

ATTENTION:

THE CONTENTS OF THIS FILE MAY CONTAIN INFORMATION THAT MAY NOT BE RELEASED UNDER FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY LEGISLATION.

TO OBTAIN A VETTED, RELEASABLE COPY OF THIS FILE, PLEASE CONTACT:

FREEDOM OF INFORMATION OFFICE
MINISTRY OF TRANSPORTATION AND HIGHWAYS
PLAZA LEVEL, 940 BLANSHARD STREET
VICTORIA, B.C.
V8W 3E6

PHONE: 356-9806

DATE: *April 6/94*

DIAND/MAINC
ILZ7555
15:07

UNPROTECTED INFORMATION
INDIAN LANDS REGISTRY SYSTEM
RESERVE GENERAL ABSTRACT REPORT

1996/03/06
PAGE: 1

REGION: BRITISH COLUMBIA
PROVINCE: BRITISH COLUMBIA

DISTRICT: CENTRAL FIELD OFFICE (VANC)
RESERVE/LAND: 07167 MAUVAIS ROCHER NO. 5
BAND(S): 686 BONAPARTE

COMPUTERIZED

<u>INSTRUMENT</u>	<u>INSTR DATE</u>	<u>REG #</u>	<u>REG DATE</u>
001 MINUTES OF DECISION	1878/AUG/10	9699-238	1971/DEC/10

LAND AFFECTED: RIGHT BANK OF THOMPSON RIVER

GRANTOR(S): COMMISSIONER SPROAT

GRANTEE(S): BAND

REMARKS: ALLOTMENT SEE DUP MIN OF DEC REG #64641 & REG #64657

002 OCPC	1913/JAN/25	1016-1	1970/APR/02
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AREA: 99.80 ACRES

LAND AFFECTED: SE 1/4 TWP 21 RGE 23 W6M

GRANTOR(S): CROWN CANADA

REMARKS: PC #205 WITHDRAWN FROM OPERATION OF DOMINION LANDS ACT

003 OCPC	1913/AUG/02	38288	1975/JAN/29
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PURPOSE: RAILWAY R/W
AREA: .56 ACRES

LAND AFFECTED: RIGHT OF WAY CLSR 56023

GRANTOR(S): CROWN CANADA

GRANTEE(S): CANADIAN NORTHERN PACIFIC RAILWAY COMPANY

REMARKS: PC #1938 AUTHORIZES ISSUANCE OF PATENT #17063

DIAND/MAINC
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15:07

UNPROTECTED INFORMATION
INDIAN LANDS REGISTRY SYSTEM
RESERVE GENERAL ABSTRACT REPORT

1996/03/06
PAGE: 2

PROVINCE: BRITISH COLUMBIA		RESERVE/LAND: 07167 MAUVAIS ROCHER NO. 5		COMPUTERIZED
INSTRUMENT	INSTR DATE	REG #	REG DATE	
004 MINUTES OF DECISION	1913/NOV/28	112954	1987/JUL/20	AREA: 99.80 ACRES
LAND AFFECTED: ON THOMPSON RIVER SEC 14 TWP 21 RGE 23 W6M				
GRANTOR(S): ROYAL COMMISSION				
GRANTEE(S): BAND				
REMARKS: CONFIRMS RESERVE PAGE 343				
005 PROV OC	1923/JUL/26	92925	1984/FEB/20	AREA: 99.24 ACRES
LAND AFFECTED: ON THOMPSON RIVER SEC 14 TWP 21 RGE 23 W6M				
GRANTOR(S): CROWN BRITISH COLUMBIA				
REMARKS: OC #911 CONFIRMS RESERVE & ACCEPTS MIN OF DEC REG #112954				
006 OCPC	1924/JUL/19	12073	1969/AUG/11	AREA: 99.24 ACRES
LAND AFFECTED: ON THOMPSON RIVER SEC 14 TWP 21 RGE 23 W6M				
GRANTOR(S): CROWN CANADA				
REMARKS: PC #1265 CONFIRMS RESERVE				
007 OCPC	1930/FEB/03	15203	1969/NOV/27	AREA: 99.80 ACRES
LAND AFFECTED: ON THOMPSON RIVER SEC 14 TWP 21 RGE 23 W6M (CLSR BC				
GRANTOR(S): CROWN CANADA				
REMARKS: PC #208 CONFIRMS RESERVE				

