

Nooaitch Community Profile

Name of First Nation: Nooaitch Indian Nation **No.:** 699

Linguistic Group: Salishan
Indian Register Pop: 179; 125 on-reserve (as of 00/02)

General Information: Located on 1,693.4 hectares; 2 reserves.

History: Reserve allotted by Commissioner Sproat on August 24, 1878. The Nooaitch Band speaks the Ntlakyapamuk language.

Local Government

Title	Name (First Last)	Start Date	End Date
Chief	DEWEY SHACKELLY	02/01/1999	02/01/2001
Councillor	CLIFFORD MURRAY SHACKELLY	02/01/1999	02/01/2001
Councillor	GAIL MARIE SHACKELLY	02/01/1999	02/01/2001

Election System: Indian Act

Band Office Address: 18 SHACKELLY RD

MERRITT
BC V1K1N9
TEL: (250) 378-6141 FAX: (250) 378-3699

Administrator: Rachel Williams, Band Manager
Affiliations: Nicola Valley Tribal Council (for funding purposes)

Utilities

Transportation: Accessible by road.

Housing: 31 Dwelling(s)

Economic Activities

Individual members involved as building contractors, firewood suppliers and land clearing contractors. Tree planting provides some seasonal employment.

Nooaitch Band

Attendees: Dewey Shackelly, Chief
Cliff Shackelly, Councillor

Hon. Harry Lali, Minister
Claire Dansereau, Deputy Minister
Maurine Karagianis, Executive Assistant
Keith Simmonds, Constituency Assistant
Jon Buckle, Regional Director

1. Junction of Petit Creek Road with Shackelly Road (Nooaitch Reserve access)

This intersection has site distance problems and has been the scene of several accidents. Some logging trucks use Petit Creek Road and this intersection plus the switchback curve just beyond it are problematic for them and other vehicles due to the alignment and poor sight distance.

ACTION: Doug Kirk to meet with Chief Shackelly to review problem on site and determine what could be done to improve safety (i.e. daylighting, signage, etc.).

2. Paving Reserve Roads

Chief Shackelly would be interested in knowing the next time MoTH will be paving in the general vicinity to either get a better price on hotmix or gain access to some surplus recycled material. The Band is initiating a new subdivision hopefully later this summer.

ACTION: Doug Kirk to advise Chief Shackelly of current situation and indicate what might be possible in future regarding the Band getting a favourable price on asphalt or access to recycled material.

3. Trans Canada Trail

The Trans Canada Trail uses the old CPR grade through/near band land. There is an old cemetery site and possibly other locations that may be exposed to increased vandalism or disturbance once the trail is operating.

ACTION: This matter is being managed through LUCO and should be referred to their office for their response to the Band.

Railway Belt

1

- 92 I/SW (3)
- KDYO
- YALE HILL. ED
- Merritt Hwy Dist.
- 50 121 SE

Nacaitch I R 10 - Hwy 8

PN 50345

N. of Canford; S. of Det.

4767-19 ✓

HQ Files - old, new. ²⁵⁻²⁸ 70-60-15-12-10.

TP 14, R. 23 (Secs 2, 10, 11, 14, 15, 20, 21, 27, 28, 32, 33), ^{TP 15, R 23} (Secs 3, 4)

RGR? ✓

Dist Reports - 1916 Fed. survey: "Wagon Rd. Sp. Bridge to Nicola".

M-Sticks - Plans 8-26-1, 8-28-1 abt 8 kms thru I R 10.

- cons 1984 re blocking Joe Santa Connor

- 1931 fw plan "valid"

PC 1931-2859 16/11/31

CLSR 2455 - Sp. Bridge - Merritt Road.

- 1979 cons re "widening Hwy 8 thru No. this was within our RW

RS 1885, 2 ✓
1885 1885-1

- HQ 5007? 1926 Gaz?

non-official I R 10.

RS 7869, 8302

M-Sticks 1073, 1080, 1070, 775, 772, 773, 1684, 1683

- 1073 (1880) - orig. survey - Sp B. - Nicola road daily stream, similar to river.

- 1080 (1880) —

- 1070 (1926) resurvey of b'dys. "Wagon Rd. Sp. Bridge - Merritt".

- 775 (1930) CLSR 2455 - Hwy thru I R 10. 39.43 Acc.

- 772 (1973) - Hwy 8 thru I R 10. ~~See Map of stream, Merritt?~~

- 773 (1973) " (alt)

- 1684 (1984) - admit RW for Hwy 8 - I R 10

- 1683 (1984) "

PN 50345

Gaz 1929?

Planning - old Hogs

- new maps

1233(08), 1868, 1/2

- Quads

good plan - old maps.

Noosatch IR 10 - Hwy 8

2-833.

HQ 4767-19

- material orig. on HQ 5009 put on this file.
not

- maps suggest slight revision at N. boundary? - yes, lost four years.

Has there been revision at N. end of reserve?
 compare 1930 plan with RS. 8302.

PN 50345

- memo 12/9/85: re plans 8-26-3 } Dist requests settlement *
 8-28-1 } as most of work completed
 but do we have ^{map} transfer? - see M-1683 (8-28-1)

7/11/86 Phone George Ward - he tells me that no settlement has been
 reached re work 1984-85 (includes some widening)

- work by Dist will have to be restricted to SW flows to us
 in 1931 - widening of 84-85 avoids settlement, do not
 issue permit covering that area.

PN 50852

PN 30170

PN 50859

PN 26593

PN 50830

PN 50770

PN 50345

4	Zoht No. 1.....	Nicola (Lower)	Kamloops District. In Township 94, near the foot of Nicola Lake, north of the village of Nicola, between Lots 594 and 590. On Clapperton and Shute Creeks. (Ref. Map 6A, Topographical Map 921/SE Merritt)	500.00	Allotted by Commissioner Sproat, 10th September, 1878. Original Survey 1879. Plan No. 707..... 500.00 Resurvey 1928. Plan B.C. 954..... 500.00 Title, Provincial Order in Council #1036, 29th July, 1938..... 500.00 Water Record: Final Licence 9008, 270 acre feet. Final Licence 9008, 66 acre feet.
5	Zoht No. 2.....	Nicola (Lower)	Kamloops District. In Township 94. Section 36. Designated Lot 716. Group 1, Yale District. On Clapperton and Mable Creeks, 6 miles above the village of Nicola. (Ref. Map 6A, Topographical Map 921/SE Merritt)	180.00	An Exchange with the Provincial Government for the old Zoht Reserve, Dominion Order in Council P.C. 927, 17th May, 1899. Original Survey 1889. Plan 120..... 180.00 Title, Provincial Order in Council #1036, 29th July, 1938..... 180.00
6	Logan's.....	Nicola (Lower)	Kamloops District. On Quilchena (Hamilton) Creek which flows into Nicola Lake, 12 miles from its outlet. (Ref. Map 6A)	48.00	Allotted by Commissioner Sproat, 12th September, 1878. Original Survey 1879. Plan No. 809..... 48.00 Title, Provincial Order in Council #1036, 29th July, 1938..... 48.00 Water Record: Final Licence 10886, 10 acre feet.
7	Hamilton Creek....	Nicola (Lower)	Kamloops District. On the banks of Quilchena Creek, 6 miles from its outlet into Nicola Lake. (Ref. Map 6A, Topographical Map 921/SE Merritt)	4400.00	Allotted by Commissioner Sproat, 12th September, 1878. Original Survey 1879. Plan No. 808..... 4400.00 Resurvey 1928. East and south Boundary Plan B.C. 1023. Title, Provincial Order in Council #1036, 29th July, 1938..... 4400.00 Water Record: Final Licence 10821, 219.2 acre feet.
8	Speons (Petit Creek)	Nicola (Lower)	Kamloops District. Partly in Township 15, Range 23, Section 36, west of the 6th Meridian, within Railway Belt, and part outside Belt, one mile south of Canford Station on C.P. Ry. Nicola Branch, east of Spius Creek. (Ref. Map 6A, Sectional Map 61)	280.00	Allotted by Commissioner Sproat, 23rd July, 1879. Original Survey 1879. Plan No. 200..... 280.00 Portion in Railway Belt, Dominion Order in Council, P.C. 805, 28th January, 1918. Title, to Portion outside Railway Belt. Provincial Order in Council, #1036, 29th July, 1938..... 182.20 Water Record: Final Licence 9153/4, 65 acre feet.
9	Noositch Grass....	Nicola (Lower)	Kamloops District. In Township 14, Range 22, Sections 18, 19, and 30; Township 24, Range 23, Sections 13, 14, 23, 24 and 25, west of 6th Meridian, 2 1/2 miles north of Canford Station. (Ref. Map 68, Sectional Map 61)	1953.00	Allotted by Commissioner Sproat, 26th August, 1878. Original Survey 1879. Plan Old No. L.809... 1980.00 Resurvey 1928. Plan B.C. 752..... 1953.00 In Railway Belt, Dominion Order in Council P.C. 751, 4th May, 1929..... Water Record: Final Licence 8934, 1000 gals.
10	Noositch 4767-19	Nicola (Lower)	Kamloops District. In Township 14, Range 23, Sections 2, 10, 11, 14, 15, 20, 21, 27, 28, 32 and 33; Township 16, Range 23, Sections 3 and 4, west of the 6th Meridian. On the banks of Nicola River, approximately 20 miles above its confluence with Thompson River. (Ref. Map 68, Sectional Map 61)	2192.03	Allotted by Commissioner Sproat, 26th August, 1878. Original Survey 1879. Plan No. 200..... 2510.00 Resurvey 1928. Plan B.C. 358. West Boundary. In Railway Belt, Dominion Order in Council P.C. 300, 20th February, 1929. To C.P. Ry., Right of Way, Nicola Branch, Plan RR.850B, Dominion Patent Reference 18714..... 78.84 To Province, Right of Way, Spences Bridge-Nicola Highway Rd.2485, Dominion Order in Council, P.C. 2559, 16th November, 1931... 39.43 Water Record: Final Licence 7101, 507 acre feet. Final Licence 7618, 1270 acre feet, and 7800 gals. Final Licence 7989, 605 acre feet.

1009

DESCRIPTION

DESCRIPTION	DATE	SURVEYOR	LTO # LRO #	FIELD BOOK	MICRO BOOK	PLAN	MICRO PLAN
Plan of Nicola Indian Reserves 8,9 & 10	1880	W. Jemmett		BC 36		7128	7226
Plan Nicola IRs. 8,9 & 10.	1879	W. S. Jemmett		BC 55	2834	T. BC 77	2793
Same as T. BC77		"				BC209	2793
Same as T. BC77		"				T. BC209	2793
Plan of Nooaitch Grass & Speous. 1R.		"				T. 964	2793
Plan of resurvey of 1R.10 in Tp.14 Rg.23 W6M	1926	J.A. Calder		BC533	3621	BC358	2793
Nicola Kamloops & Similkameen Ry. R of W in 1R.10.	1907	J.F. Garden				807	2326-29
Nicola Kamloops & Similkameen Ry. R of W in 1R.10.	1907	"				830	2168-70
Nicola Kamloops & Similkameen Ry. (C.P.R.) Plan of R of W. in 1R.10. 76.85 ac 1.69 ac.							
Compiled plan of 1R.10. (from Tp.plans, Ry plan & H/W.) in Tp.14,15 Rg.23 W6M.		J. Doupe				830 B	2782
Fieldnotes Tp.13,14 Rg.23 W6M. surveys by Calder & others	1944					BC1044	2782
Plan of H/W R of W in 1R. 39.43 ac.				BC1219	2796		
See plan BC.358	1930	O. Wilkie				Rd. 2455	2832-33
Plan 1st. Ed. SW $\frac{1}{4}$ Tp.15 Rg.23 W6M.	9.1.-					36308	2783
Nicola Kamloops & Similkameen R/W. & its lessee C.P.R.Co	17.	E. DEville				52476	2783
Plan showing R/W in Shaken 1R.	1918	J.L. Doupe				830C	3427
P&FN's Resurvey Part Rect. Bides, Nooaitch I.R. #10, Tpl6, Rge 23.	B.C. 1973-4	D.C. Goodrich				58945	7806
P&FN's Resurvey Part Rect. Bides, Nooaitch I.R. #10, Tpl5, Rge23	B.C. 1973-4	D.C. Goodrich				58947	7807
P&FN Ls.45-47 to 53	1977	Nielsen				64249	8587/88
P&FN Ls.1 to 8 & FN.Control Survey	1977	Nielsen				64250	8589
P&FN Ls.35 to 44	1977	Nielsen				64251	8590/91
P&FN Ls.9 to 28, 55, 56 & Rd.	1976	Nielsen				64252	8592
P&FN Ls.29 to 34	1977					64253	8593
P&FN Ls.46 & 54	1977	Nielsen				64254	9001
Support Document for CLSR P.#64252	1976	Nielsen		32825	8518		
REFERENCE PLAN	1978	Drafting				64543	



MEMORANDUM

To: District Highways Manager
Bag 4500
MERRITT, B. C.
VOK 2B0

Date: November 13, 1986
Branch Dist: Property Services
Address: 3C-940 Blanshard Street
Victoria, B.C. V8W 3E6
Phone: 387-1838
Hdqtrs. File:
Region File: PN 30345
District File: 25-21-2d (2023)

Re: Merritt-Spences Bridge Highway 8
through Nooaitch I.R. 10
Pole line application

With reference to your memo of 6 August 1986, right-of-way for the highway noted above was transferred to B.C. from Canada by P.C. Order 1931-2859 dated 16 November 1931 as shown on CLSR 2455. The plan, which is equivalent to our Road Survey 1885-2, gives the right-of-way a width of 66 ft.

Assuming the contemplated pole line is within our 66 ft. highway, it will not be necessary to refer the applicant to the Indians. However, we understand that works carried out by your forces in 1984 on Highway 8 through the reserve included some widening. Any widening beyond our 66 ft. highway remains part of the reserve as we have yet to reach settlement concerning the 1984 work.

A. C. Brown
Director of Property Services

Per: J. P. McDonell
Headquarters Negotiator and Research Officer

RH/dr

c.c. Regional Property Negotiator, Kamloops



Province of
British Columbia

Ministry of
Transportation
and Highways

MEMORANDUM

To District Highway Manager
Ministry of Transportation
and Highways
MERRITT

Date: September 3, 1986
Branch/Dist: Property Services
Address:

Phone: 387-1838
Hdqtrs. File:
Region File: PN 50345, 16959, R2
District File: 25-20-5A, 25-20-35,
25-20-73,
25-21-2d(2023),
25-21-2d(2104)

Re: Highway 5A, Old Kamloops Road 35, Reynolds
Road 73, Highway 8, Tunkwa Lake Road 271

With reference to your several status requests dated 6 August, 1986, we have not as yet been able to research them because of work backlog. We note your requests for early reply and will provide same as soon as we can.

A. C. Brown
Director of Property Services

Per: J. P. McDonell
Headquarters Negotiator
and Research Officer

RH/im



MEMORANDUM

To: Property Services Branch
Ministry of Trans. & Hwys.
3c, 940 Blanshard St.,
Victoria, B.C.
V8W 3E6

Attn: J. P. McDonell
Research Officer

Date: August 6, 1986
Branch/Dist: Highways, Merritt
Address: Bag 4500
Merritt, B.C.
V0K 2B0
Phone: 378-9359
Hdqtrs. File:
Region File:
District File: 25-21-2d (2023)

PN 50345

RE: Status Check - Merritt - Spences Bridge Hwy. No. 8

Could you please provide us with a status check for right-of-way within I.R. # 10 (Nooaitch) as shown outlined on the attached map. This information is essential as to whether we are able to issue a permit for a poleline on this road right-of-way.

Your earliest reply would be appreciated as this permit is pending road status clarification.

D. S. Cunliffe,
District Highways Manager

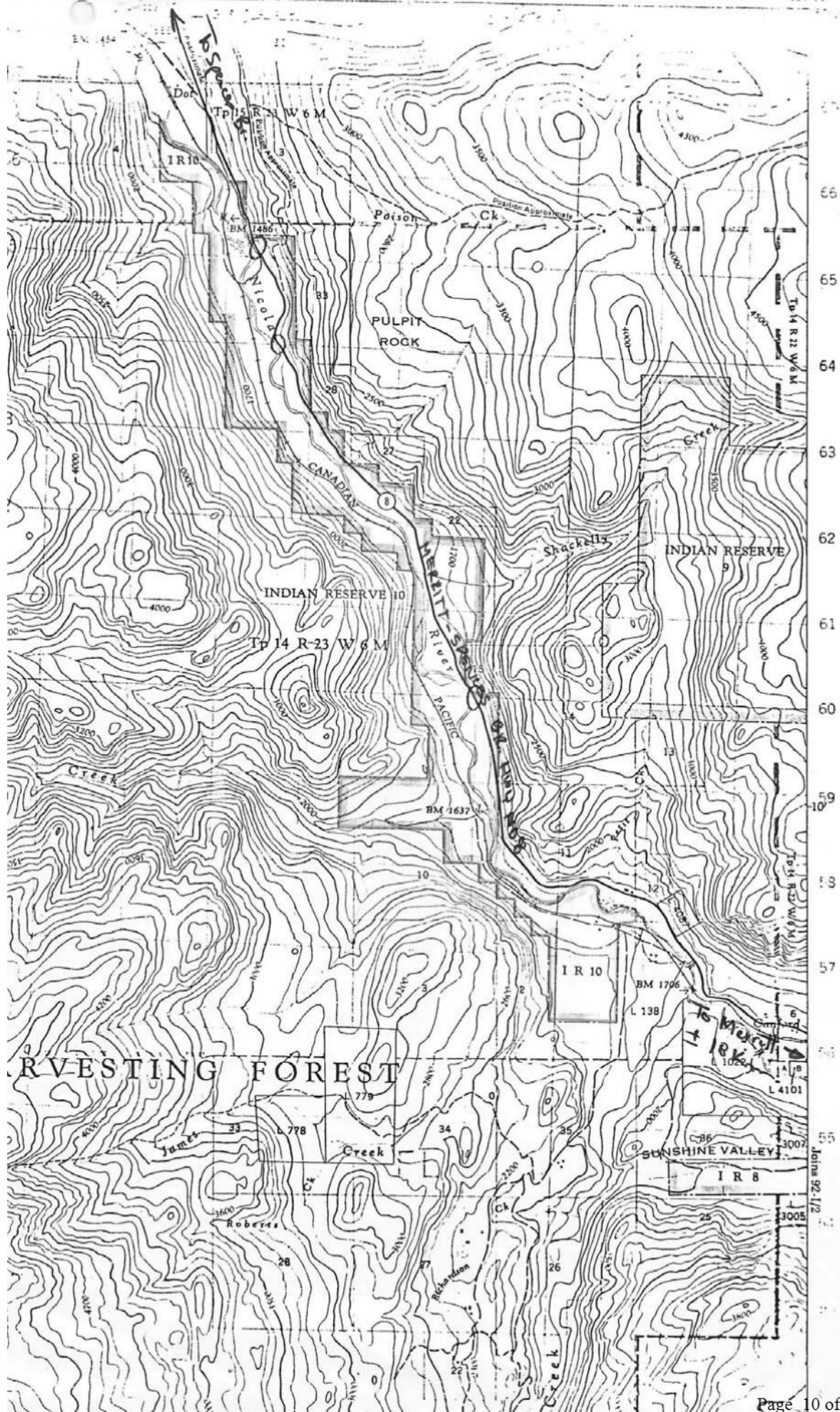
PS/ts

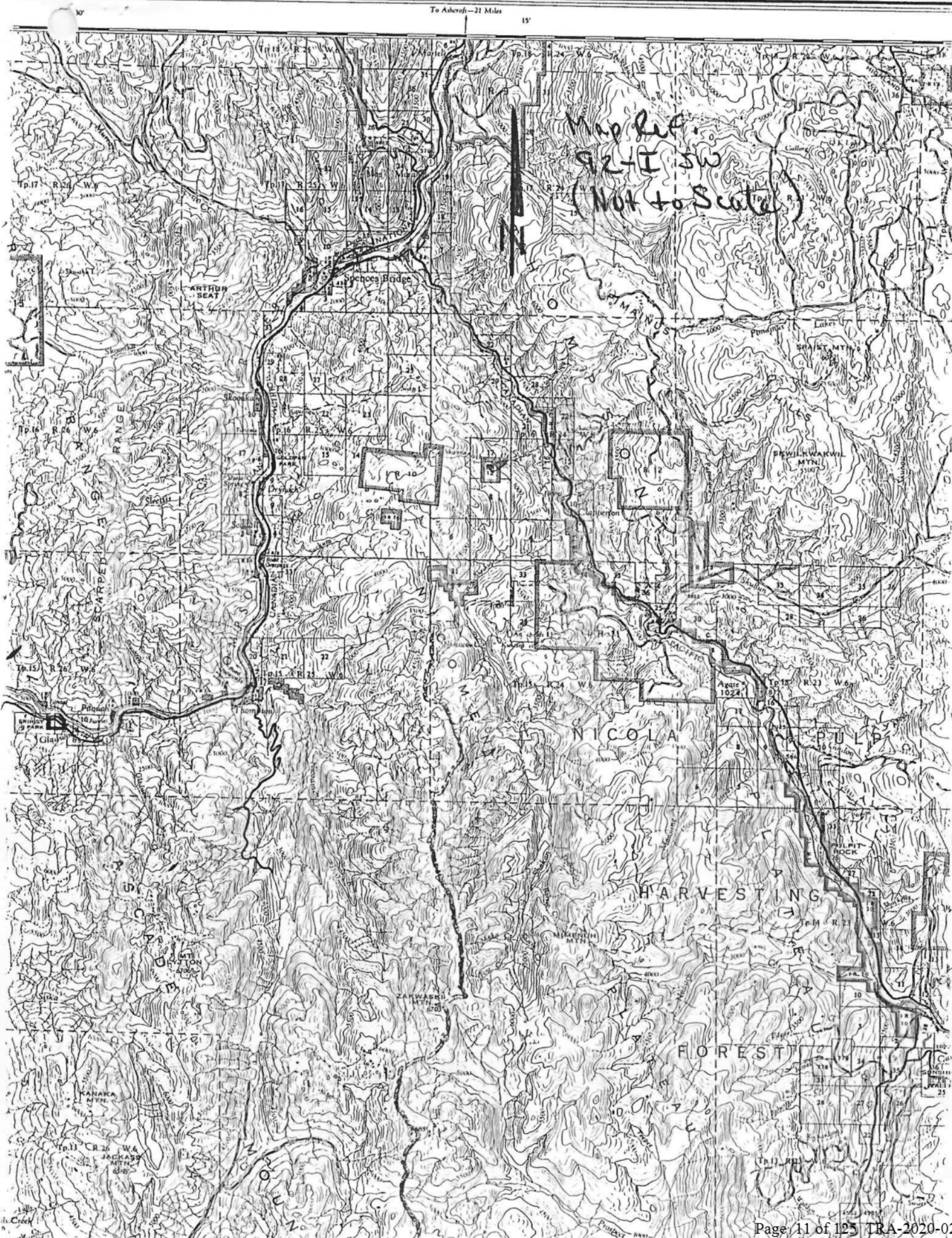
cc Regional Property Negotiator, Kamloops

PROPERTY SERVICES BRANCH MINISTRY OF TRANS. & HWYS.	
AUG 8 1986	
Noted	<i>RA gte</i>
Victoria, B.C. _____	

*to: Rich 2/9/86
RH*

Check previous memo on this route.







MEMORANDUM

To: Assistant Deputy Minister
Administration and Services Dept.

Director of Property Services
Victoria

Attention: D.I.F. MacSween
Manager of Operations

Date: Sept. 12, 1985
Branch/Dist:
Address: Kamloops


Phone: 828-4262
Hdqtrs. File:
Region File: PN 50345
District File:

Re: Merritt District Plans 8-26-3 and 8-28-1

Enclosed please find prints of above numbered plans for right of way acquisitions within the Nooaitch Indian Reserve #10. Merritt District has requested settlement as most of the work has been completed.

KJE/ab
enc.




G. A. Ward
Regional Property Negotiator



Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Property Negotiations
523 Columbia Street
Kamloops, B. C. V2C 2T9

~~Telephone 828-4267~~

YOUR FILE

OUR FILE PN 50345

September 12, 1985

Indian and Northern Affairs Canada
P.O. Box 1000
800 Burrard Street
Vancouver, B. C.
V6Z 2J3

Dear Sirs:

Re: Right of Way through Nooaitch Indian Reserve #10

Please find enclosed copies of plans 8-28-1 and 8-26-3 showing in red outline new right of way which this Ministry wishes to acquire from the Nooaitch Indian Band for road construction purposes. It is the Ministry's intention to open negotiations with the Band in the near future.

Yours truly,

G. A. Ward, B.Comm, RI(BC)
Regional Property Negotiator

by

K. J. Ellicott
Property Negotiator

KJE/ab
enc.

cc: Director of Property Services
Victoria





MEMORANDUM

To: Assistant Deputy Minister
Administration & Services Department

Director of Property Services

Attention: Dawn Strugnell

Date: May 16, 1985
Branch/Dist: Regional Property Services
Address: 523 Columbia Street
Kamloops, B.C. V2C 2T9

Phone: 828-4263
Hdqtrs. File:
Region File: PN 50345
District File: Merritt

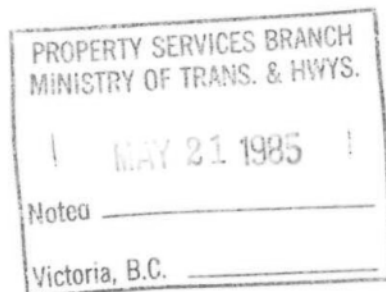
2-833

RE: Merritt-Spences Bridge Road

Plan 8-26-3 (1 of 2)

Attached is a print of above-noted plan ~~as well as title searches~~ for
your records.

The area is within Nooaitich Reserve #10.



G.A.Ward
Regional Property Negotiator

by

(Mrs.) N. Thompson
Clerk-Steno

nt
Attach



MEMORANDUM

To: Assistant Deputy Minister
Administration & Services Department

Director of Property Services

Attention: Dawn Strugnell

Date: May 16, 1985
Branch/Dist: Regional Property Services
Address: 523 Columbia Street
Kamloops, B.C. V2C 2T9

Phone: 828-4263
Hdqtrs. File:
Region File: PN 50345
District File: Merritt

RE: Merritt-Spences Bridge Road 8

Plan 8-28-1

Attached is a print of above-noted plan ~~as well as title searches~~ for your records.

The area is within Nooaitich IR#10.



G.A.Ward
Regional Property Negotiator

by

(Mrs.) N. Thompson
Clerk-Steno

nt
Attach

Regional Director
Ministry of Transportation & Highways
KAMLOOPS

April 6, 1984

Attention: George Ward
Regional Property Negotiator

P/N 50345

Re: Nooaitch Indian Band

Reference our telex and telephone conversation, please find enclosed Mr. Byers reply. Note the P/N file is presumed for the moment.

You will note at the beginning of paragraph three, that "the bulk of the rock work is within what we consider to be our right-of-way".

If it is in our right-of-way, why do we need a B.C.R?

If it is not in our right-of-way, why was our Branch not consulted in the negotiation process?

In order to determine which of the two questions above has to answered, through the offices of your Regional Director, would you kindly arrange to have a plan prepared which clearly shows the right-of-way boundaries, the original rock bluff and the new rock edge, and a new right-of-way boundary, if required. Please have the District include illustrative photos with relevant comments.

It would be appreciated if the plan and photos could be forwarded by return mail or sooner.

A. C. Brown
Director of Property Services

Per:

D. I. F. MacSween
Senior Property Negotiator

DIFM/tlc



H118

To: D. I. F. Macsween
Senior Property Negotiator

Victoria, B.C.

Merritt (R2)

Date: April 2, 1984

Headquarters File:

Regional File:

District File: 25-20-4C

Re: Nooaitch Indian Band

Regarding your enquiry about the District planning some work at "Joe Sam's Corner," we are presently completing some work on Highway #8 in an area that is referred to as Joe Sam's corner by the Nooaitch Band. This office was approached several weeks ago by the Nooaitch Indian Band Manager to discuss the possibility of us doing some rock work on Highway #8 in the Reserve. They were aware of our interest in doing some rock work in this area and they wanted to obtain rip rap material so that they could make repairs to areas in the reserve that had suffered erosion damage during the January floods. They were also interested in obtaining a stockpile of rip rap that they could use in the future or sell to other bands. As we had no use for the rock, we were quite interested in their proposal since it would mean considerable savings in trucking costs. In the past when we had contemplated working in this area it was our intention to haul and waste the rock.

So we were faced with a rather unusual opportunity what with funds being made available and the band actually interested in seeing us do this work. So after working out some other details with the Band Manager we received a B.C.R. and commenced work. To date the Band Manager seems happy with what's been done and we are in the process of completing this project.

The bulk of the rock work is within what we consider to be our right-of-way through the reserve. We are not changing the horizontal alignment of the road although the vertical alignment will be improved at one point. Basically we are improving the sight distance and obtaining a wider shoulder and a ditch line.

We have attached a copy of the B.C.R. for your information.

Please advise if you have any further questions regarding this matter.

D. L. Byers, P. Eng.
District Highways Manager

DLB/aj

**BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE**

Chronological No. - Numéro consécutif
H.Q. Reference - N° de réf. du b. pr.

NOTE: The words "From our Band Funds" must appear in all resolutions requesting expenditures from Band Funds.
 NOTA: Les mots "des fonds de notre bande" doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	NOOAITCH INDIAN BAND	Capital balance Solde de capital	\$
AGENCY AGENCE	CENTRAL VANCOUVER	Committed - Engagé	\$
PROVINCE	BRITISH COLUMBIA	Revenue balance Solde de revenu	\$
PLACE NOM DE L'ENDROIT	MERRITT	Committed - Engagé	\$
DATE	DAY - JOUR MONTH - MOIS AD 19 YEAR - ANNÉE		

DO HEREBY RESOLVE:
 DÉCIDE, PAR LES PRÉSENTES:

THAT the Department of Highways be allowed to blast the rock along highways in the vicinity of Joe Sam's corner providing the following conditions are adhered to:

THAT the material be blasted into shot-rock that will be suitable for river rip-rapping with an approximate size of 18" to 36";

AND THAT the shot-rock be stockpiled in a reserve site which is designated by the Band;

AND THAT the stockpile site be cleared out previous to stockpiling of the shot-rock at no cost to the Band;

AND THAT the rock be sole property of the Band;

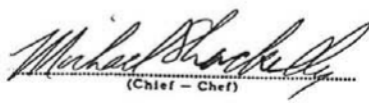

THAT Band equipment be used where possible;

THAT Band members be hired where possible;

THAT Contractors be required to hire Band members where possible;

AND THAT the Department of Highways Surveyors be allowed on Band land along Highway # 8 for survey purposes only until June 30, 1984.

AND THAT the Band's immediate rip-rap needs be taken care of, namely the Jim Fountain and Glen Shackelly properties.

 (Councillor - conseiller)	 (Chief - Chef)	 (Councillor - conseiller)
..... (Councillor - conseiller)	..... (Councillor - conseiller)	..... (Councillor - conseiller)
..... (Councillor - conseiller)	..... (Councillor - conseiller)	..... (Councillor - conseiller)
..... (Councillor - conseiller)	..... (Councillor - conseiller)	..... (Councillor - conseiller)

FOR HEADQUARTERS USE ONLY - RÉSERVÉ AU BUREAU PRINCIPAL					
1. TRUST ACCT COMPTE DE FIDUCIAR	2. CURRENT BALANCES - SOLDES COURANTS		3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
	A. Capital \$	B. Revenue - Revenu \$			
6. Recommended - Recommandé					
Date Authorized Officer - Fonctionnaire autorisé			Date Assistant Deputy Minister - Sous-ministre adjoint		

*
HWY HQ VIC
HWY DIS MRT

RECEIVED
MINISTRY OF TRANSPORTATION & HIGHWAYS
VICTORIA, B.C.

APR 02 1984

ANSWERED
NOTED
DATE

PROPERTY SERVICES BRANCH
MINISTRY OF TRANS. & HWYS.
1 APR 3 1984
Noted _____
Victoria, B.C. _____

A C BROWN
DIR OF PROPERTY SERVICES

ATTN DXXXXXXXXXXXXXMACS
D I F MACSWELN
SR PROPERTY NEGOTIATOR

RE NCCALICH INDIAN BAND

A REPLY BY LETTER HAS BEEN MADE TO YOUR TELEX OF 28 MARCH.

