, TFL 23 would impose.

Continued/...

CLAUSE 5 of TFL 1 AGREEMENT

"5. The tree farm licence area includes all Crown lands not otherwise alienated at this date, as set forth in Schedule "B" hereto, together with all the lands owned or controlled by the Licensee, as set forth in Schedule "A" hereto and shall include, immediately following their reversion, all the lands not otherwise permanently alienated at this date all of which are within the area outlined in bold black line on the plans numbered 1, 2, 3 and 4 attached hereto, subject, however, to increase, decrease, re-allocation or exchange of lands as provided by this Agreement or by Subsection (14) of Section 36 of the Forest Act; and in addition it shall include any and all lands that may be subsequently acquired by the Licensee and incorporated into said Schedule "A" pursuant to Clause 7 hereof, provided also that any lands included in Schedule "A", the title or interest to which reverts to the Crown, or which the Licensee elects to revert to the Crown, shall be included in Schedule "B" immediately following their reversion."

- 3) The area forms a natural part of TFL 23 from the points-of-view of topography (see map attached), forest management, fire protection, and physical and economic factors of logging and log transport.

Of all the traditionally accepted basic principles governing the organization and management of forest areas for the purpose of maximum and most economical sustained yield of forest products none speak in favour of separating the Deer Creek watershed from TFL 23; and it is obvious that the representatives of your Department and of our Company who were responsible for the location of the TFL boundaries had those basic principles clearly in mind when they purposely included the watershed within the interior boundaries. If permanent exclusion had been intended the boundaries could without difficulty have been drawn to show that intent, as indeed it was done in many and much more complicated cases elsewhere in the Tree Farm Licence.

- 4) Celgar Limited is the logical operator in the region who has facilities and the organization necessary to conduct logging and forestry operations in areas tributary to the Lower Arrow Lake above the High Arrow Dam. For practical and economic reasons wood from these areas should be directed into our log transport and handling system and hence become a natural part of the supply for our mills at Castlegar. Operations located away from the immediate area could not economically justify the high cost of removing logs from the Columbia River system and transporting them to distant manufacturing plants.

We would appreciate your acknowledgement of our points-of-view as stated in the foregoing.

Continued/...

of Forester,
a, B.C.

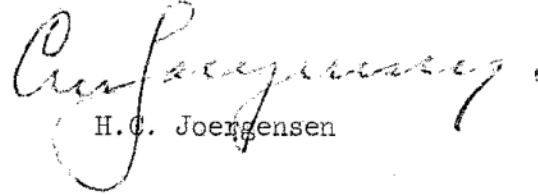
CELGAR LIMITED

Page 3

Although we understand that the cancellation of the reserve is being considered we have no knowledge of whether it has in reality been decided, or of when the cancellation may take effect. Any information you may wish to provide in this respect would be much appreciated.

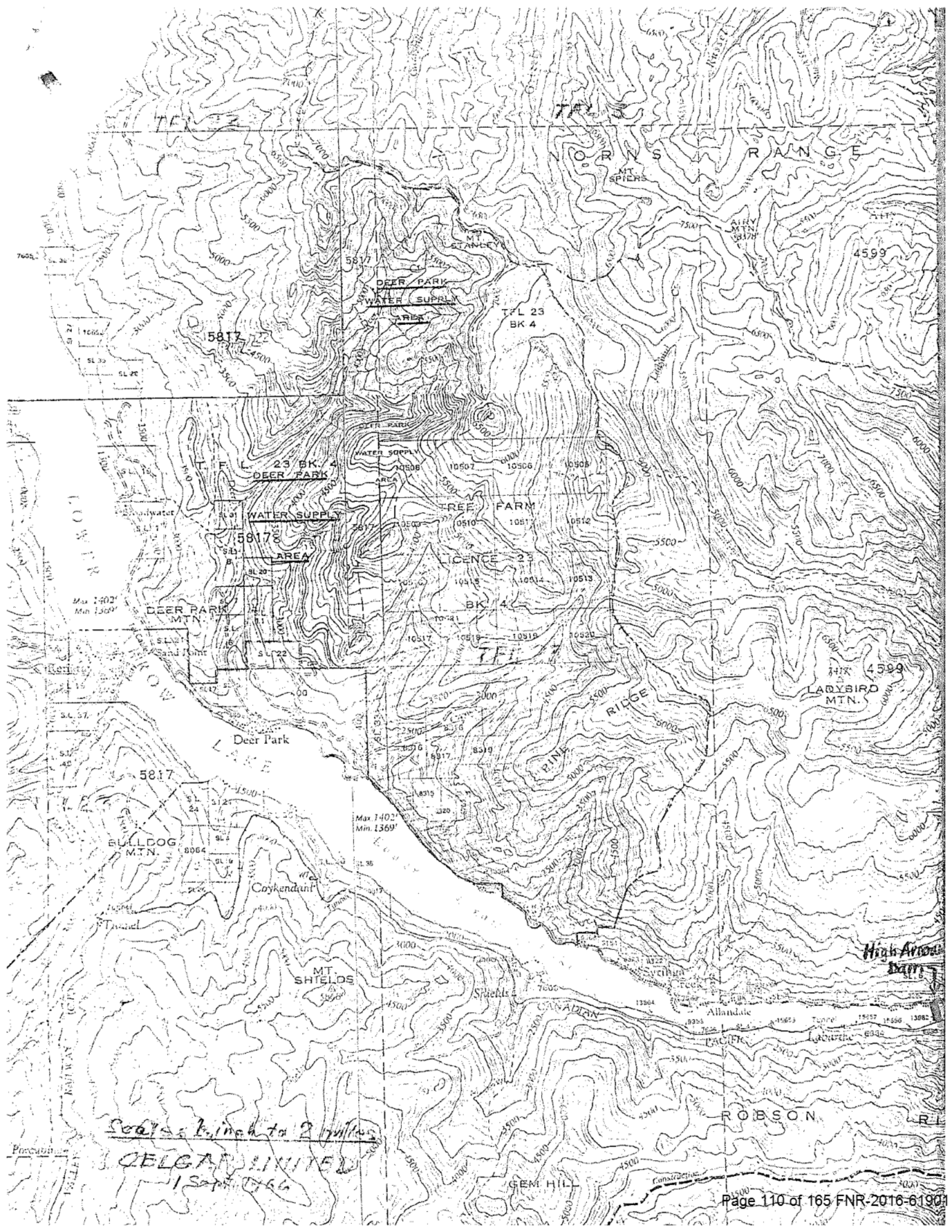
Yours truly,

CELGAR LIMITED



H.C. Joergensen

HCJ:srs
Enc.



N O R T H
R A N G E

DEER PARK
WATER SUPPLY
AREA

T.P.L. 23
BK 4

23 BK 4
DEER PARK

WATER SUPPLY
AREA

TREE FARM

LICENCE 23
BK 4

DEER PARK
M.T.N.

Deer Park

BULLDOG
M.T.N.

MT SHIELDS

PINE
RIDGE

LADYBIRD
M.T.N.

CANADIAN
PACIFIC

ROBSON

Scale as shown to 2 miles
CELGA LIMITED
1 Sept 1966

c.c. to D.F., Nelson.

August 24, 1966.

File: T.F.L. 23, Sec. 9

FILE NOTE

Re: Deer Park Watershed Reserve

Chris. Joergensen was in to see me to-day on the above subject.

He agreed that the Deer Park watershed was not in the T.F.L. but felt that if and when the timber on it was available it should be included, as it was topographically a part of the T.F.L. He understood that the Community of Deer Park was being bought out completely by B.C. Hydro and that the watershed reserve could then be cancelled.

I told him that as far as we were concerned we felt that the Salmo S.Y.U. needed the timber values of the reserve more than the T.F.L. did but that we could discuss the matter and possibly a swap could be arranged. He did not agree to the latter idea.

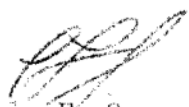
He is to write me in the near future proposing that if and when the reserve is cancelled it be then included in the T.F.L. He had some arguments that this should happen legally under the provisions of Section 5 of the T.F.L. document. I told him I felt this was very weak legally. He would also ask us to make inquiries of the Water Resources Branch to see if the reserve could be cancelled due to the relocation of the community.

The purpose of Celgar's letter would be purely to put their interest on file. They were left under no doubt that the Forest Service felt that they needed the resources, or their equivalent, to add to the S.Y.U.

Previous correspondence dealing with Celgar's contention that the watershed was already part of the T.F.L. can be found on the following files:

- T.F.L. 23, Section 5, p. 1904. Letter of February 9, 1960,
from C. Dunham.
- T.F.L. 23, Section 6. Green Sheet of February 14, 1961, signed
by I.R. Burrows.
- T.F.L. 23, Section 7. Memo. dated November 5, 1962, to J.S.
Stokes from H.M. Pogue.

LFS:ch


L. E. Swannell

Chief Forester Page 111 of 165 FNR-2016-61901

BRITISH COLUMBIA FOREST SERVICE

RADIOGRAM

* F.S. 326A

	DATE OF ORIGIN	STN. AND NO.	FILE
	July 26, 1966	Victoria 406	CLL7338 Deer Creek Watershed
To District Forester, Nelson			

ATT. J. F. Munro

Re your 240, Deer Creek watershed not in Salmo P.S.Y.U. STOP
 Understand residents in area relocating on higher ground STOP
 Therefore final decision re status of reserve area should
 be delayed until settlement picture clarifies

W. G. HUGHES

DATE	TIME IN	INIT.	TIME OUT	INIT.
			10:55 AM	IB

BRITISH COLUMBIA FOREST SERVICE

RADIOGRAM

* F.S. 326A

	DATE OF ORIGIN	STN. AND NO.	FILE
	July 25, 1966	Nelson 240	Deer Creek Water Shed 0147338

TO

ATT. Management

Re yours of June 14, 1962 and ours of June 2, 1962. Is Deer Creek Water Shed now considered to be included in the Salmo P.S.Y.U. for purposes of Timber Sale administration?

J.F. Munro

	DATE	TIME IN	INIT.	TIME OUT	INIT.
		3:25	ht		

17 June 1965

Apparently not much to
are moving to higher ground
about flood level.
28 & 29/7/66

P.C. to
6 July 1966
JRB

At present the maximum high water at Deer Park
is 1,402' A.S. Clearing for the dam will be to 1,448' AS
This extra 46' will flood the lower half of Deer
Park but not the upper half. Before taking any
further action we should wait and see if the whole
settlement is to be abandoned or not.

In conversation with District personnel 29/6/65,
they suggested we P.C. again because most of
present settlement will be submerged, but some may move to higher ground and
it is too early yet to be sure what will happen. JRB

J.R. Burrows

Mr. Egan

MEMO

10/6/65

Mr. Egan, I had a p.c. on the
New York Herald for standing
have been set. The team may
be appointed to review
this problem. W.

