

Audrey

Please telephone Vic Bossia

@

S.22

Ask if works on Grasmere-  
Dorr Rd. have been installed.

(water line.).

Flakes

a

July 2/94  
left message for  
him to call

all Done.

MEMO TO FILE

DATE:

Jan. 30/96

TIME:

2:10

CALLER/VISITOR:

Vic Bossio

DISCUSSION:

He was unable to install waterline last fall.  
I advised that was not a problem. He is to notify  
Dist. Office 2 weeks in advance of installation proposed  
for Spring 1996. (After spring breakups).  
All permit conditions still apply.  
To complete works within 1 week or less  
Permit dates extended.

\* July 3/96 - TALKED TO Vic Bossio  
+ The works have been installed  
+ All complete

REMARKS:

Audrey

Jan. 30, 1996  
s.22

Ministry of Transportation & Highways  
East Kootenay District  
129-10th Ave. S.  
Cranbrook, B.C.  
V1C 2N1

Your File: 03 011 13023

Attention: Mr. A. R. (Art) Caldwell  
Senior Development Technician

Mr. Caldwell:

RE: Phillips/McIntyre Water System, Grasmere, B.C.

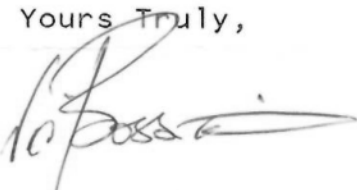
After reviewing your letter of September 25, 1995, addressed to Mrs. Clare Phillips; I responded to you with a letter dated October 12, 1995 containing the information you required. I hand delivered this letter to your office and was given Permit # 13023.

A subsequent letter was sent to Mrs. Phillips. The permit expiry date has, however, lapsed. With this in mind, we would ask for an extension to June 30, 1996. All other information & requirements would remain the same.

Please forward any correspondence regarding this matter to myself at the above address.

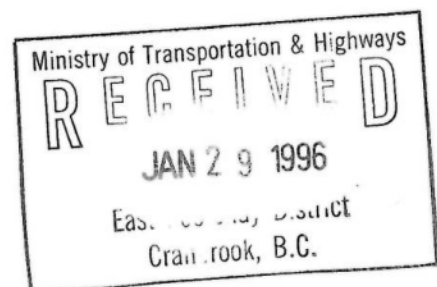
Thank you for your cooperation.

Yours Truly,



Vic Bossio

VB/lp





## PERMISSION TO CONSTRUCT WORKS WITHIN CROWN LAND

The works comprising of 40mm P.V.C. waterline for domestic and irrigation purposes crossing #6 Elko-Grasmere Road located 6kms. North of Grasmere, BC. Works to be located adjacent to Sublot 15, D.L. 361, D.L. Plan X40 and Sublot 9, 10 and 11, West 1/2 of Sublot 16, D.L. 361, K.D. in accordance with sketch and application received October 16, 1995.

are hereby approved in so far as they relate to the use of Crown lands, interference with public works, or other matter under the jurisdiction of the Minister of Transportation and Highways, and permission to construct, use, and maintain the said work is hereby granted to Mrs. M.C. Phillips, s.22 and Lewis & Evelyn McIntyre

The said approval and permission to construct, use, and maintain works is, however, at all times subject to the following conditions:

1. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director, Highways.
2. That, before opening up any highway or interfering with any public work, intimation in writing of the intention to do so must be given to the District Official at least seven clear days before the work is begun.
3. That any person appointed to the Regional Director, Highways, for the purpose shall have free access to all parts of the works for the purpose of inspecting the same.
4. That the construction of the said works shall be commenced on or before the October 30, 1995, and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Highways, and shall be completed on or before the ~~XXXXXX~~ as soon as possible after commencement.
5. (a) The highway must at all times be kept open to traffic. The roadway must be completely restored for traffic as soon as possible. At all times the permittee must safeguard the travelling public.  
(b) That, unless with the consent of the Regional Director, Highways, no more than forty-five (45) metres of pipe-track or other excavation in any public highway is to be kept open at one time.  
(c) All trenches and excavations shall be shored, if necessary, according to the Workers' Compensation requirements. Care shall be taken to protect adjacent property.  
(d) That all excavations shall be carefully back-filled with suitable material, which is to be tamped into place, and that the permittee shall restore the surface of the road and shoulders and ditches at his own expense. All surplus material is to be removed from the Provincial Crown lands, or deposited where and as required by the District Official of the Ministry of Transportation and Highways. The permittee is financially responsible for any maintenance work required on said ditch for a period of one year. The Ministry will carry out the necessary remedial work and invoice the permittee monthly.  
(e) The pipeline crossing installation is to be placed by drilling and (or) jacking in such a manner as to afford minimum grade settlement. No water jetting will be permitted. That where, in the opinion of the District Official, an excavation or opening for a pipeline crossing installation could be made which would not be detrimental to the highway or its users, permission will be granted for said works. On throughways, freeways, and main highways no open cuts will be allowed.  
(f) That all pipelines in excess of a nominal diameter of 5 cm., whether gas, oil, water, pressure sewers, conduits, etc., shall be installed where indicated by the District Official, encased in a steel casing-pipe or conduit-pipe of sufficient strength to withstand all stresses and strains resulting from the location, such casing to extend the full width of the highway right-of-way if deemed necessary to the District Official. The ends of the casing-pipe shall be suitably sealed and, if required, properly vented above the ground with vent-pipes not less than 5 cm. in diameter, and extending not less than 1.2 metres above ground surface. Vent-pipes shall be connected 30 cm. from the ends of the casing-pipe, and the top of each vent shall be fitted with a turn-down elbow, properly screened and equipped with identification markers.  
All pipelines of non-rigid material, i.e., plastic or copper, of any diameter, shall be cased, or embedded in sand.  
The inside diameter of the casing-pipe shall be at least 25 per cent larger than the outside diameter of the pipeline. The casing-pipe shall be installed with an even bearing throughout its length, and in such a manner so as to prevent leakage, except through the vents.  
The top of the casing-pipe, or the pipeline where casing is not required, shall be located as directed by the District Official, and shall in no case be less than 1.2 metres below the surface of the highway and not less than 60 cm below the highway ditches. Pipelines must not obstruct drainage structures or ditches or interfere with traffic on the highway or with highway maintenance.
6. That where the work for which permission is hereby granted comes in contact with any bridge, culvert, ditch, or other existing work, such existing work must be properly maintained and supported in such manner as not to interfere with its proper function during the construction of the new work, and on the completion of the new work the bridge, culvert, ditch, or other existing work interfered with shall be completely restored to its original good condition.
7. That when necessary all excavations, materials, or other obstructions are to be efficiently fenced, lit, and watched, and at all times every possible precaution is to be taken to ensure the safety of the public.
8. That the person or persons for whom these works are being constructed, or by whom these works are maintained, shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by these works, and shall save harmless and keep indemnified the Crown from all claims and demands whatsoever in respect of the works.

9. That the permission herein granted to use and maintain the works is only granted for such times as the land or public work in, upon, or over which the said works are constructed is under the jurisdiction of the Minister of Transportation and Highways. This permission is not to be construed as being granted for all time, and shall not be deemed to vest in the permittee any right, title, or interest whatsoever in or to the lands upon which the works are constructed. Should the lands affected at any time be included within that of an incorporated municipality or city, this permission shall become void, unless the works are on a highway duly classified as an arterial or primary highway pursuant to Part III of the *Highway Act*.

10. That after receiving notice in writing of the intention on the part of the Provincial Government to construct, extend, alter, or improve any public work, the person or persons responsible for the maintenance of the works for which permission is hereby granted shall within six weeks move or alter such work at his or their own expense to such new positions or in such manner as may be necessitated by the construction, extension, alteration, or improvement proposed to be carried out by the Provincial Government.

11. That while reasonable care will be taken on the part of the Provincial Government to do as little damage as possible to any private work in the carrying-out of the construction, extension, alterations, improvement, repair, or maintenance of any public work adjacent thereto, the Provincial Government can accept no responsibility for any kind of such damage.

12. That the permission hereby granted to construct, use, and maintain work is granted without prejudice to the provisions of the *Highway Act* and *Ministry of Highways and Public Works Act*, or other Acts governing Crown lands and public works or their use by the public.

13. That this permission shall be in force only during such time as the said works are operated and maintained by the applicants, to the entire satisfaction of the Regional Director, Highways.

14. That the Ministry will not be responsible for grade changes on accesses caused by reconstruction of any Provincial highway.

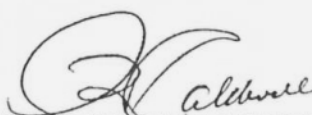
15. This permit is valid only for the specific works stated herein. Any alterations or additions must be covered by a separate permit.

16. This permit may be cancelled, at the discretion of the Minister, without recourse, should the permittee fail to comply with all the terms of the permit. Thirty days' notice will be given before cancellation.

17. When the requirements of the Ministry necessitate use of the said lands for Provincial purposes, at the discretion of the Minister, this permit may be cancelled.

18. That these works shall be identified with this permit number, namely, "H. 13023," in a manner satisfactory to the District Official of the Ministry of Transportation and Highways.

Ministry of Transportation and Highways .....  
129 - 10th Ave. South .....  
Cranbrook, B.C. V1C 2N1 .....

  
A.R. (Art) Caldwell .....  
Senior Development Approvals Tech. ....  
For Minister of Transportation and Highways .....

October 17 ....., 19 95

ARC/opr

c.c: Bel Maintenance, Cranbrook  
Harman Delyea, Area Manager Fernie

19. The District Highways Manager to be advised by telephone 48 hours prior to commencing works.

20. Backfill to be compacted in 15cm lifts using mechanical means.

21. Should survey monuments be removed or damaged, they will be replaced at the permittee's expense by a B.C. Land Surveyor.