PLEASE ADVISE IF YOU WISH US TO SEND THE BODY OF THE TEXT BY
TELEX AS WELL.

D L BYERS P ENG
DIST HWYS MANAGER
APRIL 2/84 4:10 PM

*
HWY HQ VIC
HWY DIS MRT

*
HWY DIS MPT
HWY HQ VIC

PROPERTY SERVICES BRANCH MINISTRY OF TRANS. & HWYS.
1 APR 3 1984
Noted _____
Victoria, B.C. _____

D L EYERS
DIST HWY MCF
MERRITT

RE NCCAITCH INDIAN BAND

MAY I RECEIVE A REPLY TO MY TELEX OF 28 MARCH 1984

RE JOE SAM'S CORNER

A C BROWN
DIR OF PROPERTY SERVICES

PER D I F MACSWEEN
SR PROPERTY NEGOTIATOR

CC RES PROPERTY NEGOTIATOR
KAMLOOPS

VICTORIA
APR 2/84

1:55 PM

*
HWY DIS MPT

HWY REC KAM

D. L. BYERS
DISTRICT HIGHWAYS MANAGER
MINISTRY OF TRANSPORTATION & HIGHWAYS
MERRITT

APRIL 2, 1984

NOOAITCH INDIAN BAND

NOOAITCH INDIAN BAND

MAY I RECEIVE A REPLY TO MY TELEX 28TH MARCH, 1984, RE JOE SAM'S CORNER.

A. C. BROWN
DIRECTOR OF PROPERTY SERVICES

PER:

D. I. F. MACSWEEN
SENIOR PROPERTY NEGOTIATOR

DIFM/tlc

cc. REGIONAL PROPERTY NEGOTIATOR
MINISTRY OF TRANSPORTATION & HIGHWAYS
KAMLOOPS

Regional Director
Ministry of Transportation & Highways
KAMLOOPS

March 28, 1984

Attention: George Ward
Regional Property Negotiator

NOOAITCH Indian Band

Enclosed herewith please find a copy of self-explanatory correspondence from Mr. McCullough of Indian Affairs Canada.

I regret that I am not aware of the details of this transaction, for I have not been advised of Reserve name, encroachment details etc of this project.

Is this just a daylighting of a corner or a R/W taking? What happens if shot rock is not suitable for rip-rap? Is survey off our 66' right-of-way area?

Please advise. Cannot find applicable file number.

A. C. Brown
Director of Property Services

Per:

D. I. F. MacSween
Senior Property Negotiator

DIFM/tlc

Enclosure

DISTRICT HIGHWAYS MANAGER
MINISTRY OF TRANSPORTATION & HIGHWAYS
MERRITT, B.C.

MARCH 28, 1984

Nooaitch Indian Band

D'ARCHY BYERS

NOOAITCH INDIAN BAND

I UNDERSTAND THAT YOU PLAN SOME WORK IN THE NEAR FUTURE AT "JOE SAM'S CORNER", WHEREVER THAT IS, AND THAT AN INDIAN RESERVE MAY BE INVOLVED.

PLEASE FORWARD EXPLANATORY DETAILS AT YOUR EARLIEST CONVENIENCE.

A. C. BROWN
DIRECTOR OF PROPERTY SERVICES

PER:

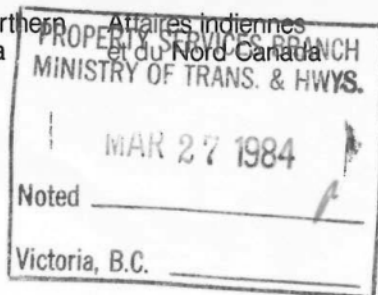
D. I. F. MACSWEEN
SENIOR PROPERTY NEGOTIATOR

DIFM/tlc

cc. REGIONAL PROPERTY NEGOTIATOR
MINISTRY OF TRANSPORTATION & HIGHWAYS
KAMLOOPS - BY LETTER

Indian and Northern
Affairs Canada

Affaires Indiennes
et du Nord Canada



P.O. Box 1000
800 Burrard Street
Vancouver, B.C.
V6Z 2J3

March 22, 1984

Province of British Columbia
Ministry of Transportation & Highways
940 Blanshard Street
Victoria, B.C.
V8W 3L6

Your file Votre référence

Our file Notre référence E5673-07260

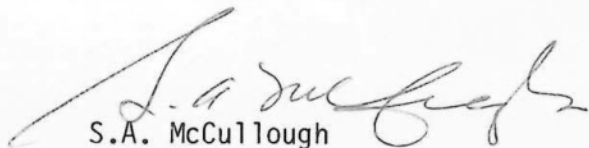
ATTN: D.I.F. MacSween

Dear Sirs:

Re: Band Council Resolution
NOOAITCH INDIAN BAND

Enclosed for your information is a copy of Band Council Resolution that we have received from the Nooaitch Indian Band Council, granting you permission to blast along the highway.

Very truly yours,


S.A. McCullough
Acting Manager
Land Administration
Reserves & Trusts
B.C. Region

encl.

Canada

**BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE**

Chronological No. - Numéro consécutif

H.Q. Reference - N° de réf. du b. pr.

NOTE: The words "From our Band Funds" must appear in all resolutions requesting expenditures from Band Funds.
NOTA: Les mots "des fonds de notre bande" doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	NOOAITCH INDIAN BAND	Capital balance Solde de capital	\$
AGENCY AGENCE	CENTRAL VANCOUVER	Committed - Engagé	\$
PROVINCE	BRITISH COLUMBIA	Revenue balance Solde de revenu	\$
PLACE NOM DE L'ENDROIT	MERRITT	Committed - Engagé	\$
DATE	5 MARCH AD 19 84 DAY - JOUR MONTH - MOIS YEAR - ANNÉE		

DO HEREBY RESOLVE;
DECIDE, PAR LES PRÉSENTES:

THAT the Department of Highways be allowed to blast the rock along highways in the vicinity of Joe Sam's corner providing the following conditions are adhered to:

THAT the material be blasted into shot-rock that will be suitable for river rip-rapping with an approximate size of 18" to 36";

AND THAT the shot-rock be stockpiled in a reserve site which is designated by the Band;

AND THAT the stockpile site be cleared out previous to stockpiling of the shot-rock at no cost to the Band;

AND THAT the rock be sole property of the Band;

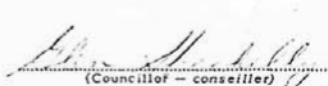
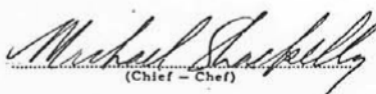

THAT Band equipment be used where possible;

THAT Band members be hired where possible;

THAT Contractors be required to hire Band members where possible;

→ AND THAT the Department of Highways Surveyors be allowed on Band land along Highway # 8 for survey purposes only until June 30, 1984.

AND THAT the Band's immediate rip-rap needs be taken care of, namely the Jim Fountain and Glen Shackelly properties.

 (Councillor - conseiller)	 (Chief - Chef)	 (Councillor - conseiller)
..... (Councillor - conseiller)	..... (Councillor - conseiller)	..... (Councillor - conseiller)
..... (Councillor - conseiller)	..... (Councillor - conseiller)	..... (Councillor - conseiller)
..... (Councillor - conseiller)	..... (Councillor - conseiller)	..... (Councillor - conseiller)

FOR HEADQUARTERS USE ONLY - RÉSERVÉ AU BUREAU PRINCIPAL				
1. TRUST ACCT COMPTE DE FIDUCIAR	2. CURRENT BALANCES - SOLDES COURANTS		3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens
	A. Capital \$	B. Revenue - Revenu \$		
6. Recommended - Recommandé			5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenu	
Date			Date	
Authorized Officer - Fonctionnaire autorisé			Assistant Deputy Minister - Sous-ministre adjoint	

PN 50345

*
CNCP MULTI APP
*
HWY HQ VIC
E



0 002
MA

DISTRICT HWY MGR
MERRITT

ATTN D'ARCY EYERS

RE MCCAITCH INDIAN BAND

I UNDERSTAND THAT YOU PLAN SOME WORK IN THE NEAR FUTURE AT
'JOE SAW'S CORNER', WHEREVER THAT IS, AND THAT AN INDIAN
RESERVE MAY BE INVOLVED.

PLEASE FORWARD EXPLANATORY DETAILS AT YOUR EARLIEST CONVENIENCE.

A C FROWN
DIR OF PROPERTY SERVICES

PER D I F MACSWEEN
SR PROPERTY NEGOTIATOR

CC REGIONAL PROPERTY NEGOTIATOR
KAMLOOPS - FY LETTER

VICTORIA
MAR 28/84
0 000
TX 048-8119 HWY DIS MPT
0 010
TX 048-8299 HWY P2 KAM
0NNNN

ACC 008 MAR 28 1410 EST GRH 501
ACC 000
ACC 010

CNCP MULTI APP
*
HWY HQ VIC
E

387-5534

June 4, 1980

Director General
(Indian and Inuit Affairs)
P.O. Box 10061
700 West Georgia Street
Vancouver, B.C.
V7Y 1C1

Dear Sir:

Re: Reserve General Register

In keeping with our continuing program of updating our files in various Indian Reserves, it would be much appreciated if you would let us have copies of the Reserve General Register pages which include the following Indian Reserves, list attached.

Yours very truly,

A. C. Brown
Director of Property Services

Per: D.I.F. MacSween
Senior Property Negotiator
Ministry of Transportation & Highways

DIFM/bn
Attach.

#1 I.R. 4			
50852 - Zoht I.R. #1	Nicola (Lower) Band	Nicola Agency	
30170 - Zoht I.R. #2	" " "	" "	
50859 - Logan's I.R. #6	" " "	" "	
26573 - Hamilton Creek I.R. #7	" " "	" "	
50830 - Speous I.R. #8	" " "	" "	
50770 - Noositch Grass I.R. #9	" " "	" "	
50345 - Noositch I.R. #10	" " "	" "	
50812 - Shackan I.R. #11	" " "	" "	
50822 - Soldatquo I.R. #12	" " "	" "	
50813 - Papsilqua I.R. #13	" " "	" "	
50853 - Zoht I.R. #14	" " "	" "	
1328 - Nicola Lake I.R. #1	Nicola (Upper) Band	" "	
50758 - Quilchena I.R. #2	" " "	" "	
30056 - Douglas Lake I.R. #3	" " "	" "	
50824 - Spahomin Creek I.R. #4	" " "	" "	
24799 - Chapperon Lake I.R. #5	" " "	" "	
50601 - Chapperon Creek I.R. #6	" " "	" "	
50807 - Salmon Lake I.R. #7	" " "	" "	
50825 - Spahomin Creek I.R. #8	" " "	" "	

Kindly invoice any charges directly to this office.

387-5534

June 4, 1980

Treaties and Historical Research Centre
Indian and Northern Affairs
Ottawa, Ontario
K1A 0H4

Attention: Dennis Madill

Dear Mr. Madill

Re: Plans Relating to Several B.C. Indian Reserves

In keeping with our continuing program of updating our files in various Indian Reserves, it would be much appreciated if you would let us have copies of the following plans (list attached).

Kindly invoice any charges directly to this office.

Yours very truly,

A. C. Brown
Director of Property Services

Per: D.I.F. MacSween
Senior Property Negotiator
Ministry of Transportation & Highways

DIFM/bn
Attach.

Skeikut I.R. #9		Nicomen	Nicola #B.C. 211
16569 - Coldwater I.R. #1	(Lower)	Nicola	" #B.C. 193
13261 - Nicola Mameet I.R. #1	"	"	" #B.C. L 215 & 266 #B.C. 957
16959 - Joeyaska I.R. #2	"	"	" #B.C. 207
50852 - Zoht ^{#1 I.R. 4} I.R. #1	"	"	" #B.C. 954
30170 - Zoht ^{#2 I.R. 5} I.R. #2	"	"	" #B.C. 120
26593 - Hamilton Creek I.R. #7	"	"	" #B.C. 208 #B.C. 1023
50830 - Speous I.R. #8	"	"	" #B.C. 209
50770 - Noositch Grass I.R. #9	"	"	" #B.C. L 209 #B.C. 752
50345 - Noositch I.R. #10	"	"	" #B.C. 358
50812 - Shackan I.R. #11	"	"	" #B.C. L 210
50822 - Soldatquo I.R. #12	"	"	" Old No. 210 #B.C. 359
50813 - Papsilqua I.R. #13	"	"	" #B.C. 210
50853 - Zoht I.R. #14	"	"	" #B.C. 499
1328 - Nicola Lake I.R. #1	(Upper)	"	" #B.C. 205
30056 - Douglas Lake I.R. #3	"	"	" #B.C. 204
50601 - Chapperon Creek I.R. #6	"	"	" #B.C. 951
50825 - Spahomin Creek I.R. #8	"	"	" #T 30

M.H. Rhodes
H.Q. 70-60-15/350488
P/N 50345

April 3, 1979

The Honourable Tom Waterland
Minister of Forests
Parliament Buildings

My dear Colleague:

Re: Nooaitch Indian Reserve #10 and Hwy. 8

Thank you for your memorandum March 9, 1979.

My Ministry has the concern raised by Chief Barney Shackelly under investigation at this time and their report is expected shortly. Preliminary indications are that a skeleton turned up when my Ministry was removing a rock bluff within our legal right-of-way.

I will keep you informed on this matter.

Yours very truly,

7

Alex V. Fraser
Minister

DIFM/do

[Handwritten signature]

Mr. Rhodes.

H.Q. File: 70-60-15/350221
350347

P/N 50345

March 19, 1979

Chief Barney Shackelly
Nooaitch Indian Reserve No. 10
P. O. Box 188
Merriitt, B. C.

Dear Chief Shackelly:

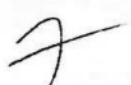
Re: Nooaitch Indian Reserve No. 10

Thank you for your letter of March 6th, 1979 regarding reconstruction of a road through your Indian Reserve No. 10.

I have requested my staff to prepare an early report on the matter, and will contact you as soon as it is received.

Thank you for bringing this matter to my attention.

Yours very truly,



Alex V. Fraser
Minister

cc. George Manuel, President
Union of B.C. Indian Chiefs
3rd Floor - 440 West Hastings Street
Vancouver, B.C., V6B 1H1

IFM/do





Province of
British Columbia

Ministry of
Highways and
Public Works

MEMORANDUM

H118

To: Regional Highway Engineer

Kamloops

Re: Nooaitch Indian Reserve

Ministry of Transportation
Communications & Highways

APR 9 - 1979

KAMLOOPS, B.C.

Merritt (R2)

Date: April 6, 1979

Headquarters File:

Regional File:

District File: 25-20-4C

Attached is another item from the community newspaper "Nicola Indian" regarding the rockwork we attempted within the right-of-way through the Nooaitch Indian Reserve, for your information. We had the Regional Property Negotiator check on the status of our 1931 right-of-way plan to ensure that it was valid and not just a provisional plan. He was able to confirm the validity of the plan. Headquarter Property Services has been made aware of the status of this right-of-way so I assume that Headquarters will respond to these letters.

I have made no written contact with Barney Shackelly regarding this matter.

Darry Byers
D. L. Byers, P. Eng.,
District Highways Manager.

DLB/aj
Attach.

Re
79-04-09

→ R. BARNETT

INFO.

[Signature]

REGIONAL PROPERTY SERVICES MINISTRY OF HIGHWAYS & PUBLIC WORKS APR 10 1979 KAMLOOPS, B.C.

HIGHWAY IMPROVEMENT PROJECT

CAUSES A REACTION

Dear Mr. Minister:

Re: Nootlch Indian Reserve

The Union of British Columbia Indian Chiefs is concerned with the Provincial Governments actions to expropriate land without negotiating the right-of-way required with the Department of Highways and the Provincial Government.

We fully support the request of Chief Barney Shackelly of the Nootlch Indian Band that the negotiated agreement with the Band Council is necessary before any more widening and/or straightening out of Highway Number Eight, passing throughout Nootlch Indian Reserve #10 is carried out.

We urge you to meet and negotiate an agreement with the Nootlch Band Council.

Yours truly,
UNION OF B.C. INDIAN CHIEFS
George Manuel, President

cc. Barney Shackelly, Chief
Nootlch Indian Band

cc: Tom Waterland, MLA, Victoria.
R.J. Talbot and/or Nesbette Porter
c/o P.M. Brady, Director of Water Investigations
George Manuel, Union of B.C. Indian Chiefs
All Nicola Indian Bands
Darcy Byers, Ministry of Highways, Merritt.



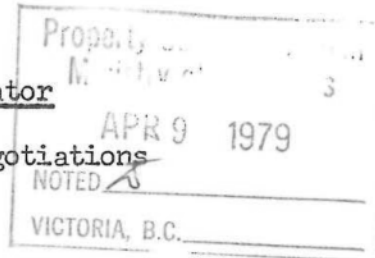
H118

To: Director of Property Services
VICTORIA

Date: April 5, 1979

Attention: D.I. McSween
Senior Property Negotiator

From: Regional Property Negotiations
Kamloops



Headquarters File:

Regional File: P/N 50345

District File:

Re: Nooitch Indian Reserve No. 10

The attached was acquired from the Indian Affairs Branch, and is forwarded for your information.

Robert E. Burnett
Regional Property Negotiator

GS/lk
Attach.

cc: District Highways Manager,
Merritt.

"CREST"

Privy Council
CanadaAT THE GOVERNMENT HOUSE AT OTTAWA
MONDAY, THE 16th day of NOVEMBER, 1931
PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Government of the Province of British Columbia has applied to the Department of Indian Affairs for parcels of land required as right of way for road through the Nooaitch Indian Reserve, Number Ten, in the Nicola Indian Agency, which may be described as follows:

ALL those parcels of land in the Nooaitch Indian Reserve, Number Ten, containing together thirty-nine acres and forty-three hundredths of an acre, more or less, being composed of a right of way for a provincial road through the said reserve, as said right of way is shown on a plan of survey recorded in the Surveys Branch of the Department of Indian Affairs under number Rd. 2455.

AND WHEREAS the Superintendent General of Indian Affairs reports that the compensation has been valued by an officer of the department of Indian Affairs at \$1000.00 and that this amount has been received from the Provincial Government in payment;

THEREFORE His Excellency the Governor General in Canada, on the recommendation of the Superintendent General of Indian Affairs is pleased to order that the said land be and it is hereby transferred to the said Government of the Province of British Columbia, pursuant to the provisions of Section 48 of the Indian Act.

" "
Clerk of the Privy CouncilThe Honourable
the Superintendent General of Indian Affairs

H-038296

"Jan 28 8:35 AM '75

Nooaitch

INDIAN RESERVE


NO. 10

British Columbia

Order in Council

NUMBER OF PIECES 2

COPY

Province British Columbia		 Indian and Northern Affairs Affaires indiennes et du Nord		RESERVE GENERAL REGISTER - REGISTRE GÉNÉRAL DE LA RÉSERVE	
Agency - Agence Thompson River		Reserve - Réserve Nooaitch #10		Band - Bande Nooaitch	
Authority - Autorisation		Title Deed - Titre de propriété		Original Survey - Premier Arpentage	
General Remarks - Remarque générale				Date Established - Date de notification August 26, 1878	
				Original Area - Superficie originale 2310.00	
Band name changed to Nooaitch by PC 1955-12/284 of February 25, 1955, File 169/29-277					

Item No. N° de l'inscription	Instrument Acte	Number Numéro	Date	Grantor/Grantee Donateur/Donataire	Land - Bien-fonds	Acres Superficie	Present Reserve Acre Super. actuelle de la réserve	File No. N° de dossier	Remarks - Remarques
		Nooaitch 10		Nooaitch / Kamloops District. In township 14, Range 23, Sections 2, 10, 11, 14, 15, 20, 21, 27, 28, 32, & 33; Township 15, Range 23; Sections 3 & 4, W of 6th meridian. On the banks of Nicola River, approx 20 miles above its confluence with Thompson River. Ref map 88, Sectional map 61		2192.03			Allotted by Commissioner Sproat, Aug 26, 1878 Original Survey 1879, Plan # 209.....2310. Resurvey 1926, Plan BC 358, West Boundary In Rwy Belt, Dominion OCPC 300, Feb 20, 29... Instrument # 15795 to CPR, R/W, Nicola Branch, Plan RR 830B, Dominion patent reference 18714.....78.54 To province, R/W, Spences Bridge - Nicola Hwy Rd. 2455, Dominion OCPC 2859, Nov 16, 31....9.43 Water Record: Final licence 7101, 507 acre feet Final licence 7618, 1279 acre feet & 7500 gals. Final licence 7969, 605 acre feet Withdrawn from the operation and transferred to Department of Indian Affairs
1	OCPC 300	16795	20/2/29		Twp 14, Rnge 23, W6M and Twp 15, Rnge 23, W6M, Special Survey 1926, by J A Calder, DLS record plan 36308	2310.00			Recommends land be withdrawn from the operation of the Dominion Lands Act and OCPC 1512 and be transferred to the Dept of Indian Affairs
2	Order in Council	X13784	8/3/06	Canada to Nicola Kamloops & Similkameen Coal & Railway Co	Railway R/W	71.79		8	Recommends that the Co. be allowed to acquire the Indian interest in these lands pursuant to Sec. 35, IA
3	OCPC 952	X13785	19/4/12	Canada to Can. Pacific Rlwy	Railway R/W, R/W to Water	76.85 1.69			Authorizes the issuance of Letter patent to the Co. for the total area taken. Subject to certain conditions
4	OCPC 2859	H38296	16/11/31	Crown Canada to Province of B.C.	R/W as shown on Plan Rd. 2455				Authorizes the transfer of R/W pursuant to Section 48, Indian Act

262853F

Certificate of Indefeasible Title

Date of application for registration, the 22nd day of January, 1965
At 10:25

This is to certify that

CANADIAN PACIFIC RAILWAY COMPANY
Cordova Street, Vancouver, B.C.

is absolutely and indefeasibly entitled in fee-simple, subject to such charges, liens, and interests as are notified by endorsement hereon, and subject to the conditions, exceptions, and reservations set out hereon, to those

piece s of land situate in the Kamloops Assessment District

and Province of British Columbia, and more particularly known and described as:—

Firstly:

Those portions of the Nootka Indian Reserve No. 10, being composed of the Right-of-Way through the said Indian Reserve of the Nicola, Kamloops and Similkameen Coal and Railway Company and also a Right-of-Way for a Pipe Line of the said Railway in the said Reserve as both Rights-of-Way are shown on Plan Four hundred (400)

Secondly:

That part of the North West Quarter (N.W. 1/4) of
Section Twenty-two (22)
Township Fourteen (14)
Range Twenty-three (23)
West of the 6th Meridian
as shown on Plan Four hundred (400)

Thirdly:

That part of the South West Quarter (S.W. 1/4) of
Section Twenty-two (22)
Township Fourteen (14)
Range Twenty-three (23)
West of the 6th Meridian
as shown on Plan Four hundred (400)

Fourthly:

That part of the North West Quarter (N.W. 1/4) of
Section Fifteen (15)
Township Fourteen (14)
Range Twenty-three (23)
West of the 6th Meridian
as shown on Plan Four hundred (400)

Parts transferred

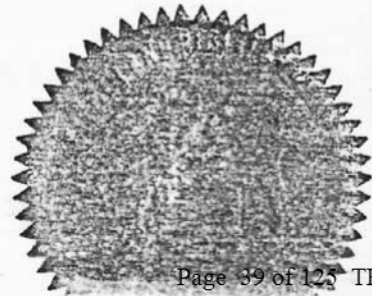
Registered Charges

In witness whereof I have hereunto set my hand and seal of office

at KAMLOOPS, British Columbia,

this 12th day of February

1965



H.Q. 70-60-15/350488
P/N 50345

April 3, 1979

The Honourable Tom Waterland
Minister of Forests
Parliament Buildings

My dear Colleague:

Re: Nooaitch Indian Reserve #10 and Hwy. 8

Thank you for your memorandum March 9, 1979.

My Ministry has the concern raised by Chief Barney Shackelly under investigation at this time and their report is expected shortly. Preliminary indications are that a skeleton turned up when my Ministry was removing a rock bluff within our legal right-of-way.

I will keep you informed on this matter.

Yours very truly,

Alex V. Fraser
Minister

DIFM/do

copy for information of Honourable Allan Williams, Minister of Labour

Ker

MEMORANDUM

MINISTRY OF HIGHWAYS
& PUBLIC WORKS
FROM THE OFFICE OF

70-60-15

To Honourable Alex Fraser

MAR 23 1979

MINISTER OF FORESTS

Minister of Highways

ANSWERED

Parliament Buildings

NOTED

VICTORIA, B.C.

March 9

1979

DATE

MAR 26 1979

NOTED

VICTORIA, B.C.

With reference to the attached copy of a letter dated March 6, 1979, from Chief Barney Shackelly of the Nooaitch Indian Reserve to your office, requesting that you negotiate an agreement with them prior to doing any further work on Highway 8, would you please supply me with a copy of your reply to Chief Shackelly.

Thank you.

Tom Waterland
Tom Waterland
Minister

M.L.A. Yale-Lillooet

Encl.

c.c. Chief Barney Shackelly

RECEIVED

MAR 21 1979

MINISTRY OF TRANSPORTATION,
COMMUNICATIONS & HIGHWAYS
VICTORIA, B.C.

350488

MIN- D.P.S

NOOAITCH INDIAN RESERVE
RECEIVED
MINISTRY OF HIGHWAYS
& PUBLIC WORKS

P.O. Box 188
Merritt, B.C.

MAR 23 1979

ANSWERED.....
NOTED.....
March 6, 1979.
DATE.....

The Honourable, The Minister
of Highways,
Douglas Building,
Parliament Buildings,
Victoria, B.C.

RECEIVED

MINISTER OF FORESTS

Dear Mr. Fraser:

Re: Nooaitch Indian Reserve.

Our Band agrees and does hereby inform you that before
any more widening and/or straightening out of Highway
Number Eight passing throughout Nooaitch Indian Reserve
10 is carried out, the Department of Highways had
best meet and negotiate an agreement with us.

We look forward to hearing from you promptly.

Sincerely,



Chief Barney Shackelly.

BS/bj.

cc: ✓ Tom Waterland, MIA, Victoria.
R.J. Talbot and/or Nesbette Porter
c/o P.M. Brady, Director of Water Investigations.
George Manuel, Union of B.C. Indian Chiefs
All Nicola Valley Indian Bands
Darcy Byers, Ministry of Highways, Merritt.

350221

H.Q. File: 70-60-15/350221
350347

P/N 50345

March 19, 1979

Chief Barney Shackelly
Nooaitch Indian Reserve No. 10
P. O. Box 188
Marriott, B. C.

Dear Chief Shackelly:

Re: Nooaitch Indian Reserve No. 10

Thank you for your letter of March 6th, 1979 regarding reconstruction of a road through your Indian Reserve No. 10.

I have requested my staff to prepare an early report on the matter, and will contact you as soon as it is received.

Thank you for bringing this matter to my attention.

Yours very truly,



Alex V. Fraser
Minister

cc. George Manuel, President
Union of B.C. Indian Chiefs
3rd Floor - 440 West Hastings Street
Vancouver, B.C., V6B 1L1

DIFM/do

70-60-15

NOOAITCH INDIAN RESERVE

Property St.
Ministry of

MAR 13 1979

NOTED

VICTORIA, B.C.

RECEIVED
MINISTRY OF HIGHWAYS
& PUBLIC WORKS

MAR 1 1979

ANSWERED

NOTED

DATE

March 6, 1979.

P.O. Box 188
Merritt, B.C.

The Honourable, The Minister
of Highways,
Douglas Building,
Parliament Buildings,
Victoria, B.C.

RECEIVED

MAR 9 1979

MINISTRY OF TRANSPORTATION,
COMMUNICATIONS & HIGHWAYS
VICTORIA, B.C.

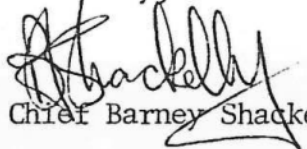
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10 is carried out, the Department of Highways had
best meet and negotiate an agreement with us.

We look forward to hearing from you promptly.

Sincerely,



Chief Barney Shackelly.

BS/bj.

cc: Tom Waterland, MLA, Victoria.
R.J. Talbot and/or Nesbette Porter
c/o P.M. Brady, Director of Water Investigations.
George Manuel, Union of B.C. Indian Chiefs
All Nicola Valley Indian Bands
Darcy Byers, Ministry of Highways, Merritt.

350221

70-60-15

THE LAND IS OUR CULTURE

UNION OF B.C. INDIAN CHIEFS

3rd Floor - 440 West Hastings

RECEIVED Vancouver, B.C. V6B 1L1

MINISTRY OF HIGHWAYS Telephone: (604) 684-0231

& PUBLIC WORKS Telex: 04-54220

MAR 16 1979

ANSWERED

NOTED

DATE

Property, ...

Ministry of ...

MAR 19 1979

NOTED

VICTORIA, B.C.

RECEIVED

MAR 15 1979

MINISTRY OF TRANSPORTATION,
COMMUNICATIONS & HIGHWAYS
VICTORIA, B.C.

Hon. Minister of Highways
Alexander Vaughan Fraser
Parliament Buildings
Victoria, B.C.

Dear Mr. Minister:

Re: Nooaitch Indian Reserve

The Union of British Columbia Indian Chiefs is concerned with the Provincial Governments actions to expropriate land without negotiating the right-of-way required with the Department of Highways and the Provincial Government.

We fully support the request of Chief Barney Shackelly of the Nooaitch Indian Band that the negotiated agreement with the Band Council is necessary before any more widening and/or straightening out of Highway Number Eight, passing throughout Nooaitch Indian Reserve #10 is carried out.

We urge you to meet and negotiate an agreement with the Nooaitch Band Council.

Yours truly,

UNION OF BC INDIAN CHIEFS

George Manuel

George Manuel, President

cc. Barney Shackelly, Chief
Nooaitch Indian Band

GM/ab

350347

*
HWY R2 KAM
HWY HQ VIC



REGIONAL HWY ENG
KAMLOOPS

ATTN REGIONAL PROPERTY NEGOTIATOR

RE HWY 8 AND NOOAITCH INDIAN RESERVE NO. 10

FURTHER TO OUR TELEPHONE CONVERSATION 15TH, PLEASE OBTAIN
ALL DATA AVAILABLE ON THIS MATTER AND RESERVE, AND FORWARD
AS SOON AS POSSIBLE. WAS THE WORK CONTAINED WITHIN OUR
EXISTING R/W OR HAD WE ENTERED ONTO INDIAN RESERVE.

V A DREW
DIRECTOR OF PROPERTY SERVICES

PER D I F MACSWEEN
SR PROPERTY NEGOTIATOR

VICTORIA
MAR 19/79
11:02 AM
*
HWY R2 KAM

REGIONAL HIGHWAY ENGINEER
MINISTRY OF HIGHWAYS
KAMLOOPS

MARCH 19, 1979

P/N 50345

REGIONAL PROPERTY NEGOTIATOR

HWY. 8 & NOOATICH INDIAN RESERVE NO. 10

FURTHER TO OUR TELEPHONE CONVERSATION 15TH, PLEASE OBTAIN ALL
DATA AVAILABLE ON THIS MATTER AND RESERVE, AND FORWARD AS SOON
AS POSSIBLE. WAS THE WORK CONTAINED WITHIN OUR EXISTING R/W
OR HAD WE ENTERED ONTO INDIAN RESERVE.

V. A. DREW
DIRECTOR OF PROPERTY SERVICES

PER:

D.I.F. MACSWEN
SENIOR PROPERTY NEGOTIATOR

DIFM/do

ASSIGNMENT

MINISTRY OF HIGHWAYS AND PUBLIC WORKS

To Norm. Date 19.03.15
 File R.2
 Letter No. 350221

SUBJECT NOOAITCH IR 10

- | | |
|--|--|
| 1.....Please investigate and report to this office. | 9.....Please reply direct. |
| 2.....Please investigate and take action as necessary. | 10.....cc to this office. |
| 3.....Comments, please. | 11.....Please prepare reply for.....signature. |
| 4.....Recommendations, please. | 12.....For your attention, please. |
| 5.....Discuss, please. | 13.....For your signature, please. |
| 6.....Note and return, please. | 14.....For your information, please. |
| 7.....Note and forward, please. | 15.....For your file, please. |
| 8.....Note and forward to file, please. | |

RE ATTACHED LETTER

REMARKS PLEASE PREPARE A REPORT ON ALL ROADS NOT
ALREADY DOCUMENTED IN THIS RESERVE. RPN KAMLOOPS
IS GATHERING AVAILABLE DATA ~~AND~~ FROM HIS FILES
AND THOSE OF THE DISTRICT, AND WILL FORWARD THEM
SHORTLY.