D 123(50)-0

DATE: December 5, 1963

FILE No. 311733B
INF 23

SUBJECT:

ATTENTION OF: Mr. H. H. Fogie,
Forester i/c
Working Plans Division

REMARKS:

I have a promise card notation on your memo of November 5, 1962 concerning Deer Park Watershed Reserve. With reference to my notation on that memo you may wish to look into the present situation regarding the proposed High Arrow Dam. If there are no immediate prospects for construction of this dam I suggest we revise the file for another six months or more.

*agree -
pending final plan
Columbia River
1/22/65*

H. H. Fogie,
Forester i/c
Management Division.

WJH:LB

floor level up to 1448' AS.

15/65

November 5, 1962.

Files: T.F.L. 23
0147338
0223847

Memorandum to:

Mr. J.S. Stokes,
Asst. Chief Forester
i/c Flanning.

Re: Deer Park Waterhed Reserve

It is thought that this matter (i.e. - whether to plan for logging) should be deferred pending the settlement of the Columbia River treaty. If High Arrow is projected it is quite likely that the community of Deer Park will move away and the reserve can be lifted. Prior to lifting this reserve final plans could be approved in principle as to whether or not this forest would be added to T.F.L. No. 23 or added to the Salmo S.Y.U.

The Working Plan for T.F.L. #23 has listed the area and volume involved, in the overall inventory, but excluded it from their cutting plans. They are well aware that the area is not legally a part of the T.F.L. but they probably feel that it should be a part of the T.F.L. if and when forest products can be extracted. In the meantime it would be unwise to establish any priority of claims against the productive capacity of the area. Under present circumstances, any attempt to plan timber sales would involve the complications of dealing with the wishes of the community, probably through the District Water Engineer, and even if it was possible to design a method of cutting which would receive the blessing of the community, operations might lead to problems in public relations.

If the community disappears, and the reserve is lifted, the area appears to be a logical addition to the T.F.L. (on paper) since its existence has created a small isolated block. This is really not such a bad thing in itself, other than the obvious fact that if the choice is between creating a checkerboard tenure situation, or avoiding such a situation, the area should go in with the T.F.L. as a unit. On the other hand, there is already quite a patchwork of blocks of the T.F.L. inter-mixed with patches of S.Y.U.'s in the Arrow Lakes area, so possibly one more patch, being a fairly sizable one, will not be too noticeable.

The District has come out strongly in favour of adding the area to the Salmo S.Y.U. If this were to be done under present conditions of restricted (or impossible) cutting practices it might only hasten the liquidation of the remaining mature timber in the Salmo S.Y.U.

...../2

One factor that might be considered, however, is the possibility that the Salmo S.Y.U. could be included in a P.N.A. at some time in the future. If the drainage of Deer Park Creek is added to the Salmo S.Y.U. and the Salmo S.Y.U. is included in a P.N.A. we could have a situation where one pulp company was obtaining pulpwood from a small drainage within the "general area" of a T.F.L. which is being managed mainly as a source of pulpwood. Whether this would create any real difficulties or not, in general it would provide a sharp contrast which might be poor public relations.

My personal opinion is that ultimately the Deer Park Creek drainage should be added to the T.F.L. in the interests of rounding out the logical T.F.L. unit, as soon as the community of Deer Park gets moved out and the Watershed Reserve can be lifted.

It would be wise to make a definite long range plan in this regard, one way or the other, in order that we may be guided accordingly in our dealings with the Company on this matter.

H. M. Fogue
H. M. Fogue,
Forester,

i/c Working Plans Division.

HMP/ms

In subsequent discussion with C. Dunham. He agreed that it might be good as well to permit decisions on rights based adding the Deer Park Reserve 1/2 TFL 22. WPH pe [unclear] Dept [unclear] Dec 1/63.

Dept of Lands.
Please file

August 25, 1962.

Files T.F.L. 23
0147336.

DEPT. OF LANDS FORESTS
AND WATER RESOURCES
LANDS SERVICE

OCT 25 1962

MAIL ROOM
VICTORIA, B. C.

Mr. W.A. Young,
Chief Geographer,
Department of Lands,
Buildings.

Dear Sir:

Re: Deer Park Watershed Reserve

Please be advised that this reserve being "Crown land otherwise alienated" at the date of the Tree Farm Licence is excluded from Schedule "B" of Tree Farm Licence No. 23 by the phrase "Crown lands not otherwise alienated" which heads the Schedule "B" notes and bounds description of the Tree Farm Licence.

Deer park watershed reserve was established by Order-in-Council Number 1108 dated August 14th, 1942.

Approval of any working plan based on the inclusion of such lands in the inventory has no effect on these facts.

The detailed Schedule "B" boundary descriptions are drawn for the purpose of including Crown lands to be licenced (provided they are otherwise neither alienated nor reserved) and for the purpose of excluding vacant Crown land to be withheld from the tree farm licence. Any Crown lands otherwise either alienated or reserved prior to the date of a T.F.L. reserve which happen to lie within the described boundaries do not require specific description in Schedule "B" although there may be occasions when their description is incorporated for the sake of clarity.

Undoubtedly a special list of "Crown lands and private lands excluded from the tree farm licence" would often be useful but it is seen that the omission of parcels from such a list would not normally be construed as a certificate of their inclusion in the tree farm licence. Similarly, the omission to exclude the boundary of Deer Creek watershed from the Schedule "B" description of T.F.L. 23 cannot be construed a certificate that the watershed, a prior reserve, is part of Crown lands of T.F.L. 23.

Yours truly,


H.M. Pogue,
Forester,

i/c Working Plans Division.

MC/as

c.c.: D.F., Nelson, B.C.

Chief Forester,
Victoria, B. C.

Wilson
June 20th 62.

T.F.L. #23
H Watershed Reserve Bear Creek

Attention Mr. V. G. Eugenia

Please refer to your memo dated June 14th.

At the outset we would point out that we strongly favor logging under strict control within these reserves unless there are reasons for assuming that such logging would have serious effects on the watershed. We are actively promoting the harvesting of mature timber in these areas, and with considerable success. By the same token we are quite sensitive about granting cutting rights where we suspect that this may have unfortunate results since such action might destroy public confidence in our program and undo all our good work to date.

Frankly, we consider this is such a circumstance. We do not consider that we have enough direct control on T.F.L. operations - most particularly where Celgar are the licensees - to insure against damage to the watershed.

Assuming there are no reasons to the contrary (silvicultural or involving soil stability) we would favor granting a timber sale within the reserve. It follows then that the reserve should be included in the Selmo S.Y.S. which is short of mature timber anyway. Celgar is not established in the Selmo, therefore, we would not be able to consider their application. Celgar does not need this watershed, being over-supplied with timber within their present license area.

Incidentally, according to Celgar's maps, the timber is at the most 80 years old. There may of course be veterans within the types which we might consider for cutting.


R. V. Corregan
Forester i/c Management.

BVC:br

Nelson

June 11, 1962

T.F.L. #23, 0117338

" " N. Watershed Reserve Deer
Creek

Attention: Management


As you may remember Celgar Limited are very much interested in obtaining cutting rights in the Deer Park watershed reserve. Mr. Dunham was in the office yesterday to discuss this possibility.

The watershed reserve was established August 14, 1942 for the purpose of protecting the domestic and irrigation water supply of the Deer Park settlement. Unfortunately when T.F.L. 23 was awarded this area was not specifically reserved out of the license either by written description or by the map accompanying the license document. However, the description of Schedule B applies only to lands not otherwise alienated at that time and therefore we do not consider this watershed reserve as being part of T.F.L. 23. This has been explained to Mr. Dunham on more than one occasion but he still tenaciously pursues the possibility of Celgar obtaining timber from this area as a part of T.F.L. 23.

This matter was discussed yesterday with Mr. Stokes and it was agreed that there are two questions which must be answered:

1. Would it be possible to amend the terms of the reserve to permit logging on the watershed under a carefully supervised logging plan? We pointed out that any such change would have to be approved by the Water Rights Service and the people relying on the reserve for water. The company would have to take any action required to obtain approval.
2. In the event that the reserve permitted the cutting of timber on the watershed, could the watershed then be added to T.F.L. 23? We explained to Mr. Dunham that such a decision would depend on a number of factors and that we would have to obtain the opinion of the District office on this matter.

We are enclosing a map showing the reserve area and would like to have your comments concerning the above. In the event that logging could be permitted on this area we will have two alternatives: either to add the area to Salmo S.Y.U. or to recommend that it be included in the T.F.L. The latter alternative might be preferable in that the company would then be responsible for fire protection.


W. G. Hughes,
Forester i/c
Management Division.

WGH:IB
Encl. *A*

PROVINCE OF
BRITISH COLUMBIA

FOREST SERVICE

DEPARTMENT OF
LANDS AND FORESTS116
DATE: February 14, 1961.

FILE NO. T.F.L. #23

SUBJECT: Deer Park Watershed Reserve.

ATTENTION OF: Mr. H.M. Pogue.

REMARKS:

Please refer to Mr. Dunham's letter of February 9, 1960 (page 1904) and Mr. Hughes' acknowledgment dated February 10, 1960 (page 1907).

The original reserve was approved August 14, 1942 for the purposes of protecting the domestic and irrigation water-supply of the settlement known as Deer Park. It has been amended several times, but is still in good standing. The present boundaries are those shown on the attached sketch map taken from Lands Department file 0147338.

It is difficult to understand why Mr. Dunham has chosen to recount the history given in his letter, because in his second to last paragraph he mentions Mr. Hughes' letter of August 2, 1957, which, among other things, clearly states that "...the area cannot be considered a part of Forest Management Licence No. 23". Thus there is no point to Calgary officials saying "We believe Deer Park Watershed is still part of Tree Farm Licence #23."

If they wish to log the watershed, they can apply for a timber sale in the usual manner, but they would have to get clearance from the Water Rights Branch first. They state they are prepared to pay for a study on the watershed to determine if the area can be logged without damage to the water supply. It is suggested that they contact the Water Rights Branch first before doing anything further. Their interest in this area is rather curious as they already have all the area and volume they can handle.

It is suggested that they be advised again that the area is not part of the T.F.L. and that if they wish to log on it, then they must have the prior approval of the Water Rights Branch before any timber sale will be granted.

I. R. Burrows
I. R. Burrows,
Forester.

IRB:ga

1907

254

February 10, 1960.

File T.F.L. 23.

Calgar Limited,
1030 West Georgia Street,
Vancouver 5, B.C.

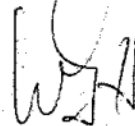
Attention: Mr. G.E. Dunham

Dear Sir:

We acknowledge receipt of your letter of February 9th, concerning the status of the Deer Park watershed reserve. As soon as we have had an opportunity to study this matter we will get in touch with you.

Yours truly,

file 6147338



W.G. Hughes,
Forester,
i/e Working Plans Division.

WGH/ms



250
CELGAR LIMITED

1902

MEMPHIS 4-8211

1050 WEST GEORGIA STREET, VANCOUVER 5, B. C.

February 9th, 1960

Chief Forester,
B. C. Forest Service,
Victoria, B. C.