22. Ditch line to be left in a condition similar to that existing prior to construction.

23. Applicant responsible to check that there are no existing buried works in the area.

24. Pipe to be encased in a larger protective pipe, where it crosses the public road.

25. Pipe to be a minimum of 2.3 metres below road where it crosses road.

26. Pipe to be buried one metre below ditch flow line.

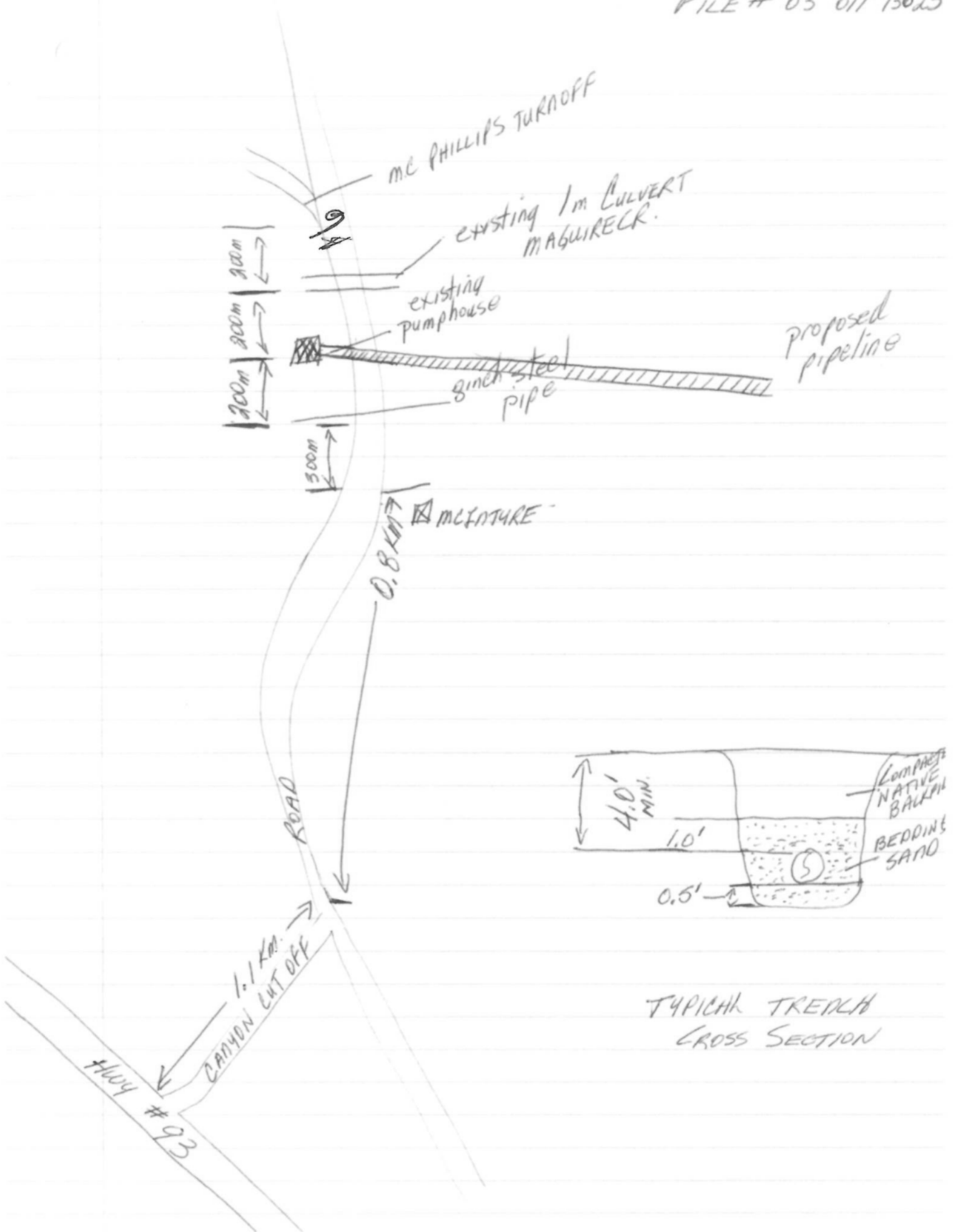
27. Applicant to be responsible for returning the backfilled ditch to a condition similar to that existing prior to construction and to maintain the backfilled ditch for a period of one year after construction is completed, should there be any settlement.

28. Adequate signs to be placed to warn the travelling public and if the excavation is not completed in the period of one day, flares are to be placed overnight. Two way traffic shall be maintained during construction and proper traffic control including use of flag people will be required. Closure of the road will not be permitted.



②

OCT 12/45  
FILE # 03 011 13023



Ministry of Transportation and Highways  
 East Kootenay District  
 129 - 10th Ave. S.  
 Cranbrook, B.C.  
 V1C 2N1

ATTENTION: Mr. A.R. (Art) Caldwell, Senior Development Technician

Mr. Caldwell:

RE: Phillips/McIntyre Water System, Grasmere, B.C.

Please accept the following information as was requested in your letter of September 25, 1995. I have gathered this information on behalf of Mrs. M.C. Phillips.

The work will consist of a 40mm P.V.C. waterline to service two properties. The pipe will be in 6 metre lengths.