INFORMATION AT HAND IS THAT THE ROAD IS SECTION 8;
RS 2455 11 June 1931 FILE 23169-17 Pub. 24 June 1931 may
apply. THIS IS APPARENTLY A SIDE ROAD, NOT THE HWY.

From D MacSwen

ASSIGNMENT

MINISTRY OF HIGHWAYS AND PUBLIC WORKS

To NORM Date 79.03.15
 File R.2
 Letter No. 350221

SUBJECT NOOAITCH IR 10

- | | |
|--|--|
| 1.....Please investigate and report to this office. | 9.....Please reply direct. |
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| 4.....Recommendations, please. | 12.....For your attention, please. |
| 5.....Discuss, please. | 13.....For your signature, please. |
| 6.....Note and return, please. | 14.....For your information, please. |
| 7.....Note and forward, please. | 15.....For your file, please. |
| 8.....Note and forward to file, please. | |

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apply. THIS IS APPARENTLY A SIDE ROAD NOT THE HWY.

From D MacDermid

70-60-15

NOOAITCH INDIAN RESERVE

Property of
Ministry of

mail
boxes

RECEIVED
MINISTRY OF HIGHWAYS
& PUBLIC WORKS

MAR 13 1979

MAR 1 1979

P.O. Box 188
Merritt, B.C.

NOTED

VICTORIA, B.C.

ANSWERED

NOTED

DATE

March 6, 1979.

The Honourable, The Minister
of Highways,
Douglas Building,
Parliament Buildings,
Victoria, B.C.

RECEIVED

MAR 9 1979

MINISTRY OF TRANSPORTATION,
COMMUNICATIONS & HIGHWAYS
VICTORIA, B.C.

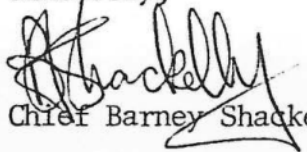
Dear Mr. Fraser:

Re: Nooaitch Indian Reserve.

- Our Band agrees and does hereby inform you that before
any more widening and/or straightening out of Highway
Number Eight passing throughout Nooaitch Indian Reserve
10 is carried out, the Department of Highways had
best meet and negotiate an agreement with us.

We look forward to hearing from you promptly.

Sincerely,



Chief Barney Shackelly.

BS/bj.

cc: Tom Waterland, MLA, Victoria.
R.J. Talbot and/or Nesbette Porter
c/o P.M. Brady, Director of Water Investigations.
George Manuel, Union of B.C. Indian Chiefs
All Nicola Valley Indian Bands
Darcy Byers, Ministry of Highways, Merritt.

350221

Department of Public Works,
Parliament Buildings,
Victoria, B.C.
January 12th, 1940.

FILE 4767-37 CIRCULAR NO. G.84

GRAVEL TAKEN FROM INDIAN RESERVES

Negotiations have been under way with the Department of Indian Affairs with respect to the taking of gravel from Indian Reservations for use upon highways outside of such reservations. It was suggested that the Department pay 5¢ per cubic yard for such gravel. I am now in receipt of a letter dated December 29th, 1939, from the Indian Commissioner for B.C., a copy of which letter is attached hereto, and I would request that all Departmental officials, when it is necessary to obtain gravel from Indian Reserves, conform in every respect to the wishes of the Indian Commissioner as outlined in the second paragraph of this letter.

I wish to emphasize that henceforth every endeavour is to be made to obtain gravel from sources other than Indian Reserves where such gravel is available, and that gravel should be taken from an Indian Reserve only as a last resort and then only after satisfactory arrangements have been come to with the local Indian Agent.

Gravel obtained from Indian Reserves for use on roads within the reserve from which it is taken is not subject to compensation.

A. DIXON

Chief Engineer

EXAMINED AND UNDERSTOOD

.....CLERK

.....ENGINEER OR
FOREMAN

C O P Y

Indian Commissioner
British Columbia

CANADA
Department
of
Mines and Resources

Indian Affairs
Branch

P.O. Box 70
Vancouver, B.C.
December 29, 1939.

Dear Mr. Dixon: Re Your File 4767-37

I have to refer to your letter of October 20th regarding the sale of gravel from Indian Reserves to the Province for road purposes.

Following receipt of your letter I referred this matter to my Department and I have now been advised to the effect that as gravel on Indian Reserves is regarded as the common property of the Bands to which the Reserves belong that it cannot be sold or otherwise disposed of except by surrender given by the Indian owners. In view of this fact it would not therefore be possible to enter into any agreement with the province as to price or other conditions but each application will necessarily have to be considered separately and on its merits. The Department has intimated however that outstanding accounts could be settled on a basis of 5¢ per cubic yard, unless agreement was entered into by the Agent on behalf of the Indians with the local Public Works Engineer for a greater rate.

In view of the ruling of the Department I should like to suggest that your field officers be instructed to make application to the local Indian Agent for any gravel on Indian lands required for use on public roads and to state in such application the rate per cubic yard the province is prepared to pay for such material. The Indian Agent will then be in a position to approach the Indian owners concerned for their consent and in due course advise your Department accordingly.

I should like to assure you that this office will do its utmost to assist your Department by granting the necessary authority to enter the reserves for to remove gravel therefrom immediately the requisite surrender has been obtained.

Yours faithfully,

"D. M. MACKAY"

Indian Commissioner for B.C.

A. Dixon, Esq.,
Chief Engineer,
Dept. of Public Works,
Victoria, B.C.

File 4767
P.W.M.1594A

4767-19
"P. WALKER"
Deputy Clerk, Executive Council

COPY

CERTIFIED COPY OF A MINUTE of the Honourable the Executive Council,
approved by His Honour the Lieutenant-Governor on the
29th day of July, A.D. 1938.

1036

TO HIS HONOUR
THE LIEUTENANT-GOVERNOR IN COUNCIL:

The undersigned has the honour to RECOMMEND:--

THAT under authority of Section 93 of the "Land Act", being Chapter 144, "Revised Statutes of British Columbia, 1936", and Section 2 of Chapter 32, "British Columbia Statutes 1919", being the "Indian Affairs Settlement Act", the lands set out in schedule attached hereto be conveyed to His Majesty the King in the right of the Dominion of Canada in trust for the use and benefit of the Indians of the Province of British Columbia, subject however to the right of the Dominion Government to deal with the said lands in such manner as they may deem best suited for the purpose of the Indians including a right to sell the said lands and fund or use the proceeds for the benefit of the Indians subject to the condition that in the event of any Indian tribe or band in British Columbia at some future time becoming extinct that any lands hereby conveyed for such tribe or band, and not sold or disposed of as heretofore provided, or any unexpended fund being the proceeds of any such sale, shall be conveyed or repaid to the grantor, and that such conveyance shall also be subject to the following provisions:--

PROVIDED NEVERTHELESS that it shall at all times be lawful for Us, Our heirs and successors, or for any person or persons acting in that behalf by Our or their authority, to resume any part of the said lands which it may be deemed necessary to resume for making roads, canals, bridges, towing paths, or other works of public utility or convenience; so, nevertheless that the lands so to be resumed shall not exceed one-twentieth part of the whole of the lands aforesaid, and that no such resumption shall be made of any lands on which any buildings may have been erected, or which may be in use as gardens or otherwise for the more convenient occupation of any such buildings:

PROVIDED also that it shall be lawful for any person duly authorized in that behalf by Us, Our heirs, and successors, to take and occupy such water privileges, and to have and enjoy such rights of carrying water over, through or under any parts of the hereditaments hereby granted, as may be reasonably required for mining or agricultural purposes in the vicinity of the said hereditaments, paying therefor a reasonable compensation:

PROVIDED also that the Department of Indian Affairs shall through its proper officers be advised of any work contemplated under the preceding provisos that plans of the location of such work shall be furnished for the information of the Department of Indian Affairs, and that a reasonable time shall be allowed for consideration of the said plans and for any necessary adjustments or arrangements in connection with the proposed work:

PROVIDED also that it shall be at all times lawful for any person duly authorized in that behalf by Us, Our heirs and successors, to take from or upon any part of the hereditaments hereby granted, any gravel, sand, stone, lime, timber or other material which may be required in the construction, maintenance, or repair of any roads, ferries, bridges, or other public works, But nevertheless paying therefor reasonable compensation for such material as may be taken for use outside the boundaries of the hereditaments hereby granted:

PROVIDED also that all travelled streets, roads, trails, and other highways existing over or through said lands at the date hereof shall be excepted from this grant.

AND TO FURTHER RECOMMEND THAT a certified copy of this minute, if approved, be transmitted to the Registrar in each Land Registry Office in the Province of British Columbia to the intent that such certified copy be accepted by him as a conveyance of the said land to His Majesty the King in the right of the Dominion of Canada as represented by the Department of Indian Affairs of Canada, without further formal instrument of transfer subject to the said provisos and conditions.

AND TO FURTHER RECOMMEND THAT a certified copy of this minute, if approved, be forwarded to the Superintendent General of Indian Affairs at Ottawa.

DATED this 29th day of July, A.D. 1938.

"JOHN HART"
Acting Minister of Lands.

APPROVED this 29th day of July, A.D. 1938.

"JOHN HART"
Presiding Member of the Executive Council.

ALL COMMUNICATIONS IN REFERENCE TO LAND
MATTERS SHOULD BE ADDRESSED TO
THE SUPERINTENDENT OF LANDS

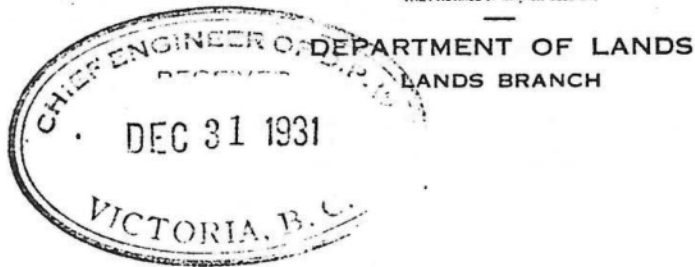


THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

VICTORIA, B.C.

29th December, 1931

Your file 5009



MEMORANDUM: TO THE CHIEF ENGINEER
DEPARTMENT OF PUBLIC WORKS

File 72901

I have to acknowledge your communication
of the 28th instant, your file 6009 enclosing
copy of order-in-council P.C. 2859.

Herbert Saylor,

Superintendent of Lands

CEH:DMH

335395

5009

December 28th,
1931.

Spences Bridge - Merritt Road
Lower Nicla (Ncoaitch) Indian
Reserve Number 10.

MEMORANDUM: Newman Taylor, Esq., Superinten-
dent of Lands. Buildings.

Herewith, for your information, is copy of
Order-in-Council P.C. 2859 dated November 16th,
1931.

Copy of the plan No. Road 2455, referred to
therein, is on file in this Department.

P. PHILIP

Chief Engineer.

FLM:MIB

E.S. Jones, Esq.,
Dist. Engr.,
Kamloops, B.C.

Dec. 8th, 1931.

Eng. Dist. #3.

5009

40-21-21 -

Spences Bridge - Merritt Road
Lower Nicola (Nechitich) Indian
Reserve No. 10

Dec. 14th.

Herewith, in duplicate, is Order in
Council P.C. 2809 dated November 16th,
1931.

P. PHILIP

FLM:MIB
Encls.

5009

Your file 23169-17

December 28th,
1931.

Spences Bridge - Merritt Road
Lower Nicola (Nocaitch) Indian
Reserve No. 10.

Sir:-

This will acknowledge, with thanks,
receipt of certified copy of Order-in-
Council P.C. 2859 dated November 16th,
1931.

Yours obediently,

P. PHILIP

Chief Engineer.

T.R.L. MacInnes, Esq.,
Department of Indian Affairs,
Ottawa, Ontario.

FLM:MIB

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA



DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 17th December 1931

Sir,-

Your ref.No.5009

I am enclosing for your information a certified copy of Order in Council, P.C.2859, dated the 16th Nov.1931, transferring to the Province of British Columbia certain lands required for road through the Nooaitch Indian reserve No.10.

Your obedient servant,

(T.R.L. MacInnes)
For Secretary

P. Philip Esq.,
Chief Engineer
Department of Public Works
Victoria, B.C.

NOTED
ANSWERED
ATTENDED TO
DEC 26 1931
OFFICE ENGINEER PUBLIC WORKS DEPT. VICTORIA, B. C.

Entered up in
I. R. Register.

334361

NT&UE



AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 16th day of November, 1921.

PRESENT:

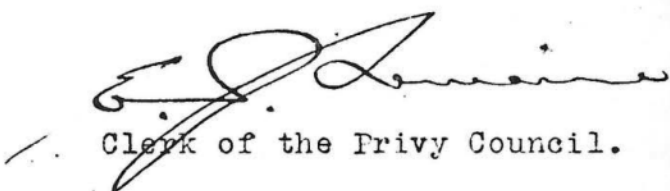
HIS EXCELLENCY
THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Government of the Province of British Columbia has applied to the Department of Indian Affairs for parcels of land required as right of way for road through the Nooaitch Indian Reserve, Number Ten, in the Nicola Indian Agency, which may be described as follows:-

All those parcels of land in the Nooaitch Indian Reserve, Number Ten, containing together thirty-nine acres and forty-three hundredths of an acre, more or less, being composed of a right of way for a provincial road through the said reserve, as said right of way is shown on a plan of survey recorded in the Surveys Branch of the Department of Indian Affairs under number Rd. 2455.

AND WHEREAS the Superintendent General of Indian Affairs reports that the compensation has been valued by an officer of the department of Indian Affairs at \$1,000.00 and that this amount has been received from the Provincial Government in payment;

THEREFORE His Excellency the Governor General in Council, on the recommendation of the Superintendent General of Indian Affairs is pleased to order that the said land be and it is hereby transferred to the said Government of the Province of British Columbia, pursuant to the provisions of Section 48 of the Indian Act.


Clerk of the Privy Council.

5009

December 17th,
1931.

Spences Bridge - Merritt Road Lower Nicola
(Nooaitch) Indian Reserve No. 10.

Sir:

I regret the delay in attending
to your request of the 13th July last, your file
23169-17.

Mr. Wilkie, the Surveyor, has been
engaged in surveys in a distant part of the Pro-
vince. From the enclosed copy of his letter of the
10th instant, you will note what changes he has
made in your tracing Rd. 2455 returned to you under
registered cover.

Yours obediently,

P. PHILIP

CHIEF ENGINEER.

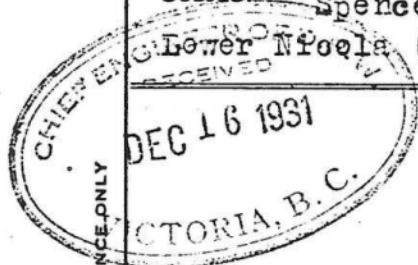
A. F. MacKenzie, Esq.,
Secretary,
Dept. of Indian Affairs,
Ottawa, Ontario.

FLM:CE
Encl.

DEPARTMENT OF PUBLIC WORKS

5009

FROM O.G. Gallaher, Asst. Dist. Engr. Merritt, B.C.	TO P. Philip, Esq., Chief Engineer, Victoria, B.C.	DATE Dec. 14th, 1931. ELECTORAL DISTRICT N. Yale. OUR FILE 40-21-21. YOUR FILE
SUBJECT Spences Bridge-Merritt Road Lower Nicola (Nooaitch) Indian Reserve No. 10		REFERENCE YOUR LETTER



FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY

Reference the Department's letter of July 22nd, file 5009 regarding inaccuracies in the plan prepared by Mr. Wilkie.

I enclose herewith a copy of Mr. Wilkie's letter of December 10th explaining the above, and I am returning the plan under separate cover.

The delay in securing this information was due to the fact that Mr. Wilkie was engaged in other work in another part of the province and was not available until quite recently.

NOTED _____
ANSWERED _____
ATTENDED TO _____
DEC 16 1931
OFFICE ENGINEER PUBLIC WORKS DEPT. VICTORIA, B. C.

O.G. Gallaher
(O.G. Gallaher)
Asst. Dist. Engineer.

OGG/JM
ENCL.

*attended to
R.L.C.*

M. Philip

*Please make necessary
corrections to our plan
as shown by
enclosed letter*

*Copy of letter
to R.L.C.*

334214

H.T. & U.E.

DEPARTMENT OF PUBLIC WORKS

FROM O.G. Gallaher, Asst. Dist. Engr., Merritt, B.C.	TO P. Philip, Esq., Chief Engineer, Victoria, B.C.	DATE Dec. 14th, 1931 ELECTORAL DISTRICT N. Yale. OUR FILE 40-21-21. YOUR FILE
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(O.G. Gallaher)
Asst. Dist. Engineer.

OGG/JM
ENCL.

C
O
P
Y.

Merritt, B.C.,

Dec. 10th, 1931.

O.G. Callaher, Esq.,
Public Works Engineer,
Merritt, B.C.

Re Naooiach Indian Reserve No. 10
Nicola River.

Dear Sir:-

I herewith return tracing of highway through the above Reserve which was received from you a few days ago for some corrections. I have checked the plan with my original and find that the through chainage shown was correct. The following distances along the centre line were marked in error when tracing plan:-

From Sta. 53 76.9 to 56 54.6 was 277.8 feet should ~~be~~ be 277.7 feet.

From Sta. 125 17.9 to 147 32.9 was 2115.0 should be 2215.0 feet.

From Sta. 240 02.3 to 241 35.8 was 133.9 should be 133.5 feet.

Regarding Area the total Area was given through the reserve with out deducting private parcels. The actual acreage taken from the reserve is 39.16 acres.

Your difference of 2.6 feet at station 157 47.1 appears to be erroneous.

I regret that these slips have been made notwithstanding considerable checking the tracing has been corrected and trust same will be satisfactory.

Yours obediently,

" O.B.N. WILKIE".

Chief
Engineer

O.G. Gallaher, Esq.,
Asst. Dist. Engineer,
Merritt, B. C.

Sept. 25, 1931.

Yale
5009

40-21-21

Spence's Bridge-Merritt Road
Lower Nicola (Nooaitch) Indian Reserve
No. 10.

While appreciating that the
Unemployment Relief Works have taken up
a lot of your time, and that such matters
as referred to in ours of the 22nd July
last require to remain in abeyance, kindly
see that the plan referred to therein is
returned with the necessary amendments.

P. PHILIP

CHIEF ENGINEER.

FLM:CE

O.G. Gallant, Esq.,
Asst. Dist. Atty.,
Duritt, B. C.

July 2nd, 1921.

Yale
5000

Chief Engineer.

40-1-1

Sponser's Bridge-Duritt Road
Lower Nicola (Neeritca) Indian Reserve No. 10

We were endeavoring to adjust the discrepancies referred to in enclosed copy of correspondence but it seems that there are more errors in the plan so giving the attention of the surveyor. Accordingly, the tracing has been returned to you under separate cover for necessary amendments.

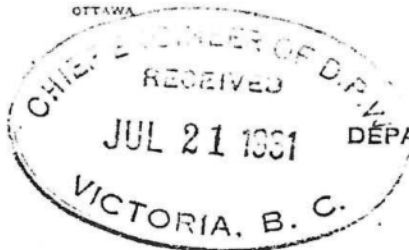
Kindly advise us to the amended area of land taken for road purposes from the Reserve only.

P. PHILIP

ENCLOS.
FILE:MIB

copy of 317439
319159
* letter July 2nd to Mr. McKenzie sent.

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA



IN YOUR REPLY REFER TO

No. 23169-17

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 13th July 1931

Sir,-

Your ref.No.5009

I have received your letter of the 3rd instant relating to the area of the right of way of the Spence's Bridge-Merritt Road through Nooaitch Indian reserve No.10. From the calculations of this Department based on the distances as obtained from the station numbers shown on the plan, the area appears to be 39.43 acres, more or less. On checking the station numbers shown on the plan with the chainages given along the centre line, it is found that in a number of cases the added chainages will not check with the station numbers. Possibly the different areas arrived at can be attributed to some extent to this fact.

I would request you to have the necessary amendments made to the plan which I am returning under separate cover. Kindly also indicate either in the title or by chainage on the right of way the perpendicular width of the road.

NOTED.....
ANSWERED.....
ATTENDED TO 17/12/31
JUL 21 1931
OFFICE ENGINEER, PUBLIC WORKS DEPT., VICTORIA, B. C.

Your obedient servant,

A.F. MacKenzie
(A.F. MacKenzie)
Secretary

P. Philip Esq.,
Chief Engineer
Department of Public Works
Victoria, B.C.

31913

H. T. & U. E.

COPY SENT TO MR. JONES AND . DITCHBURN.

5033
Your file 112-17

July 3rd,
1931.

Y. B. District
Spence's Bridge-Meritt Road
Lower Nicola (British) Indian Reserve No. 10

Sir:-

On checking the surveyor's description of the
way right-of-way, we find that he had omitted to
deduct from the total of right-of-way the small
portion of way which is referred to in the
Table "Right of Right-of-Way."

From your plan No. 406 we calculated the amend-
ed area to be 20.95 acres.

Thank you for calling our attention to dis-
crepancy.

Yours obediently,

P. PHILIP,

Chief Engineer.

A.P. McKeale, Esq.,
Secretary, The Dept. of
Indian Affairs, Ottawa,
Ottawa, Ontario.

FLM:MLD

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA



DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 25th June 1931

Sir,-

With reference to your application dated 27th May for right of way for the Spence's Bridge-Merritt road through the Nootch Indian reserve No. 10, I have to advise you that the plan which accompanied your letter has been recorded in the Surveys Branch of this Department under No. Rd. 2455.

This plan shows the area within the reserve to be 41.34 acres. The Department's check of the area does not agree with this amount and it would appear as if this area included also some of the small areas of lots which are not part of the reserve. If you will be good enough to have this area recalculated and advise the Department as to the correct area, on receipt of this advice the plan recorded in the Department will be amended in red ink to correspond.

Your obedient servant,

A. F. MacKenzie
(A. F. MacKenzie)
Secretary

P. Philip Esq.,
Chief Engineer
Department of Public Works
Victoria, B.C.

NOTED
ANSWERED
ATTENDED TO
JUL 2 - 1931
OFFICE ENGINEER PUBLIC WORKS DEPT. VICTORIA, B. C.

39.03
H. T. & U. E.

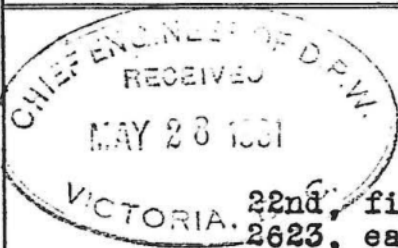
PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

5009

FROM Asst. Dist. Engr. Merritt, B.C.	TO P. Philip, Esq., Chief Engineer, Victoria B.C.	DATE May 26th, 1931. ELECTORAL DISTRICT Yale OUR FILE 40-21-21 YOUR FILE 5009
SUBJECT Spences Bridge-Merritt road. Lower Nicola Indian Reserve #10.		REFERENCE YOUR LETTER

FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY



Copy only,
in I.R. file.
[Signature]

With reference to your letter of May 22nd, file 5009, concerning vouchers 2622 and 2623, each for \$1000.00.

One of these vouchers is a payment to Thos. Curnow, which was made by Order-in-Council in connection with work done in 1928, and over which I have no control.

The other is a payment of compensation to the Department of Indian Affairs, for the reconstruction of our highway through the Indian Reserve. This payment was ordered by the Department.

[Signature]

OGG/HCH

Asst. District Engineer.
(O.G. Gallaher.).

314626

C.A.

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

FROM Asst. Dist. Engr. Merritt, B.C.	TO P. Philip, Esq., Chief Engineer, Victoria, B.C.	DATE May 26th, 1951. ELECTORAL DISTRICT Yale OUR FILE YOUR FILE 40-21-21 5009
SUBJECT Spences Bridge-Merritt road. Lower Nicola Indian Reserve #10.		REFERENCE YOUR LETTER

With reference to your letter of May 22nd, file 5909, concerning vouchers 2622 and 2623, each for \$1000.00.

One of these vouchers is a payment to Thos. Curnew, which was made by Order-in-Council in connection with work done in 1928, and over which I have no control.

The other is a payment of compensation to the Department of Indian Affairs, for the reconstruction of our highway through the Indian Reserve. This payment was ordered by the Department.

OGG/HCH

Asst. District Engineer.
 (O.G. Gallacher.)

C
O
P
Y

ALL THAT CERTAIN PARCEL or TRACT OF LAND-situated in the NICOLA VALLEY:- Being part of Nootatch Indian Reserve Number Ten (10):-

Part of Sub Lot 9, Section 15, Township 14, Range 23,
West of 6th Mer.
Part of Sub Lot 8, Section 28, Township 14, Range 23,
West of 6th Mer.
Part of Sub Lot 15, Section 33, Township 14, Range 23,
West of 6th Mer.
Part of Sub Lot 3, Section 3, Township 15, Range 23,
West of 6th Mer.
Part of Sub Lot 4, Section 3, Township 15, Range 23,
West of 6th Mer.

consisting of a strip of parcel of land, sixty-six (66) feet wide, and extending thirty three (33) feet on each side of the following described centre line:-

Commencing at a point set on Boundary between Nootatch Indian Reserve Number 10 and the NW $\frac{1}{4}$ of Section 11, Township 14, Range 23, West of the 6th Meridian.

Said point being (1314) sixteen hundred and fourteen feet due south from iron pin on North Boundary of Section 11, Marked X., XXIV., XXIII. 2.34 West.

Thence N. 11° 54' W 550.4	
Thence along curve to Rt., Radius 2864.9 - 270.4	
Thence N. 6° 30' W 1179.3	
Thence along curve to Lt., Radius 5739.6 - 240.0	
Thence N. 8° 54' W 1191.0	
Thence along curve to Lt. " 1432.7 - 154.2	
Thence 15° 04' W 277.6	
Thence along curve to Rt. " 1432.7 - 286.7	
Thence N. 6° 00' W. 474.6	
Thence along curve to Lt. " 573.7 - 127.7	
Thence N. 13° 46' W. 98.5	
Thence along curve to Lt. " 573.7 - 194.0	
Thence N. 33° 10' W. 392.9	
Thence along curve to Rt. " 95.4 - 298.6	
Thence N. 20° 15' W. 1764.2	
Thence along curve to Lt. " 1432.7 - 192.5	
Thence N. 27° 57' W. 1054.5	
Thence along curve to Rt. " 573.7 - 180.7	
Thence N. 9° 53' W. 1804.4	
Thence along curve to Lt. " 1432.7 - 174.2	
Thence N. 16° 51' W. 1322.3	
Thence along curve to Lt. " 577.7 - 255.7	
Thence N. 42° 25' W. 2115.0	
Thence along curve to Lt. " 2864.8 - 268.3	
Thence N. 47° 47' W. 3355.9	
Thence along curve to Lt. " 1432.7 - 289.3	
Thence N. 56° 55' W. 161.7	
Thence along curve to Rt. " 573.7 - 286.5	
Thence N. 33° 16' W. 430.0	
Thence along curve to Lt. " 716.3 - 153.7	
Thence N. 45° 43' W. 262.2	
Thence along curve to Rt. " 392.1 - 110.5	

Sub Lot 304.7
Sub Lot 9 Sec. 15

Thence N. 29°13' W. 533.3	
Thence along curve to Lt. Radius 2364.8 - 133.7	
Thence N. 31°57' W. 220.9	
Thence along curve to Rt.	" 955.4 - 173.2
Thence N. 31°12' W. 73.0	
Thence along curve to Lt.	" 287.9 - 152.0
Thence N. 51°53' W. 29.0	
Thence along curve to Rt.	" 478.3 - 322.9
Thence N. 12°51' W. 135.9	
Thence along curve to Rt.	" 287.9 - 93.5
Thence N. 6°51' E. 45.4	
Thence along curve to Lt.	" 383.1 - 172.9
Thence N. 19°05' W. 350.1	
Thence along curve to Lt.	" 573.7 - 100.7
Thence N. 29°57' W. 1137.1	
Thence along curve to Rt.	" 573.7 - 133.2
Thence N. 16°26' W. 202.9	
Thence along curve to Rt.	" 287.9 - 201.7
Thence N. 23°54' E. 472.0	
Thence along curve to Lt.	" 573.7 - 174.5
Thence N. 6°27' E. 472.0	
Thence along curve to Lt.	" 573.7 - 267.3
Thence N. 20°17' W. 136.5	
Thence along curve to Lt.	" 573.7 - 36.7
Thence N. 29°57' W. 31.6	
Thence along curve to Rt.	" 573.7 - 153.0
Thence N. 14°21' W. 141.9	
Thence along curve to Lt.	" 572.7 - 72.3
Thence N. 21°35' W. 185.1	
Thence along curve to Lt. R	" 573.7 - 169.3
Thence N. 40°31' W. 228.5	
Thence along curve to Rt.	" 573.7 - 137.9
Thence N. 27°10' W. 265.0	
Thence along curve to Lt.	" 573.7 - 122.7
Thence N. 33°26' W. 191.3	
Thence along curve to Rt.	" 410.3 - 137.1
Thence N. 11°50' W. 230.0	
Thence along curve to Lt.	" 573.7 - 104.7
Thence N. 26°18' W. 423.0	
Thence along curve to Rt.	" 573.7 - 119.2
Thence N. 16°23' W. 635.6	
Thence along curve to Lt.	" 573.7 - 137.8
Thence N. 26°10' W. 64.1	
Thence along curve to Lt.	" 573.7 - 156.0
Thence N. 51°46' W. 94.3	
Thence along curve to Rt.	" 287.9 - 14.0

to intersection with boundary between Indian Reserve and legal Subdivision 5 Section 3 Township 15 Range 23 West of the 6th Meridian.

Said point being five hundred and sixty three point one (563.1) feet West from angle of Indian Reserve.

The parcel or tract of land heretofore described is more particularly shown on map or plan filed with the Department of Public Works, Victoria, and there numbered.

C
O
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Y

ALL THAT CERTAIN PARCELS or TRACT OF LAND situated in the NICOLA
VALLEY:- Being part of Nicola Indian Reserve Number Ten (10):-

Part of Sub Lot 9, Section 15, Township 14, Range 23,
West of 6th Mer.
Part of Sub Lot 8, Section 23, Township 14, Range 23,
West of 6th Mer.
Part of Sub Lot 15, Section 23, Township 14, Range 23,
West of 6th Mer.
Part of Sub Lot 3, Section 3, Township 15, Range 23,
West of 6th Mer.
Part of Sub Lot 4, Section 3, Township 15, Range 23,
West of 6th Mer.

consisting of a strip of parcel of land, sixty-six (66) feet
wide, and extending thirty three (33) feet on each side of
the following described centre line:-

Commencing at a point set on Boundary between Nicola
Indian Reserve Number 10 and the NW $\frac{1}{4}$ of Section 11, Township
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Said point being (1614) sixteen hundred and fourteen
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Thence N. 11° 54' W 550.4	
Thence along curve to Rt., Radius 2864.2 - 270.4	
Thence N. 6° 30' W 1173.5	
Thence along curve to Lt., Radius 5720.6 - 240.0	
Thence N. 8° 34' W 1191.0	
Thence along curve to Lt. "	1432.7 - 154.2
Thence 18° 04' W 273.6	
Thence along curve to Rt. "	1432.7 - 266.7
Thence N. 6° 30' W 474.6	
Thence along curve to Lt. "	573.7 - 127.7
Thence N. 18° 46' W 98.5	
Thence along curve to Lt. "	573.7 - 134.0
Thence N. 38° 10' W 693.9	
Thence along curve to Rt. "	958.4 - 898.6
Thence N. 20° 15' W 1364.2	
Thence along curve to Lt. "	1432.7 - 132.5
Thence N. 27° 37' W 1054.5	
Thence along curve to Rt. "	573.7 - 100.7
Thence N. 9° 53' W 1604.4	
Thence along curve to Lt. "	1432.7 - 174.2
Thence N. 18° 51' W 1322.3	
Thence along curve to Lt. "	573.7 - 255.7
Thence N. 42° 25' W 2115.0	
Thence along curve to Lt. "	2864.8 - 263.3
Thence N. 47° 47' W 235.9	
Thence along curve to Lt. "	1432.7 - 203.3
Thence N. 55° 55' W 161.7	
Thence along curve to Rt. "	573.7 - 236.5
Thence N. 33° 16' W 480.0	
Thence along curve to Lt. "	716.3 - 153.7
Thence N. 45° 48' W 763.2	
Thence along curve to Rt. "	398.1 - 110.5

Thence N. 20°13' W. 532.3	
Thence along curve to Lt. Radius 2064.8 - 153.7	
Thence N. 71°57' W. 313.9	
Thence along curve to Rt. "	953.4 - 173.2
Thence N. 21°13' W. 70.0	
Thence along curve to Lt. "	237.9 - 153.0
Thence N. 51°53' W. 23.3	
Thence along curve to Rt. "	478.3 - 327.3
Thence N. 12°31' W. 165.9	
Thence along curve to Rt. "	287.2 - 93.5
Thence N. 6°51' E. 45.4	
Thence along curve to Lt. "	333.1 - 172.9
Thence N. 19°08' W. 350.1	
Thence along curve to Lt. "	573.7 - 108.7
Thence N. 23°57' W. 1187.1	
Thence along curve to Rt. "	573.7 - 153.2
Thence N. 18°26' W. 202.9	
Thence along curve to Rt. "	257.9 - 231.7
Thence N. 23°54' E. 472.0	
Thence along curve to Lt. "	573.7 - 174.5
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Thence along curve to Lt. "	573.7 - 122.7
Thence N. 23°53' W. 181.3	
Thence along curve to Rt. "	410.3 - 197.1
Thence N. 11°50' W. 830.0	
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to intersection with boundary between Indian Reserve and legal Subdivision 5 Section 3 Township 15 Range 23 West of the 6th Meridian.