DIAND/MAINC
ILZ7555
15:07

UNPROTECTED INFORMATION
INDIAN LANDS REGISTRY SYSTEM
RESERVE GENERAL ABSTRACT REPORT

1996/03/06
PAGE: 3

PROVINCE: BRITISH COLUMBIA		RESERVE/LAND: 07167 MAUVAIS ROCHER NO. 5		COMPUTERIZED
INSTRUMENT	INSTR DATE	REG #	REG DATE	
008 OCPC	1959/FEB/13	12146	1969/AUG/13	AREA: 3.19 ACRES
LAND AFFECTED: RIGHT OF WAY CLSR 4759				
GRANTOR(S): CROWN CANADA				
GRANTEE(S): CROWN BRITISH COLUMBIA				
REMARKS: PC #148 TRANSFERS ADMINISTRATION AND CONTROL OF LANDS RESERVING MINES & MINERALS				
009 EASEMENT	1966/NOV/04	12147	1969/AUG/13	TERM: INDETERMINATE EFFECTIVE: 1966/NOV/04 PURPOSE: HYDRO LINE AREA: 9.54 ACRES
LAND AFFECTED: CLSR 52369				
GRANTOR(S): CROWN CANADA				
GRANTEE(S): BRITISH COLUMBIA HYDRO & POWER AUTHORITY				
REMARKS: BCR GRANTING EASEMENT ATT'D				
010 OCPC	1968/AUG/28	4240	1968/SEP/16	AREA: 3.35 ACRES
LAND AFFECTED: CLSR 4759				
GRANTOR(S): CROWN BRITISH COLUMBIA				
GRANTEE(S): CROWN CANADA				
REMARKS: PC #1663 ADDITION TO RESERVE				

DIAND/MAINC
IL27555
15:07

UNPROTECTED INFORMATION
INDIAN LANDS REGISTRY SYSTEM
RESERVE GENERAL ABSTRACT REPORT



1996/03/06
PAGE: 4

PROVINCE: BRITISH COLUMBIA

RESERVE/LAND: 07167 MAUVAIS ROCHER NO. 5

COMPUTERIZED

INSTRUMENT

INSTR DATE

REG #

REG DATE

011 LEASE

1968/DEC/06

8132

1969/FEB/20

TERM: 005Y00M01D
EFFECTIVE: 1968/DEC/01
EXPIRY: 1973/DEC/01
AREA: 98.00 ACRES

LAND AFFECTED: AS OUTLINED ON ATTACHED SKETCH

GRANTOR(S): CROWN CANADA

GRANTEE(S): C MOAR

REMARKS: #69-223 BCR ATT'D

Ministry of Lands, Parks & Housing
Buildings

January 20, 1981

Attention: W. C. Fry
Administrative Assistant

Re: Bonaparte Band of Indians

P/N 16931, 16583,
995, 30071,
5745 & 50761

Attached please find a brief resume of the history of the
roads in the Indian Reserves assigned to the above Band.

Per our telephone conversation.

A. C. Brown
Director of Property Services

Per:

D.I.F. MacSween
Senior Property Negotiator

DIFM/do

1. Upper Hat Creek Indian Reserve No. 1

P/N 16931

- 1881 - Marble Canyon Waggon Road
 - Marble Canyon Road Extension
 - Hat Creek Road (1930 - prelim. 30.0 Acres)
- 1910 - Lillooet Waggon Road
- 1965 - B.C. R. for Lillooet-Cache Creek Road
- 1973 - H-10962 Total 43.2 Acres
 - Old Road Inside 19.2
 - Old Road Outside 7.6
 - New r/w 24.0
- 1974 - P.C. 2425 5 Nov. 1974 transfers 24 acres to B.C. for public road purposes.
- 1975 - Gazette H-10962 (R.S. 4514) 26 March 1975

2. Lower Hat Creek I.R. 2

P/N 16583

- 1883 - trails - to Wagon Road at Hat Creek Bridge
 - to 124 Mile House
 - to Waggon Road at 116 Mile House
 - 2 to McLean's Lake
- 1881 - Marble Canyon Waggon Road
 - Marble Canyon Road Extension
 - Hat Creek Road
- 1887 - Lillooet Road
- 1969 - H-8748 (CLSR 55286) deposited LRO Kamloops 14 Feb. 1969
 - Total R/W 52.32
 - Old Road inside 21.88
 - Old Road outside 12 acres
 - New r/w 22.60 + 7.84
- 1969 - P.C. 917 6 May 1969 transfers admin. & control of 30.44 acres to B.C.
- 1976 - Gazette 18 March 1976 gazettes H-8748/RS 4736