The legal descriptions of the properties to be serviced are:

- |  |   |
|--|---|
| 1). M.C. Phillips<br>s.22              | Kootenay Land District<br>PL X40<br>DL 361 Sublot 15                          |
| 2). Lewis & Evelyn<br>McIntyre<br>s.22 | Kootenay Land District<br>DL. 361 Sublot 9, 10 & 11<br>West Half of Sublot 16 |

The proposed works will cross the Canyon Cut-Off Road as shown on the attached diagram.

Both Mrs. M.C. Phillips and Mr. & Mrs. McIntyre would be responsible for repairs as well as the initial permit.

Attached you will also find: 1). A diagram of a typical cross section of the proposed trench and 2). A diagram of the proposed pipeline in relation to the Canyon Cut-Off Road.

I trust this information will be of some assistance.  
 Thank you for your cooperation.

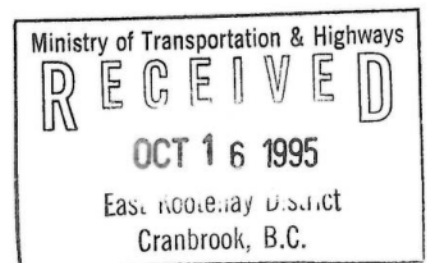
Yours Truly



Vic Bossio

open cut  
 casing.

2.3 m depth



East Kootenay District  
129 - 10th Ave South  
Cranbrook BC V1C 2N1

Phone: 426-1501 Fax: 426-1503

Our file: 03-011-13023

September 25, 1995

Mrs. M.C. Phillips

s.22

Dear Madam:

**Re: Application for Permission to Construct Works within Highway Right-of-Way**

We have received your application pertaining to proposed installation of a waterline within Highway Right-of-Way.

In order that we may process your application the following information is required:

1. Description of works - size (metric) of pipe, length of pipe, type of pipe.
2. Full legal description of property to be served.
3. Name of road works are proposed on.
4. Detailed drawing showing location of pipe in relation to road right-of-way with tie-in and measurements to legal property description.
5. Profile and cross-section of proposed works within road right-of-way.
6. Name and address of person to which permission will be granted. ( Who will be responsible for the works if repairs are necessary).

If you have any questions please do not hesitate to contact our office.

Yours truly,

ORIGINAL SIGNED  
BY

A.R.(Art) Caldwell  
Senior District Development Technician

for

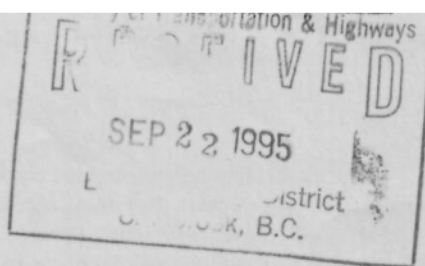
L.T. (Larry) Patterson  
District Highways Manager

ARC/opr

c.c: F. McIntyre, s.22

stats updated





## Application for Permission to Construct Works Within Highway Right-of-Way

I (We) hereby apply for permission to construct, use, and maintain works within the limits of highway right-of-way under the jurisdiction of the Minister of Transportation and Highways, British Columbia, in accordance with the particulars, plans,\* and specifications submitted herewith in triplicate. It is understood that the completion of this form constitutes an application only and that the works applied for will not be commenced until a covering permit has been issued. The proposed works consist of and are described as follows:

Description of works:

An underground pipeline four feet deep - it starts at an already existing pipeline and follows along much of the existing pipeline route, except it will move some to the right where it crosses into Mrs. M.C. Phillips' property.

Location of works:

The intake for the upgraded pipeline will be a short distance on crown land as at present, then continue on Lewis and Evelyn McIntyre's land, mostly as it does now, except that it will cross under the road to line up with Mrs. Phillips' pumphouse.

Legal description of property to be served:

Lewis and Evelyn McIntyre's land - The west  $\frac{1}{2}$  of 16 of Lot 361

Mrs. Phillips' land - Sublot 15 of Lot 361

Drawing or sketch number:

Attached:

☒ It's been filed with B.C. Environment and Rates  
Have the necessary plans for approval been filed with the proper authorities? (See Note 2 on back) Rights in Nelson

Name of applicant (print please)

Mrs. M.C. Phillips

P.O. address

s.22

Frank McIntyre

s.22

(Signed)

Mrs. Elaine Phillips

(Applicant)

(Date)

\*See note No. 1 on back.

(OVER)

# NOTE No. 1

The plans submitted may be blue-prints, and shall consist of key-map, general plan, profile, and where necessary detail plans on the following scales: **Key-map**, according to size of undertaking; **general plan**, 1:5000; **profile**, horizontal 1:5000, vertical 1:250; **details**, on suitable scales. For minor undertakings, such as small water-pipes or culverts, etc., under a road, sketches will be accepted and sections and details as to dimensions, depth of cover, etc.