Attention: Mr. W. G. Hughes

Re: Deer Park Watershed Reserve

Dear Sir:

We have listed below a review of boundaries of the Tree Farm Licence around Deer Park, B. C.

Feb. 7, 1952 - Celgar Development Co. Ltd. made application for a Forest Management Licence covering certain Crown lands. The Deer Park Watershed was included within the boundaries stated in this notice of application.

Oct. 1952 - The application for a Forest Management Licence was approved and a reserve was placed on all Crown lands within the boundaries stated in the application for the Forest Management Licence dated Feb. 7, 1952.

1953-54 - The Forest Inventory, as required for the Forest Management Licence, was completed and submitted to the B. C. Forest Service. All Crown lands which had previously been inventoried by the B. C. Forest Service - Lower Arrow South were included in this Inventory. No mention was made that we had included an area not in our Forest Management Licence Reserve when our Cover Maps and Summaries of Areas and Volumes were submitted.

May 27, 1954 - The District Forester at Nelson wrote Celgar Development Company, Ltd. confirming that there had been discussion about establishing Sub Lot 22 as a Free Use area for the Deer Park Farmers Institute and requesting Celgar Development Company, Ltd. to confirm that there was no objection to excluding this area from the Forest Management Licence. Sub Lot 22 was within the Deer Park Watershed Reserve.

July 20, 1955 - Final metes and bounds of the Tree Farm Licence were included in the Tree Farm Licence contract. These metes and bounds carefully excluded Sub Lot 22 which had been set up as a Free Use area of Deer Park Farmers Institute.

During discussion with the Forest Service when drawing up the final

251
1968

Mr. Hughes

- 2 -

Feb. 9/60

metes and bounds for the Tree Farm Licence contract, we asked about the Greely Creek Watershed near Revelstoke. We were told we could keep the area in the Tree Farm Licence but it was unlikely we would ever be able to cut in it as it was a municipal water supply. We then asked to have this area taken out.

Prior to signing the Tree Farm Licence contract the metes and bounds description was prepared by the Department of Lands and checked by us. Alienated or reserved lands along the exterior boundaries were excluded by description. We are sure the Department believed the Deer Creek Watershed was to be part of the Tree Farm Licence otherwise it would have been excluded and Cayuse Creek - Tulip Creek would have been a separate block in the Tree Farm Licence.

We believe Deer Park Watershed is still part of Tree Farm Licence #23, that the local residents have no objection to its inclusion in the Tree Farm Licence.

W. F. Waldie, forester at Nakusp, investigated the supply of water available for irrigation and found there was sufficient summer flow for the orchards at Deer Park. Two letters from him on this subject are attached. He believes large fires are more of a hazard to the watershed than logging.

Your letter of August 2, 1957 mentioned that timber on Deer Park Watershed might be logged if the application to log was approved by the Water Rights Branch.

We are prepared to pay for a study on the Watershed to determine if the area can be logged without damage to the water supply. If the report shows that the area can be used for water supply and production of timber, we would ask that you reconsider your position on the management of the timber within the Deer Park Watershed.

Yours very truly,

CELGAR LIMITED

CB Dunham

CB Dunham
mes

October 30, 1957

Queen's Printer,
Parliament Buildings,
VICTORIA, B.C.

Please refer to file 0147338
Attention: "RESERVES"

Kindly arrange to publish the enclosed
Notice of Cancellation and Establishment of Reserve
in the British Columbia Gazette for one issue only.

NOTICE OF CANCELLATION AND
ESTABLISHMENT OF RESERVE

NOTICE is hereby given that, pursuant to Order in Council No. 2517, approved October 21st, 1957, the reserve covering certain land on the Deer Creek watershed for the purposes of protecting the domestic and irrigation water-supply of the settlement known as Deer Park, situated on Lower Arrow Lake, Kootenay District, established pursuant to Order in Council No. 27, approved January 10th, 1956, is cancelled.

NOTICE is hereby also given that, pursuant to Order in Council No. 2517, approved October 21st, 1957, all Crown lands in the following described area on the Deer Creek watershed are reserved for the above-mentioned purpose:—

Commencing at the south-west corner of Sub-lot 6 of Lot 5817, Kootenay District; thence northerly along the westerly boundaries of Sub-lots 6, 7, and 31 of said Lot 5817 to the westerly boundary of the watershed of Deer Creek; thence in general northerly, easterly, and southerly directions along the westerly, northerly, and easterly boundaries of the said watershed of Deer Creek to the northerly boundary of Lot 400; thence westerly along the said northerly boundary of Lot 400 to the south-east corner of Sub-lot 22 of aforesaid Lot 5817; thence northerly, westerly, and southerly along the easterly, northerly, and westerly boundaries of said Sub-lot 22 of Lot 5817 to the south-east corner of aforesaid Sub-lot 6 of Lot 5817; thence westerly along the southerly boundary of said Sub-lot 6 of Lot 5817 to the aforesaid south-west corner thereof, being the point of commencement.

E. W. BASSETT,
Deputy Minister of Lands

Department of Lands and Forests,
Victoria, B.C., October 21st, 1957. no7--16

Yours truly,

[Handwritten signature]
C.T.W. HYSLOP,
Superintendent

Return <i>N</i> <i>N</i>	App. Book <i>[initials]</i>
Index Card <i>[initials]</i>	Register <i>[initials]</i>

10-12-57

*28.4 Sq. miles +
18176 acres
(this area taken from former
of map on this file marked)*

JJJ:af
Encl.

13/11

NOTICE OF CANCELLATION AND ESTABLISHMENT OF RESERVE

NOTICE is hereby given that pursuant to Order-in-Council No. 2517, approved October 21st, 1957, the reserve covering certain land on the Deer Creek watershed for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park, situated on Lower Arrow Lake, Kootenay District, established pursuant to Order-in-Council No. 27, approved January 10th, 1956, is cancelled.

NOTICE is hereby also given that pursuant to Order-in-Council No. 2517, approved October 21st, 1957, all Crown lands in the following described area on the Deer Creek watershed are reserved for the above mentioned purpose:-

"Commencing at the South West corner of Sublot 6 of Lot 5817, Kootenay District; thence Northerly along the Westerly boundaries of Sublots 6, 7, 8, and 31 of said Lot 5817 to the Westerly boundary of the watershed of Deer Creek; thence in a general Northerly, Easterly and Southerly direction along the Westerly, Northerly and Easterly boundaries of the said watershed of Deer Creek to the Northerly boundary of Lot 400; thence Westerly along the said Northerly boundary of Lot 400 to the South East corner of Sublot 22 of aforesaid Lot 5817; thence Northerly, Westerly, and Southerly along the Easterly, Northerly, and Westerly boundaries of said Sublot 22 of Lot 5817 to the South East corner of aforesaid Sublot 6 of Lot 5817; thence Westerly along the Southerly boundary of said Sublot 6 of Lot 5817 to the aforesaid South West corner thereof, being the point of commencement."

E.W. BASSETT,
Deputy Minister of Lands.

Department of Lands and Forests
Victoria, B.C. October 21, 1957

JJJ:af

October 30th, 1957

File: 0147338

c.c. Land Commissioner, Nelson, B.C.

c.c. Land Inspector, Nelson, B.C.

c.c. (2) Mrs. F. Ianson, Accounts Advertising, Department
of Industrial Development, Trade and Commerce,
Douglas Building, Victoria, B.C.

2517.

COPY OF MINUTE

APPROVED

OCT 21 1957

LIEUTENANT-GOVERNOR

Recommend:

THAT under authority of Section 96 of the Land Act, being Chapter 175, Revised Statutes of British Columbia, 1948, the reserve covering certain land on the Deer Creek watershed for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park, situated on Lower Arrow Lake, Kootenay District, established pursuant to Order-in-Council No. 27, approved January 10th, 1956, be cancelled.

AND TO FURTHER RECOMMEND THAT under authority of Section 93 of the Land Act, being Chapter 175, Revised Statutes of British Columbia 1948, all Crown lands in the following described area on the Deer Creek watershed be reserved for the above mentioned purpose:-

"Commencing at the South West corner of Sublot 6 of Lot 5817, Kootenay District; thence Northerly along the Westerly boundaries of Sublots 6, 7, 8, and 31 of said Lot 5817 to the Westerly boundary of the watershed of Deer Creek; thence in a general Northerly, Easterly and Southerly direction along the Westerly, Northerly and Easterly boundaries of the said watershed of Deer Creek to the Northerly boundary of Lot 400; thence Westerly along the said Northerly boundary of Lot 400 to the South East corner of Sublot 22 of aforesaid Lot 5817; thence Northerly, Westerly, and Southerly along the Easterly, Northerly, and Westerly boundaries of said Sublot 22 of Lot 5817 to the South East corner of aforesaid Sublot 6 of Lot 5817; thence Westerly along the Southerly boundary of said Sublot 6 of Lot 5817 to the aforesaid South West corner thereof, being the point of commencement."

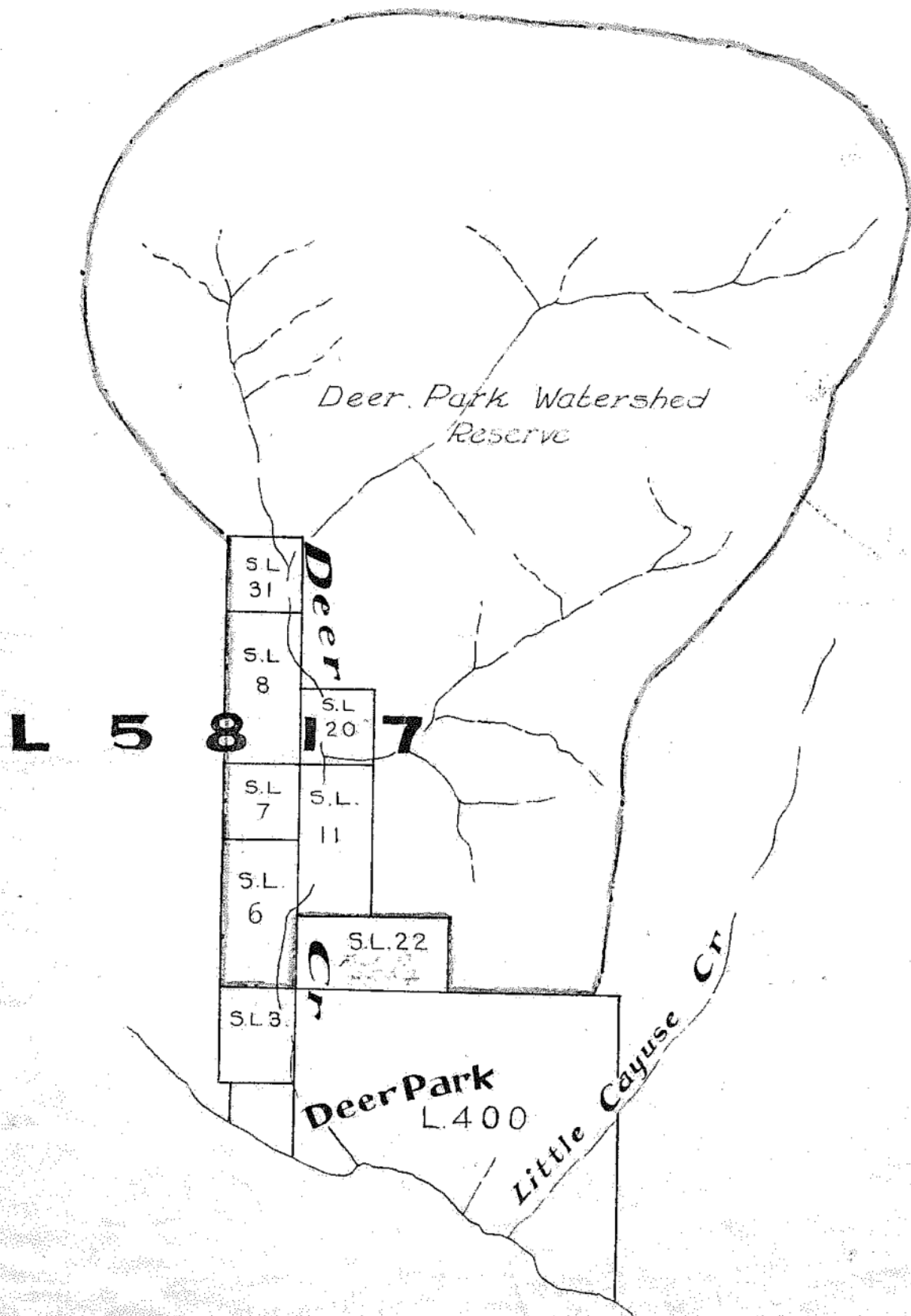
DATED this 18th day of October A.D. 1957