3. Bonaparte Indian Reserve NO. 3

P/N 995

- Cariboo Highway
 - constructed by William Hood, contractor, 1863
 - revised 1950 & transferred to B.C. by P.C. 4457 approved 29 Aug. 1951
 - IASR Rd. 3407 (H-77) 20.3979 Acres
 - old road outside closed 23 Sept. 1971 and transferred to Canada by OIC 3733 approved 14 Oct. 1971

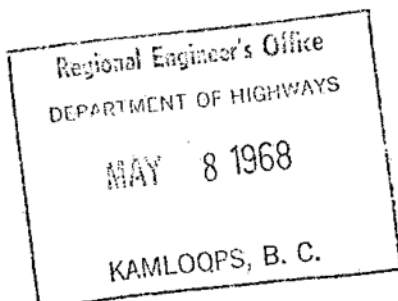
4. Loon Lake Indian Reserve No. 4

P/N 30071

- Loon Lake Road
 - Road claimed as public through Reserve
 - 1977 plan exists in Region but no urgency and negotiations for right-of-way have not been pursued
 - R/W width and acreage not known at this time

. . . . /2

5. Mauvais Rocher Indian Reserve No. 5 P/N 5745
- 3.23 acres compensated 1958
 - 3.19 acres IASR Rd. 4759 (M-469) transferred to B.C. PC 148
13 Feb. 1959
 - Old TCH 3.35 acres on M-469 closed 20 Nov. 1967
and vested to Canada by OIC 1343 approved 29 April 1968
6. Hihium Indian Reserve No. 6 P/N 50761
- no claimed public roads. Reserve judgement on existing road.
7. Hihium Indian Reserve No. 6A P/N 50761
- no claimed public roads
8. Hihium Indian Reserve No. 6B P/N 50761
- no claimed public roads



Victoria, B. C.,
May 6, 1968.

Mr. J. V. Boys,
Indian Commissioner for B. C.,
Dept. of Citizenship & Immigration,
P. O. Box 70,
Vancouver, B. C.

Dear Sir,

Forwarded herewith please find a copy of
Order-in-Council No. 1343, approved April 30th,
1968, authorizing the transfer of closed portion
of the Old Trans-Canada Highway No. 1 in the
Mauvais Rocher Indian Reserve No. 5, to Her
Majesty the Queen in the Right of Canada, as
represented by the Minister of Citizenship and
Immigration.

Yours very truly,

APPROVING OFFICER,

CRE:om

Per: *[Signature]*

cc - Mr. J. W. Nelson, Kamloops, B. C.
Mr. A. H. Dibben, Kamloops, B. C.

1343.

reports:

THAT by Notice dated November 20th, 1967, and published in the British Columbia Gazette of December 14th, 1967, the Minister of Highways has, pursuant to Section 11 of the "Highway Act", discontinued and closed all that portion of the Old Trans-Canada Highway No. 1 in the Mawvala Koeher Indian Reserve No. 5, shown as "Old Location of 66 feet wide Trans-Canada Highway" on Plan M.469 as deposited in the Land Registry Office at Kamloops, B. C., having an area of 3.35 acres, the centre line bearing S. 63° 20' 30" E. a distance of 2,214.27 feet.

AND TO RECOMMEND, pursuant to Section 11 of the "Highway Act", that the land comprised in the portion of road allowance hereinbefore mentioned, which was so discontinued and closed, be transferred to and become the property of Her Majesty the Queen in the Right of Canada, as represented by the Minister of Citizenship and Immigration.

DATED this 29th day of April A.D. 1968.

"W.D. Black"

MINISTER OF HIGHWAYS

APPROVED this 29th day of April A.D. 1968.