The plans shall supply at least the following information:

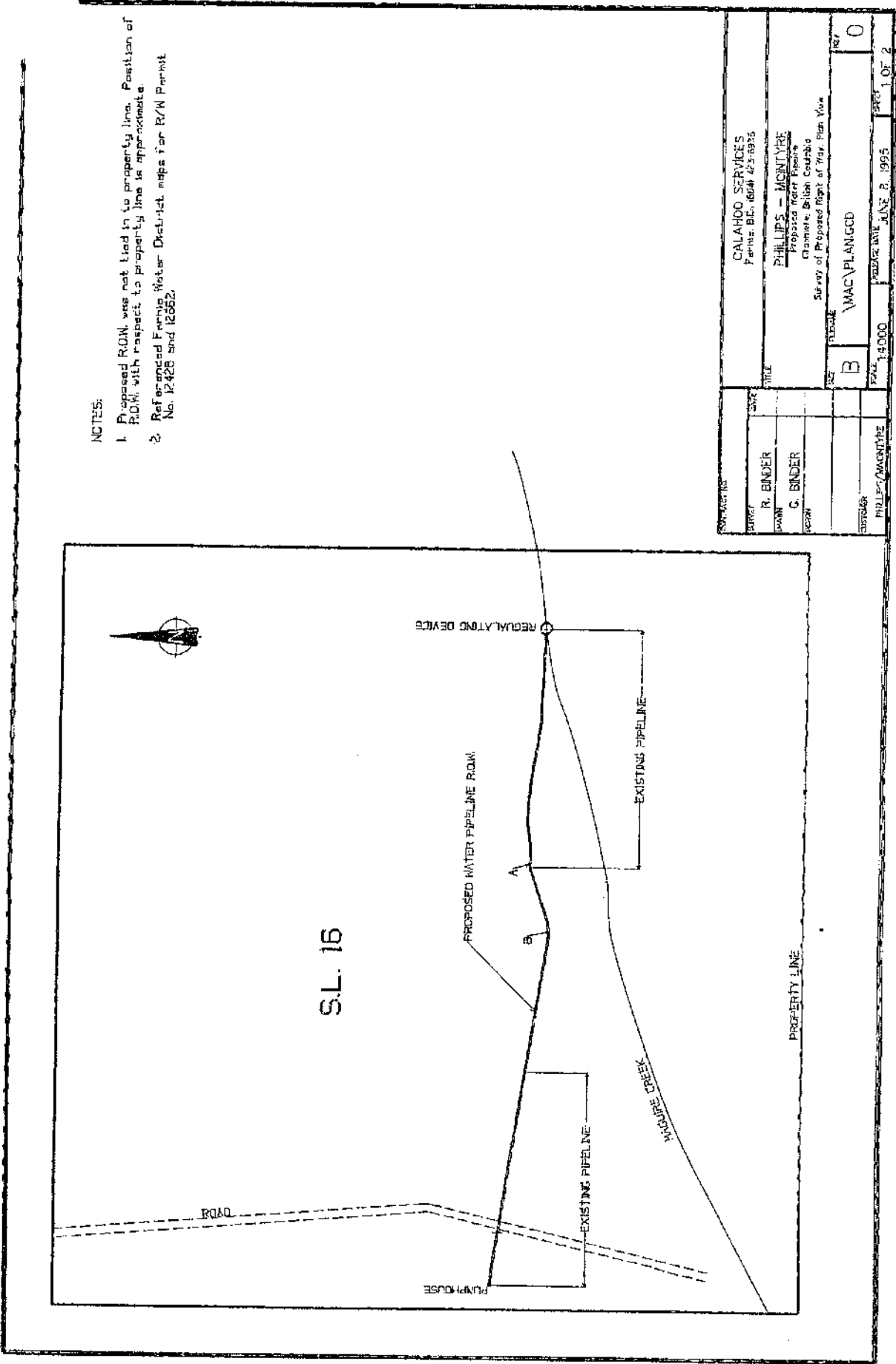
- The boundaries of highway right-of-way affected:
- The position of all existing public works within such boundaries and relative thereto and the name of the authority in control of same:
- The position of all private works (with names of owners) within such boundaries and relative thereto. (N.B.—Where the proposed works are upon or above the ground only such private works as are upon or above the ground, or as may be interfered with under the ground, need be shown):
- The proposed position within such boundaries and relative thereto which would be occupied by the works:
- The details of all tanks, manholes, lamp-poles, surface boxes, bridges, culverts, retaining-walls, or other structures to be constructed and used for the support of traffic, and details showing the method to be employed in supporting any proposed work, where any public works are affected:
- Full information showing exactly in what manner and to what extent it is proposed to use any land or works under the control of the Minister of Transportation and Highways.

Specifications for the carrying-out of the work within the boundaries of all highway right-of-way shall also be submitted.

# NOTE No. 2

When application is made in respect of the following works, the requisite particulars, plans, and specifications must be submitted to the proper authorities before the approval of the application by the Minister of Transportation and Highways.