"Ray Williston"
.....
Minister of Lands and Forests

APPROVED this 18th day of October A.D. 1957

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

322124
August 29th, 1957
File: 2147339



PROPOSED NEW BOUNDARY FOR
DEER PARK WATERSHED

Scale: 80 chains = One inch

Nelson, B. C.

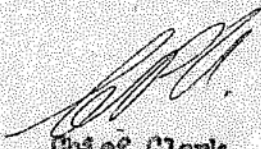
October 10th, 1957

F. U. P. 8594
N./Watershed Reserve Deer Creek

Attention: W. S. Hough

In view of the contents of your memo of October 1st, F. U. P. 8594 will remain as active on our records. It is noted that we have not received any copies of permits issued over this area and for that reason it is assumed that the area is not being used. In the future it would be appreciated if copies of F.U.P.'s granted would be forwarded to this office for our files in order that we may know if the permit is active.

slw
CPA:slw


Chief Clerk
Management Division

0147336, F.U.P. 8594

Nelson, B. C.


September 20th, 1957

M.F.U.P. App. Dear Park Farmers
Institute

Attention: Management

A reserve was established under the "Land Act" for watershed purposes of the Deer Creek Watershed which included Sublot 22 of Lot 5817, Kootenay District. It is now proposed to amend this reserve to exclude this subplot due to the fact that the area is covered by Free Use Permit 8594. It is now been noted that apparently no free use permits have been issued over Sublot 22 and the Lands Branch wish to know if we still desire to retain the free use permit covering such subplot. Please advise us in this regard at your earliest convenience.

(w)
CPA:lw


Chief Clerk
Management Division

0204023, 0147338

Handwritten note:
N.C. to Dept 20/5/57
lw

MEMO

Order-in-Council No. 27, approved January 10th, 1956, reserved certain lands on the Deer Creek Watershed for protection of domestic and irrigation water supply of a settlement known as Deer Park situated on Lower Arrow Lake. However, this area included S.L. 22 of Lot 5817, Kootenay District which is held in the name of the District Forester, Nelson for the issuance of Free-Use Permits.

The attached Order is for the purpose of deleting the said Sublot 22 of Lot 5817 from the reserve.

This deletion is considered in the public interest after discussions with officials of the B.C. Forest Service and members of the Deer Park Farmer Institute.

D 123(50)-0

recommend:

THAT under authority of Section 96 of the Land Act, being Chapter 175, Revised Statutes of British Columbia, 1948, the reserve covering certain land on the Deer Creek watershed for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park, situated on Lower Arrow Lake, Kootenay District, established pursuant to Order-in-Council No. 27, approved January 10th, 1956, be cancelled.

AND TO FURTHER RECOMMEND THAT under authority of Section 93 of the Land Act, being Chapter 175, Revised Statutes of British Columbia, 1948, all Crown lands in the following described area on the Deer Creek watershed be reserved for the above mentioned purpose:-

"Commencing at the South West corner of Sublot 6 of Lot 5817, Kootenay District; thence Northerly along the Westerly boundaries of Sublots 6, 7, 8, and 31 of said Lot 5817 to the Westerly boundary of the watershed of Deer Creek; thence in a general Northerly, Easterly and Southerly direction along the Westerly, Northerly and Easterly boundaries of the said watershed of Deer Creek to the Northerly boundary of Lot 400; thence Westerly along the said Northerly boundary of Lot 400 to the South East corner of Sublot 22 of aforesaid Lot 5817; thence Northerly, Westerly, and Southerly along the Easterly, Northerly, and Westerly boundaries of said Sublot 22 of Lot 5817 to the South East corner of aforesaid Sublot 6 of Lot 5817; thence Westerly along the Southerly boundary of said Sublot 6 of Lot 5817 to the aforesaid South West corner thereof, being the point of commencement."

DATED this day of A.D. 1957

.....
Minister of Lands and Forests

APPROVED this day of A.D. 1957

.....
Presiding Member of the Executive Council

JJJ:ah
August 27th, 1957
File: 0147338

18/10/57

Suggested Description of the Proposed Amendd
Bear Creek Watershed Reserve

X
Commencing at the south-west
corner of sub lot 6, of lot 5817, Kootenay
District; thence northerly along the westerly
boundaries of sub lots 6, 7, and 31, of
said lot 5817 to the westerly boundary of
the watershed of Bear Creek, thence in a
general northerly, easterly and southerly
direction along the westerly, northerly and
easterly boundaries of the said watershed
of Bear Creek to the northerly boundary
of lot 400, thence westerly along the
said northerly boundary of lot 400 to
the south-east corner of sub lot 22, of
lot 5817, thence northerly, westerly, and
southerly along the easterly, northerly and
westerly boundaries of said sub lot 22, of
lot 5817 to the south east corner of
sub lot 6, of lot 5817; thence westerly
along the southerly boundary of said sub lot 6,
of lot 5817 to the ^{opposite} south-west corner, thence
being the point of commencement

J. W. 29/11/56

August 2nd, 1957.

Files: P.M.L. #23
0147328

Mr. C.B. Dunham,
Calgar Limited,
404 Royal Bank Building,
675 West Hastings Street,
Vancouver 2, B. C.

Dear Sir:

You will recall our conversation regarding the
Dear Park Watershed Reserve. This reserve was established by
Order-in-Council on August 14th, 1942, a copy of which is
attached. Because of this prior reserve the area cannot be
considered a part of Forest Management Licence No. 23.

Such reserves do not rule out the possibility
of the disposal of timber under timber sale under certain con-
ditions. However, an application for such a licence would have
to be cleared through the Water Rights Branch of the Lands
Department and if there were any objections from the water
users, it is not likely that timber within the reserve would
be sold.

The above comments will confirm Mr. W.G. Bishop's
letter of May 9th, 1957 on this subject.

Yours truly,



W.G. Hughes,
Forester.

WGH/ml
Attach.

c.c. D.F. Nelson, B. C.
(copy attached of
Order-in-Council)

C. C. Calgary Ltd. Nakusp, B. C.

Chief Forester

Nelson

May 9th

57

138

OUR FILES: F.M.L. #23
M. Watershed Reserve
Deer Creek.

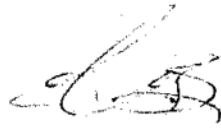
Calgar Limited,
404 Royal Bank Building,
675 West Hasting St.,
Vancouver 2, B. C.

Dear Sirs:

In reply to Mr. W. F. Waldie's verbal request for clarification of the status of the Deer Creek Watershed Reserve insofar as it concerns Forest Management License #23, please be advised that this watershed reserve is deemed subject to a prior commitment and cannot be considered as part of Forest Management License #23.

Yours truly,

District Forester.



W. G. Bishop,
Assistant Forester.

WGB:suz



136

Helson, B. C.

May 7th, 1957.

F.M.L. #23, M. Watershed Reserve
Deer Creek

Attention: Management
Mr. W.G. Bishop

With reference to your letter of April 24th, 1957, please be advised that the Deer Creek Watershed is deemed subject to a prior commitment and cannot be considered as part of F.M.L. #23.

For your information we are including hereunder the amended description (1955) of the area covered by the Watershed Reserve. It should be noted that further amendment will be made to exclude S.L. 22 being F.U.P. 8594.

"Commencing at the south-west corner of Sub.Lot 6, Lot 5817, Mackenay Land District; thence East to the height of land forming the easterly boundary of the watershed of Deer Creek, and its tributaries; thence northerly, westerly, and southerly, along the exterior boundaries of the said watershed of Deer Creek and its tributaries to the north-west corner of Sub.Lot 31, Lot 5817; thence southerly to the point of commencement."

WV

W.V. Mason,
Forester.

NVM/ml

MEMORANDUM

FROM DISTRICT FORESTER

TO Chief Forester
Victoria, B. C.

137

Nelson B.C.

April 29th 19 57

YOUR FILE:

MY FILE: F.M.L. #23, M. Watershed Reserve
Deer Creek.

Attention: Working Plans.

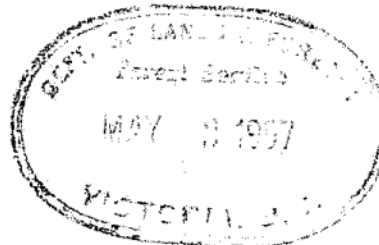
During a conversation with Mr. F. Waldie of Celgar Limited on April 26th, 1957, a question arose regarding the area of the watershed reserve of Deer Creek.

Inspection of the area indicates that Deer Creek is in a lightning belt and a road into the area would be of considerable benefit from a protection standpoint. The Company, therefore, requested clarification of the status of the area, i.e. is it in Forest Management No. 23 or is it excluded by virtue of the description of Schedule "B" lands (para 1) of the license contract.

Please advise earliest possible date in order that plans can be made re road location etc.

W. G. Bishop,
Assistant Forester.

WGB:JU



COPY OF MINUTE
APPROVED
JAN 10 1956

ADMINISTRATOR

Recommend:

THAT under authority of Section 96 of the "Land Act", being Chapter 175, Revised Statutes of British Columbia, 1948, the Reserve covering certain land on the Deer Creek watershed for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park, situated on Lower Arrow Lake, Kootenay District, established pursuant to Order-in-Council No. 1108, approved August 14th, 1942, notice of which was published in the British Columbia Gazette of August 20th, 1942, be cancelled.