"W.A.C. Bennett"

PRESIDING MEMBER OF THE EXECUTIVE COUNCIL

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF HIGHWAYS

<p>TO:</p> <p>Mr. A. C. Brown, Right-of-Way Agent, 523 Columbia Street, Kamloops, B. C.</p>	<p>DEPARTMENT OF HIGHWAYS</p> <p>LEC 18 1967</p> <p>KAMLOOPS, B. C.</p>	<p>SENDER'S ADDRESS: Victoria, B. C.,</p> <p>DATE: December 13, 1967.</p> <p>ELECTORAL DISTRICT: Kamloops</p> <p>HEADQUARTERS FILE: 2070-2/70313</p>
<p>ATTENTION:</p>	<p>REGIONAL FILE: R/W 5745</p>	
<p>SUBJECT: Discontinuing and Closing Portion of Old Trans-Canada Highway in Mauvais Rocher Indian Reserve No. 5.</p>	<p>DISTRICT FILE:</p> <p>REFERENCE: DATED: Your letter of November 13, 1967.</p>	

Forwarded herewith for your records please
find a copy of Gazette Notice dated November 20th,
1967, covering the closure of a portion of the Old
Trans-Canada Highway in Mauvais Rocher Indian
Reserve No. 5.

APPROVING OFFICER,

CRE:om

Per: 

cc - Mr. A. H. Dibben, Kamloops, B. C.
Mr. J. W. Nelson, Kamloops, B. C.

FOR DEPARTMENTAL CORRESPONDENCE ONLY.

Approving Officer, .
Department of Highways,
Victoria, B. C.

Regional Highway Engineer
Kamloops, B. C.
November 13, 1967

Kamloops

2070-2/70313

R/W 5745

Road Closure,
Mauris Rocher I.R. No. 5

Your letter (CRE) Nov. 10, 1967

I would suggest we process gazette notice to close road
and if this is not suitable to Indian Department, we could
then discuss who should be liable for survey.

A. C. BROWN,
Right-of-Way Agent.

ACB/gs

PROVINCE OF BRITISH COLUMBIA
DEPARTMENT OF HIGHWAYS

TO:	Mr. A. C. Brown, Regional Right-of-Way Agent, 523 Columbia Street, Kamloops, B. C.	SENDER'S ADDRESS:	Victoria, B. C.,
ATTENTION:		DATE:	November 10, 1967.
SUBJECT:	Road Closure - Mauvis Rocher Indian Reserve No. 5	DISTRICT:	Kamloops
		HEADQUARTERS FILE:	2070-2/70313
		REGIONAL FILE:	R/W 5745
		DISTRICT FILE:	
		REFERENCE:	DATED:
		Your letter - September 28, 1967.	

With reference to your request of September 28th, a draft Gazette Notice covering the closure of the old Trans-Canada Highway through the Mauvis Rocher Indian Reserve No. 5, has been referred to the Registrar at Kamloops in order to ascertain if it would meet his requirements for the purpose of transfer to the Indian Reserve. A copy of the draft notice is attached.

A reply has now been received to the effect that this notice would appear to be acceptable for the closure of the road but that the description is not sufficient on which to base an indefeasible title.

If you have any suggestions which would enable an acceptable description to be prepared I would be pleased to receive same.

APPROVING OFFICER,

CRE:om

Per: CR/Em

I would suggest we process gazette notice to close the road and if this is not suitable to that Dept we could then discuss who should be liable for same.

DRAFT

KAMLOOPS, B. C.

KAMLOOPS ELECTORAL DISTRICT

Discontinuing and Closing Portion of Old Trans-Canada
Highway in Mauvis Roche Indian Reserve No. 5.

NOTICE is given, pursuant to Section 11 of the "Highway Act", that all that portion of the Old Trans-Canada Highway No. 1 in the Mauvis Roche Indian Reserve No. 5, shown as "Old Location of 66 feet wide Trans-Canada Highway" on Plan M-469 as deposited in the Land Registry Office at Kamloops, B. C., having an area of 3.35 acres, the centre line bearing S. 63° 20' 30" E. a distance of 2214.27 feet, is hereby discontinued and closed.

MINISTER OF HIGHWAYS

Department of Highways,
Parliament Buildings,
Victoria, B. C.

, 1967.

File: 2070-2/70313.

5745

Your file: 976/31-4-3

Kamloops, B. C.

Regional Highway Engineer,
523 Columbia Street,
October 16, 1967

Mr. J. L. Homan,
Superintendent,
Kamloops Indian Agency,
317 Seymour Street,
Kamloops, B. C.