Said point being five hundred and sixty three point one (563.1) feet West from angle of Indian Reserve.

The parcel or tract of land heretofore described is more particularly shown on map or plan filed with the Department of Public Works, Victoria, and there numbered.

May 27th, 1931.

Yale District
Spence's Bridge-Merritt Road
Lower Nicola (Nooaitch) Indian Reserve No.10

Sir,

Adverting to yours of the 14th November last and former correspondence thereon, I am now enclosing cheque for \$1,000.00, being compensation in full for the land and improvements required for road purposes through the above Reserve.

From the plans (2 paper prints) sent herewith, you will note that the acreage is 41.34 acres instead of the 26.74 acres referred to in yours of the 14th November last.

Since all the correspondence so far has been direct with your office, we are transmitting a formal application to the Secretary to the Department of Indian Affairs, Ottawa.

The plans and description required by Ottawa are handed you herewith.

Yours obediently,

P. PHILIP,

Chief Engineer.

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P. O. Box 636,
Victoria, B. C.

FLM:JB
Encls.

May 27th, 1931.

Yale District
Spence's Bridge-Merritt Road
Lower Nicola (Nooaitch) Indian
Reserve No.10

Sir,

On behalf of the Honorable R.W.Bruhn, Minister of Public Works, I beg to apply for an Order-in-Council conveying to the Crown the 41.34 acres of the above right-of-way, as shown on the plans sent you under separate cover. Description of right-of-way are enclosed herewith.

In accordance with the arrangements made after negotiations with the local Indian Agent and Mr.Ditchburn, Chief Commissioner for B.C., a cheque for \$1,000.00, compensation in full, has been made out.

This application is being made through the office of Mr.Ditchburn, whom, I understand, is reporting to you direct thereon.

Yours obediently,

P. PHILIP,

Chief Engineer.

To the Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Encls.
FLM:JB

May 22, 1931

Asst. Dist. Engineer,

Yale

Merritt, A. C.

5000

40-21-21

Spences Bridge-Merritt Road -
Lower Nicola Indian Reserve No. 10.

May 18

In order to pass for payment your
vouchers #2302 and 2322 your Yale District
Loan funds had to be supplemented by
\$2,000.00 from B.C. Loan Act 1928 Sec. 8 A
Roads, Work Order #C-8759.

Kindly let me have your report on the
matter.

CHIEF ENGINEER.

EM/EG

FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY

5009


DEPARTMENT OF PUBLIC WORKS

FROM DISTRICT ENGINEER KAMLOOPS	TO CHIEF ENGINEER VICTORIA	DATE May 18th 1931, ELECTORAL DISTRICT Yale, OUR FILE 40-21-21 YOUR FILE 5009
SUBJECT Spences Bridge-Merritt Road - Lower Nicola Indian Reserve No.10,		REFERENCE YOUR LETTER May 9th

MAY 20 1931
VICTORIA, B. C.

I am enclosing Voucher in favour of Department of Indian Affairs in the sum of \$1000.00, chargeable to B.C.Loan Act, 1930, and also copy of Mr.Gallahers letter of the 16th instant.

At this date there are no funds in Yale District available from B.C.Loan, 1930.


E.S.Jones,

D

*Mr. Harrison
When cheque available
please send to me
so I can send
with formal application
to Ottawa. See memo
May 9/31 to Jones
20/5/31
C.A.*

818927

4767-19

DEPARTMENT OF PUBLIC WORKS

FC

FROM Asst. Dist Engr. Merritt, B.C.	TO E.S. Jones, Esq., District Engineer, Kamloops. B.C.	DATE May 16- 1931. ELECTORAL DISTRICT Yale. OUR FILE 4-29-44 YOUR FILE 5009
SUBJECT Spences Bridge-Merritt Road.		REFERENCE YOUR LETTER

With reference to the Department's letters of April 27th and May 9th, file 5009, in which they authorise a payment of \$1000.00 to Mr. Thos. Curnow, and \$1000.00 to the Department of Indian Affairs.

I enclose herewith two unpaid vouchers for these amounts, as there are no funds available in Yale District with which to pay them.

With reference to the claim from the Department of Indian Affairs. As already stated in a previous letter, less than one acre of arable land is taken, and in general our road follows the location of the old road. We have fenced this road throughout the Indian Reserve, and acting on the Department's instructions we had a survey made by a B.C. Land Surveyor.

The survey was a expensive proposition, as the surveyor found it necessary to practically retrace the Indian Reserve boundaries, as no posts were available for his use. As a matter of fact, we have given the Department of Indian Affairs an up-to-date survey and plan of their reserve contiguous to the road. This survey cost us just as much as the amount requested by the Indian Department, and in view of the benefit which this survey will undoubtedly be to them in future years, I would suggest that they could waive all claim for compensation in connection with this road.

OGG/HCH

Asst. District Engineer.
(O.G. Gallaher).

FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY

50M-1029-8314

DISTRICT ENGINEER CHIEF ENGINEER
KAMLOOPS VICTORIA

May 18th 1931,

Yale,
40-21-21

5009

Spences Bridge-Merritt Road -
Lower Nicola Indian Reserve No.10,

May 9th

I am enclosing Voucher in favour
of Department of Indian Affairs in the sum of \$1000.00,
chargeable to B.C.Loan Act, 1930, and also copy of
Mr.Gallahers letter of the 16th instant.

At this date there are no funds in
Yale District available from B.C.Loan, 1930.

E.S.Jones,

D

Asst. Dist. Engr.
Marriott, B.C.

E.S. Jones, Esq.,
District Engineer,
Karlson, S. B.C.

May 16- 1931.
121e.

42-26-41

5009

Spences Bridge-Marriott Road.

With reference to the Department's letters of April 27th and May 9th, file 5009, in which they authorize a payment of \$1000.00 to Mr. Thos. Curnow, and \$1000.00 to the Department of Indian Affairs.

I enclose herewith two unpaid vouchers for these amounts, as there are no funds available in Yale District with which to pay them.

With reference to the claim from the Department of Indian Affairs. As already stated in a previous letter, less than one acre of arable land is taken, and in general our road follows the location of the old road. We have fenced this road throughout the Indian Reserve, and acting on the Department's instructions we had a survey made by a B.C. Land Surveyor.

The survey was a expensive proposition, as the surveyor found it necessary to practically retrace the Indian Reserve boundaries, as no posts were available for his use. As a matter of fact, we have given the Department of Indian Affairs an up-to-date survey and plan of their reserve contiguous to the road. This survey cost us just as much as the amount requested by the Indian Department, and in view of the benefit which this survey will undoubtedly be to them in future years, I would suggest that they could waive all claim for compensation in connection with this road.

033/HCH

Asst. District Engineer.
(O.C. Callahan).

May 8th, 1921.

E.S. Jones, Es. .,
Dist. Mgr.,
Karlscaps, B.C.

Yale
5009

40-0-44

Chief Engineer.

Spancoo Bridge-Herriott Road.
Lower Nicola Indian Reserve # 10.

May 4th

The compensation proposed to be paid the Department of Indian Affairs is quite independent of the alleged value of the land. In any event, we could not very well withdraw from our previous arrangement to pay the Department \$1,000.

According to the enclosed copy of letter of November 14th last from Mr. Hinchburn, he is expecting the Department to pay this amount, although, according to the plan, the acreage contains 41.44 acres instead of 46.74. However, the compensation is a lump sum covering all improvements.

Kindly send here a cheque for \$1,000. to be payable to the Department of Indian Affairs. This was previously authorized to you in ours of the 10th of February last.

On receipt of the cheque, a formal application will be made to Ottawa for an order-in-council which will be equivalent to establishing the highway by notice in the Gazette.

P. PHILIP

ENCL.
PHE:MIB

FOR

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

5009

FROM O.G. Gallaher, Asst. Dist. Engr., Merritt, B.C.	TO E.S. Jones, Esq., District Engineer. Kamloops, B.C.	DATE April 28th, 1931. ELECTORAL DISTRICT Yale. OUR FILE 40-20-44. YOUR FILE
SUBJECT Spences Bridge-Merritt Road, Lower Nicola Indian Reserve #10.		REFERENCE YOUR LETTER

CHIEF ENGINEER OF D.P.W.
RECEIVED
MAY 6 1931
VICTORIA, B.C.

(Two-itch)

X 2 from to S. J. Jones
MAY 27-1931
24

Attached herewith is a description for gazette of the above road through the Lower Nicola Indian Reserve No. 10. A plan of this road is being forwarded under separate cover.

About a year ago Mr. Wark inspected this property and made a tentative agreement with the Indian Agent. I have been considering this since that time and I can see no reason why we should pay the Indian Department any money for the right-of-way through this Reserve. The Reserve has a total area of 2,310 acres and our road through the Reserve has an area of 41.34 acres; less than one acre of the land on the road could ever be considered as suitable for agriculture, the remainder of the acreage is either baren land or land for which there is no available water supply.

I would suggest that Mr. Wark go over this once more at his earliest convenience.

NOTED
ANSWERED
ATTENDED TO
MAY 7 1931
OFFICE IN CHARGE
PUBLIC WORKS DEPT.
VICTORIA, B.C.

(O.G. Gallaher)
Asst. Dist. Engineer.

CHIEF ENGINEER
VICTORIA,

OGG/JM

Recommended for your approval,
please.

4/5/31,

E.S. Jones, 106

H.T.&U.E

50M-1029-3314

312633

O.G. Callaher, E.S. Jones, Esq.,
Asst. Dist. Engr., District Engineer.
Merritt, B.C. Kamloops, B.C.

April 28th, 1931.

Yale.
40-20-44.

Spences Bridge-Merritt Road.
Lower Nicola Indian Reserve #10.

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gazette of the above road through the Lower
Nicola Indian Reserve No. 10. A plan of this
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About a year ago Mr. Wark inspected
this property and made a tentative agreement
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this since that time and I can see no reason
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money for the right-of-way through this Reserve.
The Reserve has a total area of 2,310 acres and o
our road through the Reserve has an area of
41.34 acres; less than one acre of the land on
the road could ever be considered as suitable
for agriculture, the remainder of the acreage
is either barren land or land for which there
is no available water supply.

I would suggest that Mr. Wark go over
this once more at his earliest convenience.

(O.G. Callaher)
Asst. Dist. Engineer.

CHIEF ENGINEER
VICTORIA,

OGG/JM

Recommended for your approval,
please.

4/5/31,

E.S. Jones,

4767-19

ALL THAT CERTAIN PARCEL or TRACT OF LAND situated in the NICOLA VALLEY;- Being part of Nootch Indian Reserve Number Ten (10);-

Part of Sub Lot 9, Section 15, Township 14, Range 23, West of 6th Mer.
Part of Sub Lot 8, Section 28 Township 14, Range 23, West of 6th Mer.
Part of Sub Lot 14, Section 33, Township 14, Range 23, West of 6th Mer.
Part of Sub Lot 3, Section 3, Township 15, Range 23, West of 6th Mer.
Part of Sub Lot 4, Section 3, Township 15, Range 23, West of 6th Mer.

consisting of a strip or parcel of land, sixty six (66) feet wide, and extending thirty three (33) feet on each side of the following described centre line;-

Commencing at a point set on Boundary between Nootch Indian Reserve Number 10 and the N.W. $\frac{1}{4}$ of Section 11, Township 14, Range 23, West of the 6th Meridian.

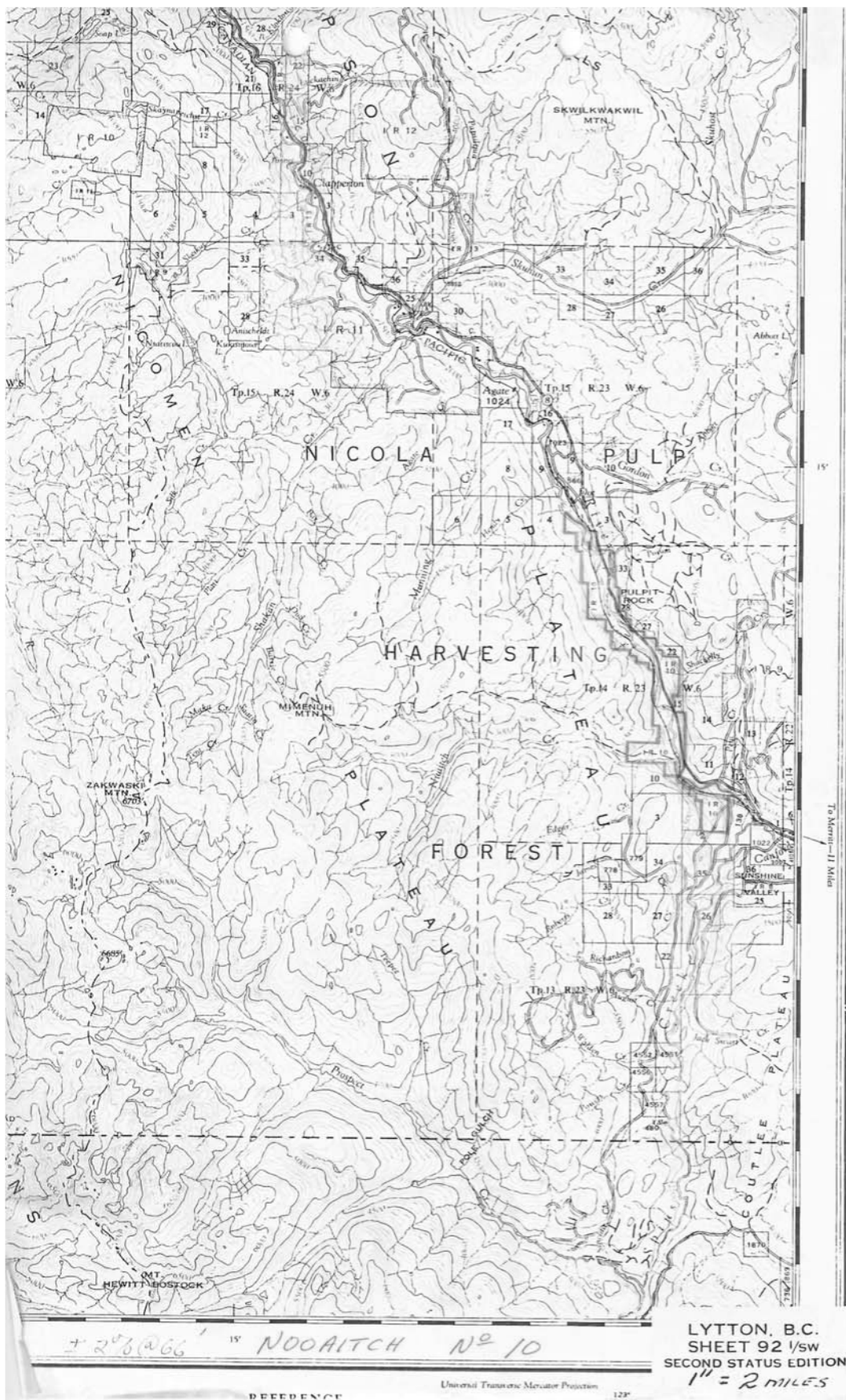
Said point being (1614) Sixteen hundred and fourteen feet due south from iron pin on North Boundary of Section 11, Marked X., XXIV., XXIII. 2.34 West.

Thence N.11°54 W 550.4
Thence along curve to Rt., Radius 2864.9 - 270.4
Thence N.6°30 W 1179.3
Thence along curve to Lt., Rad. 5729.6 - 240.0
Thence N.8°54 W 1191.0
Thence along curve to Lt. Rad. 1432.7 - 154.2
Thence 15°04 W 273.6
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Thence N.18°46 W. 96.5
Thence along curve to Lt. Rad. 573.7 - 194.0
Thence N.38°10 W. 693.9
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Thence N.27°57 W. 1054.5
Thence along curve to Rt. Rad. 573.7 - 180.7
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Thence N.42°25 W. 2115.0
Thence along curve to Lt. Rad. 2864.8 - 268.3
Thence N.47°47 W. 355.9
Thence along curve to Lt. Rad. 1432.7 - 228.3
Thence N.56°55 W. 161.7
Thence along curve to Rt. Rad. 573.7 - 236.5
Thence N.33°16 W. 480.0
Thence along curve to Lt. Rad. 716.3 - 156.7
Thence N. 45°48 W. 363.2
Thence along curve to Rt. Rad. 383.1 - 110.5

Page 087 of 125 to/à Page 109 of 125

Withheld pursuant to/removed as

DUPLICATE



INDIAN RESERVE INFORMATION

INDEX NO. _____

HIGHWAY DISTRICT MERRITT 27RESERVE LEGAL NAME NOOAITCH N° 10RESERVE COMMON NAME NOOAITCHLOCATION 7 miles West of Lower Nicola along Nicola River.UNORGANIZED TERRITORY ☒ ORGANIZED TERRITORY _____ NAME _____NO. OF HOUSES: Native houses occupied Winter 10 / Summer 10Others " " Winter - / Summer -NO. OF PERMANENT PERSONS: Winter 50 Summer 50SCHOOLS ON THE RESERVE: ^{NIL} Primary _____ Jr. Secondary _____ Sr. Secondary _____

SCHOOL BUSES SERVICING THE RESERVE:

2 { 1 Bus via Shackelly & Petit Creek Rds.
 _____ Primary via 1 Bus via Hwy #8. Road
 _____ Jr. Secondary via _____ Road
 _____ Sr. Secondary via _____ Road

BAND COUNCIL ADMINISTERING THE RESERVE - Yes/No

Address NOOAITCH BAND
40 NICOLA VALLEY INDIAN ADMIN.
Box 188, MerrittChief's Name BARNEY SHACKELLY

PRINCIPAL SOURCE OF INCOME FOR THE RESERVE INDIANS:

Fishing _____ Handicrafts _____
 Trapping _____ Industrial Jobs ✓
 Logging _____ (Other) Agric
 Land Rental _____ None _____

COMMENT ON POSSIBLE FUTURE COMMUNITY DEVELOPMENTS _____

additional agriculture.

OTHER COMMENTS AND PERTINENT INFORMATION _____

Hwy N° 8 serves the East Side of the river
where the majority of the Homes are located.

MAPS - Attach a key map showing Reserve location and if available a larger scale map of the Reserve showing the roads. All maps to be folded according to Circular G14/66 to 8½" x 14" size.

ROAD NAME AND NUMBER	MILES	R/W STATUS	EXISTING ROAD				UPGRADED ROAD (IF NEEDED)				Description of Upgrading Incl. Negotiation Difficulties if expected.	
			Width	Surface	MAINTAINED Winter Summer	Annual Maint. Cost	Miles	Width	Surface	Est. Annual Maint. Cost		Cost of Reconst. Incl. Surface
Buy #B Merritt - Spencer Bridge	5	Gravelled 1929	26'	Paved	✓ ✓							
TOTALS	5											

PAGES _____
 NAME _____

COMMENTS _____

Page 112 of 125

JUDGES	COMMENTS
NAME	

(PRIVATE ROADS)

ROAD NAME (IF ANY)	Indian Residential Access MILES	Access to Undeveloped I.R. Lands		Access to Leased Lands		Roads Leased to Industry and Others		EXISTING ROAD				UPGRADED ROAD (IF NEEDED)			
		MILES	MILES	MILES	MILES	MILES	COMPANY	Width	Surface	Minor or Feeder	Maintainable Sum. Wint.	Width	Surface	Cost to Upgrade	Annual Cost to Maintain
Shackelly	2							14'	Dirt	Minor	✓	20'	Gravel	\$50,000	\$1,600
TOTALS	2													\$50,000	\$1,600

BRIDGES

NAME

COMMENTS

This Road Provides Fire Access for Forestry Service.

MINISTRY OF HIGHWAYS AND PUBLIC WORKS

90. File

(HIGHWAYS)
RECEIVED

TO: Executive Director of Operations VICTORIA	SENDER'S ADDRESS: Kamloops DATE: January 26, 1978 DISTRICT: Merritt (R2) HEADQUARTERS FILE: 4767-19/328026/328638 REGIONAL FILE: R2-21-38 DISTRICT FILE: 25-21-38/25-20-4C
ATTENTION: Director of Maintenance Services SUBJECT: Noosaitch Indian Band - Request For Installation of Fencing	ANSWERED: <i>[Signature]</i> NOTED: <i>[Signature]</i> DATE: JAN 30 1978
	REFERENCE: Your letters - November 3/77 and January 13/78 DATED:

With reference to your noted letters and attachments, I now attach copy of my letter of November 14/77 to District Manager Neville Hope and his reply of January 16th.

His letter report reiterates what was described by Chief Barney Shackelly in his letter of December 19th concerning meeting discussion with Engineering Assistant Alan Taylor. We could only propose the Schedule 2 Fencing Program possibility, which is reasonable for Highway #8, once fencing is complete.

Regarding your final paragraph of January 13th, if we provide the fencing material to be installed under permit by the Band under Circular G6/68, maintenance would be the responsibility of the permittee. Paragraph 3 of Chief Shackelly's letter of October 28th is conditional upon the Province underwriting labour costs and also fencing an additional 15 miles of Reserve boundaries away from the highway.

We and ranchers find that most Bands never maintain fences. If ranchers want their cattle separated from Reserve cattle, they must do the fencing and maintain it on such boundaries.

Reference District Manager Hope's report of January 16th, I would recommend that we reply to Chief Shackelly that we can provide fencing materials under permit (to avoid acceptance without installation resulting) for the 9 Km on each side of Highway #8 through Indian Reserve No. 10. We could also do the same for the 9 Km on each side of Shacken Reserve No. 11 and others.

If agreed by the Band(s), we can include in District fencing requirements for funding.

[Signature]
D.C. MacVicar

Regional Maintenance Operations Manager

DCM/pf

Attach.

342945

1841

PROVINCE OF BRITISH COLUMBIA

 Regional Engineer's Office
 DEPARTMENT OF HIGHWAYS
 DEPARTMENT OF HIGHWAYS

TO: Regional Highways Engineer	JAN 18 1978 KAMLOOPS, B.C.	SENDER'S ADDRESS: Merritt DATE: January 16, 1978 DISTRICT:
ATTENTION: Regional Maintenance Operations Manager	HEADQUARTERS FILE: REGIONAL FILE: DISTRICT FILE: 25-21-38/ 25-20-4C	
SUBJECT: Noosaitch Indian Band - Request for Installation of Fencing	REFERENCE: DATED:	

A meeting was held on December 7, 1977 between Chief Shackelly, A. Taylor from this office and a Forest Service Representative. Our Schedule 2 highway fencing policy was outlined to the Chief, but he confirmed the stand taken in his letter of October 28, 1977 that they were looking for a more favourable arrangement. There is approximately 9 km on either side of Highway No. 8 through I.R. #10 which they wish to fence in the near future. Ultimately they will probably try and fence other reserves along this highway. I.R. #11 (Shacken) is the other reserve where there are presently significant numbers of cattle and horses on the highway and the length involved is approximately 9 km either side also.

Other areas where cattle range are, by and large, already fenced, these areas being closer to Merritt and private land.

N. Hope, P. Eng.,
 District Highways Manager

NH/lls

FOR DEPARTMENTAL CORRESPONDENCE ONLY.

1842

District Highways Manager

MERRITT

Kamloops

November 14, 1977

Merritt (R2)

4767-19/328026


R2-21-38

Noosaitch Indian Band - Request
for Installation of Fencing

I attach copy of letter from the subject Band to the Honourable
Tom Waterland, M.L.A. for Yale-Lillooet District and the Director --
of Maintenance Services' letter of November 3rd.

It would seem reasonable to me to have Highway 8 from Merritt to
Spences Bridge designated as a Schedule 2 Highway under the Motor
Vehicle Act. If that were successful, we could then advise the
Chief of the Band of our fencing policy under that schedule and
that we could supply fencing materials but not underwrite the
labour costs.

Please consider this and in general the fencing needs of Highway
8 and recommend.


D.C. MacVicar
Regional Maintenance Operations Manager

DCM/pf

Attach.

1843

Mr. D. C. MacVicar,
Regional Maintenance Operations Manager,
523 Columbia Street,
KAMLOOPS, B. C.

Victoria
January 13, 1978

4767-19/328638

Letter from Chief of Nooaitch Band,
Nicola Valley Indian Administration re
fence-funding.

I attach, for your consideration, copy of a further letter from the Chief of the Nooaitch Band, Nicola Valley Indian Administration, regarding fencing of the Reserve adjacent to Highway #8 which had come up in previous correspondence (see our letter of November 3, 1977 - copy attached).

I notice in the third paragraph of the Chief's letter it is stated by an official of the Highways Department that we would be willing to underwrite highway fencing only if the Nooaitch Band were prepared to adopt the Schedule 2 route. Our offer of fencing of the Reserve along Highway #8 would not be contingent on the highway being designated under Schedule 2 at this time. The Schedule 2 designation would not be extended to Highway #8 until such time as any requirements for fencing of Crown Land under grazing permit or private land had been met. It has been our policy to try and complete all fencing requirements along the highway first before extending the Schedule 2 designation.

I presume that the Merritt District will include an item in their fencing requirements to have this work undertaken next year and I would appreciate your confirmation in this regard.

P. B. MacCarthy,
Director of Maintenance Services.

PBM/bh
Encl.

1844

ASSIGNMENT

MINISTRY OF HIGHWAYS AND PUBLIC WORKS

To Mr. MacCarthy Date January 11, 1978
Director of Maintenance File 4767-19
Services Letter No. 328638

SUBJECT cc of letter dated Dec.19/77 from Nicola Valley Indian Administration

Re: "Fence-Funding"

- | | |
|--|---|
| 1 _____ Please investigate and report to this office. | 10 _____ For your attention, please. |
| 2 _____ Please investigate and take action as necessary. | 11 _____ Please prepare reply for my signature. |
| 3 _____ Comments, please. | 12 _____ Please prepare acknowledgment. |
| 4 _____ Recommendations, please. | 13 _____ Check, please. |
| 5 _____ Discuss, please. | 14 _____ Process, please. |
| 6 _____ Note and return, please. | 15 _____ For your approval, please. |
| 7 _____ Note and forward, please. | 16 _____ For your signature, please. |
| 8 _____ Note and forward to file, please. | 17 _____ For your information, please. |
| 9 _____ Please reply direct _____ c.c. to this office. | |

REMARKS

For your attention, please

From R. J. Baines
Senior Information Officer

1845

4767-19

NICOLA VALLEY INDIAN ADMINISTRATION

Upper Nicola Band
Lower Nicola Band
Coldwater Band
Nooaitch Band
Shackan Band

RECEIVED
MINISTRY OF HIGHWAYS
& PUBLIC WORKS

P.O. Box 188,
Merritt, B.C.
V0K 2B0

DEC 23 1977

Phone: 378-5101

ANSWERED.....

NOTED.....

DATE.....

December 19, 1977.

Honourable Tom Waterland,
Minister of Forestry,
Parliament Buildings,
Victoria, B.C.

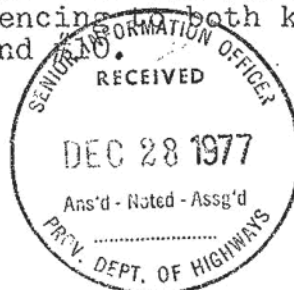
Sir:

Further to our letter October 28, 1977 and your acknowledgement letter November 3, 1977, the Nooaitch Band realizes that how you respond to our fence-funding request will also affect other Indian Bands. For this reason we invited others to sit-in our meeting with Keith Berard and Wayne Brook from your Ministry and Al Taylor from the Highways Department on December 8, 1977 - all are from Merritt Departments.

The position that the local Forestry brought forth is that to date they have been underwriting only "drift-fence" material costs. If this is the case, we would like to drift-fence around Nooaitch I.R. #9 and #10. It will be considerably longer than our original proposal; however, it will eliminate the "boxed-in" corners caused by our present and proposed boundry-line fencing.

The position that the local Highways Department presented is that they are willing to underwrite highway fencing only if we are prepared to adopt the Schedule Two Highway Route. This sounds great; however, the liability of livestock-vehicle accidents falls into our laps.

Recall that what we ask is for better deals for our Reserves. Therefore, we propose that your Department underwrite the 5-strand fencing material and labour costs of eight miles of #8 Highway passing through Nooaitch I.R. #10, and that the Forestry Services pay for 20 miles of 4-strand drift-fencing to both keep-out and keep-in livestock on Nooaitch's #9 and #10.



328638

/.....2

Thank you for your prompt reply and look forward to hearing from you again real soon.

Sincerely,

Barney Shackelly.
Chief, Nooaitch Band.

BS/bj.

cc: Hon. Len Marchand - Kamloops - Cariboo M.P.
Hon. A.V. Fraser - Minister of Highways & Public Works ✓
Gordon Antoine - Nicola Valley Indian Administration
Administrator.



Province of
British Columbia

Ministry of the
Attorney General
CONSTITUTIONAL AND
ADMINISTRATIVE LAW

MEMORANDUM

To: Mr. V.A. Drew,
Director of Property Services,
Ministry of Highways and Public
Works,
Parliament Buildings.

Date: 5 April, 1978.

Our File: I 150-5

QIN 13261

Property Services Branch
Ministry of Highways

APR 7 1978

re: Moses v. The Queen

I have for acknowledgment your memorandum of March 31, 1978. Mr. Somjen advises that he has discussed the matter of access to the Reserves by Provincial Highways surveyors with the Band's Solicitors. Mr. Worrall, who acts for the Band, has in turn spoken with his clients and communicated to them the fact that we are entitled to carry out survey work, not only within the existing road right-of-way, but elsewhere on the Reserve as required.

There now should be no difficulty in your surveyors conducting their work on the Reserves. They should feel free to move beyond the existing road right-of-way, but should, of course, avoid doing any damage to Reserve lands.

If any new difficulties arise, please contact me. You should suggest to your surveyors that, in the event of any difficulty or disagreement with the Band, they suggest that the Band refer the matter to their Solicitors also. In this way, we may be able to iron out any misunderstandings quickly. However, as I point out above, the Band has now been advised of the Province's rights under the terms of Mr. Justice Andrews' Judgment in the Moses case, and their Solicitors assure us that they do not see any further problems in the Province proceeding with its survey work on the Reserves.

Paul J. Pearlman
Paul J. Pearlman
Solicitor.

PJP/nc

copy for L.S.O.
D.H.