AND TO FURTHER RECOMMEND THAT under authority of Section 93 of the "Land Act", being Chapter 175, Revised Statutes of British Columbia, 1948, all Crown lands in the following described area on the Deer Creek watershed be reserved for the above mentioned purpose:-

Commencing at the south-west corner of Sub.Lot 6, Lot 5817, Kootenay Land District; thence East to the height of land forming the easterly boundary of the watershed of Deer Creek, and its tributaries, thence northerly, westerly, and southerly, along the exterior boundaries of the said watershed of Deer Creek and its tributaries to the north-west corner of Sub.Lot 31, Lot 5817; thence southerly to the point of commencement.

DATED this 10th day of Jan. A.D. 1956

"R.E. Sommers"

.....
Minister of Lands and Forests

APPROVED this 10th day of Jan. A.D. 1956

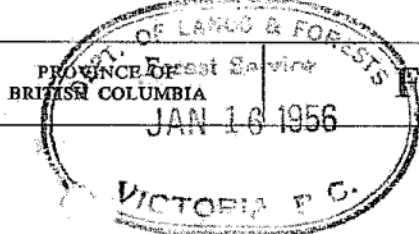
"W.A.C. Bennett"

.....
Presiding Member of the Executive Council

0147335
6-20-56

INDEXED BY
K

44-7338



PROVINCE OF BRITISH COLUMBIA FOREST SERVICE DEPARTMENT OF LANDS AND FORESTS

0204023

Date Jan 13, 1955

From Nelson Office.

Our File No. M. Watershed Reserve Deer Park.

To Victoria

Your File No. (Deer Creek)

Attention Management

Referring to

Here with sketch showing proposed boundary for Deer Park watershed

(Signature) D. J. Gaden

★ F.S. 297-75M (50)-0

MR LINDERWOOD

Amended description to be gazetted includes S.L. 22 of L-5817, Kootenay.

Sketch furnished by Dist Forester, Nelson, under date of Jan. 13/56, excludes S.L. 22.

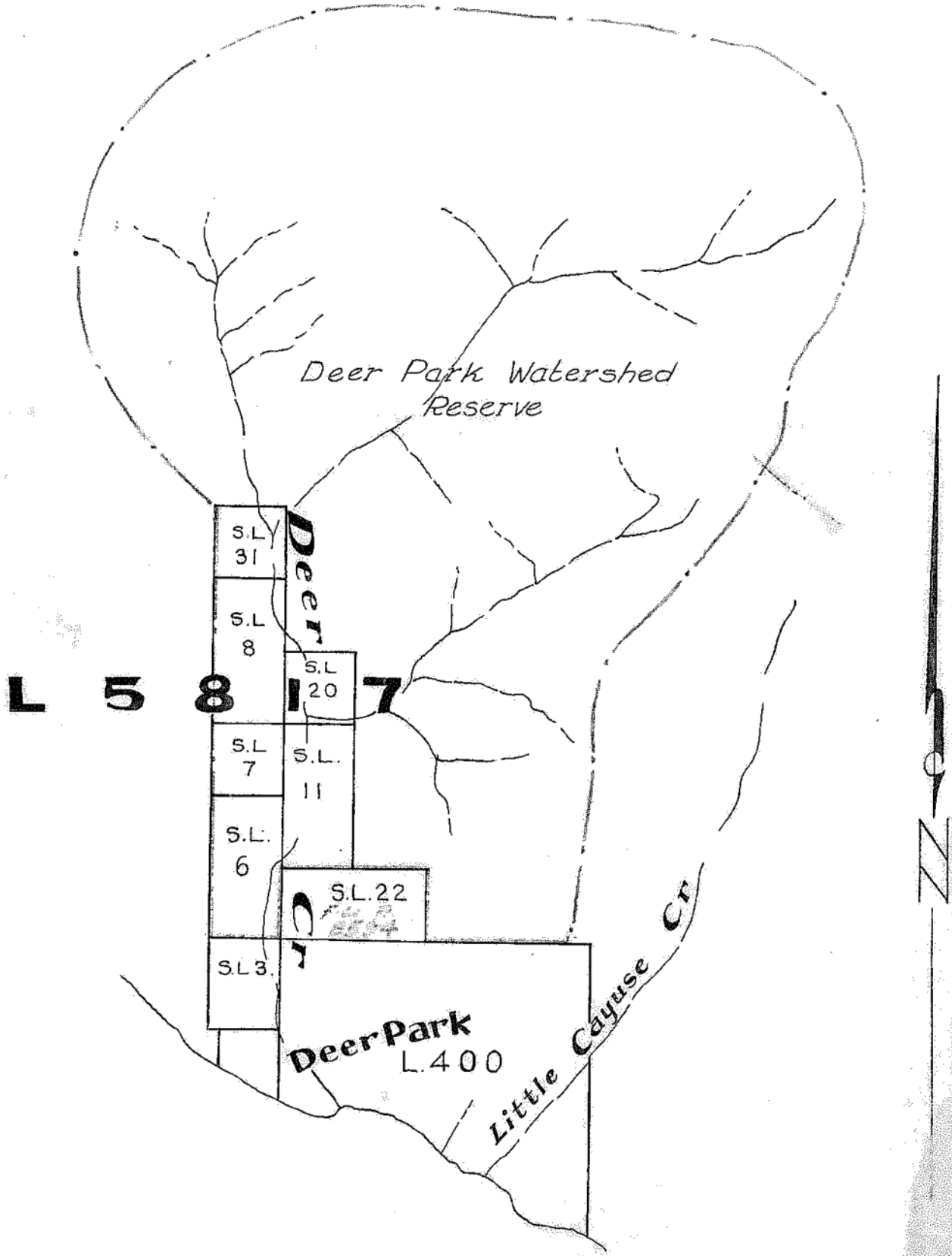
Greater part of S.L. 22 cleared 14-7-54 for Free Use Permit 8594 (F. 0204023) for cordwood for residents of Deer Park. Therefore, it would seem that the description of reserve should be amended to exclude S.L. 22.

J. C. McQueen

Excluded by T. M.'s description dated 29/11/56 herein *Chief Draughtsman Forest Management*

D 123(50)-0

147338



PROPOSED NEW BOUNDARY FOR
DEER PARK WATERSHED

Scale: 80 chains = One inch

27

10/1/56

recommend:

THAT under authority of Section 96 of the "Land Act", being Chapter 175, Revised Statutes of British Columbia, 1948, the reserve covering certain land on the Deer Creek watershed for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park, situated on Lower Arrow Lake, Kootenay District, established pursuant to Order-in-Council No. 1104, approved August 14th, 1942, notice of which was published in the British Columbia Gazette of August 20th, 1942, be cancelled.

AND TO FURTHER RECOMMEND THAT under authority of Section 93 of the "Land Act", being Chapter 175, Revised Statutes of British Columbia, 1948, all Crown lands in the following described area on the Deer Creek watershed be reserved for the above mentioned purpose:-

* Commencing at the south-west corner of Sub.Lot 6, Lot 5817, Kootenay Land District; thence East to the height of land forming the easterly boundary of the watershed of Deer Creek, and its tributaries, thence northerly, westerly, and southerly, along the exterior boundaries of the said watershed of Deer Creek and its tributaries to the north-west corner of Sub.Lot 31, Lot 5817; thence southerly to the point of commencement.

DATED this _____ day of _____ A.D. 1955

.....
Minister of Lands and Forests

APPROVED this _____ day of _____ A.D. 1955

.....
Presiding Member of the Executive Council

U. [Signature]
- 0147338
~~020106~~
er 28, 1955

December 22nd 1955.

Mr. R. Pollard,
District Water Engineer,
Court House,
Nelson, B.C.

Please refer to File #0147338
Attn: Superintendent of Lands.


Dear Sir:

Pursuant to Order-in-Council No. 1108 approved August 14th 1942, notice of which was published in the B.C. Gazette of August 20th 1942, the area outlined in green on the enclosed print was reserved as a watershed for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park, situated on Lower Arrow Lake. Forest Management Licence No. 23 covers lands adjacent to the said reserve, such reserve being excepted from the Management Licence in accordance with the provisions of same.

Application has been made for a timber cutting permit at Little Cayuse Creek in connection with Forest Management Licence No. 23, and in view of the report received in this connection, it is proposed to amend the boundaries of the watershed reserve as outlined in red on the enclosed print.

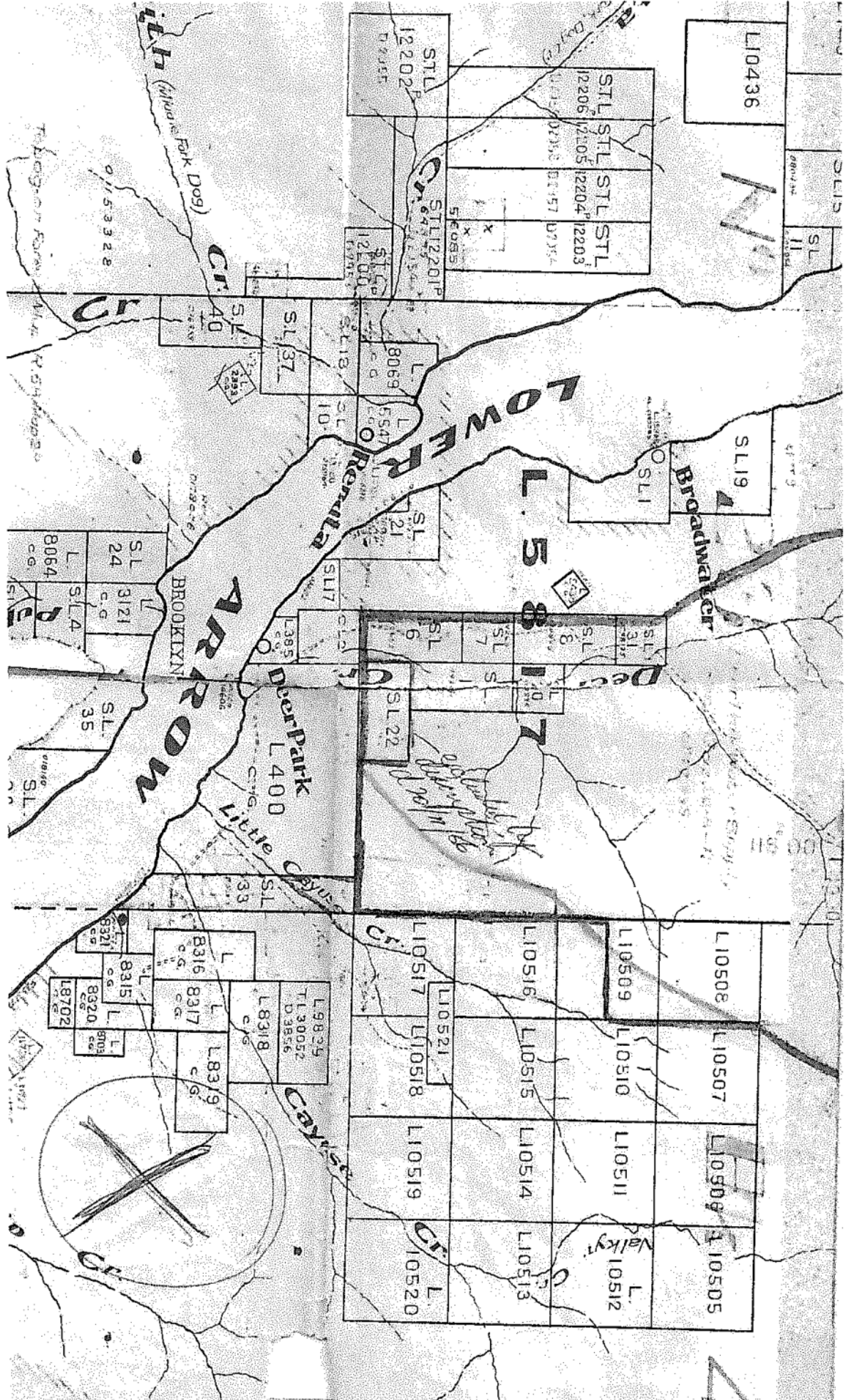
Would you please be good enough to advise the responsible body concerned respecting this amendment.