Dear Sir:

Re: Closing of Trans Canada Hwy.
Mauvis Rocher I.R. No. 5

In reply to your letter of October 12, 1967, gazette notice was submitted to Headquarters on September 28, 1967 for approval.

Forms submitted requested the old road be returned to Indian Reserve status and notice should appear in the B. C. Gazette very shortly.

Yours very truly,

J. W. Nelson, P. Eng.
REGIONAL HIGHWAY ENGINEER

per:

A. C. Brown,
Right-of-Way Agent.

ACB/ga

Department of
Indian Affairs and
Northern Development

Indian
Affairs
Branch

Ministère des
Affaires indiennes et
du Nord canadien

Direction
des affaires
indiennes

Room 224, Federal Building
317 Seymour St.
Kamloops, B. C.

Regional Engineer's Office
DEPARTMENT OF HIGHWAYS

OCT 13 1967

KAMLOOPS, B. C.

our file/notre dossier
your file/votre dossier
date

976/31-4-3
R/W 5745
October 12, 1967

Mr. A. C. Brown
Right-of-Way Agent
Dept. of Highways
523 Columbia St.
Kamloops, B. C.

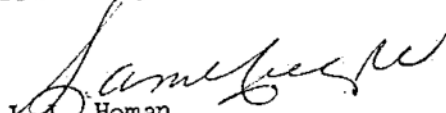
Dear Sir:

Re: Old Provincial Trans-Canada Highway, Plan 4759
3.19 acres, Mauvis Rocher Indian Reserve No. 5
Bonaparte Band

Further to our letters of July 12, September 6 and September 25 regarding the return of the above portion of the Trans-Canada Highway to reserve status.

It would be appreciated if this could receive your immediate attention as the C.N.R. is now pressing us regarding their application for this area which was submitted to our office in July for processing.

Yours very truly,


J. L. Homan
Superintendent
KAMLOOPS INDIAN AGENCY

SAM/ce



Chief Right-of-Way Agent,
Department of Highways,
Victoria, B. C.

Regional Highway Engineer
Kamloops, B. C.
September 28, 1967
Kamloops

R/W 5745

Road Closure
Mauvis Rocher Indian Reserve No. 5

The following declaration is forwarded for approval and insertion in the
B. C. Gazette:

1. KAMLOOPS ELECTORAL DISTRICT

Closing Road Allowance
Old T.C.H. Mauvis Rocher Indian Reserve No. 5

Notice is given, pursuant to Section 11 of the
Highway Act, that all that portion of the old
Trans Canada Highway No. 1 in Mauvis Rocher Indian
Reserve No. 5 shown as "Old location of 66 feet
wide Trans Canada Highway and containing 3.35 acres
on Plan M-469" as deposited in the Land Registry
Office at Kamloops, B. C., is hereby discontinued
and closed.

P. A. GAGLARDI
Minister of Highways.

- 2.)
3.) } Form H.222 attached.
4.))
5. Plan M-469.

A. C. BROWN,
Right-of-Way Agent.

ACB/gs

DEPARTMENT OF HIGHWAYS
CLOSING ROAD ALLOWANCE BY GAZETTE NOTICE
(OTHER THAN BY PLANS CANCELLATION)

Date August 7, 1967
 Electoral Dist. Kamloops, R.#2
 Headquarters File _____
 Regional File K2-21-21-36
 District File 21-21-36
 Reference _____
 Dated _____

	<u>YES</u>	<u>NO</u>
(1) Draft Notice attached	<u>X</u>	
(2) Final disposition will be carried out under Sec. 11, Sub-sec. (2) of the "Highway Act"	<u>X</u>	
(3) Objections, if any, attached		<u>X</u>
(4) Plan or Description attached	<u>X</u>	
(5) A check has been made to see that there are no public utilities or private works on the right-of-way involved	<u>X</u>	
(6) All regular users have been informed of notice of intent	<u>X</u>	
(7) A check has been made to insure that this closure does not cut off access to any individual parcel of land	<u>X</u>	
(8) If closure is within a municipal area has the municipality signified approval		<u>N/A</u>
(9) Statement as to why it is to be closed, and comment on objections, if any:		

Road to be closed and discontinued and returned to the Indian Reserve.