1848

OFFICE OF EXECUTIVE DIRECTOR, ENGINEERING

Deputy Director

H. 2B—REVISED MAR 77-SM (50)-377-7238 (4)



Province of
British Columbia

Ministry of the
Attorney-General

CONSTITUTIONAL AND
ADMINISTRATIVE LAW

MEMORANDUM

MINISTRY OF HIGHWAYS
& PUBLIC WORKS

To: Mr. R.G. Harvey,
Deputy Minister of Highways
and Public Works,
Parliament Buildings.

APR 3 1978

Date: 30 March, 1978

Our File: C 580-3

ANSWERED.....
NOTED.....
DATE.....

re: Moses v. The Queen

Further to our telephone conversation today, I have instructed Mr. Gabriel Somjen to contact the Band's Solicitors with a view to ensuring that the Band is fully aware of our right to carry out surveys on the Reserve, without restricting ourselves to the existing road right-of-way.

I am sure I do not need to remind you of the urgency of completing the survey work, or that, upon completion of the survey, it will be necessary to allow the Department of Indian Affairs, under the terms of Order-in-Council 1036 and Federal Order-in-Council P.C. 208, a reasonable time to consider our plans for road construction before we formally exercise our right of resumption, or proceed with road construction.

I understand from our telephone conversation today that you have already advised your people that, under the terms of Mr. Justice Andrews' Judgment, the Province need not restrict itself to survey work within the existing road right-of-way on the Reserve. In the event that you encounter or apprehend any difficulties in completing the survey work, please contact me immediately.

Paul J. Pearlman
Paul J. Pearlman
Solicitor.

PJP/nc

Noted 1978-04-08

Elston

344732

DEPUTY MINISTER (HIGHWAYS)

Apr 5/78
MacIsaac
to note + return
[Signature]

copy to DM.

ASSIGNMENT

MINISTRY OF HIGHWAYS AND PUBLIC WORKS

To Mr. MacCarthy Date January 11, 1978
Director of Maintenance File 4767-19
Services Letter No. 328638

SUBJECT cc of letter dated Dec.19/77 from Nicola Valley Indian Administration

Re: "Fence-Funding"

- | | |
|--|---|
| 1 Please investigate and report to this office. | 10 For your attention, please. |
| 2 Please investigate and take action as necessary. | 11 Please prepare reply for my signature. |
| 3 Comments, please. | 12 Please prepare acknowledgment. |
| 4 Recommendations, please. | 13 Check, please. |
| 5 Discuss, please. | 14 Process, please. |
| 6 Note and return, please. | 15 For your approval, please. |
| 7 Note and forward, please. | 16 For your signature, please. |
| 8 Note and forward to file, please. | 17 For your information, please. |
| 9 Please reply direct c.c. to this office. | |

REMARKS

For your attention, please

From R. J. Baines

Senior Information Officer

1851

4767-19

NICOLA VALLEY INDIAN ADMINISTRATION

Upper Nicola Band
Lower Nicola Band
Coldwater Band
Nooaitch Band
Shackan Band

RECEIVED
MINISTRY OF HIGHWAYS
& PUBLIC WORKS

P.O. Box 188,
Merritt, B.C.
V0K 2B0

DEC 23 1977

Phone: 378-5101

ANSWERED.....
NOTED.....
DATE.....

December 19, 1977.

Honourable Tom Waterland,
Minister of Forestry,
Parliament Buildings,
Victoria, B.C.

Sir:

Further to our letter October 28, 1977 and your acknowledgement letter November 3, 1977, the Nooaitch Band realizes that how your respond to our fence-funding request will also affect other Indian Bands. For this reason we invited others to sit-in our meeting with Keith Berard and Wayne Brook from your Ministry and Al Taylor from the Highways Department on December 8, 1977 - all are from Merritt Departments.

The position that the local Forestry brought forth is that to date they have been underwriting only "drift-fence" material costs. If this is the case, we would like to drift-fence around Nooaitch I.R. #9 and #10. It will be considerably longer than our original proposal; however, it will eliminate the "boxed-in" corners caused by our present and proposed boundry-line fencing.

The position that the local Highways Department presented is that they are willing to underwrite highway fencing only if we are prepared to adopt the Schedule Two Highway Route. This sounds great; however, the liability of livestock-vehicle accidents falls into our laps.

Recall that what we ask is for better deals for our Reserves. Therefore, we propose that your Department underwrite the 5-strand fencing material and labour costs of eight miles of #8 Highway passing through Nooaitch I.R. #10, and that the Forestry Services pay for 20 miles of 4-strand drift-fencing to both keep-out and keep-in livestock on Nooaitch's #9 and #10.



328638

/.....2

Thank you for your prompt reply and look forward to hearing from you again real soon.

Sincerely,

Barney Shackelly.
Chief, Nooaitch Band.

BS/bj.

cc: Hon. Len Marchand - Kamloops - Cariboo M.P.

Hon. A.V. Fraser - Minister of Highways & Public Works ✓

Gordon Antoine - Nicola Valley Indian Administration
Administrator.

1853

D.M.'s flimsy
A.D.M.'s flimsy
D.M.S.'s flimsy

Honourable Tom Waterland,

Minister of Forests,

BUILDINGS.

December 15,

77

Subject: Nooaitch Indian Band -
request for fencing.

Our File: 4767-19/328478

I refer to your memorandum of December 13, 1977, with copies of correspondence from the Chief of the Nooaitch Indian Band and Mr. Milroy, Director of Range Branch, regarding a request by the Nooaitch Band for the installation of fencing.

For your information, our Director of Maintenance Services had written to Mr. Milroy on November 18, 1977, copy attached, confirming that our Ministry would be happy to co-operate in every way possible to assist the Band in the installation of fencing, particularly with respect to Highway 8.

F
Alex V. Fraser,
Minister.

Encl.

PBM/bh

Ret *Mailed*
Dec 23/77
B.H.

1854

MEMORANDUM

RECEIVED

MINISTRY OF HIGHWAYS & PUBLIC WORKS

MINISTER OF FORESTS

TO Hon. Alex Fraser,

Minister of Highways,

DEC 14 1977

Parliament Buildings. ANSWERED BY VICTORIA, B.C. December 13, 1977

NOTED

DATE

Dec. 15/77

1855

With reference to the attached correspondence, copies forwarded to you on November 3 and 9, 1977, I would greatly appreciate a reply from your Ministry as soon as possible please.

Thank you.

RECEIVED

DEC 13 1977

MINISTER OF HIGHWAYS
AND PUBLIC WORKS
VICTORIA, B.C.

Tom Waterland

Tom Waterland, *per*
Minister,
M.L.A. Yale-Lillooet.

Attachment

328478

Dir of Mntns



Province of
British Columbia

Ministry of
Forests

RECEIVED

NOV 10 1977

FOREST SERVICE
RECEIVED
MINISTRY OF HIGHWAYS
& PUBLIC WORKS

MINISTER OF FORESTS

DEC 14 1977

November 9, 1977

ANSWERED.....

File : 010200

(your file - Merritt)

NOTED.....

DATE
MEMORANDUM TO THE HONOURABLE THE MINISTER

Your silent copy to me of your letter of November 3, 1977 to Chief Shackelly, Nooaitch Indian Band, Merritt, B.C., asks for some clarification of Indian Reserve No.10 boundary lines, estimated to need 15 miles of fencing. I am sure you will appreciate the necessity of a bit of research at the field level. The best package can be put together by intercommunication by Ministry of Highways people with our people and the Indians. The two fencing programs must jibe. They will undoubtedly connect at several points and the construction timing may be critical, to prevent animal herds from being split up and distressed as a result of incomplete construction through the range season.

I am suggesting to my Kamloops counterparts that they get together with Ministry of Highways personnel and the Indians. This would have the benefit of defining such things as essential cattleguards and gates on public side roads (if any) both at highway side and at back fences. Fence construction standards can be addressed. Remote mountain sides will need less fence quality and right-of-way perhaps than will those at highway side.

I would suggest that your office may wish to advise the Honourable the Minister of Highways of the above, using the extra copy attached, to secure his concurrence and the joint participation of his field people. I am sending a copy of this memorandum to the District Forester at Kamloops and would ask that your office anticipate that we will have a comprehensive field report by the year's end.

J.E. Milroy,
Director, Range Branch

copy to - District Forester, Kamloops

JEM:rh

Hand copy
to Highway
I sent 11/16/77
JEM

1856

November 3, 1977.

File: Merritt

Chief Barney Shackelly,
Nooaitch Indian Band,
P.O. Box 188,
MERRITT, B.C.

VOK 2B0

Dear Chief Shackelly:

This will acknowledge receipt of your letter dated October 28, 1977 requesting the Highways and Forest Ministries to provide fencing materials and also underwrite labour costs for fencing both sides of 10 miles of Highway #8 passing through Nooaitch I.R. #10 and for fencing approximately 15 miles of Nooaitch boundary lines.

Reports have been requested from the Forest Service and the Ministry of Highways. When I have this information I will contact you as soon as possible thereafter.

Yours sincerely,

file copy.

Tom Waterland,
Minister,
M.L.A. Yale-Lillooet.

Silent copy: Hon. Alex Fraser May I have your views please.
What 15 mile boundary?

Silent copy: Jim Milroy, Range Management Please advise A.S.A.P.
(What 15 mile boundary?)

1857

NOOAITCH INDIAN RESERVE

RECEIVED

OCT 31 1977

P.O. Box 188

Merritt, B.C.

October 28, 1977.

MINISTER of

FORESTS

Honourable Tom Waterland,
Minister of Forestry,
Parliament Buildings,
Victoria, B.C.

Sir:

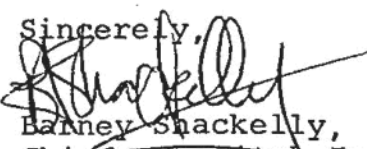
The Nooaitch Indian Reserve has been given some despicable deals in the past concerning highways and boundry fencing, such as lands taken without compensation or inadequate compensation payments made and adjacent rangelands leased resulting in overgrazing of Nooaitch lands. Although these actions may never be rectified, we can certainly begin making better deals.

Also, with highway improvements resulting in a speedier traffic, we can foresee more animal-vehicle accidents where livestock and wildlife congest, such as through Nooaitch I.R. #10.

It is with these thoughts that the Nooaitch Band appeals to you for your involvement. The Band strongly believes that the Departments of Highways and of Forestry not only supply fencing materials but also underwrite labour costs for fencing both sides of 10 miles of Highway #8 passing through Nooaitch I.R. #10 and for fencing approximately 15 miles of Nooaitch boundry lines.

Thank you in advance for your immediate reply.

Sincerely,


Barney Shackelly,
Chief, Nooaitch Indian Band.

BS/bj.

cc: Hon. Len Marchand.- Kamloops - Cariboo M.P.
Hon. A.V. Fraser - Min. of Highways & Public Works.
Gordon Antoine - Administrator.

1858

NOOAITCH INDIAN RESERVE

P.O. Box 188
Merritt, B.C.

November 4, 1977

RECEIVED

NOV 9 1977

MINISTER OF FORESTS

ENA Sewell,
C.P. Rail Superintendant,
Canyon Division,
Suite 700, Granville Square,
200 Granville Street,
Vancouver, B.C.

Dear Mr. Sewell:

Livestock owners, mainly Nooaitch Band members, have lost approximately thirty (30) head of horses, not to mention cattle, between the Nooaitch and Spius Creek bridges, a one mile stretch located thirteen miles west of Merritt, since the railway was constructed (1903-6). Some of these have been settled; some never dealt with; and some yet to be rectified, such as Ronnie's Black (1972) and Mike's Pony (1977).

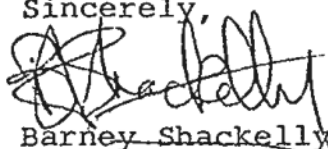
The cause of these losses result from the inadequate cattle-guard set-up at the Petit Creek Railway crossing located twelve miles west of Merritt. To prevent livestock from wondering down to this crossing and thus off the railway tracks, the Band is installing two heavy-duty steelpipe cattle-guards.

The Nooaitch Band realizes that the C.P. Railway underwrite these material and installation costs:

- | | |
|---------------------------------------|------------|
| 1. Heavy duty steelpipe cattle-guard; | |
| Cost 2 x \$1,500/each | \$3,000.00 |
| 2. Installation wages; | |
| Cost 2 men x 5 days x \$35/day | 350.00 |
| TOTAL COST | \$3,350.00 |

Thank you in advance for your immediate reply.

Sincerely,


Barney Shackelly,
Chief,
Nooaitch Indian Band.

c.c. Hon. Len Marchand - Kamloops-Yale MP, Ottawa
→ Hon. Tom Waterland - Yale-Lillooet MLA, Victoria
Mr. Gordon Antoine - Administrator, N.V.I.A. - Merritt

Mr. R. W. Gittins,
Regional Highway Engineer,
523 Columbia Street,
KAMLOOPS, B. C.

Victoria
November 3, 1977

4767-19/328026

Nooaitch Indian Band - request for
installation of fencing.

We attach, for your consideration, copy of a letter
from the Chief of the Nooaitch Indian Band to the Honourable
Tom Waterland, regarding assistance which the Band is
requesting from our Ministry and the Forest Service in the
installation of fencing.

I would certainly not object to having our fencing
policy applied to Highway #8 and, therefore, our Ministry would
be prepared to consider the installation of fencing along
Highway #8 through the Nooaitch Indian Reserve in our fencing
program for the Region next year.

May I have your concurrence and comments on this matter,
so that we may be able to reply to the Honourable Minister of
Forests at a later date.

P. B. MacCarthy,
Director of Maintenance Services.

PBM/bh
Encl.

1860

NOOAITCH INDIAN RESERVE

4767-19

P.O. Box 188
Merritt, B.C.

RECEIVED
MINISTRY OF HIGHWAYS
& PUBLIC WORKS

October 28, 1977.

NOV 1 1977

Honourable Tom Waterland,
Minister of Forestry,
Parliament Buildings,
Victoria, B.C.

ANSWERED.....
NOTED.....
DATE.....

Sir:

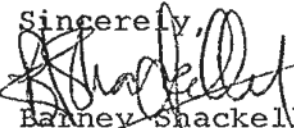
The Nooaitch Indian Reserve has been given some despicable deals in the past concerning highways and boundry fencing, such as lands taken without compensation or inadequate compensation payments made and adjacent rangelands leased resulting in overgrazing of Nooaitch lands. Although these actions may never be rectified, we can certainly begin making better deals.

Also, with highway improvements resulting in a speedier traffic, we can foresee more animal-vehicle accidents where livestock and wildlife congest, such as through Nooaitch I.R. #10.

It is with these thoughts that the Nooaitch Band appeals to you for your involvement. The Band strongly believes that the Departments of Highways and of Forestry not only supply fencing materials but also underwrite labour costs for fencing both sides of 10 miles of Highway #8 passing through Nooaitch I.R. #10 and for fencing approximately 15 miles of Nooaitch boundry lines.

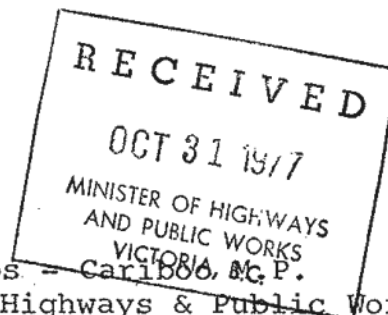
Thank you in advance for your immediate reply.

Sincerely,


Barney Shackelly,
Chief, Nooaitch Indian Band.

BS/bj.

cc: Hon. Len Marchand. - Kamloops - Cariboo, B.C.
→ Hon. A.V. Fraser - Min. of Highways & Public Works.
Gordon Antoine - Administrator.



328026

4767-19

RECEIVED
MINISTRY OF HIGHWAYS
& PUBLIC WORKS

NOV 8 1977

RECEIVED

NOV 08 1977

MINISTER OF HIGHWAYS
AND PUBLIC WORKS
VICTORIA, B.C.

November 3, 1977.

File: Merritt

ANSWERED.....

NOTED.....

DATE.....

Chief Barney Shackelly,
Nooaitch Indian Band,
P.O. Box 188,
MERRITT, B.C.

VOK 2B0

Dear Chief Shackelly:

This will acknowledge receipt of your letter dated October 28, 1977 requesting the Highways and Forest Ministries to provide fencing materials and also underwrite labour costs for fencing both sides of 10 miles of Highway #8 passing through Nooaitch I.R. #10 and for fencing approximately 15 miles of Nooaitch boundary lines.

Reports have been requested from the Forest Service and the Ministry of Highways. When I have this information I will contact you as soon as possible thereafter.

Yours sincerely,

Tom Waterland,
Minister,
M.L.A. Yale-Lillooet.

✓ Silent copy: Hon. Alex Fraser May I have your views please.
What 15 mile boundary?

Silent copy: Jim Milroy, Range Management Please advise A.S.A.P.
(What 15 mile boundary?)

328140

NOOAITCH INDIAN RESERVE

P.O. Box 188

Merritt, B.C.

RECEIVED

OCT 31 1977

October 28, 1977.

MINISTER of

FORESTS

Honourable Tom Waterland,
Minister of Forestry,
Parliament Buildings,
Victoria, B.C.

Sir:

The Nooaitch Indian Reserve has been given some despicable deals in the past concerning highways and boundary fencing, such as lands taken without compensation or inadequate compensation payments made and adjacent rangelands leased resulting in overgrazing of Nooaitch lands. Although these actions may never be rectified, we can certainly begin making better deals.

Also, with highway improvements resulting in a speedier traffic, we can foresee more animal-vehicle accidents where livestock and wildlife congest, such as through Nooaitch I.R. #10.

It is with these thoughts that the Nooaitch Band appeals to you for your involvement. The Band strongly believes that the Departments of Highways and of Forestry not only supply fencing materials but also underwrite labour costs for fencing both sides of 10 miles of Highway #8 passing through Nooaitch I.R. #10 and for fencing approximately 15 miles of Nooaitch boundary lines.

Thank you in advance for your immediate reply.

Sincerely,



Barney Shackelly,
Chief, Nooaitch Indian Band.

BS/bj.

cc: Hon. Len Marchand. - Kamloops - Cariboo M.P.
Hon. A.V. Fraser - Min. of Highways & Public Works.
Gordon Antoine - Administrator.

1863

Mr. J. E. Milroy, Director,
Range Branch, Ministry of Forests,
BUILDINGS.

Ministry of Highways & Public Works,
Director of Maintenance Services,
November 18, 77

Nooaitch Indian Band - request
for installation of fencing.

4767-19/340912
010200

With reference to your memorandum of November 9, 1977, to the Honourable Minister of Forests, I attach, for your information, copy of a letter I directed on November 3, 1977, to our Regional Highway Engineer, Kamloops, with respect to the letter from the Chief of the Nooaitch Indian Band regarding assistance in the installation of fencing.

I am sure that if your Kamloops counterpart communicates with our District Highways Manager at Merritt, our Ministry will be happy to co-operate in every way possible to assist the Band in the installation of fencing, particularly adjacent to Highway No. 8.

P. B. MacCarthy,
Director of Maintenance Services.

PBM/bh
Encl.

1864



Province of
British Columbia

Ministry of
Forests

FOREST SERVICE

4767-19
RECEIVED

NOV 10 1977

RECEIVED
MINISTRY OF HIGHWAYS
& PUBLIC WORKS

MINISTER OF FORESTS

November 9, 1977

NOV 16 1977

File : 010200

(your file - Merritt)

ANSWERED.....

NOTED.....

DATE..... MEMORANDUM TO THE HONOURABLE THE MINISTER

Your silent copy to me of your letter of November 3, 1977 to Chief Shackelly, Nooaitch Indian Band, Merritt, B.C., asks for some clarification of Indian Reserve No.10 boundary lines, estimated to need 15 miles of fencing. I am sure you will appreciate the necessity of a bit of research at the field level. The best package can be put together by intercommunication by Ministry of Highways people with our people and the Indians. The two fencing programs must jibe. They will undoubtedly connect at several points and the construction timing may be critical, to prevent animal herds from being split up and distressed as a result of incomplete construction through the range season.

I am suggesting to my Kamloops counterparts that they get together with Ministry of Highways personnel and the Indians. This would have the benefit of defining such things as essential cattleguards and gates on public side roads (if any) both at highway side and at back fences. Fence construction standards can be addressed. Remote mountain sides will need less fence quality and right-of-way perhaps than will those at highway side.

I would suggest that your office may wish to advise the Honourable the Minister of Highways of the above, using the extra copy attached, to secure his concurrence and the joint participation of his field people. I am sending a copy of this memorandum to the District Forester at Kamloops and would ask that your office anticipate that we will have a comprehensive field report by the year's end.

J.E. Milroy
J.E. Milroy,
Director, Range Branch

copy to - District Forester, Kamloops

JEM:rh

340912

Send copy to Highway



1865

ROUTING SLIP

To: ALEX KRASER

RECEIVED

NOV 17 1977

MINISTER OF FORESTS
AND PUBLIC WORKS
VICTORIA, B.C.

- ☐ For approval
- ☐ For signature
- ☐ For comment
- ☐ For information
- ☐ Action
- ☐ Reply direct
- ☐ Draft reply
- ☐ Reply my signature
- ☐ Recording

- ☒ Note and file
- ☐ Note and return
- ☐ Attach related papers
- ☐ Discuss with me
- ☐ Instructions please
- ☐ Interim report
- ☐ File

328189

REF: LETTER DATED NOV. 3/77 TO
CHIEF SHACKELLY FROM T.M. WATERLAND
WITH COPY TO YOU.

Date:

11/16/77.

F.S. 35-25M (50)-676-9200 (8)

From:

MINISTER OF FORESTS
PARLIAMENT BUILDINGS
VICTORIA, B.C.
V8V 1X4

1866



Province of
British Columbia

Ministry of
Forests

FOREST SERVICE

File 4767-19
RECEIVED

NOV 10 1977

RECEIVED
MINISTRY OF HIGHWAYS
& PUBLIC WORKS

MINISTER OF FORESTS

November 9, 1977

File : 010200

(your file - Merritt)

NOV 18 1977

ANSWERED
NOTED
DATE

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J.E. Milroy
J.E. Milroy,
Director, Range Branch

copy to - District Forester, Kamloops

JEM:rh

*Hand Copy
to Highway
340912*

COPY

CERTIFIED COPY OF A MINUTE of the Honourable the Executive Council,
approved by His Honour the Lieutenant-Governor on the
29th day of July, A.D. 1938.

1036

TO HIS HONOUR
THE LIEUTENANT-GOVERNOR IN COUNCIL:

The undersigned has the honour to RECOMMEND:--

THAT under authority of Section 93 of the "Land Act", being Chapter 144, "Revised Statutes of British Columbia, 1936", and Section 2 of Chapter 32, "British Columbia Statutes 1919", being the "Indian Affairs Settlement Act", the lands set out in schedule attached hereto be conveyed to His Majesty the King in the right of the Dominion of Canada in trust for the use and benefit of the Indians of the Province of British Columbia, subject however to the right of the Dominion Government to deal with the said lands in such manner as they may deem best suited for the purpose of the Indians including a right to sell the said lands and fund or use the proceeds for the benefit of the Indians subject to the condition that in the event of any Indian tribe or band in British Columbia at some future time becoming extinct that any lands hereby conveyed for such tribe or band, and not sold or disposed of as heretofore provided, or any unexpended fund being the proceeds of any such sale, shall be conveyed or repaid to the grantor, and that such conveyance shall also be subject to the following provisions:--

PROVIDED NEVERTHELESS that it shall at all times be lawful for Us, Our heirs and successors, or for any person or persons acting in that behalf by Our or their authority, to resume any part of the said lands which it may be deemed necessary to resume for making roads, canals, bridges, towing paths, or other works of public utility or convenience; so, nevertheless that the lands so to be resumed shall not exceed one-twentieth part of the whole of the lands aforesaid, and that no such resumption shall be made of any lands on which any buildings may have been erected, or which may be in use as gardens or otherwise for the more convenient occupation of any such buildings:

1870

PROVIDED also that it shall be lawful for any person duly authorized in that behalf by Us, Our heirs, and successors, to take and occupy such water privileges, and to have and enjoy such rights of carrying water over, through or under any parts of the hereditaments hereby granted, as may be reasonably required for mining or agricultural purposes in the vicinity of the said hereditaments, paying therefor a reasonable compensation:

PROVIDED also that the Department of Indian Affairs shall through its proper officers be advised of any work contemplated under the preceding provisos that plans of the location of such work shall be furnished for the information of the Department of Indian Affairs, and that a reasonable time shall be allowed for consideration of the said plans and for any necessary adjustments or arrangements in connection with the proposed work:

PROVIDED also that it shall be at all times lawful for any person duly authorized in that behalf by Us, Our heirs and successors, to take from or upon any part of the hereditaments hereby granted, any gravel, sand, stone, lime, timber or other material which may be required in the construction, maintenance, or repair of any roads, ferries, bridges, or other public works, But nevertheless paying therefor reasonable compensation for such material as may be taken for use outside the boundaries of the hereditaments hereby granted:

PROVIDED also that all travelled streets, roads, trails, and other highways existing over or through said lands at the date hereof shall be excepted from this grant.

AND TO FURTHER RECOMMEND THAT a certified copy of this minute, if approved, be transmitted to the Registrar in each Land Registry Office in the Province of British Columbia to the intent that such certified copy be accepted by him as a conveyance of the said land to His Majesty the King in the right of the Dominion of Canada as represented by the Department of Indian Affairs of Canada, without further formal instrument of transfer subject to the said provisos and conditions.

AND TO FURTHER RECOMMEND THAT a certified copy of this minute, if approved, be forwarded to the Superintendent General of Indian Affairs at Ottawa.

DATED this 29th day of July, A.D. 1938.

"JOHN HART"
Acting Minister of Lands.

APPROVED this 29th day of July, A.D. 1938.

"JOHN HART"
Presiding Member of the Executive Council

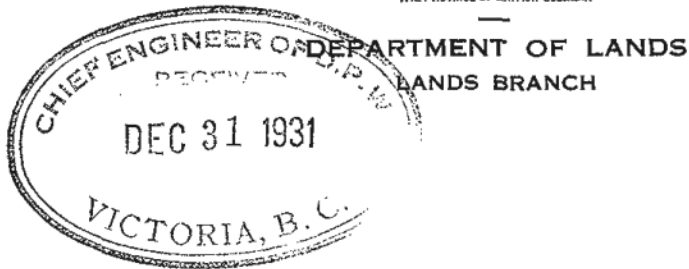
ALL COMMUNICATIONS IN REFERENCE TO LAND
MATTERS SHOULD BE ADDRESSED TO
THE SUPERINTENDENT OF LANDS



VICTORIA, B.C.

29th December, 1931

Your file 5009



MEMORANDUM: TO THE CHIEF ENGINEER
DEPARTMENT OF PUBLIC WORKS

File 72901

I have to acknowledge your communication
of the 28th instant, your file 5009 enclosing
copy of order-in-council P.C. 2859.

Newman Taylor,

Superintendent of Lands

CEH:DMH

335395

5009

December 28th,
1931.

Spences Bridge - Merritt Road
Lower Nicola (Ncoaitch) Indian
Reserve Number 10.

MEMORANDUM: Newman Taylor, Esq., Superinten-
dent of Lands, Buildings.

Herewith, for your information, is copy of
Order-in-Council P.C. 2859 dated November 16th,
1931.

Copy of the plan No. Road 2455, referred to
therein, is on file in this Department.

P. PHILIP

Chief Engineer.

FLM:MIB

1873

E.S. Jones, Esq.,
Dist. Engr.,
Kamloops, B.C.

Dec. 20th, 1931.

Eng. Dist. #3.

5009

40-21-21

Spences Bridge - Merritt Road
Lower Nicola (Nooaitch) Indian
Reserve No. 10

Dec. 14th.

Herewith, in duplicate, is Order in
Council P.C. 2859 dated November 16th,
1931.

P. PHILIP

1874

FLM:MIB
Encls.

5009
Your file 23169-17

December 28th,
1931.

Spences Bridge - Merritt Road
Lower Nicola (Nooaitch) Indian
Reserve No. 10.

Sir:-

This will acknowledge, with thanks,
receipt of certified copy of Order-in-
Council P.C. 2859 dated November 18th,
1931.

Yours obediently,

P. PHILIP

Chief Engineer.

T.R.L. MacInnes, Esq.,
Department of Indian Affairs,
Ottawa, Ontario.

FLM:MIB

1875

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA



IN YOUR REPLY REFER TO

No. 23169-17

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER



DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 17th December 1931

Sir,-

Your ref. No. 5009

I am enclosing for your information a certified copy of Order in Council, P.C. 2859, dated the 16th Nov. 1931, transferring to the Province of British Columbia certain lands required for road through the Nooaitch Indian reserve No. 10.

Your obedient servant,

(T.R.L. MacInnes)
For Secretary

P. Philip Esq.,
Chief Engineer
Department of Public Works
Victoria, B.C.

NOTED
ANSWERED
ATTENDED TO
DEC 26 1931
OFFICE ENGINEER, PUBLIC WORKS DEPT., VICTORIA, B. C.

Entered up in
L. R. Register.

334964

NT&UE

1876



AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 16th day of November, 1931.

PRESENT:

HIS EXCELLENCY

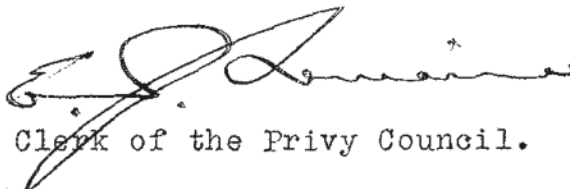
THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Government of the Province of British Columbia has applied to the Department of Indian Affairs for parcels of land required as right of way for road through the Nooaitch Indian Reserve, Number Ten, in the Nicola Indian Agency, which may be described as follows:-

All those parcels of land in the Nooaitch Indian Reserve, Number Ten, containing together thirty-nine acres and forty-three hundredths of an acre, more or less, being composed of a right of way for a provincial road through the said reserve, as said right of way is shown on a plan of survey recorded in the Surveys Branch of the Department of Indian Affairs under number Rd. 2455.

AND WHEREAS the Superintendent General of Indian Affairs reports that the compensation has been valued by an officer of the department of Indian Affairs at \$1,000.00 and that this amount has been received from the Provincial Government in payment;

THEREFORE His Excellency the Governor General in Council, on the recommendation of the Superintendent General of Indian Affairs is pleased to order that the said land be and it is hereby transferred to the said Government of the Province of British Columbia, pursuant to the provisions of Section 48 of the Indian Act.


Clerk of the Privy Council.

1877

Copy sent O. G. Gallaher, Asst. Dist. Engineer, Merritt, B. C.

5009

December 17th,
1931.

Spences Bridge - Merritt Road Lower Nicola
(Nooaitch) Indian Reserve No. 10.

Sir:

I regret the delay in attending
to your request of the 13th July last, your file
23169-17.

Mr. Wilkie, the Surveyor, has been
engaged in surveys in a distant part of the Pro-
vince. From the enclosed copy of his letter of the
10th instant, you will note what changes he has
made in your tracing Rd. 2455 returned to you under
registered cover.

Yours obediently,

P. PHILIP

CHIEF ENGINEER.

A. F. MacKenzie, Esq.,
Secretary,
Dept. of Indian Affairs,
Ottawa, Ontario.

FLM:CE
Encl.

1878

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

FROM O.G. Gallaher, Asst. Dist. Engr., Merritt, B.C.	TO P. Philip, Esq., Chief Engineer, Victoria, B.C.	DATE Dec. 14th, 1931. ELECTORAL DISTRICT N. Yale. OUR FILE 40-21-21. YOUR FILE
SUBJECT Spences Bridge-Merritt Road Lower Nicola (Nooaitch) Indian Reserve No. 10		REFERENCE YOUR LETTER



Reference the Department's letter of July 22nd, file 5009 regarding inaccuracies in the plan prepared by Mr. Wilkie.

I enclose herewith a copy of Mr. Wilkie's letter of December 10th explaining the above, and I am returning the plan under separate cover.

The delay in securing this information was due to the fact that Mr. Wilkie was engaged in other work in another part of the province and was not available until quite recently.

NOTED	17/12/31
ANSWERED	
ATTENDED TO	
DEC 16 1931	
OFFICE ENGINEER, PUBLIC WORKS DEPT., VICTORIA, B. C.	

O.G. Gallaher
(O.G. Gallaher)
Asst. Dist. Engineer.

Mr. Colby

OGG/JM
ENCL.