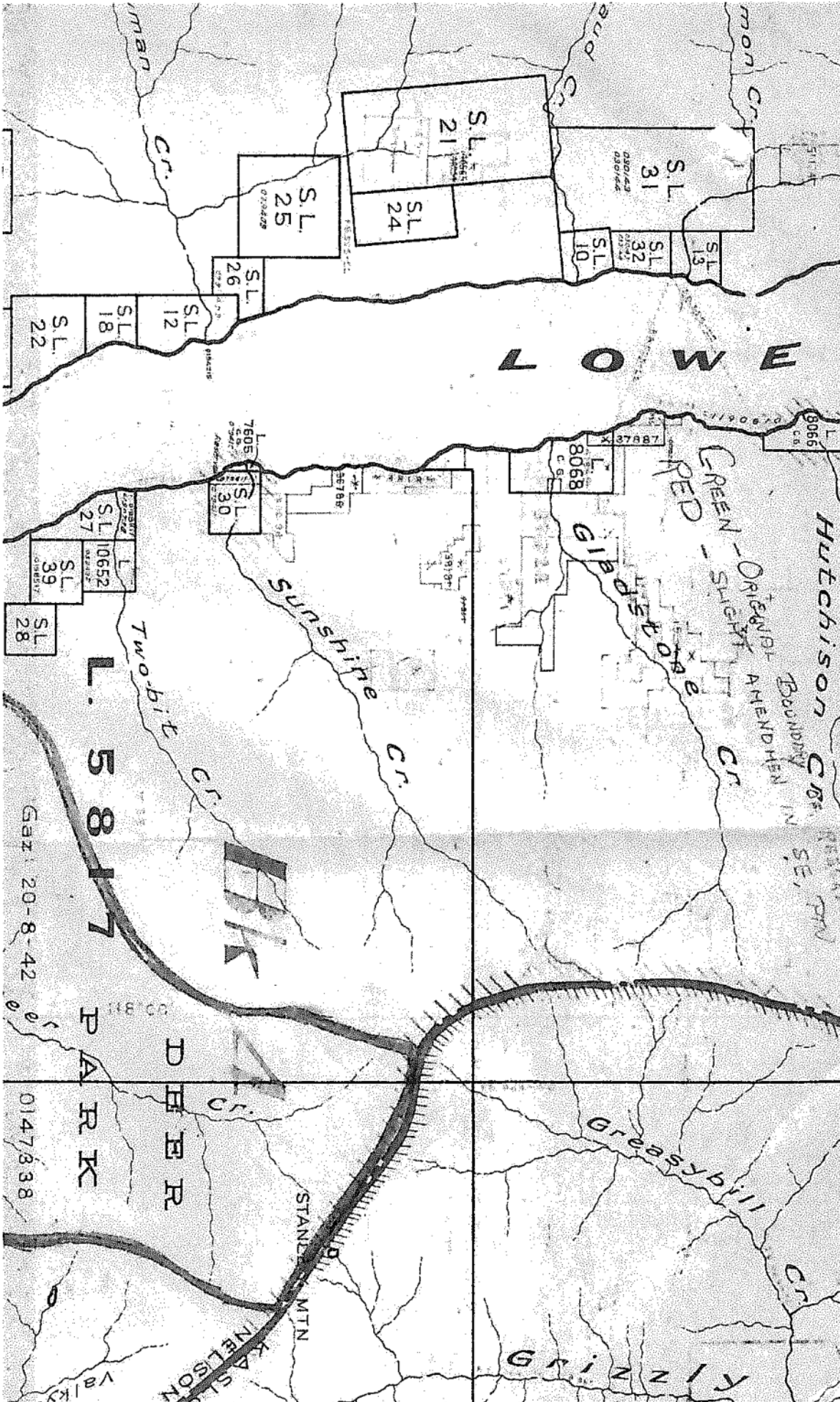
Yours truly,


R. E. BURNS
Superintendent of Lands.

RMB:FB

Encl.





Proposed Deer Creek Reserve,

Kootenay Land District.

SURVEY BRANCH

Commencing at the south-west corner of Sub.Lot 6, Lot 5817, Kootenay Land District; thence ~~eastward to the south-west corner of Lot 10517; thence~~ *East to the height of land forming the* ~~northerly to the south-west corner of the south-east of Lot 10500; thence~~ *Eastern boundary of the watershed of Deer Creek* ~~eastward to the south-west corner of the south-east of Lot 10500; thence~~ *and its tributaries,* ~~northerly to the south-west corner of Lot 10500; thence~~ *said* ~~northerly, westerly,~~ and southerly along the exterior boundaries of the watershed of Deer Creek and its tributaries to the north-west corner of Sub.Lot 31, Lot 5817; thence southerly to the point of commencement.

J. H. W.

Dec 20/5-5

August 4, 1953.

s.22

Dear Sir:

Please refer to File 0147338

I have to acknowledge your letter of the 3rd inst. enclosing money order for \$1.00 for a copy of Order in Council No. 1108 approved August 14th, 1942, reserving an area in Deer Park on the Lower Arrow Lake, for the purpose of protecting the domestic and irrigation water supply.

As copies of Orders in Council are obtainable only through the office of the Provincial Secretary, I am referring your request to the Deputy Minister of that Department, together with the money order in the sum of \$1.00 enclosed with your letter.

The only information this Department has in connection with placing the order was a request made on behalf of some 40 water users for the reserve to be placed for the protection of their water supply. This request was placed through Mr. R. W. Burns of Kootenay Drug, Trail, B.C. in July of 1942.

Yours truly,


C. E. Hopper
Deputy Minister.

CHL, V. 111

August 4, 1953.

Memorandum for the Deputy Provincial Secretary.

File 0147338

We are in receipt of a request from Mr.

s.22

B.C. for a copy of Order in Council No. 1108 approved August 14, 1942, and the enclosed Money Order No. 14,816,275 for \$1.00 was submitted in payment therefor.

Will you kindly reply direct to s.22 in this connection.

CEH
C. E. Hopper
Deputy Minister.

CMH: VM
END:



s.22

2587821

August, 3rd, 1953.

Mr. Hopper,
Deputy Minister of Lands,
Victoria, B.C.,

Dear Sir:

Enclosed is money order amounting to \$1.00 for purchase copy of order in council # 1108 this order places a reserve on Deer Park Lower Arrow Lake B.C. and was put into effect on information submitted by letter July 28th, 1942 addressed to the Hon. Wells Gray.

I desire the order in council and any relative information that may be available to the writers.

Since I talked with you Mr. Hopper on this same matter some few weeks ago in Victoria we men have overcome the one problem in that our intended timber sale is in the same area as my partners logged between 1945 & 1952 as laid down by the present gov't in regards to the interim forest management License.

We are going to proceed with drawing up a petition just as soon as we receive this necessary information from Victoria, and we intend applying for to rescind order in council #1108.

Yours very truly,

s.22



s.22

2587821

August, 3rd, 1953.

Mr. Hopper,
Deputy Minister of Lands,
Victoria, B.C.,

Dear Sir:

Enclosed is money order amounting to \$1.00 for purchase copy of order in council # 1108 this order places a reserve on Deer Park Lower Arrow Lake B.C. and was put into effect on information submitted by letter July 28th, 1942 addressed to the Hon. Wells Gray.

I desire the order in council and any relative information that may be available to the writer s.22

Since I talked with you Mr. Hopper on this same matter some few weeks ago in Victoria we men have overcome the one problem in that our intended timber sale is in the same area as my partners logged between 1945 & 1952 as laid down by the present gov't in regards to the interim forest management License.

We are going to proceed with drawing up a petition just as soon as we receive this necessary information from Victoria, and we intend applying for to rescind order in council #1108.

Yours very truly,

s.22

DEPARTMENT FILE NO. 029835 & 0147338
LOCAL FILE NO. 03



OFFICE OF ENGINEER

Nelson

June 15,

DEPARTMENT OF LANDS AND FORESTS
WATER RIGHTS BRANCH

20

Re _____
(Do not write on more than one subject on one page.)



MEMO: Comptroller of Water Rights,
Parliament Buildings,
VICTORIA, B.C.

I am in receipt of your memo of the 10th instant with enclosures.

I have discussed the matter with Mr. Forse, Acting District Forester here. We have reached the conclusion that there would appear to be no reason why the reserve established subsequent to Mr. Burns' letter of July 28, 1942, should not be lifted and any application for alienation or the purchase of timber, whichever might apply, should be treated on its individual merits just as all other applications within watersheds are treated.

According to Mr. Forse there is no merchantable timber in sufficient quantity as to render the land inalienable but should an application such as Mr. Schwartzhauer's of December 1947 be received, a formal routine inspection would be made.

Again referring to the third paragraph of your memo, as far as Mr. Forse's office and mine are concerned, the reserve can be removed in the same manner that it was established; i.e. without notice to either.

RP/AB

R. Beard
District Engineer.

*Whose is concerned
by Water Branch*

*KD 21
5
48*

June 19, 1

MEMO:

R. Pollard, Esq.
Box 330
Nelson, B.C.

Our Files Nos. 022055 & 0147333.

Attached for your information are copies of letters passing between this office and s.22 and bring the following facts to your attention.

s.22 application to purchase was submitted in December, 1947 and subsequently disallowed for reason as stated.

We also find the reserve was established consequent to a letter of July, 1943 from R.M. Burns, M.L.A. copy of same enclosed; incidentally, we find the matter was not then referred to us or the Forest Branch for comment prior to establishment.

As you are no doubt aware many licenses exist on the creek but do not call for a very great amount of water. The lots in question do not lie very high up the watershed.