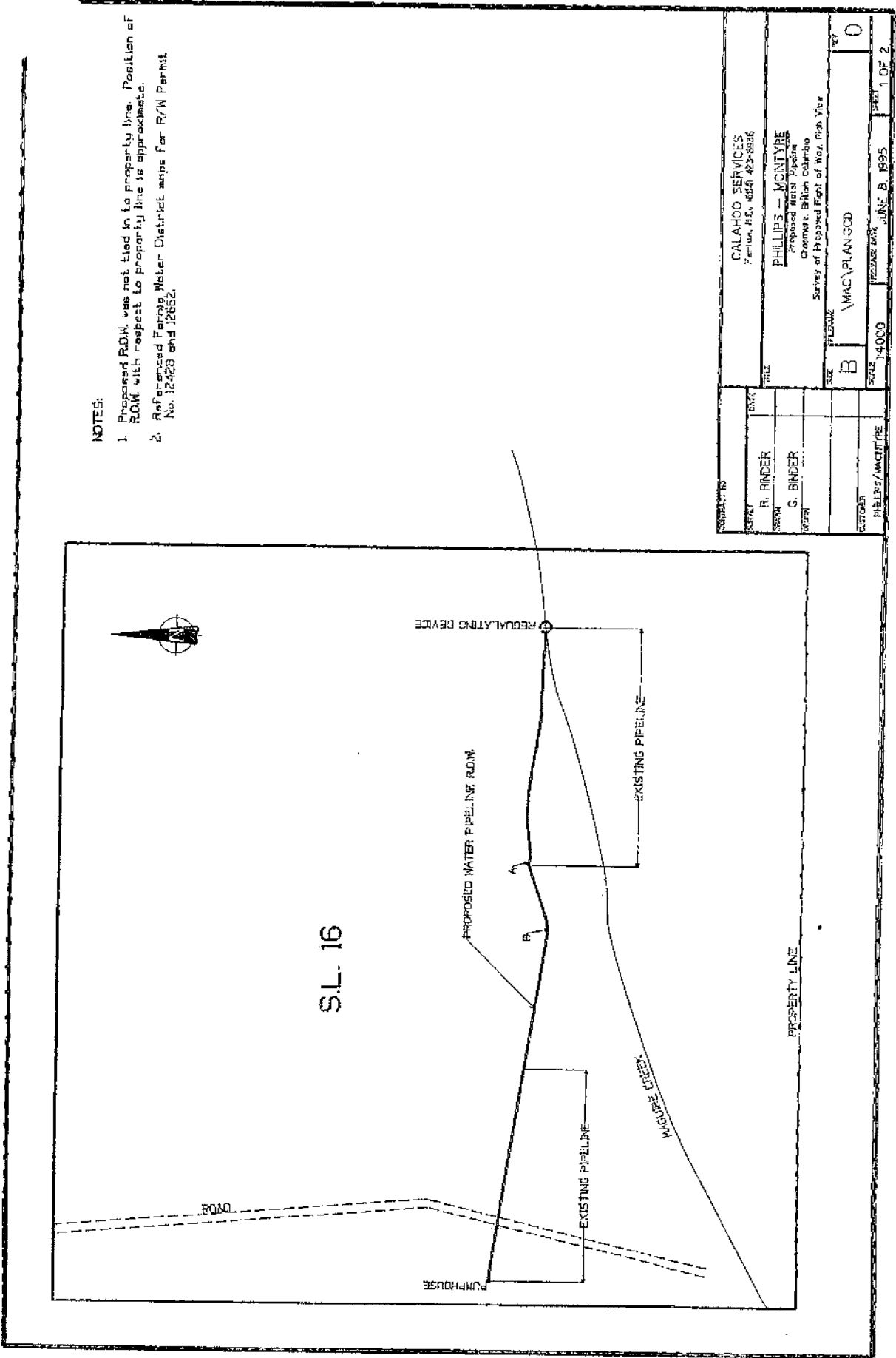
Works	Authority to Whom Particulars, etc., Must Be Submitted	
1. Electrical undertakings—		
(a) Telegraph and telephone lines ....	Inspector of Electrical Energy .....	501 West 12th Ave., Vancouver, B.C.
(b) Energy generated otherwise than by water-power	Inspector of Electrical Energy .....	V5Z 1M6
(c) Energy generated by water-power .	Inspector of Electrical Energy .....	
	Comptroller of Water Rights .....	Parliament Bldgs., Victoria, B.C.
(d) Electrical railways .....	Inspector of Electrical Energy .....	501 West 12th Ave., Vancouver, B.C.
	Deputy Minister of Transportation and Highways	Parliament Bldgs., Victoria, B.C.
2. Steam-railways .....	Deputy Minister of Transportation and Highways	" "
3. Logging-railways .....		
	Deputy Minister of Transportation and Highways and also Chief Forester	" "
4. Skid-roads		
5. Sewerage and sewerage-disposal	Waste Management Branch	
(a) Large systems	Ministry of Environment	Regional Office
(b) Small systems	Local Health Inspector	Parliament Buildings, Victoria, B.C.
6. Water-supply for domestic purposes .....	Local Water Management Office	
7. Waterworks undertakings other than for domestic supply	or Comptroller of Water Rights	" "
8. Works to be constructed within any municipality	Municipal Official	