*attended to
R. L. B.*

*Please make necessary
corrections to our plan
as referred to by
Mr. Wilkie (all Wilkie's)*

334214

17/12/31

MT&UE

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

FROM O.G. Gallaher, Asst. Dist. Engr., Merritt, B.C.	TO P. Philip, Esq., Chief Engineer, Victoria, B.C.	DATE Dec. 14th, 1931 ELECTORAL DISTRICT N. Yale. OUR FILE 40-21-21. YOUR FILE
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(O.G. Gallaher)
Asst. Dist. Engineer.

OGG/JM
ENCL.

C
O
P
Y.

Merritt, B.C.,

Dec. 10th, 1931.

O.G. Gallaher, Esq.,
Public Works Engineer,
Merritt, B.C.

Re Naocoiach Indian Reserve No. 10
Nicola River.

Dear Sir:-

I herewith return tracing of highway through the above Reserve which was received from you a few days ago for some corrections. I have checked the plan with my original and find that the through chainage shown was correct. The following distances along the centre line were marked in error when tracing plan:-

From Sta. 53 76.9 to 56 54.6 was 277.8 feet should *be 277.7 feet.* *RA.B.*

From Sta. 125 17.9 to 147 32.9 was 2115.0 should *be 2215.0 feet.* ✓

From Sta. 240 02.3 to 241 35.8 was 133.9 should *be 133.5 feet.* ✓

Regarding Area the total Area was given through the reserve with out deducting private parcels. The actual acreage taken from the reserve is 39.16 acres.

Your difference of 2.6 feet at station 157 47.1 appears to be erroneous.

I regret that these slips have been made notwithstanding considerable checking the tracing has been corrected and trust same will be satisfactory.

Yours obediently,

" O.B.N. WILKIE".

1881

Chief
Engineer

O.G. Gallaher, Esq.,
Asst. Dist. Engineer,
Merritt, B. C.

Sept. 25, 1931.

Yale

5009

40-21-21

Spence's Bridge-Merritt Road
Lower Nicola (Nocaitch) Indian Reserve
No. 10.

While appreciating that the
Unemployment Relief Works have taken up
a lot of your time, and that such matters
as referred to in ours of the 22nd July
last require to remain in abeyance, kindly
see that the plan referred to therein is
returned with the necessary amendments.

P. PHILIP

CHIEF ENGINEER.

FLM:CE

1882

July 20nd, 1931.

O.G. Gallner, Esq.,
Asst. Dist. Engr.,
Merritt, B.C.

Yale
5009

Chief Engineer.

40-21-21

Spence's Bridge-Merritt Road
Lower Nicola (Ncoaitch) Indian Reserve No. 10

We were endeavoring to adjust the discrepancies referred to in enclosed copy of correspondence but it seems that there are more errors in the plan requiring the attention of the surveyor. Accordingly, the tracing has been returned to you under separate cover for necessary amendments.

Kindly advise us to the amended area of land taken for road purposes from the Reserve only.

P. PHILIP

ENCLOS.
FLM:MIB

copy of 317439
319159
& letter July 2nd to Mr. McKenzie sent

1883

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA



IN YOUR REPLY REFER TO
No. 23169-17

ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER



DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 13th July 1931

Sir,-

Your ref. No. 5009

I have received your letter of the 3rd instant relating to the area of the right of way of the Spence's Bridge-Merritt Road through Noosatch Indian reserve No. 10. From the calculations of this Department based on the distances as obtained from the station numbers shown on the plan, the area appears to be 39.43 acres, more or less. On checking the station numbers shown on the plan with the chainages given along the centre line, it is found that in a number of cases the added chainages will not check with the station numbers. Possibly the different areas arrived at can be attributed to some extent to this fact.

I would request you to have the necessary amendments made to the plan which I am returning under separate cover. Kindly also indicate either in the title or by chainage on the right of way the perpendicular width of the road.

NOTED
ANSWERED
ATTENDED TO 17/12/31
JUL 21 1931
OFFICE ENGINEER PUBLIC WORKS DEPT. VICTORIA, B. C.

Your obedient servant,

A. F. MacKenzie
(A. F. MacKenzie)
Secretary

P. Philip Esq.,
Chief Engineer
Department of Public Works
Victoria, B.C.

319159

H. T. & U. E.

COPY SENT TO MR. JONES AND MR. DITCHBURN.

5009

You- file 100-17

July 3rd,
1931.

Yale District
Spence's Bridge-Merritt Road
Lower Nicola (Nocetich) Indian Reserve No.10

Sir:-

On checking the surveyor's description of the above right-of-way, we find that he had omitted to deduct from the total area of right-of-way the small portions traversing private lots referred to in the Table "AREA OF RIGHT-OF-WAY."

From your plan 30.3455 we calculated the amended area to be 30.03 acres.

Thank you for calling our attention to discrepancy.

Yours obediently,

P. PHILIP,

Chief Engineer.

A.P. MacKenzie, Esq.,
Secretary, Tax Dept. of
Indian Affairs, Canada,
Ottawa, Ontario.

FLM:MIB

1885

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA



IN YOUR REPLY REFER TO

No.23169-17..

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

1009

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 25th June 1931

Sir,-

With reference to your application dated 27th May for right of way for the Spence's Bridge-Merritt road through the Nooaitch Indian reserve No. 10, I have to advise you that the plan which accompanied your letter has been recorded in the Surveys Branch of this Department under No. Rd. 2455.

This plan shows the area within the reserve to be 41.34 acres. The Department's check of the area does not agree with this amount and it would appear as if this area included also some of the small areas of lots which are not part of the reserve. If you will be good enough to have this area recalculated and advise the Department as to the correct area, on receipt of this advice the plan recorded in the Department will be amended in red ink to correspond.

1886

Your obedient servant,

(A.F. MacKenzie)
Secretary

P. Philip Esq.,
Chief Engineer
Department of Public Works
Victoria, B.C.

NOTED
ANSWERED
ATTENDED TO
JUL 1 - 1931
OFFICE ENGINEER PUBLIC WORKS DEPT. VICTORIA, B. C.

39.03

Be. dent
2.31.

H. T. & U. E.

317439

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

5009

FROM Asst. Dist. Engr. Merritt, B.C.	TO P. Philip, Esq., Chief Engineer, Victoria, B.C.	DATE May 26th, 1931. ELECTORAL DISTRICT Yale OUR FILE 40-21-21 YOUR FILE 5009
SUBJECT Spences Bridge-Merritt road. Lower Nicola Indian Reserve #10.		REFERENCE YOUR LETTER

FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY



With reference to your letter of May 22nd, file 5009, concerning vouchers 2622 and 2623, each for \$1000.00.

Copy only,
in I.R. file.
M

One of these vouchers is a payment to Thos. Curnow, which was made by Order-in-Council in connection with work done in 1928, and over which I have no control.

The other is a payment of compensation to the Department of Indian Affairs, for the reconstruction of our highway through the Indian Reserve. This payment was ordered by the Department.

1887

OGG/HCH

O.G. Gallaher
Asst. District Engineer.
(O.G. Gallaher.).

1931
May 29
1192

314626

C.A.

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

FROM Asst. Dist. Engr. Merritt, B.C.	TO P. Philip, Esq., Chief Engineer, Victoria, B.C.	DATE May 26th, 1931. ELECTORAL DISTRICT Yale OUR FILE 40-21-21 YOUR FILE 5009
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OGG/HCH

Asst. District Engineer.
 (O.G. Gallisher.).

FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY

ALL THAT CERTAIN PARCEL or TRACT OF LAND situated in the NICOLA VALLEY:- Being part of Nootch Indian Reserve Number Ten (10):-

Part of Sub Lot 9, Section 15, Townsite 14, Range 23,
West of 6th Mer.
Part of Sub Lot 8, Section 28, Township 14, Range 23,
West of 6th Mer.
Part of Sub Lot 15, Section 33, Township 14, Range 23,
West of 6th Mer.
Part of Sub Lot 3, Section 3, Township 15, Range 23,
West of 6th Mer.
Part of Sub Lot 4, Section 3, Township 15, Range 23,
West of 6th Mer.

consisting of a strip of parcel of land, sixty-six (66) feet wide, and extending thirty three (33) feet on each side of the following described centre line:-

Commencing at a point set on Boundary between Nootch Indian Reserve Number 10 and the NW $\frac{1}{4}$ of Section 11, Township 14, Range 23, West of the 6th Meridian.

Said point being (1614) sixteen hundred and fourteen feet due south from iron pin on North Boundary of Section 11, Marked X., XXIV., XXIII. 2.34 West.

	Thence N.11°54 W 550.4	
	Thence along curve to Rt., Radius 2864.9 - 270.4	
Thence	N. 6 30°W 1179.3	
	Thence along curve to Lt., Radius 5729.6 - 240.0	
	Thence N.8°54 W 1191.0	
	Thence along curve to Lt. " 1432.7 - 154.2	
	Thence 15°04 W 273.6	
	Thence along curve to Rt. " 1432.7 - 266.7	
	Thence N. 6°00 W.474.6	
	Thence along curve to Lt. " 573.7 - 127.7	
	Thence N.18°46 W.98.5	
	Thence along curve to Lt. " 573.7 - 194.0	
	Thence N.38 10°W 693.9	
	Thence along curve to Rt. " 955.4 - 298.6	
	Thence N. 20 15°W.1364.2	
	Thence along curve to Lt. " 1432.7 - 192.5	
	Thence N.27°57 W.1054.5	
	Thence along curve to Rt. " 573.7 - 180.7	
	Thence N. 9°53 W.1604.4	
	Thence along curve to Lt. " 1432.7 - 174.2	
	Thence N. 16°51 W.1322.3	
	Thence along curve to Lt. " 573.7 - 255.7	
	Thence N.42°25 W.2115.0	
	Thence along curve to Lt. " 2864.8 - 268.3	
	Thence N.47°47 W.355.9	
	Thence along curve to Lt. " 1432.7 - 228.3	
	Thence N.56°55 W.161.7	
	Thence along curve to Rt. " 573.7 - 236.5	
	Thence N.33°16 W.480.0	
	Thence along curve to Lt. " 716.3 - 153.7	
	Thence N.45°48 W.333.2	
	Thence along curve to Rt. " 333.1 - 110.5	

Sub Lot 9 Sec. 15

Thence N.29°13 W.598.3		
Thence along curve to Lt. Radius 2864.8 - 136.7		
Thence N.31°57 W.220.9		
Thence along curve to Rt.	"	955.4 - 179.2
Thence N.21°12 W.70.0		
Thence along curve to Lt.	"	287.9 - 152.0
Thence N.51°36 W.29.0		
Thence along curve to Rt.	"	478.3 - 322.9
Thence N.12°51 W.165.9		
Thence along curve to Rt.	"	287.9 - 98.5
Thence N.6°51 E.45.4		
Thence along curve to Lt.	"	383.1 - 172.9
Thence N.13°05 W.350.1		
Thence along curve to Lt.	"	573.7 - 108.7
Thence N.29°57 W.1185.1		
Thence along curve to Rt.	"	573.7 - 135.2
Thence N.16°26 W.202.9		
Thence along curve to Rt.	"	287.9 - 201.7
Thence N.23°54 E.472.0		
Thence along curve to Lt.	"	573.7 - 174.5
Thence N.60°27 E.472.0		
Thence along curve to Lt.	"	573.7 - 287.3
Thence N.20°17 W.186.5		
Thence along curve to Lt.	"	573.7 - 96.7
Thence N.29°57 W.31.6		
Thence along curve to Rt.	"	573.7 - 156.0
Thence N.14°21 W.141.9		
Thence along curve to Lt.	"	573.7 - 72.3
Thence N.21°35 W.185.1		
Thence along curve to Lt. R	"	573.7 - 189.3
Thence N.40°31 W.228.5		
Thence along curve to Rt.	"	573.7 - 133.9
Thence N.27°10 W.365.0		
Thence along curve to Lt.	"	573.7 - 122.7
Thence N.39°26 W.181.3		
Thence along curve to Rt.	"	410.3 - 197.1
Thence N.11°50 W.850.0		
Thence along curve to Lt.	"	573.7 - 164.7
Thence N.28°18 W.433.0		
Thence along curve to Rt.	"	573.7 - 119.2
Thence N.16°23 W.635.6		
Thence along curve to Lt.	"	573.7 - 197.8
Thence N.36°10 W.64.1		
Thence along curve to Lt.	"	573.7 - 156.0
Thence N. 51°46 W.94.3		
Thence along curve to Rt.	"	287.9 - 14.0

to intersection with boundary between Indian Reserve and
 legal Subdivision 5 Section 3 Township 15 Range 23 West of
 the 6th Meridian.

Said point being five hundred and sixty three point one
 (363.1) feet West from angle of Indian Reserve.

The parcel or tract of land heretofore described is more
 particularly shown on map or plan filed with the Department of
 Public Works, Victoria, and there numbered.

1890

ALL THAT CERTAIN PARCEL or TRACT OF LAND situated in the NICOLA

VALLEY:- Being part of Nootch Indian Reserve Number Ten (10):-

Part of Sub Lot 9, Section 15, Township 14, Range 23,
West of 6th Mer.

Part of Sub Lot 8, Section 23, Township 14, Range 23,
West of 6th Mer.

Part of Sub Lot 15, Section 23, Township 14, Range 23,
West of 6th Mer.

Part of Sub Lot 3, Section 3, Township 15, Range 22,
West of 6th Mer.

Part of Sub Lot 4, Section 3, Township 15, Range 23,
West of 6th Mer.

consisting of a strip of parcel of land, sixty-six (66) feet
wide, and extending thirty three (33) feet on each side of
the following described centre line:-

Commencing at a point set on Boundary between Nootch
Indian Reserve Number 10 and the NW $\frac{1}{4}$ of Section 11, Township
14, Range 23, West of the 6th Meridian.

Said point being (1614) sixteen hundred and fourteen
feet due south from iron pin on North Boundary of Section 11,
Marked X., XXIV., XXIII. 2.34 West.

Thence N. 11° 54' W 350.4	
Thence along curve to Rt., Radius 2864.8 - 270.4	
Thence N. 6° 30' W 1179.3	
Thence along curve to Lt., Radius 5729.6 - 340.0	
Thence N. 8° 54' W 1191.0	
Thence along curve to Lt. " 1432.7 - 154.2	
Thence 15° 04' W 273.8	
Thence along curve to Rt. " 1432.7 - 266.7	
Thence N. 6° 00' W 474.6	
Thence along curve to Lt. " 573.7 - 127.7	
Thence N. 18° 46' W 93.5	
Thence along curve to Lt. " 573.7 - 194.0	
Thence N. 38° 10' W 693.9	
Thence along curve to Rt. " 955.4 - 398.6	
Thence N. 20° 15' W 1364.2	
Thence along curve to Lt. " 1432.7 - 192.5	
Thence N. 27° 57' W 1054.5	
Thence along curve to Rt. " 573.7 - 180.7	
Thence N. 9° 53' W 1604.4	
Thence along curve to Lt. " 1432.7 - 174.2	
Thence N. 16° 51' W 1322.3	
Thence along curve to Lt. " 573.7 - 255.7	
Thence N. 42° 25' W 2115.0	
Thence along curve to Lt. " 2864.8 - 263.3	
Thence N. 47° 47' W 355.9	
Thence along curve to Lt. " 1432.7 - 228.3	
Thence N. 56° 55' W 161.7	
Thence along curve to Rt. " 573.7 - 236.5	
Thence N. 33° 18' W 480.0	
Thence along curve to Lt. " 718.3 - 156.7	
Thence N. 45° 48' W 363.2	
Thence along curve to Rt. " 383.1 - 110.5	

Thence N.29°13' W.598.3		
Thence along curve to Lt. Radius 2864.8 - 136.7		
Thence N.31°57' W.220.9		
Thence along curve to Rt.	"	955.4 - 172.2
Thence N.21°12' W.70.0		
Thence along curve to Lt.	"	287.9 - 152.0
Thence N.51°36' W.29.0		
Thence along curve to Rt.	"	478.3 - 322.9
Thence N.12°51' W.165.9		
Thence along curve to Rt.	"	287.9 - 99.5
Thence N.6°51' E.45.4		
Thence along curve to Lt.	"	383.1 - 172.9
Thence N.19°05' W.350.1		
Thence along curve to Lt.	"	573.7 - 108.7
Thence N.23°57' W.1182.1		
Thence along curve to Rt.	"	573.7 - 135.2
Thence N.16°26' W.202.9		
Thence along curve to Rt.	"	287.9 - 201.7
Thence N.23°54' E.472.0		
Thence along curve to Lt.	"	573.7 - 174.5
Thence N.6°27' E.472.0		
Thence along curve to Lt.	"	573.7 - 267.3
Thence N.20°17' W.186.5		
Thence along curve to Lt.	"	573.7 - 96.7
Thence N.23°57' W.31.6		
Thence along curve to Rt.	"	573.7 - 156.0
Thence N.14°21' W.141.9		
Thence along curve to Lt.	"	573.7 - 72.3
Thence N.21°35' W.135.1		
Thence along curve to Lt. R	"	573.7 - 139.3
Thence N.40°31' W.228.5		
Thence along curve to Rt.	"	573.7 - 122.9
Thence N.27°10' W.365.0		
Thence along curve to Lt.	"	573.7 - 122.7
Thence N.39°26' W.181.3		
Thence along curve to Rt.	"	410.3 - 197.1
Thence N.11°50' W.850.0		
Thence along curve to Lt.	"	573.7 - 164.7
Thence N.28°18' W.423.0		
Thence along curve to Rt.	"	573.7 - 119.2
Thence N.16°23' W.835.8		
Thence along curve to Lt.	"	573.7 - 197.8
Thence N.36°10' W.64.1		
Thence along curve to Lt.	"	573.7 - 156.0
Thence N. 51°46' W.94.2		
Thence along curve to Rt.	"	287.9 - 14.0

to intersection with boundary between Indian Reserve and
 legal Subdivision 5 Section 3 Township 15 Range 23 West of
 the 6th Meridian.

Said point being five hundred and sixty three point one
 (563.1) feet West from angle of Indian Reserve.

The parcel or tract of land heretofore described is more
 particularly shown on map or plan filed with the Department of
 Public Works, Victoria, and there numbered.

1892

May 27th, 1931.

Yale District
Spence's Bridge-Merritt Road
Lower Nicola (Nooaitch) Indian Reserve No.10

Sir,

Adverting to yours of the 14th November last and former correspondence thereon, I am now enclosing cheque for \$1,000.00, being compensation in full for the land and improvements required for road purposes through the above Reserve.

From the plans (2 paper prints) sent herewith, you will note that the acreage is 41.34 acres instead of the 26.74 acres referred to in yours of the 14th November last.

Since all the correspondence so far has been direct with your office, we are transmitting a formal application to the Secretary to the Department of Indian Affairs, Ottawa.

The plans and description required by Ottawa are handed you herewith.

Yours obediently,

P. PHILIP,

Chief Engineer.

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P. O. Box 666,
Victoria, B. C.

FLM:JB
Encls.

1893

5009

May 27th, 1931.

Yale District
Spence's Bridge-Merritt Road
Lower Nicola (Nooaitch) Indian
Reserve No.10

Sir,

On behalf of the Honorable R.W.Bruhn, Minister of Public Works, I beg to apply for an Order-in-Council conveying to the Crown the 41.34 acres of the above right-of-way, as shown on the plans sent you under separate cover. Description of right-of-way are enclosed herewith.

In accordance with the arrangements made after negotiations with the local Indian Agent and Mr.Ditchburn, Chief Commissioner for B.C., a cheque for \$1,000.00, compensation in full, has been made out.

This application is being made through the office of Mr.Ditchburn, whom, I understand, is reporting to you direct thereon.

Yours obediently,

P. PHILIP,

Chief Engineer.

To the Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Encls.
FLM:JB

1894

May 22, 1931

Asst. Dist. Engineer,

Yale

Merritt, B. C.

5009

40-21-21

Spences Bridge-Merritt Road -
Lower Nicola Indian Reserve No. 10.

May 18

In order to pass for payment your
vouchers #2322 and 2323 your Yale District
Loan funds had to be supplemented by
\$2,000.00 from B.C. Loan Act 1928 Sec. 6 A
Roads, Work Order #C-5759.

Kindly let me have your report on the
matter.

CHIEF ENGINEER.

EM/EG

1895

FOF

FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY

5011-920-7659

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

5009

FROM DISTRICT ENGINEER KAMLOOPS	TO CHIEF ENGINEER VICTORIA	DATE May 18th 1931, ELECTORAL DISTRICT Yale, OUR FILE 40-21-21 YOUR FILE 5009
SUBJECT Spences Bridge-Merritt Road - Lower Nicola Indian Reserve No.10, RECEIVED MAY 20 1931 VICTORIA, B. C.		REFERENCE YOUR LETTER May 9th

I am enclosing Voucher in favour of Department of Indian Affairs in the sum of \$1000.00, chargeable to B.C.Loan Act, 1930, and also copy of Mr.Gallahers letter of the 16th instant.

At this date there are no funds in Yale District available from B.C.Loan, 1930.

E.S. Jones
E.S. Jones,

1896

D

Chq. handed to Mr. M. Harrison May 20 1931

Mr. Harrison
When cheque available please send to me so I can send with formal application to Ottawa. See ours May 9th to Jones
20/5/31
C.A.

313927

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

FROM Asst. Dist. Engr. Merritt, B.C.	TO E.S. Jones, Esq., District Engineer, Kamloops. B.C.	DATE May 16- 1921. ELECTORAL DISTRICT Yale. OUR FILE 4-29-44 YOUR FILE 5009
SUBJECT Spences Bridge-Merritt Road.		REFERENCE YOUR LETTER

With reference to the Department's letters of April 27th and May 9th, file 5009, in which they authorise a payment of \$1000.00 to Mr. Thos. Curnow, and \$1000.00 to the Department of Indian Affairs.

I enclose herewith two unpaid vouchers for these amounts, as there are no funds available in Yale District with which to pay them.

With reference to the claim from the Department of Indian Affairs. As already stated in a previous letter, less than one acre of arable land is taken, and in general our road follows the location of the old road. We have fenced this road throughout the Indian Reserve, and acting on the Department's instructions we had a survey made by a B.C. Land Surveyor.

The survey was a expensive proposition, as the surveyor found it necessary to practically retrace the Indian Reserve boundaries, as no posts were available for his use. As a matter of fact, we have given the Department of Indian Affairs an up-to-date survey and plan of their reserve contiguous to the road. This survey cost us just as much as the amount requested by the Indian Department, and in view of the benefit which this survey will undoubtedly be to them in future years, I would suggest that they could waive all claim for compensation in connection with this road.

OGG/HCH

Asst. District Engineer.
(O.G. Gallaher).

FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY

50M-1029-3314

1897

DISTRICT ENGINEER CHIEF ENGINEER
KAMLOOPS VICTORIA

May 18th 1931,

Yale,
40-21-21

5009

Spences Bridge-Merritt Road -
Lower Nicola Indian Reserve No.10,

May 9th

I am enclosing Voucher in favour
of Department of Indian Affairs in the sum of \$1000.00,
chargeable to B.C.Loan Act, 1930, and also copy of
Mr.Gallahers letter of the 16th instant.

At this date there are no funds in
Yale District available from B.C.Loan, 1930.

E.S.Jones,

D

1898

Asst. Dist Engr.
Merritt, B.C.

E.S. Jones, Esq.,
District Engineer,
Kamloops. B.C.

May 16- 1931.
Yale.

41-28-44

5009

Spences Bridge-Merritt Road.

With reference to the Department's letters of April 27th and May 9th, file 5009, in which they authorize a payment of \$1000.00 to Mr. Thos. Curnow, and \$1000.00 to the Department of Indian Affairs.

I enclose herewith two unpaid vouchers for these amounts, as there are no funds available in Yale District with which to pay them.

With reference to the claim from the Department of Indian Affairs. As already stated in a previous letter, less than one acre of arable land is taken, and in general our road follows the location of the old road. We have fenced this road throughout the Indian Reserve, and acting on the Department's instructions we had a survey made by a B.C. Land Surveyor.

The survey was a expensive proposition, as the surveyor found it necessary to practically retrace the Indian Reserve boundaries, as no posts were available for his use. As a matter of fact, we have given the Department of Indian Affairs an up-to-date survey and plan of their reserve contiguous to the road. This survey cost us just as much as the amount requested by the Indian Department, and in view of the benefit which this survey will undoubtedly be to them in future years, I would suggest that they could waive all claim for compensation in connection with this road.

OGG/HCH

Asst. District Engineer.
(O.C. Gellaher).

1899

May 9th, 1931.

H.B. Jones, Es. .,
Dist. Engr.,
Kamloops, B.C.

Yale
5009

40-20-44

Chief Engineer.

Spences Bridge-Merritt Road.
Lower Nicola Indian Reserve # 10.

May 4th

The compensation proposed to be paid the Department of Indian Affairs is quite independent of the alleged value of the land. In any event, we could not very well withdraw from our previous arrangement to pay the Department \$1,000.

According to the enclosed copy of letter of November 14th last from Mr. Litchburn, he is expecting the Department to pay this amount, although, according to the plan, the acreage contains 41.34 acres instead of 38.74. However, the compensation is a lump sum covering all "improvements."

Kindly send here a cheque for \$1,000. Also payable to the Department of Indian Affairs. This was previously authorized to you in ours of the 10th of February last.

On receipt of the cheque, a formal application will be made to Ottawa for an order-in-council which will be equivalent to establishing the highway by notice in the Gazette.

P. PHILIP

ENC.
PLM:MIB

1900

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

5009

FOR

FROM O.G. Gallaher, Asst. Dist. Engr., Merritt, B.C.	TO E.S. Jones, Esq., District Engineer. Kamloops, B.C.	DATE April 28th, 1931.
		ELECTORAL DISTRICT Yale.
		OUR FILE 40-20-44.
		YOUR FILE
SUBJECT Spences Bridge-Merritt Road. Lower Nicola Indian Reserve #10.		REFERENCE YOUR LETTER

CHIEF ENGINEER OF D.P.W.
RECEIVED
MAY 6 1931
VICTORIA, B.C.

(Two-itch) X 2 prints to E.S. Jones
May 27-1931

Attached herewith is a description for
gazette of the above road through the Lower
Nicola Indian Reserve No. 10. A plan of this
road is being forwarded under separate cover.

About a year ago Mr. Wark inspected
this property and made a tentative agreement
with the Indian Agent. I have been considering
this since that time and I can see no reason
why we should pay the Indian Department any
money for the right-of-way through this Reserve.
The Reserve has a total area of 2,310 acres and o
our road through the Reserve has an area of
41.34 acres; less than one acre of the land on
the road could ever be considered as suitable
for agriculture, the remainder of the acreage
is either baren land or land for which there
is no available water supply.

I would suggest that Mr. Wark go over
this ~~once more~~ at his earliest convenience.

NOTED _____
ANSWERED _____
ATTENDED TO _____
MAY 7 1931
OFFICE E. I. REP.
PUBLIC WORKS DEPT.
VICTORIA, B.C.

(O.G. Gallaher)
Asst. Dist. Engineer.

CHIEF ENGINEER
VICTORIA,
OGG/JM

Recommended for your approval,
please.

4/5/31,

E.S. Jones,

H.T.&U.E.

FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE

Accompanying Plan No. 1885-2
Road Surveys.
Dept. Public Works.

50M-1020-8314

1901

312633

O.G. Gallaher, E.S. Jones, Esq.,
Asst. Dist. Engr., District Engineer.
Merritt, B.C. Kamloops, B.C.

April 28th, 1931.

Yale.
40-20-44.

Spences Bridge-Merritt Road.
Lower Nicola Indian Reserve #10.

Attached herewith is a description for
gazette of the above road through the Lower
Nicola Indian Reserve No. 10. A plan of this
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this property and made a tentative agreement
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this since that time and I can see no reason
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money for the right-of-way through this Reserve.
The Reserve has a total area of 2,310 acres and o
ur road through the Reserve has an area of
41.34 acres; less than one acre of the land on
the road could ever be considered as suitable
for agriculture, the remainder of the acreage
is either barren land or land for which there
is no available water supply.

I would suggest that Mr. Wark go over
this once more at his earliest convenience.

(O.G. Gallaher)
Asst. Dist. Engineer.

CHIEF ENGINEER
VICTORIA,

OGG/JM

Recommended for your approval,
please.

4/5/31,

E.S. Jones,

1902

6 types

ALL THAT CERTAIN PARCEL or TRACT OF LAND situated in the NICOLA

VALLEY;- Being part of Nootch Indian Reserve Number
Ten (10);-

Part of Sub Lot 9, Section 15, Township 14, Range
23, West of 6th Mer.
Part of Sub Lot 8, Section 28 Township 14, Range 23,
West of 6th Mer.
Part of Sub Lot 14, Section 33, Township 14, Range 23,
West of 6th Mer.
Part of Sub Lot 3, Section 3, Township 15, Range 23,
West of 6th Mer.
Part of Sub Lot 4, Section 3, Township 15, Range 23,
West of 6th Mer.

consisting of a strip or parcel of land, sixty six (66)
feet wide, and extending thirty three (33) feet on each
side of the following described centre line;-

Commencing at a point set on Boundary between
Nootch Indian Reserve Number 10 and the N.W. $\frac{1}{4}$ of
Section 11, Township 14, Range 23, West of the 6th
Meridian.

Said point being (1614) Sixteen hundred and fourteen
feet due south from iron pin on North Boundary of Section
11, Marked X., XLV., XLIII. 2.34 West.

Thence N. $11^{\circ}54'$ W 550.4
Thence along curve to Rt., Radius: 2864.9 - 270.4
Thence N. $6^{\circ}30'$ W 1179.3
Thence along curve to Lt., Rad. 5729.6 - 240.0
Thence N. $8^{\circ}54'$ W 1191.0
Thence along curve to Lt. Rad. 1432.7 - 154.2
Thence $15^{\circ}04'$ W 273.6
Thence along curve to Rt. Rad. 1432.7 - 266.7
Thence N. $6^{\circ}00'$ W. 474.6
Thence along curve to Lt. Rad. 573.7 - 127.7
Thence N. $18^{\circ}46'$ W. 96.5
Thence along curve to Lt. Rad. 573.7 - 194.0
Thence N. $38^{\circ}10'$ W. 693.9
Thence along curve to Rt. Rad. 955.4 - 298.6
Thence N. $20^{\circ}15'$ W. 1364.2
Thence along curve to Lt. Rad. 1432.7 - 192.5
Thence N. $27^{\circ}57'$ W. 1054.5
Thence along curve to Rt. Rad. 573.7 - 180.7
Thence N. $9^{\circ}53'$ W. 1604.4
Thence along curve to Lt. Rad. 1432.7 - 174.2
Thence N. $16^{\circ}51'$ W. 1322.3
Thence along curve to Lt. Rad. 573.7 - 255.7
Thence N. $42^{\circ}25'$ W. 2115.0
Thence along curve to Lt. Rad. 2864.8 - 268.3
Thence N. $47^{\circ}47'$ W. 355.9
Thence along curve to Lt. Rad. 1432.7 - 228.3
Thence N. $56^{\circ}55'$ W. 161.7
Thence along curve to Rt. Rad. 573.7 - 236.5
Thence N. $33^{\circ}16'$ W. 480.0
Thence along curve to Lt. Rad. 716.3 - 156.7
Thence N. $45^{\circ}48'$ W. 363.2
Thence along curve to Rt. Rad. 383.1 - 110.5
~~Thence along curve to Rt. Rad. 383.1 - 110.5~~

1903

Thence N. 29° 13' W. 598.3		
Thence along curve to Lt.	Rad.	2864.8 - 136.7
Thence N. 31° 57' W. 220.9		
Thence along curve to Rt.	Rad.	955.4 - 179.2
Thence N. 21° 12' W. 70.0		
Thence along curve to Lt.	Rad.	287.9 - 152.0
Thence N. 51° 36' W. 29.0		
Thence along curve to Rt.	Rad.	478.3 - 322.9
Thence N. 12° 51' W. 165.9		
Thence along curve to Rt.	Rad.	287.9 - 98.5
Thence N. 6° 51' E. 45.4		
Thence along curve to Lt.	Rad.	383.1 - 172.9
Thence N. 19° 05' W. 350.0		
Thence along curve to Lt.	Rad.	573.7 - 108.7
Thence N. 29° 57' W. 1183.1		
Thence along curve to Rt.	Rad.	573.7 - 135.2
Thence N. 16° 26' W. 202.9		
Thence along curve to Rt.	Rad.	287.9 - 201.7
Thence N. 23° 54' W. E. 472.0		
Thence along curve to Lt.	Rad.	573.7 - 174.5
Thence N. 6° 27' E. 333.2		
Thence along curve to Lt.	Rad.	573.7 - 267.3
Thence N. 20° 17' W. 186.5		
Thence along curve to Lt.	Rad.	573.7 - 96.7
Thence N. 29° 57' W. 31.6		
Thence along curve to Rt.	Rad.	573.7 - 156.0
Thence N. 14° 21' W. 141.9		
Thence along curve to Lt.	Rad.	573.7 - 72.3
Thence N. 21° 35' W. 185.1		
Thence along curve to Lt.	Rad.	573.7 - 189.3
Thence N. 40° 31' W. 228.5		
Thence along curve to Rt.	Rad.	573.7 - 133.9
Thence N. 27° 10' W. 365.0		
Thence along curve to Lt.	Rad.	573.7 - 122.7
Thence N. 39° 26' W. 181.3		
Thence along curve to Rt.	Rad.	410.3 - 197.1
Thence N. 11° 50' W. 850.0		
Thence along curve to Lt.	Rad.	573.7 - 164.7
Thence N. 28° 18' W. 433.0		
Thence along curve to Rt.	Rad.	573.7 - 119.2
Thence N. 16° 23' W. 635.6		
Thence along curve to Lt.	Rad.	573.7 - 197.8
Thence N. 36° 10' W. 64.1		
Thence along curve to Lt.	Rad.	573.7 - 156.0
Thence N. 51° 46' W. 94.3		
Thence along curve to Rt.	Rad.	287.9 - 14.0

to intersection with boundary between Indian Reserve
and Legal Subdivision 5 Section 3 Township 15 Range 23
West of the 6th Meridian.