Could you discuss, if you see fit, with the Forest Branch and possibly the Government Agent and advise us of the opinions arrived at so that a further letter can be sent s.22

R.S. FARRON
Comptroller of Water Rights.

Per:

RD:MB
Encl.

August 25th.
1 9 4 2.

Mr. R. R. Burns, M.L.A.,
Trail. B. C.

Dear Mr. Burns:-

Referring to your letter of the 20th ultimo regarding the desire to have a reserve placed on certain lands situated at the head waters of Deer Creek, in the vicinity of Lower Arrow Lake, I have to inform you that under authority of Order-in-Council No. 1108, approved on the 14th instant, a reserve was established on the following described land for the purpose of protecting the domestic and irrigation water supply of Deer Park settlement:-

"Commencing at the south-west corner of Sub.Lot 6, Lot 5817, Kootenay Land District; thence easterly to the south-west corner of Lot 10517; thence northerly to the south-west corner of the north half of Lot 10509; thence easterly to the south-east corner of said north half of Lot 10509; thence northerly to the north-east corner of Lot 10508; thence northerly, westerly, and southerly along the exterior boundaries of the watershed of Deer Creek and its tributaries to the north-west corner of Sub.Lot 31, Lot 5817; thence southerly to the point of commencement."

Notice of the establishment of this reserve appeared in the British Columbia Gazette of the 20th instant.

Faithfully yours,



Minister.

REB:BA.
File: 0147338.



August 18th,
1942.

King's Printer,
Buildings.

Dear Sir:- Please refer to File 0147338.

Herewith I am enclosing Notice of Reserve covering a certain parcel of land for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park, situated on Lower Arrow Lake, Kootenay District, and shall be pleased if you will insert such Notice in the B. C. Gazette for one issue only.

Yours truly,

W.T.

Superintendent of Lands.

NOTICE OF RESERVE.

NOTICE is hereby given that the following described parcel of land is reserved for the purpose of protecting the domestic and irrigation water-supply of the settlement known as Deer Park, situated on Lower Arrow Lake, Kootenay District:—

Commencing at the south-west corner of Sublot 6, Lot 5817, Kootenay Land District; thence easterly to the south-west corner of Lot 10517; thence northerly to the south-west corner of the North Half of Lot 10509; thence easterly to the south-east corner of said North Half of Lot 10509; thence northerly to the north-east corner of Lot 10508; thence northerly, westerly, and southerly along the exterior boundaries of the watershed of Deer Creek and its tributaries to the north-west corner of Sublot 31, Lot 5817; thence southerly to the point of commencement.

H. CATHCART,
Deputy Minister of Lands.

Department of Lands,
Victoria, B.C., August 14th, 1942.

4926-au20

Noted on R.M.S.
18-2N 2-18-55

CMS. 21-8-42

NOTICE OF RESERVE.

NOTICE is hereby given that the following described parcel of land is reserved for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park, situated on Lower Arrow Lake, Kootenay District:-

"Commencing at the south-west corner of Sub.Lot 6, Lot 5817, Kootenay Land District; thence easterly to the south-west corner of Lot 10517; thence northerly to the south-west corner of the north half of Lot 10509; thence easterly to the south-east corner of said north half of Lot 10509; thence northerly to the north-east corner of Lot 10508; thence northerly, westerly, and southerly along the exterior boundaries of the watershed of Deer Creek and its tributaries to the north-west corner of Sub.Lot 31, Lot 5817; thence southerly to the point of commencement".

H. CATHCART,
Deputy Minister
of Lands.

Lands Department,
Victoria, B. C.,
August 14th, 1942.

Approved
Aug 14 1942
1108

recommend:

THAT pursuant to the provisions of Section 93 of the Land Act, Chapter 144, Revised Statutes, 1936, the following described parcel of land be reserved for the purpose of protecting the domestic and irrigation water supply of the settlement known as Deer Park, situated on Lower Arrow Lake, Kootenay District:

"Commencing at the south-west corner of Sub.Lot 6, Lot 5817, Kootenay Land District; thence easterly to the south-west corner of Lot 10517; thence northerly to the south-west corner of the north half of Lot 10509; thence easterly to the south-east corner of said north half of Lot 10509; thence northerly to the north-east corner of Lot 10508; thence northerly, westerly, and southerly along the exterior boundaries of the watershed of Deer Creek and its tributaries to the north-west corner of Sub.Lot 31, Lot 5817; thence southerly to the point of commencement."

dated this 14 day of Aug A.D. 1942.

A. W. G.
Minister of Lands.

this 14 day of Aug A.D. 1942.

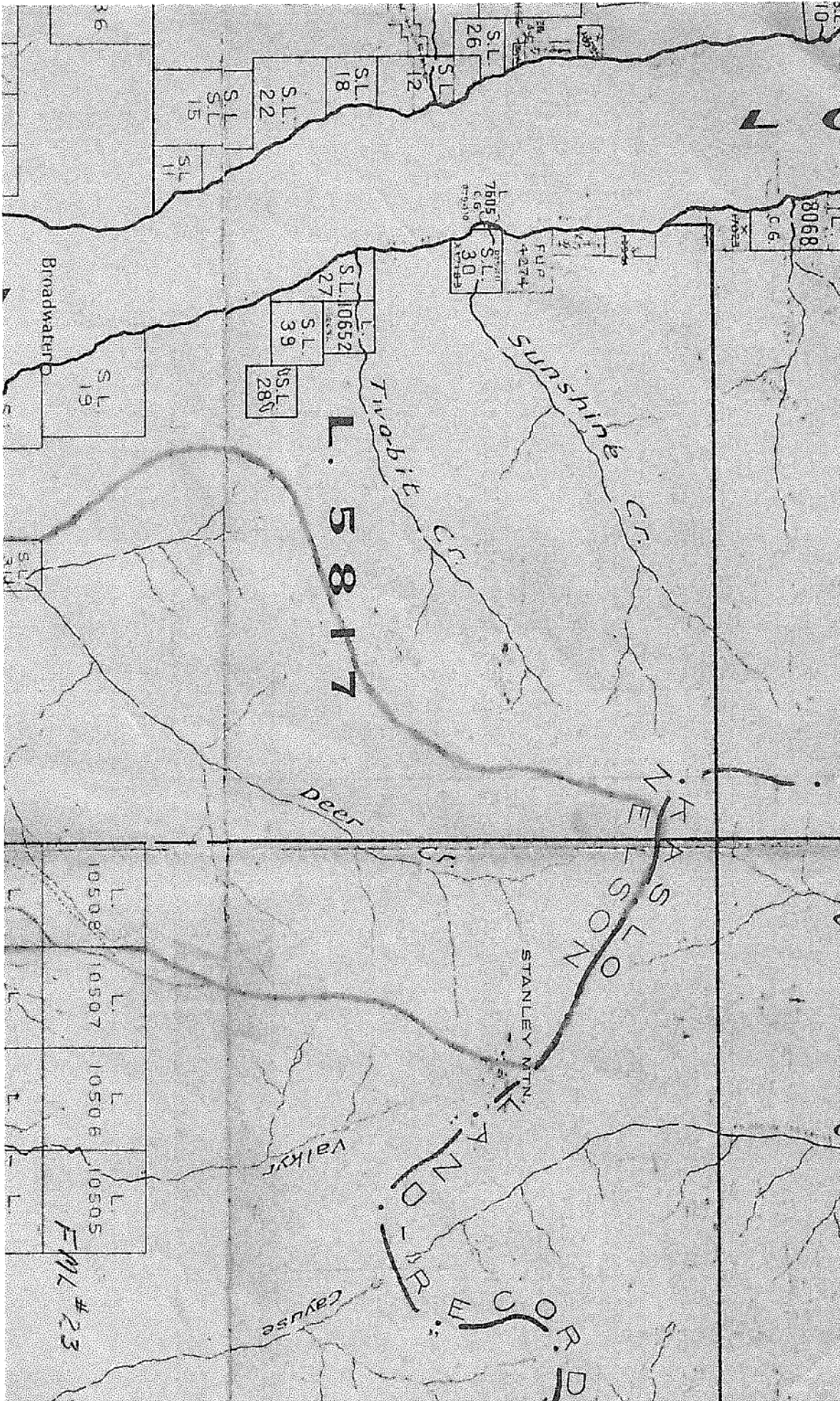
A. W. G.
Presiding Member of the Executive