RECOMMENDED:

DISTRICT OFFICIAL

REGIONAL ENGINEER

RIGHT-OF-WAY AGENT

H 222

KAMLOOPS ELECTORAL DISTRICT

Discontinuing and closing road allowance in Mauvis
Rocher Indain Reserve No. 5.

Notice is given, pursuant to Section 11 of the
Highway Act, that all that portion of the old Trans Canada
Highway No. 1 in Mauvis Rocher Indian Reserve No. 5 shown
as "Old location of 66 feet wide Trans Canada Highway and
containing 3.35 acres on Plan M469" as deposited in the Land
Registry Office at Kamloops, B. C., is hereby discontinued
and closed.

5745

Department of
Indian Affairs and
Northern Development

Indian
Affairs
Branch

Ministère des
Affaires indiennes et
du Nord canadien

Direction
des affaires
indiennes

Room 224, Federal Building
317 Seymour St.
Kamloops, B. C.

Regional Engineer's Office
DEPARTMENT OF HIGHWAYS

SEP 26 1967

KAMLOOPS, B. C.

our file/notre dossier
your file/votre dossier
date

976/31-4-3

September 25, 1967

Mr. A. C. Brown
Right of Way Agent
Dept. of Highways
523 Columbia St.
Kamloops, B. C.

Dear Sir:

Re: Old Provincial Trans-Canada Highway, Plan 4759
3.19 acres, Mauvis Rocher I. R. No. 5 - Bonaparte Band

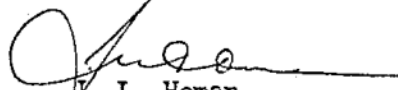
Further to our letters of July 12 and September 6th regarding the return of the above portion of the Trans-Canada Highways to reserve status.

Could we please be advised as to what progress is being made in this matter.

Your early attention to this matter would be appreciated.

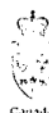
Yours very truly,

KAMLOOPS INDIAN AGENCY


J. L. Homan
Superintendent

/ce





Department of
Indian Affairs and
Northern Development

Indian
Affairs
Branch

Ministère des
Affaires indiennes et
du Nord canadien

Direction
des affaires
indiennes

Room 224, Federal Building
317 Seymour St.
Kamloops, B. C.

Regional Engineer's Office
DEPARTMENT OF HIGHWAYS

SEP 7 - 1967

KAMLOOPS, B. C.

our file/notre dossier 976/31-4-3
your file/votre dossier R/W 5745
date September 6, 1967

Mr. A. C. Brown
Right of Way Agent
Dept. of Highways
523 Columbia St.
Kamloops, B. C.

Dear Sir:

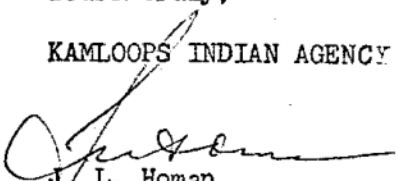
Re: Old Provincial Trans-Canada Highway, Plan 4759
3.19 acres, Mauvis Rocher I. R. No. 5 - Bonaparte Band

With reference to our letter of July 12 and yours of August 1 regarding the returning of the above portion of the Trans-Canada Highway to reserve status.

Could we please be advised as to what progress has been made in this matter.

Yours. truly,

KAMLOOPS INDIAN AGENCY


J. L. Homan
Superintendent

/ce



523 Columbia Street,
Kamloops, B.C.

Regional Highway Engineer,

August 1, 1967.

Department of Indian Affairs
and Northern Development,
Room 224,
Federal Building,
Kamloops, B. C.

Attention: Mr. J. L. Homan, Superintendent.

Dear Sir:

Re: Old T.C.H. and Mawis Rocher I.R. #5,
Your File: 976/31-4-3

In reply to your letter of July 12, I would advise
our District Superintendent, Kamloops was furnished a copy of
your letter for handling.

As soon as a reply is received, further action will
be taken.

Trusting this is satisfactory.

Yours truly,

J. W. Nelson, P.Eng.,
REGIONAL HIGHWAY ENGINEER.

A. C. BROWN
Right-of-Way Agent.

ACB/116

TO

Dist. Capt
Kam.

FROM

Right Way Office
Kam.