Said point being five hundred and sixty three point
one (563.1) feet West from angle of Indian Reserve.

The parcel or tract of land heretofore described
is more particularly shown on map or plan filed with the
Department of Public Works, Victoria, and there numbered.

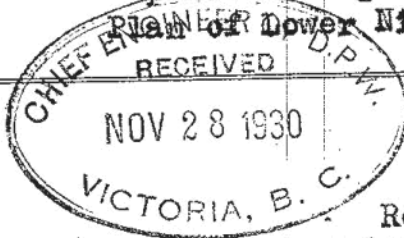
1904

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

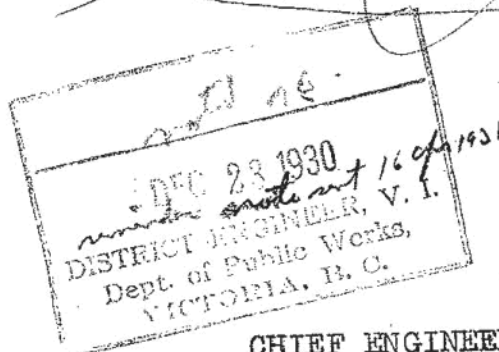
5009

FROM O.G. Gallaher, Asst. Dist. Engineer, District Engineer, Merritt, B.C.	TO E.S. Jones, Esq., Kamloops, B.C.	DATE Nov. 24th, 1930. ELECTORAL DISTRICT Yale. OUR FILE 40-21-21. YOUR FILE
SUBJECT Spences Bridge-Merritt Road. Plan of Lower Nicola I. R. # 10.		REFERENCE YOUR LETTER



Reference the Department's letter of November 19th, file 5009. I regret that I am unable to forward the plan of our right-of-way through Lower Nicola Indian Reserve #10.

Mr. Wilkie completed the survey some time ago, but the pressure of other work has made it impossible for him to prepare the plan. He assures me, however, that the plan will be forthcoming at the earliest possible date, and I will forward it as soon as received.



(O.G. Gallaher)
Asst. Dist. Engineer.

CHIEF ENGINEER
VICTORIA.

OGG/JM

For your information, please.

26/11/30,

E.S. Jones,

299735

O.E.

FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY

November 19th 1930

District Engineer,
Kamloops, B. C.

Yale
5009

Spences Bridge-Merritt Road
Plan of Lower Nicola I. R. #10.

We have been reminded by
the Indian Commissioner that he has
not yet received settlement in the
above connection.

Will you please refer to
our authority of February 13th last,
and also to ours of March 5th author-
izing the payment of Surveyor.

FHH/EW

P. PHILIP

1906

5009

November 19th 1930

W. E. Ditchburn, Esq.,
Indian Commissioner,
P. O. Box 666,
Victoria, B. C.

Re: Spences Bridge-Merritt Road
Plan of Lower Nicola Indian Reserve
No. 10.

Sir,

I regret the necessity for your letter of the 14th instant. Our District Engineer at Kamloops was advised some time ago to arrange settlement of this claim in accordance with your wishes, and I am taking this matter up with him again immediately.

Yours truly,

FHH/EW

Chief Engineer

1907



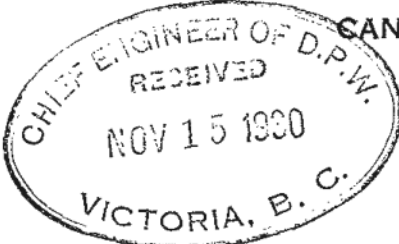
DEPARTMENT OF INDIAN AFFAIRS

CANADA

IN YOUR REPLY REFER TO

NO. 33/17/19441

ALSO TO DATE OF THIS LETTER



COMMISSIONER'S OFFICE
P. O. BOX 666

VICTORIA, B.C., November 14, 1930.

Sir:

On February 11th last, Mr. Indian Agent A. H. Barber, of the Nicola Agency at Merritt, B.C., advised me that your Department would be filing the customary formal application for an area of 26.740 acres of land in Nooaitch Indian Reserve No. 10 at Lower Nicola Valley, for right-of-way for the road between Merritt and Spence's Bridge, B.C.

The Agent at that time reported that compensation had been agreed upon between himself and your Right-of-Way Agent, Mr. Wark, and that a lump sum of one thousand dollars would be paid to cover all improvements and land affected.

Since that time, no formal application has been received, and I am now in receipt of a letter from the Agent asking about the matter.

May I therefore request that formal application and the payment above mentioned be made, so that steps may be taken by my Department to approve the application and arrange the transfer of the land.

Your obedient servant,

W. E. Ditchburn

W. E. Ditchburn.
Indian Commissioner for B. C.

P/AC

P. Phillip, Esq.,
Deputy Minister and Public Works Engineer,
Parliament Buildings,
Victoria, B.C.

298593

1908

March 5th, 1930

District Engineer,
Kamloops, B.C.

Yale
5009
40-21-21

Lower Nicola Indian Reserve #10

Feb. 28th.

You are authorized to arrange
for the appointment of a surveyor
at the rate of \$15. per day.

P. PHILIP

FHH/PFP

1909

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

5009

FROM Asst. Dist. Engineer, Merritt, B.C. RECEIVED MAR 5-1930 SUBJECT VICTORIA, B.C.	TO Mr. E.S. Jones, District Engineer, Kamloops, B.C.	DATE Feb. 28th, 1930. ELECTORAL DISTRICT Yale. OUR FILE 40-20-44. YOUR FILE 5009, 21-21
Lower Nicola Indian Reserve #10.		REFERENCE YOUR LETTER

When Mr. Wark was in Merritt he agreed on the compensation value of \$1000.00 for the land taken for our right-of-way on the Merritt/Spences Bridge road through the above Reserve. In order that I may be able to complete this deal it is necessary that I have the right-of-way surveyed by a land surveyor.

Mr. O.B.N. Wilkie has done most of the surveying in the Merritt district. He is now in Victoria and the Department could get in touch with him there and arrange for him to come to Merritt and make this survey.

I understand that the Department's rate for this work is \$15.00 per day, and I would suggest that they come to an understanding with Mr. Wilkie as to the rate to be paid.

If Mr. Wilkie is not available, Mr. F. Sweatman, B.C.L.S. of Agassiz would do this work.

(O.G. Gallaher)
 Asst. Dist. Engineer.

OGG/JM
 P. PHILIP ESQ.,
 P.W.E.

This has reference to my letter of the 24th ult. Please advise.

3/3/30,

E.S. Jones

278136

C.A.

Asst. Dist. Engineer, Mr. E.S. Jones,

Feb. 28th, 1930.

Merritt, B.C. District Engineer,
Kamloops, B.C.

Yale.

40-20-44.

5009, ²¹⁻²¹

Lower Nicola Indian Reserve #10.

When Mr. Wark was in Merritt he agreed on the compensation value of \$1000.00 for the land taken for our right-of-way on the Merritt/Spences Bridge road through the above Reserve. In order that I may be able to complete this deal it is necessary that I have the right-of-way surveyed by a land surveyor.

Mr. O.B.H. Wilkie has done most of the surveying in the Merritt district. He is now in Victoria and the Department could get in touch with him there and arrange for him to come to Merritt and make this survey.

I understand that the Department's rate for this work is \$15.00 per day, and I would suggest that they come to an understanding with Mr. Wilkie as to the rate to be paid.

If Mr. Wilkie is not available, Mr. F. Sweatman, B.C.L.S. of Agassiz would do this work.

(O.G. Gallaher)

Asst. Dist. Engineer.

OGG/JM P.PHILIP ESQ.,
P.W.E.

This has reference to my letter of the 24th ult. Please advise.

3/3/30,

E.S. Jones,

1911

February 28th, 1930.

E.S. Jones, Esq.,
District Engineer,
Kamloops, B.C.

Yale
~~40-21-21~~ 5009

40-21-21

Spences Bridge - Merritt Road,
Plan of Lower Nicola I.R. No. 10.

Feb. 24th, 1930.

With reference to your letter of the
24th instant, your file 40-21-21, in connection with
the above, kindly advise as to the necessity of
employing a B.C.L.S., as to the cost entailed in
connection with this and as to who you recommend
should be employed.

1912

GPN:NP

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

5009

FROM District Engineer, Kamloops, RECEIVED FEB 26 1930 VICTORIA, B. C.	TO Deputy Minister and Public Works Engineer, Victoria,	DATE Feb. 24th 1930, ELECTORAL DISTRICT Yale, OUR FILE 40-21-21 YOUR FILE 5009,
SUBJECT Spences Bridge-Merritt Road, Plan of Lower Nicola I.R.No.10,		REFERENCE YOUR LETTER Feb. 13th/30,

Will you please give me authority
 to employ a B.C.L.S., to carry out Surveys
 in connection with this right-of-way.

E.S. Jones
 E.S. Jones,

D

1913

FEB 26 1930

RECEIVED PUBLIC WORKS ENGINEER,
 PUBLIC WORKS DEPT.
 VICTORIA, B. C.

277703

L.P.

District Engineer, Deputy Minister and
Kamloops, Public Works Engineer,
Victoria,

Feb.24th 1930,

Yale,
40-21-21

5009,

Spences Bridge-Merritt Road,
Plan of Lower Nicola I.R.No.10,

Feb.13th/30,

Will you please give me authority
to employ a B.C.L.S., to carry out Surveys
in connection with this right-of-way.

E.S.Jones,

D

1914

Feb. 13th, 1920.

District Engineer,
Kamloops, B.C.

Yale

5009

Spences Bridge-Merritt Road,
Plan of Lower Nicola I.R. #10.

You are authorized to arrange compensation in accordance with the attached copy or recommendation from our Right-of-Way Agent.

P. PHILIP

/PFP

1915

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

5009

FROM Right-of-Way Agent, Court House Vancouver, B. C. RECEIVED FEB 13 1930	TO Deputy Minister and Public Works Engineer, Parliament Buildings, VICTORIA, B. C.	DATE February 12th, 1930. ELECTORAL DISTRICT YALE. OUR FILE YOUR FILE 5009.
SUBJECT VICTORIA, Spences Bridge-Merritt Road Plan of Lower Nicola I.R. #10.		REFERENCE YOUR LETTER 17th, ult.

Please refer to your letter to me of the 17th ult.

I made an examination of the land taken for right-of-way, of Spences Bridge-Merritt Road through lower Nicola Indian Reserve #10, yesterday, accompanied by Indian Agent, Mr. Barber, and Assistant District Engineer, Mr. Gallaher.

The right-of-way takes an area of 26.740 acres, which we have classified as follows:-

Cultivated Land	3.674	acres.
Land suitable for cultivation	4.454	"
Rough Land	18.612	"

On the cultivated land we have placed a valuation of \$150.00 per acre, for land suitable for cultivation \$50.00 per acre, rough land being of little value.

After a full consideration of all the circumstances, Mr. Barber has agreed to accept, subject to the approval of the Indian Department, compensation of \$1,000.00 to cover land and all damages therein.

I consider this a reasonable adjustment, and recommend its acceptance.



Right-of-Way Agent.

RJM:CC

276800

C.A.

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

5009

FROM R. J. Wark, Right of Way Agent, 809 Yorkshire Bldg., Vancouver, B. C.	TO P. Philip, Esq., Deputy Minister and Public Works Engineer, Parliament Buildings, Victoria, B. C.	DATE January 30th, 1930. ELECTORAL DISTRICT Yale OUR FILE YOUR FILE 5009
SUBJECT Spences Bridge-Merritt Road Plan of Lower Nicola I.R. #10.		REFERENCE YOUR LETTER Jan. 17/30.



I beg to acknowledge receipt of
your letter of the 17th instant.

I am communicating with District
Engineer Gallaher and I will arrange to go
to Merritt at the earliest possible date.

R. J. Wark
Right of Way Agent.

RJW IC

NOTED	_____
ANSWERED	_____
ATTENDED TO	_____
FEB 3 1930	
OFFICE ENGINEER, PUBLIC WORKS DEPT. VICTORIA, B. C.	

276181

O.E.

Jan. 17th 1930

R. J. Wark, Esq.,
Right of Way Agent,
525 Seymour Street,
Vancouver, B. C.

Yale
5009

Spences Bridge-Merritt Road
Plan of Lower Nicola I.R. #10

With reference to the attached copy
of letter of the 14th instant from Assistant
District Engineer Gallaher, kindly advise
him direct when you will be at liberty to
visit Merritt.

1918

FLM:MFS
enci

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

5009

FROM Asst. Dist. Engineer, Merritt, B.C.	TO Deputy Minister and Public Works Engineer, Victoria, B.C.	DATE Jan. 14th, 1930. ELECTORAL DISTRICT Yale. OUR FILE 40-21-21. YOUR FILE
SUBJECT Spences Bridge-Merritt Road Plan of Lower Nicola Indian Reserve No. 10.		REFERENCE YOUR LETTER



With reference to your letter of January 6th,
file ~~5464-22~~ ⁵⁰⁰⁹.

Please advise me when it will be convenient for Mr. Wark to visit Merritt in order to apprise the value of the lands in the Lower Nicola Indian Reserve #10, which it is necessary to take for road purposes.

If Mr. Wark can come at an early date I think that he would have no difficulty in arriving at an agreement with the Indian Agent, which would be satisfactory to both parties.

NOTED	1/11/30
ANSWERED	
ATTENDED TO	
JAN 16 1930	
OFFICE ENGINEER, PUBLIC WORKS DEPT. VICTORIA, B. C.	

V. S. Galt
Asst. Dist. Engineer.

OGG/JM

275306

1919

Asst. Dist. Engineer,

Merritt, B. C.

Jan. 14th 1930

Yale

5009
40-21921

Spences Bridge Merritt Road
Plan of Lower Nicola I.R. #10

Jan 11th

Copy to District Engineer,

Kamloops, B. C

Referring to your request of the 11th inst. the plans were sent you on the 6th inst. but until in receipt of a final plan the matter will not be taken up with the Department of Indian Affairs either here or at Ottawa.

I greatly regret that your previous letter of the 10th August last, your file 40-20-44 was received during the absence of the official in charge of the filing of plans which accounts for the delay in letting you have the prints therein requested.

FLM:MFS

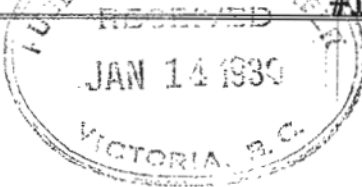
1920

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

9609

FROM Asst. Dist. Engineer, Merritt, B.C.	TO Deputy Minister and Public Works Engineer, Victoria, B.C.	DATE Jan. 11th, 1930. ELECTORAL DISTRICT Yale. OUR FILE 40-21-21. YOUR FILE
SUBJECT Spences Bridge/Merritt Road Plan of Lower Nicola Indian Reserve #10.		REFERENCE YOUR LETTER



With reference to my letter of December 27th, file 40-21-21. Can you please have the plan and Blue Prints which I asked for in my letter of December 27th returned to me as soon as possible, as the local Indian Agent is very anxious to receive these plans, in order to prepare his report for his Department.

Please note that it is important that these plans be not submitted to the Indian Department in Victoria, until the local Agent has prepared his report on

NOTED	
ANSWERED	6/1/30
ATTENDED TO	6/1/30
JAN 11 1930	
OFFICE ENGINEER, PUBLIC WORKS DEPT. VICTORIA, B. C.	

[Signature]
 Asst. Dist. Engineer.

OGG/JM

See ours Jan 6/30

275162

O. E.

FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

FROM Asst. Dist. Engineer, Merritt, B.C.	TO Deputy Minister and Public Works Engineer, Victoria, B.C.	DATE Jan. 11th, 1930. ELECTORAL DISTRICT Yale. OUR FILE 40-21-21. YOUR FILE
SUBJECT Spences Bridge/Merritt Road Plan of Lower Nicola Indian Reserve #10		REFERENCE YOUR LETTER

With reference to my letter of December 27th, file 40-21-21. Can you please have the plan and Blue Prints which I asked for in my letter of December 27th returned to me as soon as possible, as the local Indian Agent is very anxious to receive these plans, in order to prepare his report for his Department.

Please note that it is important that these plans be not submitted to the Indian Department in Victoria until the local Agent has prepared his report on them.

Asst. Dist. Engineer.

OGG/JM

Asst. District Engineer

Merritt, B. C.

Jan . 6th 1930

Yale

609
~~3484-72~~
40-21-21

Spences Bridge-Merritt Road
Plan of Lower Nicola Indian
Reserve No. 10

Dec 27 th

Copy to District Engineer,
Penticton, B. C.

(*Kembo*)

As requested in yours of the 27th
ultimo your tracing together with
four prints are being returned to you
under separate cover. On receipt of
the completed tracing, plans will be
forwarded to the Department of Indian
Affairs Ottawa for approval.

Kindly see that the acreage of the
various parcels to be taken from the
reserve are shown on the tracing.

FLM:MFS

encl

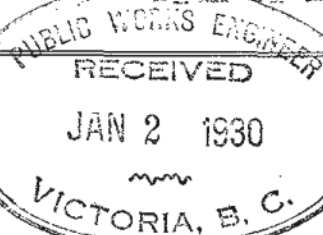
1923

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

5009

FROM Asst. Dist. Engineer, Merritt, B.C.	TO Deputy Minister and Public Works Engineer, Victoria, B.C.	DATE Dec. 27th, 1929. ELECTORAL DISTRICT Yale. OUR FILE 40-21-21. YOUR FILE
SUBJECT Spences Bridge/Merritt Road, Plan of Lower Nicola Indian Reserve # 10.		REFERENCE YOUR LETTER



I am forwarding to you under separate cover a plan of our road location to the Lower Nicola Indian Reserve #10, please have four blue prints made of this plan for me and return both the plan and the Blue prints to me.

The plan is not yet complete but I want the blue prints, now, in order that the local Indian Agent may be able to prepare his report for his Department before we submit this plan to them for their approval.

It will be necessary for Mr. Wark to visit Merritt and apprise this land as there are some parts of it which we will have to purchase from the Indian Department, and the Indian Agent would like to confer with Mr. Wark on this matter before submitting his report.

A copy of this letter is being sent to Mr. Jones.

Accompanying Plan No. 1895-1
 Road Surveys.
 Dept. Public Works.

R. J. Falkner
Asst. Dist. Engineer.

NOTED	6/1/30
ANSWERED	
ATTENDED TO	
JAN 6 1930	
OFFICE ENGINEER, PUBLIC WORKS DEPT. VICTORIA, B. C.	

OCC/JM

*average on
plans - in
pencil.*

274474

O. E.

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

FROM Asst. Dist. Engineer, Merritt, B.C.	TO Deputy Minister and Public Works Engineer, Victoria, B.C.	DATE Dec. 27th, 1929. ELECTORAL DISTRICT Yale. OUR FILE 40-21-21. YOUR FILE
SUBJECT Spences Bridge/Merritt Road. Plan of Lower Nicola Indian Reserve # 10.		REFERENCE YOUR LETTER

I am forwarding to you under separate cover a plan of our road location ~~to~~ the Lower Nicola Indian Reserve #10, please have four blue prints made of this plan for me and return both the plan and the Blue prints to me.

The plan is not yet complete but I want the blue prints now in order that the local Indian Agent may be able to prepare his report for his Department before we submit this plan to them for their approval.

It will be necessary for Mr. Wark to visit Merritt and apprise this land as there are some parts of it which we will have to purchase from the Indian Department, and the Indian Agent would like to confer with Mr. Wark on this matter before submitting his report.

A copy of this letter is being sent to Mr. Jones.

Asst. Dist. Engineer.

OGG/JM

FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY



THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

5609



DEPARTMENT OF PUBLIC WORKS

Merritt, B.C.,
August 10th, 1929.

Yale District.
Merritt/Spences Bridge Road through
Nooaitch Indian Reserve No. 10.

Sir:-

I am forwarding under separate cover a rough plan showing a proposed revision of the Merritt/Spences Bridge road through the above Indian Reserve. Will you please take this up with the Superintendent of Indian Agencies and secure his approval for the same. I would have already submitted to the local Indian Agent, but he is at present on his holidays.

In every instance we have avoided interfering with cultivated land and that land which has water available for cultivation, and I would propose to fence the right-of-way throughout.

If the Indian Department approves of this tentative plan, I will have a final plan prepared for the records of their Department and for gazetting this road.

Not seen till
Please send me four Blue Prints of the Plan.

Yours obediently,

Asst. District Engineer.

NOTED
ANSWERED
ATTENDED TO
JAN 14 1930
OFFICE ENGINEER, PUBLIC WORKS DEPT. P. PHILLIPS, Esq., VICTORIA, B.C.

Deputy Minister & P.W. Engineer,
VICTORIA, B.C.

OGG/JM

265796

Accompanying Plan No. 1885
Road Surveys
Dept. Public Works.

1926

O. E.

Merritt, B.C.,

August 10th, 1929.

Yale District.
Merritt/Spences Bridge Road through
Necaitoh Indian Reserve No. 10.

Sir:-

I am forwarding under separate cover a rough plan showing a proposed revision of the Merritt/Spences Bridge road through the above Indian Reserve. Will you please take this up with the Superintendent of Indian Agencies and secure his approval for the same. I would have already submitted to a local Indian Agent, but he is at present on his holidays.

In every instance we have avoided interfering with cultivated land and that land which has water available for cultivation, and I would propose to fence the right-of-way throughout.

If the Indian Department approves of this tentative plan, I will have a final plan prepared for the records of their Department and for gazetting this road.

Please send me four Blue Prints of the Plan.

Yours obediently,

Asst. District Engineer.

P. Philip, Esq.,
Deputy Minister & P.W. Engineer,
V I C T O R I A. B.C.

OGG/JM

1927

216

Mar. 4th, 1930.

District Engineer,
Kamloops, B. C.

Yale
783

Road at Canford

An application has been made to widen the road from Canford Mill site just off the main road of Petit Creek, known as the Petit Creek Road, which is not wide enough at present to take over a thresher.

s.22 and one of the ranchers applied for this through Dr. Gillis, M. L. A., and I would ask you to kindly have the matter investigated.

PP:AW

217

PROVINCE OF BRITISH COLUMBIA

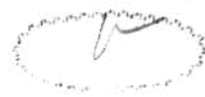
DEPARTMENT OF PUBLIC WORKS

783

FROM Asst. Dist. Engineer, Merritt, B.C.	TO E.S. Jones, Esq., District Engineer, Kamloops, B.C.	DATE March 19th, 1930. ELECTORAL DISTRICT Yale. OUR FILE 40-20-51. YOUR FILE
SUBJECT Pebble Creek Road. (Road at Sanford) MAR 24 1930 VICTORIA, B. C.		REFERENCE YOUR LETTER

Reference the Department's letter of March 4th, file 783 and your memo of March 7th, file 40-20-51 regarding the above road.

This road was graded along with the other maintenance work last summer and will be attended to again early this season. Should there be any parts of it too narrow for farm traffic I will have it opened up if at all possible.



MAR 25 1930

Approved: (O.E. Gullaher)
District Engineer.
VICTORIA, B. C.
P.M.E.

O YJ/JM

For your information, please.

22/3/30.

E.S. Jones

783

218

March 28th
1930.

Yale District.
Petit Creek Road.
(Road at Canford)

Sir:

I herewith enclose for your information, copy of letter received from Assistant District Engineer Gallaher, under date of the 19th instant.

Yours obediently,

Deputy Minister and
Public Works Engineer.

Dr. J.J.Gillis, M.L.A.,
Merritt, B. C.

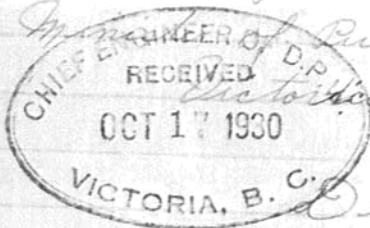
GPN:NP
Encl:

Merritt, B.C.
Oct 14th 1930

219

Hon. A. S. Loughheed.

MINISTER OF PUBLIC WORKS,
VICTORIA, B.C.



Dear Sir,

I have been advised to write to you about a few things here, and hope you may be able to help me. I own a place at Sanford, B.C., that the highway went thru about two years ago or more. after the highway was bought and paid for by the government, there was a road camp built there, right near my own house off the highway and now this summer while I was away from home, the Engineer Mr. Mr. Gallaher, ordered the building taken away, a large bunk house, gas house and three tent frames. I was advised by a party who's known about such thing, that those buildings were not to be taken away.

During the time the camp was there, if working or not they used my barn, one of my own building for a storehouse, for putting powder & other material, they have stuff stored there yet, and I was never asked if they might do so. The highway went thru two wire fences, tore the post up and left the wire laying on the ground where it is laying, to day, and furthermore, there is a large hole dug on my land, the dirt was used for making a fill in the road, but the hole is off the right of way. I just

220

lately found out they had no business to do that, the
camp was left with tin cans and old bed frames
laying around, which could have been hauled away; I
went to see

s.22

here to see if he would do some
thing about it. I am asking a hundred and fifty dollars
\$150.00 for buildings rent and damage. Mrs. Gallaher
gave me no satisfaction so I am advised to write you.

Would you please be kind enough to let me know
as soon as possible what can be done. Thanking you
and hope I have not taken too much of your time
and obliged

Yours Truly

s.22

B. C.

File 733

221

October 13th,
1930.

Yale District
Complaint - s.22

Madam:

I am instructed to acknowledge receipt of your communication of the 14th instant, addressed to Honourable M. S. Loughheed, and in reply thereto would advise that I am taking this matter up with the District Engineer.

Yours obediently,

Chief Engineer.

s.22

Merritt, B.C.

NP

222

E.S. Jones, Esq.,
District Engineer,
Kamloops, B.C.

October 18th, 1930.

Yale
783

Complaint -

s.22

I herewith enclose for your information
and report, copy of letter from s.22
dated the 14th instant.

NP

Encl:

223

PROVINCE OF BRITISH COLUMBIA
DEPARTMENT OF PUBLIC WORKS

FROM	TO	DATE
		ELECTORAL DISTRICT
		OUR FILE
		YOUR FILE
SUBJECT		REFERENCE
		YOUR LETTER

SECRET 2.

while they were there.

(C.G. Gallaher)
Asst. Dist. Engineer.

OGG/JM

CHIEF ENGINEER
VICTORIA,

Dept. File: 783,

For your information, please.

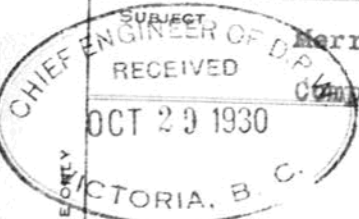
27/10/30,

E.S. Jones
E.S. Jones,

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

FROM O.G. Gallaher, Asst. Dist. Engineer, Merritt, B.C.	TO E.S. Jones, Esq., District Engineer, Kamloops, B.C.	DATE Oct. 24th, 1930. ELECTORAL DISTRICT Yale. OUR FILE 40-1-10. YOUR FILE
SUBJECT Merritt-Spences Bridge Road. Complaint - s.22		REFERENCE YOUR LETTER



FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY

At the commencement of reconstruction on the Merritt-Spences Bridge road at Canford temporary living quarters were erected along side of the right-of-way on land which is owned by s.22. Prior to the erection of these buildings the right-of-way was bought and paid for and this summer when I found it necessary to move the camp I had the buildings torn down and re-erected at a new camp site, all excepting the cook house, which I had left where it was erected intending to use it as a camp for my Maintenance crew.

The land on which these buildings were erected and through which the road was built is absolutely useless for any purposes of agriculture; it is part of the old bed of the Nicola River and is practically all boulders.

After tearing down the camp buildings I had the grounds cleaned up and all debris burned.

I do not think that s.22 is entitled to any compensation, during all the time the camp was located on her property, her husband was working, and most of the time he was working in this camp. It was only after her husband was laid off along with many others that she thought it advisable to make this demand. We have done no damage to her property, and personally I consider that the Department has treated her fairly in paying her anything for the right-of-way which was taken.

s.22 called on me and demanded that I bring back the buildings and re-erect them, this I refused to do, and it is quite evident that if she is willing to have these rough buildings between her and the road, that they in no way damaged the property

Copy to: E. S. Jones, Esq.,
District Engineer,
Kamloops, B. C.

783

225

November 5th,
1930

Yale District
Complaint -

s.22

Madam,

Further to my letter to you of October 18th, I am now in receipt of a report from the District Engineer in connection with the alleged damage to your property at Canford.

In the light of this report and from my previous knowledge of all the circumstances connected with the road constructed across your lot, I am afraid that it is impossible for me to discover any ground upon which it would be incumbent upon the Government to pay you any compensation additional to that which has been already paid for the right-of-way taken.

Yours obediently,

Chief Engineer.

s.22

Merritt, B. C.

HLS:JB

226 *E. Jones*

Campford BC 783
July 11th 1932

The Hon
Minister of Public Works
Victoria BC

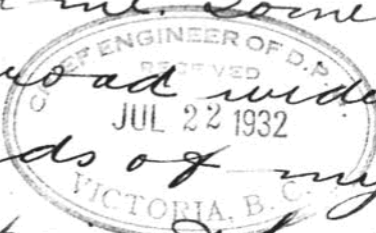


ASSISTANT CHIEF ENGINEER

JUL 19 1932

PUBLIC WORKS DEPT.
VICTORIA, B. C.

Dear Sir/ I am writing to ask you if you could get a flume & culvert fixed up for me. Sometime ago the Govt made a road wider and took about 30 yards of my ditch and did not repair the damage with the result that I cannot get any water for my hay. I have been after the engineer in Merritt but cannot get anything from him & it will put me out of business for sufficient hay for next winter and I have no money to buy any with. Trusting you will give the matter your immediate attention I remain
Yours Truly



353102

s.22

E.S. Jones, Esq.,
Public Works Engineer,
Kamloops, B.C.

227

Kindly let me have a report, please.

File 783

July 22nd,
1932.

s.22

Canford, B.C.

Dear Sir:

In the absence of Honourable
the Minister, I have to acknowledge receipt of
your letter of the 11th instant.

I regret to say I have no per-
sonal knowledge of the situation which you dis-
close.

I am, however, causing enquiry
to be made and you may rest assured your repre-
sentations will receive every consideration when
the local official's report comes to hand.

Yours very truly,

Assistant Chief Engineer
and Acting Deputy Minister.

228

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

FROM	TO	DATE
		ELECTORAL DISTRICT
		OUR FILE
		YOUR FILE
SUBJECT		REFERENCE
		YOUR LETTER

- 2 -

I would suggest that s.22 be
advised that as soon as he puts his irrigat-
ion ditch in good repair, the Public Works
Department will renew the culvert.