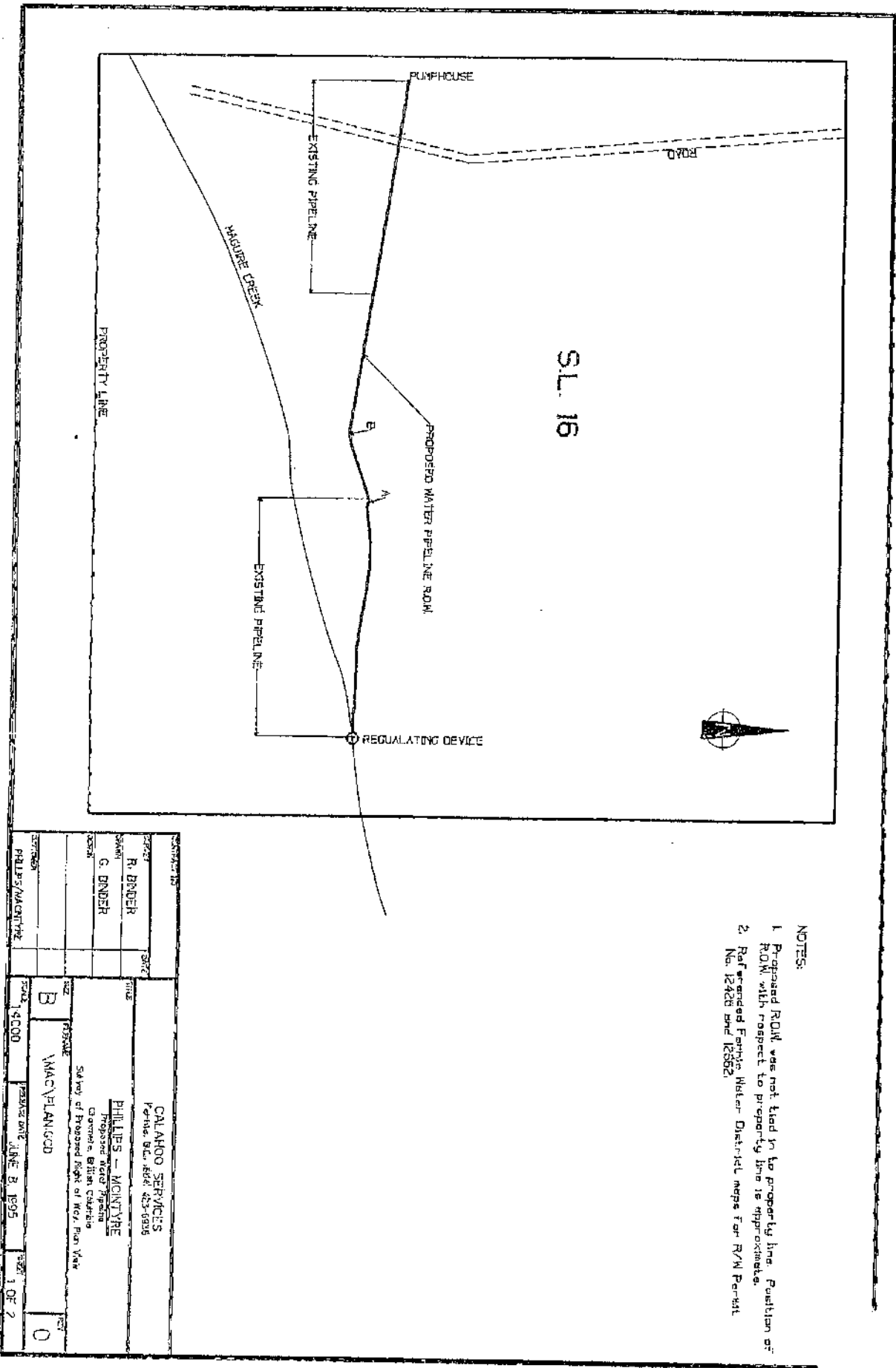


NOTES:

- 1. Proposed ROW, was not tied in to property line. Position of ROW, with respect to property line is approximate.
- 2. Referenced Fitch Water District maps for R/W Permit No. 12428 and 12552.

DRAWN BY		DATE		PROJECT		SHEET	
R. BINDER		5/2/95		CALAHOO SERVICES Farming, BE, 18044 423-1835		1 OF 2	
C. BINDER				PHILLIPS - MONTYRE Proposed Water Pipeline Mainline, Ditch Course Survey of Proposed Right of Way, Plan View		0	
CHECKED BY				SCALE		1" = 14'000	
PROJECT MANAGER				B		1 OF 2	





- NOTES:
1. Proposed R.O.W. was not tied to property line. Position of R.O.W. with respect to property line is approximate.
  2. Referenced Empire Water District maps for R/W Permit No. 12428 Dated 10/02.