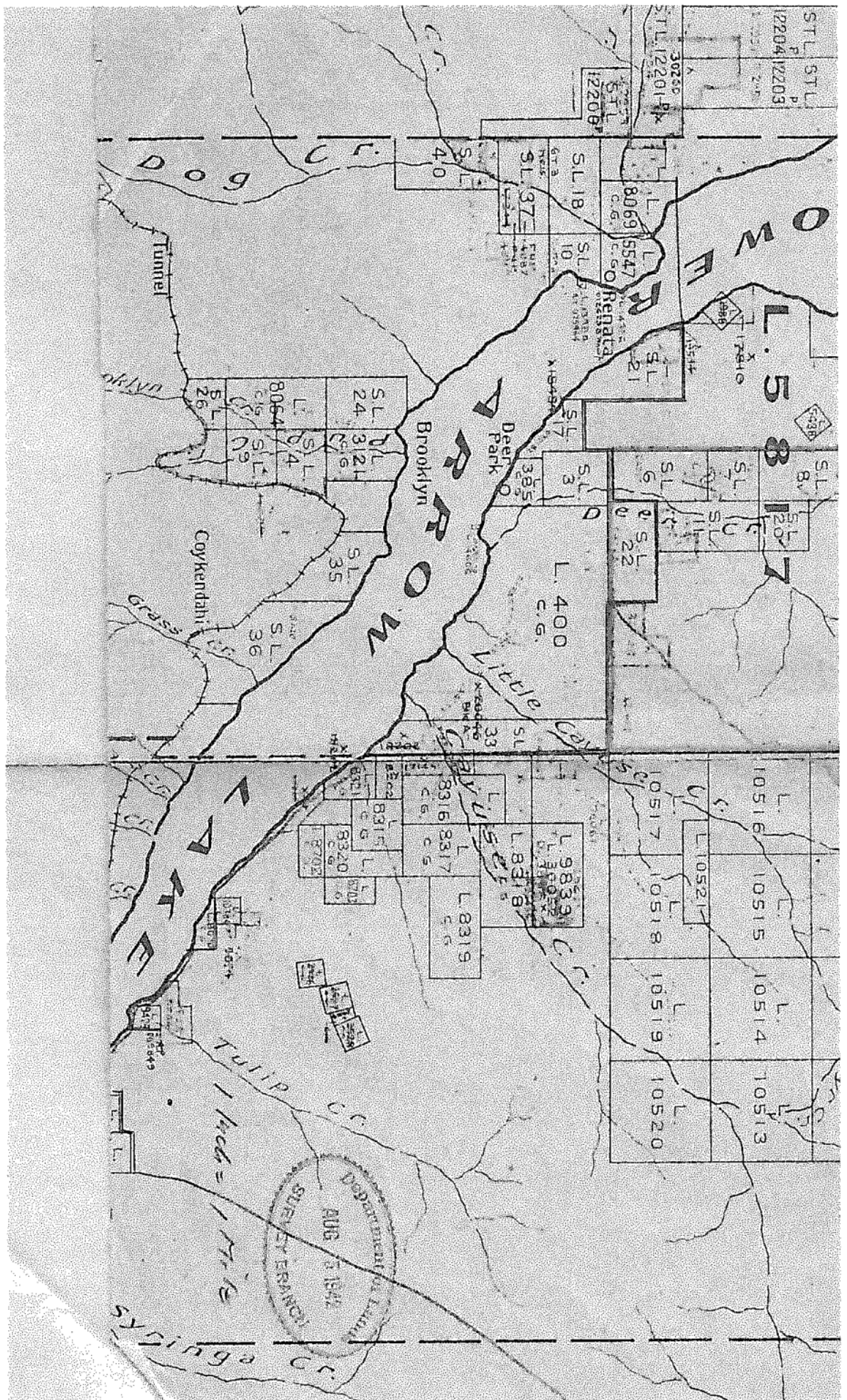


Proposed Deer Creek Reserve

Commencing at the south-west corner of Sub.Lot 6, Lot 5817, Kootenay Land District; thence easterly to the south-west corner of Lot 10517; thence northerly to the south-west corner of the north half of Lot 10509; thence easterly to the south-east corner of said north half of Lot 10509; thence northerly to the north-east corner of Lot 10508; thence northerly, westerly, and southerly along the exterior boundaries of the watershed of Deer Creek and its tributaries to the north-west corner of Sub.Lot 31, Lot 5817; thence southerly to the point of commencement.

Handwritten signature or initials, possibly "J.R.", in dark ink.





Confined Deer Creek Reservoir

Commencing at the south-west corner of
Supt. Lot 6, Sec 5817, Harding Land District,
thence easterly to the south-west corner of
Lot 10517; thence southerly to the south-west
corner of the north half of Lot 10509; thence easterly
to the south-east corner of said north half of
Lot 10509;

thence southerly to the south-east corner
of Lot 10508; thence southerly, westerly,
and southerly, along the ^{exterior} boundaries of the

watershed of Deer Creek and its tributaries

to the
south-west corner of Supt. Lot 31, Sec
5817; thence southerly to the point of commencing

TRAIL, B. C.

July 28, 1942.

0147338

The Hon. Wells Gray,
Minister of Lands,
Victoria, B.C.



Dear Mr. Gray:

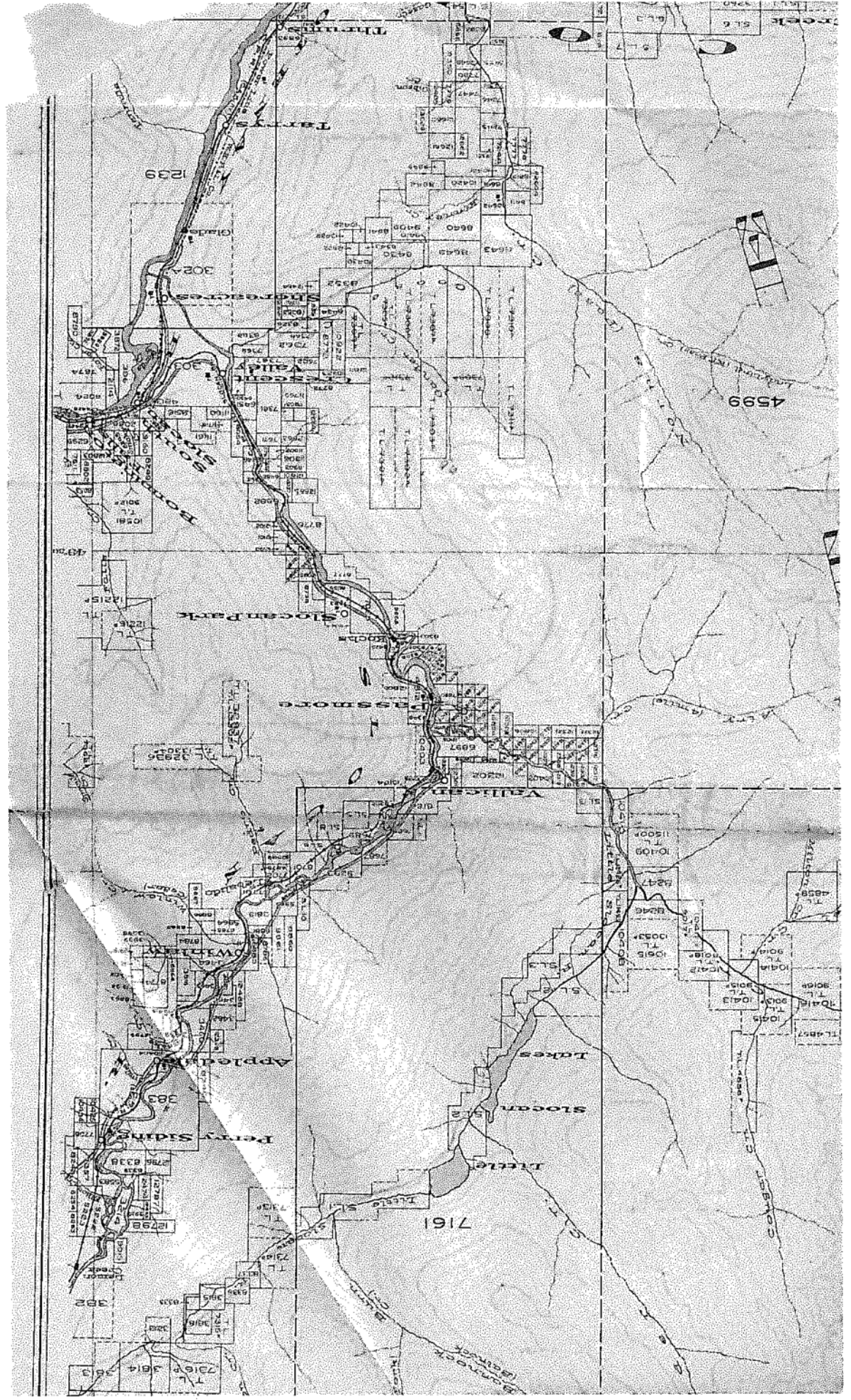
I have just returned from Deer Park, a very lovely settlement on the Arrow Lakes famed for its fruit and inaccessability.

While there I was asked to write you and request you to have a reserve put on timber on the head waters of Deer Creek. The timber there is not very valuable and the Forestry men say it has really no commercial value at all. However, Deer Creek supplies the settlement of Deer Park with its domestic and irrigation water. In all there are about, I suppose, 40 water users. They would very much appreciate it if you would safe guard their intersts in this manner.

With best wishes and hopes of an early reply and, of course, a satisfactory one, I am,

Yours truly,

s.22

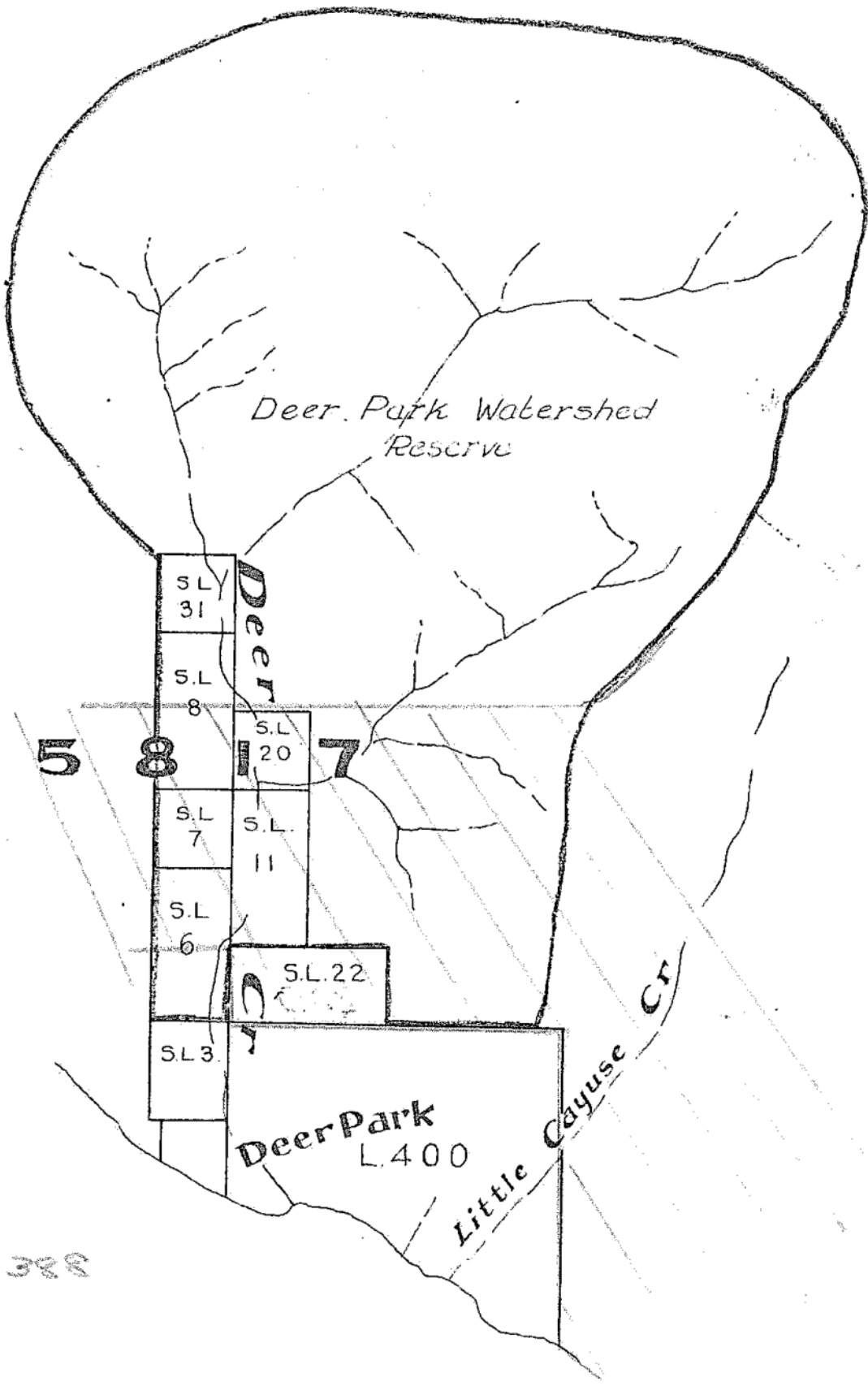


1941 19

SUBJECT

RESERVE - HEADWATERS - DEER CREEK
KOOTENNY

Lands Department



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8

7

0282388

PROPOSED NEW BOUNDARY FOR
DEER PARK WATERSHED

Scale: 300 feet = 1 inch