(O.G. Gallaher)
Road Foreman.

OAG/JM

PROVINCE OF BRITISH COLUMBIA

229 DEPARTMENT OF PUBLIC WORKS

FROM O.G. Callaher, Road Foreman, Merritt, B.C.	TO E.S. Jones, Esq., Public Works Engineer, Kamloops, B.C.	DATE July 27th, 1932. ELECTORAL DISTRICT N. Yale. OUR FILE 40-20-44. YOUR FILE
SUBJECT Petit Creek Road. Attention of The Minister:		REFERENCE ASSISTANT CHIEF ENGINEER YOUR LETTER AUG 3 1932

CHIEF ENGINEER,
VICTORIA,PUBLIC WORKS DEPT.
For your information, please.

29/7/32.

E.S. Jones,

Reference the Department's letter
of July 22nd, file 783 enclosing s.22
s.22 letter of July 11th to the
Minister.

Some two months ago s.22
was working on the above road under the
rural destitute scheme and he made the
request for a flume and culvert on an old
ditch. I examined the ditch in question
and decided that I could not see where
the Department of Public Works had in any way
damaged the ditch. It was suggested to
s.22 that he clean out his ditch and
if this were done, it would be an easy matter
to put in a culvert.

The Petit Creek Road where it crosses
this ditch and parallels it was built in 1915.
The ditch then and still runs through a culvert
which was placed under the road, but judging
from the condition of the ditch, it has had
very little use since the time the road was
built, in fact, I doubt if it has ever been
used since that time, and at the present time
it would keep one man busy for a month at least
to keep it in condition to carry water. s.22
s.22 has made no effort to put the ditch
in good condition. No fluming is required in
so far as the road is concerned, as the ditch
can easily be re-dug right up to the old culvert.

353696

A. C. E.

File 783

230

August 5th,
1932.

North Yale District.
Petit Creek Road.

Sir:

With reference to your letter of the 11th July last, I would advise I have now had an opportunity of having this matter looked into.

My knowledge is to the effect that the Department has in no way damaged your ditch.

The Petit Creek Road was built in 1915 and the ditch then and still runs through a culvert under the road. Apparently the conditions were satisfactory at that time and as we have not interfered with it since I have to advise you that we can take no action in the matter.

Yours obediently,

P. PHILIP.

Chief Engineer.

s.22

Canford, B.C.

CPN:NP

Aug 15th 1932 Sanford 136.

s.22

231 183

Victoria 136

AUG 16 1932

Dear Sir,

Your favor of the 5th inst
received and contents noted.
I think you are in error
with regards to the
Department of Public
works not doing any
damage to my ditch
as the evidence is there
for anyone to see. I was
in there 1st & 2nd Sunday and
made enquiries as to
when the road was
built. You are quite
right 354782 V. I. King

Ast. Eng

built in 1915. J. Williams
was the road foreman
but in 1926 or 1927
J. Davidson was put to
work on the road with
two men named
to help. That is when
the damage was done
and now I had I have
taken over the ranch
and want to use that
part of the ditch I
want to have the
damage repaired. J.
Williams was out to
see it some time ago

s.22

and reported to the
local Engineer and that
is as far as the
matter went. I lost
about 14 tons of hay
this summer through
not being able to get
the water through
where I needed it. I
would suggest that you
send your local
Engineer out to see it
and if he does not know
where it is I will
show him. Now Sir I
cant do this matter
go on any longer so if

I do not get some
action on it and get
it put in shape I
will have to write
to the Premier about
it as I need all the
hay I can get and some
of my water is going
to waste 234

yours faithfully

s.22

235

Canford, B.C.,
August 15th, 1932.

P. Philip, Esq.,
Victoria, B.C.

Dear Sir:-

Your favor of the 5th inst. received and contents noted. I think you are in error with regards to the Department of Public Works not doing any damage to my ditch as the evidence is there for anyone to see. I was in Merritt yesterday and made inquiries as to when the road was built. You are quite right about it being built in 1915. G. Williams was the road foreman but in 1926 or 1927 J. Davidson was put to work on the road with two men named James to help and that is when the damage was done and now that I have taken over the ranch and want to use that part of the ditch I want to have the damage repaired. G. Williams was out to see it sometime ago and reported to the local engineer and that is as far as the matter went. I lost about 14 tons of hay this summer through not being able to get the water through where I needed it. I would suggest that you send your local engineer out to see it and if he does not know where it is I will show him. Now, Sir, I can't let this matter go on any longer so if I do not get some action on it and get it put in shape I will have to write to the Premier about it as I need all the hay I can get and some of my water is going to waste.

Yours faithfully,

s.22

236

Aug. 17th, 1932.

E.S. Jones, Esq.,
Pub. Wks. Engr.,
Kamloops, B.C.

Eng. Dist. #3.
783

North Yale District
Petit Creek Road.

With reference to Mr. Gallaher's report forwarded
under cover of your letter of July 29th, enclosed
you will please find copy of letter of the 15th
instant from s.22

You will note s.22 contention is that work
was done on the road in 1926-or 1927. Please advise
me on this.

P. PHILIP

ICB:MIB
Encls.

COPY FOR E.S. JONES, ESQ.

783

237

North Yale District
Petit Creek Road.

August 17th,
1932.

Dear Sir:-

I acknowledge receipt of your letter dated August 15th.

As already explained, my report is to the effect that this Department has in no way damaged your ditch. I am, however, submitting a copy of your letter to the Public Works Engineer for the District for a further report in this connection.

Yours obediently,

P. PHILIP

Chief Engineer.

s.22

Canford, B.C.

ICB:MIB

238 PROVINCE OF BRITISH COLUMBIA 783

DEPARTMENT OF PUBLIC WORKS

FROM O. G. Gallaher. Road Foreman. Merritt. B. C.	TO E. S. Jones, Esq., Road Engineer. Kamloops. B. C.	DATE Aug. 23rd. 1932. ELECTORAL DISTRICT N. Yale. OUR FILE 40-90-51. YOUR FILE
SUBJECT Petit Creek Road.		REFERENCE YOUR LETTER Aug. 17th. 32

CHIEF ENGINEER,
VICTORIA, B. C.

For your information, please.

26/8/32,

E. S. Jones,

Reference the Department's letter of August 18th, File 783, and your Memo Aug. 19th. file 40-20-44 enclosing copies of correspondence with s.22 of Petit Creek.

I find that s.22 is correct in saying that work was done in 1927, but Mr. Davidson who did the work states that he did not interfere with the irrigation ditch, which has been abandoned by the owner s.22 some years before, s.22 made no complaint as he had abandoned this ditch from lack of water, Mr. Davidson who owns land in that vicinity states that there never was water enough in the intake to flow through the ditch to the field for which it was designed, s.22 of Canford owns the land on which the intake for this ditch is situated and he told me that as the ditch had been abandoned for many years he considered the water rights void and in consequence he personally pulled down a piece of old rotten flume near the intake, the flume was not on or near the road.

I have inspected this place personally and gone into the matter thoroughly and cannot find any reason why the Department should assist s.22, regards the conditioning of this ditch, we were in no way responsible for the shortage of his hay crop which he claims, personally I doubt if the land in question could raise the crop he mentions.

My Investigations lead me to believe that this ditch never was any use to the man who built it, and that it was abandoned by him, and that any work on it would be a waste of labor.

OGG/GCH.

(O. G. Gallaher.)
Road Foreman.

C. E.

239

File 783

August 30th,
1932.

North Yale District.
Petit Creek Road.

Sir:

Adverting to my letter to you
of the 17th instant, I now have to advise this
matter has been thoroughly investigated.

I am quite satisfied that this
Department is in no sense responsible for your
shortage of water.

Yours obediently,

P. PHILIP.

Chief Engineer.

s.22

Canford, E. C.

GPN:NP

ALL COMMUNICATIONS IN REFERENCE TO WATER
MATTERS SHOULD BE ADDRESSED TO
COMPTROLLER OF WATER RIGHTS,
PARLIAMENT BUILDINGS, VICTORIA, B.C.



THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

VICTORIA, B.C., September 1st, 1932.



DEPARTMENT OF LANDS
WATER RIGHTS BRANCH

241

12th final licence
to be followed, to be
authorised
H.R.P.

Memo: Public Works Department.

Our File 6390.
Your File 783. North Yale. SEP 2 1932
Petit Creek Road.

ASSISTANT CHIEF ENGINEER

PUBLIC WORKS DEPT.
VICTORIA, B. C.

With reference to your memo. of the 30th ult. we cannot find that s.22 is recorded here as owner of any water rights, but we find he recently made an enquiry regarding water rights appurtenant to the S.W. $\frac{1}{4}$ Section 35, Township 13, Range 23, West 6th Meridian, which lies in the Spius (Petit) creek watershed, and should he have acquired this land the water rights automatically pass with any transfer of the land.

Under Final Licence 5904, priority 12th July, 1916, 37.5 acre-feet of water is diverted from Roberts creek for use on 14.9 acres of the above quarter section.

Under Final Licence 3625, priority 11th April, 1913, 5 acre-feet is diverted from Swanson spring for use on 2 acres of the same quarter section, and we enclose for your information copies of the plats attached to the licences in question, which show conditions obtaining when our inspections were made in 1927 and 1922.

These licences were issued in the name of W. Swanson (now deceased) and we find that arrears of rental were paid in May 1931 by s.22 Grant County, Wash., who was then registered owner, so presumably s.22 may have subsequently acquired the property.

As you are no doubt aware, the issue of the licences conferred no authority to erect and maintain works on roads or road allowances without permission of your Department.

Your file is returned herewith.

J.C. MACDONALD.

356027

Comptroller of Water Rights.

KD:MB

Per: *lt*

A. C. E.

File 783

242

September 6th,
1932.

North Yale District.
Petit Creek Road.

MEMORANDUM: Comptroller Water-Rights.

Please accept my sincere
thanks for your memorandum of the 1st instant.

P. PHILIP.

Chief Engineer.

GPN:NP

243

September 6th, 1932.

E.S. Jones, Esq.,
Public Works Engineer,
Kamloops, B. C.

North Yale

783

40-90-51

Petit Creek Road.

With reference to your Assistant's letter to you of the 23rd ultimo, in connection with the above, I herewith enclose for your information copy of memorandum received by me from the Comptroller of Water Rights under date of the 1st instant. Kindly return the blue prints attached hereto, for our files.

P. PHILIP.

GPN:NP

Encl:

British Columbia.

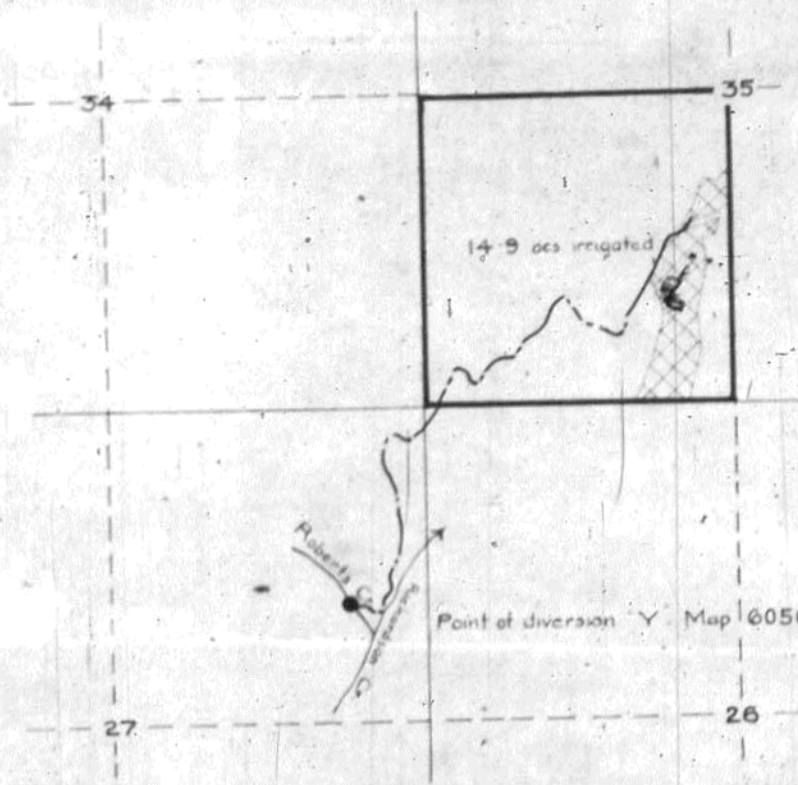
to accompany Final Licence No 5904

Precinct

NICOLA WATER DISTRICT.

Scale, 20 Chains to 1 Inch.

N



Tp 13 R. 23. W. 6th M.

RHS
CH

Signature

Date 14th June 1927

FL 5904 for C.L. 3015
File 37219

EXHIBIT "A"

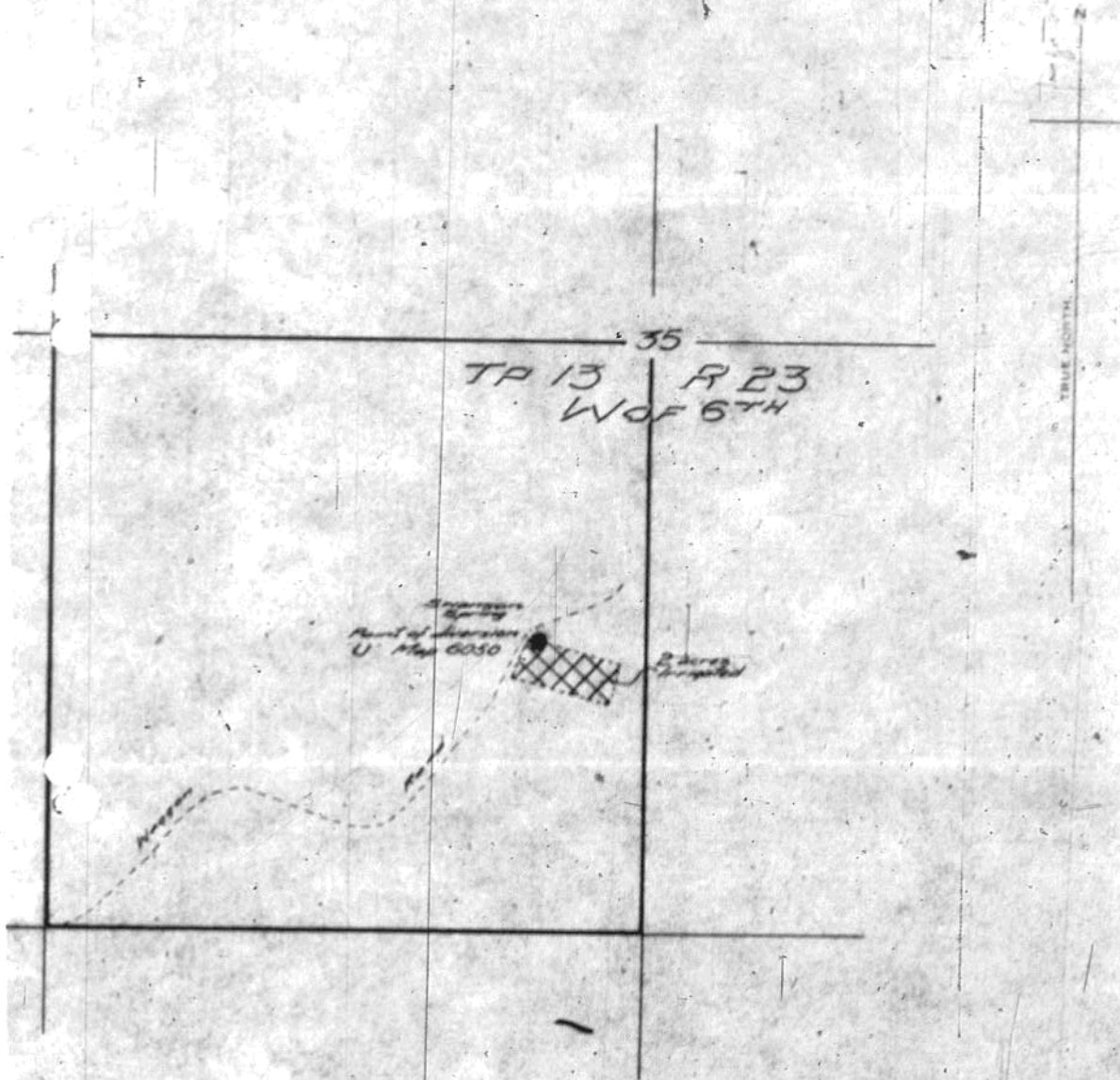
R.B.

British Columbia

To accompany Final Licence No. 3624

NICOLA WATER DISTRICT.

Scale, 10 Chains to 1 Inch.



CH.

Signature

E. H. H. H. H.

Date 20 Mar 1922

EXHIBIT "A" R.B.

F.L. 3624 for C.L. 696
File 6390

FORM 118

FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY

★ 40M-232-3508

PROVINCE OF BRITISH COLUMBIA

246 DEPARTMENT OF PUBLIC WORKS 783

FROM O.G. Gallaher, Road Foreman, Merritt, B.C.	TO E.S. Jones, Esq., Public Works Engineer, Kamloops, B.C.	DATE Sept. 9th, 1932. ELECTORAL DISTRICT N. Yale. OUR FILE 40-90-51. YOUR FILE
SUBJECT Petit Creek Road.		REFERENCE YOUR LETTER



I wish to acknowledge the Department's letter of September 6th, file 783.

I have examined the Blue Prints and can see no further comments which I can make.

The Blue Prints are returned herewith.

We did not interfere with the irrigation system of this land.

(O.G. Gallaher)
Road Foreman.

CHIEF ENGINEER,
VICTORIA,

For your information, please.

OGG/JM
Encl.

12/9/32, E.S. Jones, *[Signature]*

356741

A. C. E.

RECEIVED
PROV. PUB. WORKS DEPT.
VICTORIA, B.C.

NOV 21 1946

247

s.22

Lower Nicola, B.C.

Nov. 15/46.

1183

Dept of Public Works.
Victoria, B.C.

Dear Sir:-

we live up here
in Sunshine Valley and to get out have
to go by Canford. At Canford there is a clay
hill known as Fisher hill, the road on this
hill is very narrow & slippery & at times it is
impossible to get either up or down. This is
the only road we have for a car.

we would be very grateful if this hill
could be made less steep & graveled.

Yours Truly.

s.22

697219

C.E.

248

Mr. Wm. Ramsay,
District Engineer
Kamloops, B.C.

November 23, 1946

783

Petition-

s.22

Herewith find enclosed copy of
letter from s.22. I wish you
would do what you can to improve
conditions there.

A. L. Cruthers,
Chief Engineer.

ALC/H.C

249

File 783

November 23, 1946

s.22

Lower Nicola, B.C.

Dear Madam:

Your petition of November 15th has been referred to our District Engineer for his attention. I am sure that he will do what he can to improve conditions on your road.

Yours truly,

A. L. Carruthers,
Chief Engineer.

ALC/HAC

250
PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

783

FROM CHIEF ENGINEER	TO Mr. Wm. Ramsay, District Engineer Kamloops, B.C.	DATE November 23, 1946
		ELECTORAL DISTRICT
		OUR FILE 783
		YOUR FILE
SUBJECT Petition- s.22		REFERENCE
		YOUR LETTER

RECEIVED
PROV. PUBLIC WORKS DEPT.
VICTORIA - B.C.

NOV 29 1946

DATE
27/11/46



Herewith find enclosed copy of
letter from s.22 I wish you
would do what you can to improve
conditions there.

A. L. C rruthers,
Chief Engineer.

AIC/HAC
Chief Engineer,
Victoria, B. C.

Please forward letter from
s.22 which you omitted
to enclose.

27/11/6.

W. RAMSAY.

645030

Miss
Carter

251

PROVINCE OF BRITISH COLUMBIA
DEPARTMENT OF PUBLIC WORKS

1946

FROM Asst. District Engineer, Merritt, B. C.	To H. Ramsay, Esq., District Engineer, Kamloops, B. C.	DATE December 10, 1946. ELECTORAL DISTRICT Yale OUR FILE 40-20-0 YOUR FILE 783
SUBJECT Petition - s.22		REFERENCE YOUR LETTER

RECEIVED
PROV. PU. ...

DATE
Dec 19/46

The clay hill which s.22 refers to in her letter of November 15th, is approximately 600 feet long. This could be widened and gravelled next year if you so wish, at an estimated cost of \$500.00. Unless I hear further from you I will arrange to carry out this work sometime next fiscal year.

A. J. Bowering,
Asst. Dist. Engineer.

AJB:ml

WLC / C.E.
Is this approved?
[Signature]

699394

252

December 19th, 1946

Mr. Wm. Ramsay,
District Engineer,
Kamloops, B.C.

Yale

783

40-20-0

Petition -

s.22

Dec. 10th

With reference to
letter to you of December 10th re
petition of

s.22

s.22

Whether or not you expend public
funds on this road will be left entirely
to your discretion as I am in no position
to judge whether it is really warranted
or not. I take it, however, that this work
will not be done until next fiscal year.

A.L. Carruthers,
Chief Engineer

ALC/MB

253

s.22

LAND

VERY STEEP BLUFF

MY LAND

TOWN T. LAND

FIELD

Road

SPAVIS CREEK

OR

Pietite creek

TREES

GATE LOCKE

CUT BANK

GATE LOCKED

April 26, 1949.
Sanford, B.C.

C
O
P
Y

April 26, 1949.
Canford, B.C.

254

Hon. E. T. Kenney,
Minister of Lands,

Dear Sir:

I have taken this up with my member all ready so
you may have heard about it from s.22

I took out a home stead here last winter and when I received my final papers ok. in it there was a typewritten note to the effect that there was no money available for new roads but before I had taken out the home stead I put in a logging road from the end of the government road dam to my place and in the meantime the only fellows land we crossed has put up a gate with a lock on it which leaves me holding the sack. Where the road cross this fellows place s.22
s.22 it is less than a quarter of a mile and runs right along the back of the creek. He will not listen to reason or give an answer to anything you ask him. I have spoken to the Engineer for the Department of Public Works (Mr. B.....) who has his office in Merrit. Dr. J. J. Gillis the member for this district says he can not block of a road and keep me from my place. I have my house allmost up and will have to give it up if you can not do anything about it. This road was used for logging all last summer and fall and is in good repair. There is no out put on it. All I ask is to have it made into a Government road so that I am able to have a home for my family and myself. I am a return man and have no asked anything before since I came home after 5 $\frac{1}{2}$ years over the other side.

I hope you will give this your deepest consideration and do me the favour of straighting this out at the earliest possible moment as I would like very much to put in some kind of a crop this year.

Thanking you,

s.22

P.S. This is roughly the drawing of the road and where it is blocked.

255



VICTORIA, B.C.

May 4, 1949.

783

LANDS BRANCH
DEPARTMENT OF LANDS AND FORESTS
RECEIVED
PROV. PUBLIC WORKS DEPT.
VICTORIA, B. C.

MAY 5 - 1949

ANSWERED.....
NOTED.....

H. C. Anderson, Esq.,
The Chief Engineer,
Department of Public Works,
Buildings.

Sir:

Please refer to File #0175363

The enclosed letter has been received
by the Honourable the Minister from s.22

s.22 obtained a pre-emption record
covering the E. $\frac{1}{2}$ of the E. $\frac{1}{2}$ of Section 15, Township 13,
Range 23, West of the 6th Meridian, on the distinct
understanding that no funds are available for the
construction or improvement of roads and that access
must be provided at his own expense.

However, it appears that he has constructed
a logging road and that one of his neighbours has now
blocked the entrance to such road. It would be appreciated
if you could have this matter looked into and make any
suggestions which might be helpful to Mr. Hayes under the
circumstances.

Yours truly,

W. M. Moyer

Superintendent of Lands.

CEH/JF
Encl.

793077

O.E.

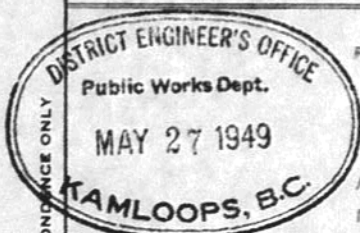
256

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF PUBLIC WORKS

783

FROM W.M. Underwood, General Foreman, Merritt, B. C.	TO S.D.H. Pope, Esq., District Engineer, Kamloops, B. C.	DATE May 26, 1949.
		ELECTORAL DISTRICT Yale
		OUR FILE 41-20-0
		YOUR FILE 783
SUBJECT Road Access - E. 1/2 of the E. 1/2 of Sec. 15, Tp. 13, R. 23, W6M.		REFERENCE Chief Engr.'s letter 12 May.
		YOUR LETTER



RECEIVED
PROV. PUBLIC WORKS DEPT.
VICTORIA, B. C.

JUN 1 - 1949

ANSWERED _____
NOTED _____
DATE _____

Reference the Chief Engineer's letter, the matter of access to the above noted property has been looked into with s.22 has agreed to allow s.22 to use the old logging road through his property and we are now erecting a quarter mile of fence which is the only concession s.22 asked for. This appeared a reasonable request and the job should be finished by the 27th of this month.

s.22

W.M. Underwood,
General Foreman.

Chief Engineer,
BUILDINGS.

WMU:ml

For your information.

S.D.H. Pope,
Divisional Engr.

30-5-49

796431

O. E.

257

May 12, 1949.

Chief Engineer.

District Engineer,
KAMLOOPS, B. C.

783

Re: Road Access

Herewith for your information and report is copy of a self-explanatory letter received from the Superintendent of Lands, with accompanying letter received from s.22 of Canford, B.C. re access to his property described as being the E. $\frac{1}{2}$ of the E. $\frac{1}{2}$ of Section 15, Township 13, Range 23, West of the 6th Meridian, together with a copy of my reply. In view of s.22 over-seas service of some five years, we would like to do everything possible for him within reason, in which case kindly look into the situation and see what arrangement can be made and thereafter advise.

H.C. Anderson,
Chief Engineer.

encls.

258

783

May 13th, 1949.

s.22

GANFORD, B. C.

Dear Sir:

Your letter dated the 26th ultimo addressed to the Honourable Minister of Lands has been forwarded to this Department for attention, and in reply wish to tell you that the comments you made with respect to your access problem, has been noted, from which it would appear you did not first of all, secure permission to construct the logging road through your neighbour's property, and this may be the reason for his now objecting to the thoroughfare.

From information received from the Department of Lands, you have obtained a pre-emption record covering the E. $\frac{1}{2}$ of the E. $\frac{1}{2}$ of Section 15, Township 13, Range 23, West of the 6th Meridian on the distinct understanding that access to the said property must be provided at your own expense. It is therefore, suggested that you again approach your neighbour and endeavour to secure a long term lease from him, covering the right-of-way required for the road. In order to render some assistance to you in this regard, we are requesting our District Engineer at Kamloops to arrange to have an official of the Department see s.22 when it may be that an amicable solution to the problem can be arranged on the ground without much difficulty.

Yours very truly,

H.C. Anderson,
Chief Engineer.

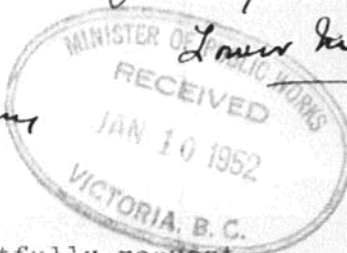
AD:ff

Hon. E. G. Carson

259

Jan 8/52

Min: of Public Works
Parliament Building
Victoria



Lower Nicola B.C.

783

Dear Sir

We the undersigned respectfully request that assistance be given the Kinvig Bros. of Canford B.C. by your Dept. in the reconstruction of their irrigation ditch which was destroyed last spring by a land slide, about nine miles West of Merritt.

The destruction of this ditch caused a heavy loss in crops and now they face very heavy reconstruction costs.

Trusting you will give this request serious consideration.

RECEIVED
PROV. PUBLIC WORKS DEPT.
VICTORIA, B.C.

We remain
respectfully yours,

nothing re this
and how office
file

JAN 10 1952
ANSWERED
NOTED
DATE Jan 18/52

Bart Dodding
Frank D. Dodding
T. D. Batter
C. J. Neale
John Neale
24 Neale
Sett Gavelin
H. Nelson
H. S. Chasby
C. E. Whalley
J. Steffen
R. Manton
J. H. P. Morgan

903724

A.C.E.
MAINT

26/ John D. Dodding
774 Field
Mangay
R. W. Dodding

of Ranches canvassed, 100% signed

B Dodding

File 783

262

January 18th, 1952.

Mr. B. Dodding, et al,
Lower Nicola, B.C.

Dear Sirs:-

I have been directed to acknowledge receipt of petition dated January 8th addressed to the Honourable E.C. Carson requesting Government assistance to the Kinvig Brothers for construction of their irrigation ditch.

Whereas we sincerely regret the substantial loss experienced by the Kinvig Brothers last year, I am sorry to advise that we do not have the authority to assist financially in the replacement of the ditch.

Yours truly,

E.S. Jones,
Deputy Minister.

ESJ/MB

263

RECEIVED
PROV. PUBLIC WORKS DEPT.
VICTORIA B.C.

Lower Nicola

183

E. S. Jones

Deputy Min Public Works
Victoria

FEB 2 - 1952

B.C. Jan 29/52

ANSWERED

NOTED

DATE

Dear Sir

Your letter received
re petition for assistance to the Kinross Bros.
that you say you have no authority to assist
financially in this matter. would you please forward
this petition to the Dept who have the authority.
Last year it was reported that \$50,000 had been
spent by the Gov in irrigation ^{projects} in the Nicola or Kootenai
district. could you please tell me where this was
spent

Yours Truly
B. D. odding

906516

DEPUTY MIN.

264

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February 13th, 1952.

Mr. B. Dodding,
Lower Nicola, B.C.

Dear Sir:-

Acknowledging receipt of your letter
dated January 29th.

I do not know of any department of
Government that assisted in irrigation projects
in the vicinity of Nicola and Merritt. However,
I would appreciate you obtaining what informa-
tion you can in this regard and advising me.
Upon receipt of same, I will certainly take the
matter up further.

Yours truly,

B.S. Jones,
Deputy Minister.

ESJ/MB

265

RECEIVED
PROV. PUBLIC WORKS DEPT.
VICTORIA B.C.

Lower Nicola

B.C. Feb 25/52

E. S. Jones Esq

Deputy Minister of Public Works

Victoria B.C.

ANSWERED

NOTED

DATE

Dear Sir

Your letter of the 13th received.
 as your request for any information I might have regarding
 assistance for irrigation being given in the Nicola District.
 It appears that last Summer, I don't just know when, there
 was an article in one of the Vancouver dailies, either the Sun
 or Province, that \$500,000 had been spent in this District
 on irrigation projects by the Gov.
 I did not see this article myself as I do not take either
 paper, but my son-in-law saw it & quite a few more residents
 saw it, & the remarks passed were not complimentary to say
 the least, for, rumour had it that Nicola Lake Stock Farms
 a millimare outfit got the lions share of this, for they put in
 a big irrigation system, so as to increase acreage for crops.
 Naturally I thought that if a big outfit could get assistance
 a small man ought to get it too. Thanking you

I remain

respectfully yours

B. D. Dodding

969569

DEPUTY MIN.

266
File 783

March 13th, 1952.

Mr. B. Dodding,
Lower Nicola, B.C.

Dear Sir:-

Thank you for your letter of February
25th.

I am afraid I cannot be of assistance
to you in this matter as I am unable to get any
information in regard to the Government having
spent money on irrigation, as you understood
from reports appearing in the Press.

I might suggest that you discuss this
matter with your local Member at your first oppor-
tunity.

Yours truly,

B.S. Jones,
Deputy Minister.

ESJ/MB

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HKCO

MR F E DEMBISKE
DIVISIONAL ENGINEER
KAMLOOPS B C

YALE DISTRICT

THERE IS A ROAD AT LOWER NICOLA ON THE SOUTH SIDE OF THE RIVER WHICH
PROVIDES ACCESS FROM THE BRIDGE NEAR THE CANFORD MILL OVER THE HUMP
THROUGH THE INDIAN RESERVE TO s.22 PROPERTY. s.22 HAS ASKED
THAT OHIS BE GRAVELLED. CAN YOU ARRANGE TO CARRY OUT THIS WORK.

N M MCCALLUM
CHIEF ENGINEER

BY

A J BOWERING
ASST CHIEF ENGINEER

MARCH 1, 1955
1:58 P M

MESSAGE RECEIVED
OL