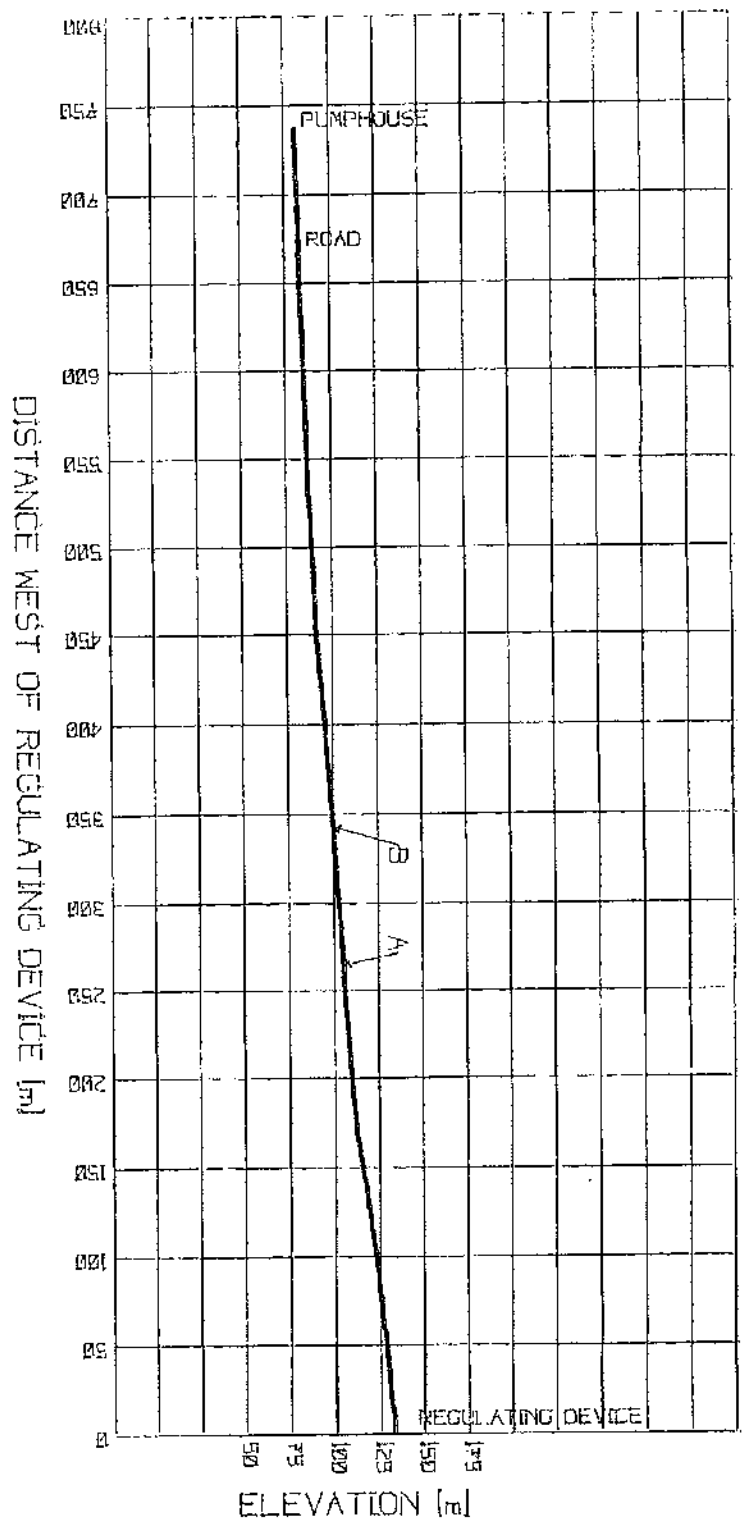
SHEET NO.		DATE		CALADOO SERVICES P.O. Box 464 423-8936	
DESIGN	R. BINDER	DATE		PHILIPS - MOUNTYRE Proposed Water Pipeline Columbia, British Columbia Sale of Proposed Right of Way, Plan No. 1	
OWNER	G. BINDER	DATE		SHEET NO. 1 OF 2	
DATE		DATE		REV. 0	
PHILIPS/MOUNTYRE		DATE	JUNE 8, 1995	SHEET NO. 1 OF 2	





NOTES:

1. Assumed local elevation.



GROUND PROFILE ALONG PROPOSED PIPELINE

CONTRACT NO. DATE		TITLE PHILLIPS - MONTYRE Proposed Water Pipeline Cross-section: British Columbia Ground Profile along Proposed R.O.W.	
DRAWN G. BINDER	CHECKED DATE	SCALE B SHOWN	RELEASE DATE JUNE 8, 1995
DESIGN DATE		PROJECT PHILLIPS/MONTYRE	SHEET 2 OF 2



Dist. File: 11-21-78

Dear Applicant:

IF ALL OF THE FOLLOWING INFORMATION IS NOT RECEIVED YOUR APPLICATION WILL NOT BE PROCESSED.

Application to be filled out in full - including:

1. Description of works - what type of construction, e.g. pipeline (length and dimensions of pipe) or poleline (how many poles, anchors etc.)
2. Location of works - kms. from nearest town.
3. Legal description - full legal description (Lot number, plan number and District Lot).
4. Name, full address, postal code and phone number.

Also enclose (3) sketches showing location of proposed of works.

If you require any further information, please call 426-1501.

Yours truly,

A.R. (Art) Caldwell  
Senior Development Approvals Technician

for

L.T. (Larry) Patterson, A.Sc.T.  
District Highways Manager

ARC/opr