SUBJECT T.C.H. and Mauvis Rocher I.R. No. 5

DATE

July 31, 1967

☐ For Your Information
☐ Please Process

☐ Please O.K. and Return
☐ Return With More Details

☐ Please Discuss With Me
☐ Investigate and Report

☐ Per Your Request
☐ Please Answer

☐ For Your Signature
☐ For Your File

Re attached letter from the Ind. Dept. If you are agreeable, would you
please prepare form H 222 for closure. Thanks.

A.C. Brown
A.C. Brown

file: R.W. 5745
encl.

SIGNATURE

DATE OF REPLY
RETAIN THIS COPY UNTIL REPLY RECEIVED, THEN DESTROY.



EVERGREEN PRESS LIMITED - CARBON READY SETS
1070 S.E. MARINE DRIVE, VANCOUVER 15, B.C. - FAX 604 5-2231

Memogram

REMOVE THIS SHEET AND FORWARD BALANCE OF SET (INTACT)



Department of
Indian Affairs and
Northern Development

Indian
Affairs
Branch

Ministère des
Affaires indiennes et
du Nord canadien

Direction
des affaires
indiennes

Room 224,
Federal Building,
Kamloops, B.C.

our file/notre dossier
your file/votre dossier
date

976/31-4-3
5745
July 12, 1967

Mr. A. C. Brown,
Right of Way Agent,
Dept. of Highways,
523 Columbia St.,
KAMLOOPS, B.C.

Regional Engineer's Office
DEPARTMENT OF HIGHWAYS

JUL 13 1967

KAMLOOPS, B. C.

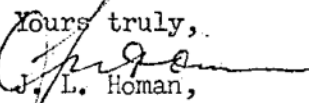
Dear Sirs:

Re: Old Provincial Trans-Canada Highway, Plan 4759,
3.19 acres. Mauvis Rocher I. R. No. 5 - Bonaparte Band.

According to our records it would appear that the above portion of
the old Trans-Canada Highway through Mauvis Rocher I. R. No. 5
has never been returned to reserve status.

It would be appreciated if you would arrange to have this done and
advise us accordingly.

It would be appreciated if this could receive your immediate
attention as we now have an application from the C.N.R. for the
use of this old highway.

Yours truly,

J. L. Homan,
Superintendent,
KAMLOOPS INDIAN AGENCY.



COMMUNICATIONS TO
REGISTRAR



IN YOUR REPLY
PLEASE REFER TO.....N.R.
LETTER INWARD NO.....

LAND REGISTRY OFFICE
KAMLOOPS

4614

June 9th, 1960

M. R. Zapf, Esq.,
Location Branch,
22 Douglas Building,
VICTORIA, B. C.

Dear Sir:

File nos. L104-01 and L104-20.

Enclosed herewith are Land Registry numbers for the
plans of Highway Right-of-way through the Indian
Reserves, which you have requested.

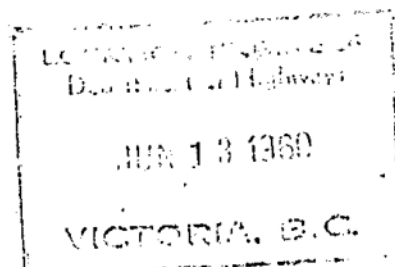
Yours truly,

C.J.S. Farrand,
Registrar.

Per: 

MH:ga

Encl.



Kamloops Agency

<u>Reserve</u>	<u>Surveyor</u>	<u>I.A.S.R. No.</u>	<u>L.R.O. No.</u>
Chum Creek #2	McWilliam Whyte	5103	M-509
Headman's Creek #1	McWilliam Whyte	-	-
Fishing Station #2	McWilliam Whyte	4902	No record
Fishing Station #3	McWilliam Whyte	4903	M-482
Kamloops #1	McWilliam Whyte	4753	M-483
Mauvais Rocher #5	McWilliam Whyte	4759	M-457
North Bay #5	McWilliam Whyte	4808	M-469
Stegumhulpa #5	McWilliam Whyte	5122	M-477
Switsemalph #6	H. C. Whittaker	4622	M-504
Tappen Siding #5	H. C. Whittaker	4768	M-433
			M-473

Lytton Agency

Albert Flat #5	Abbott - Tunbridge	4680	M 448
Bucktum #4	Abbott - Tunbridge	4729	M-456
Klakamich #17	Abbott - Tunbridge	4772	M-474
Klickumcheen #18	Abbott - Tunbridge	4788	m-476
Sam Adams #12	Abbott - Tunbridge	4762	m-477
Tsawawmuck #1	Abbott - Tunbridge	4925	m 487
Tsintahkl #2	Abbott - Tunbridge	4958	m 488
Two Mile Creek #16A	Abbott - Tunbridge	4773	m 475

Nicola Agency

Lower Shawniken LA	McWilliam Whyte	5120	M-508
Nicola Maneet #1	I. M. D. Fox	4897	M-486
Nicomen #3	McWilliam Whyte	5127	No record
Oregon Jack Creek #5	McWilliam Whyte	4714	M-451
Spences Bridge #4	McWilliam Whyte	5121	M-507

L.104-01
L.104-20

Location Branch,
222 Douglas Building,
July 27, 1959.

The Registrar,
Land Registry Office,
Court House,
Kamloops, B.C.

Dear Sir:

May we be given the Land Registry Office numbers
for the plans of Highway Right-of-Way through the attached
list of Indian Reserves.

We thank you for your help.

Yours truly,

FAC:lh
Enc. 2

N. R. Zapf,
Assistant Location Engineer.

Kamloops Agency

<u>Reserve</u>	<u>Surveyor</u>	<u>I.A.S.R. No.</u>	<u>L.R.O. No.</u>
Chum Creek #2	McWilliam Whyte	5103	
Deadman's Creek #1	McWilliam Whyte		
Fishing Station #2	McWilliam Whyte		
Fishing Station #3	McWilliam Whyte		
Kamloops #1	McWilliam Whyte	4753	
Mauvais Rocher #5	McWilliam Whyte	4759	
North Bay #5	McWilliam Whyte	4808	
Stequimhulpa #5	McWilliam Whyte	5122	
Switseralph #6	H. C. Whittaker	4622	
Tappen Siding #5	H. C. Whittaker	4768	

Lytton Agency

Albert Flat #5	Abbott - Tunbridge		
Bucktum #4	Abbott - Tunbridge	4729	
Klakamich #17	Abbott - Tunbridge	4772	
Klickumcheen #18	Abbott - Tunbridge		
Sam Adams #12	Abbott - Tunbridge	4762	
Tsawawmuck #1	Abbott - Tunbridge	4925	
Tsintahkl #2	Abbott - Tunbridge	4958	
Two Mile Creek #16A	Abbott - Tunbridge	4773	

Nicola Agency

Lower Shawniken LA	McWilliam Whyte	5120	
Nicola Harrest #1	L. M. D. Fox		
Nicomien #3	McWilliam Whyte	5127	
Oregon Jack Creek #5	McWilliam Whyte		
Spences Bridge #11	McWilliam Whyte	5121	

REG FILE R/W 5745

INDIAN AFFAIRS BRANCH
DEPARTMENT OF CITIZENSHIP AND IMMIGRATION



DIVISION DES AFFAIRES INDIENNES
MINISTÈRE DE LA CITOYENNETÉ ET DE L'IMMIGRATION

OUR FILE NO. 154/31-4-3-5
Notre dossier n°

Your file: R/W 5745

Right-of-Way Agent,
Department of Highways,
523 Columbia Street,
Kamloops, B.C.

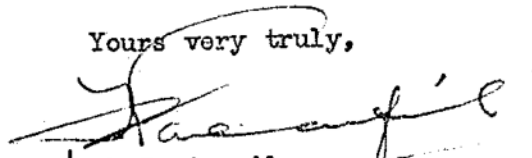
P. O. Box 70,
Postal Station "A",
Vancouver 2, B.C.,
March 5, 1959.

Dear Sir:

Re: Trans Canada Highway
Mauvais Rocher I.R. No. 5.

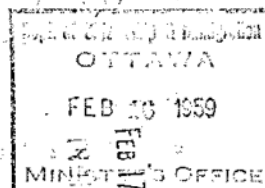
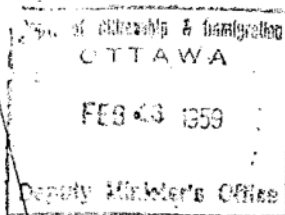
Attached hereto please find two certified copies of Order-in-Council No. P.C. 1959-148 dated February 13, 1959, transferring an area containing 3.19 acres of land on the above mentioned Indian Reserve, for highway purposes, to the Province of British Columbia.

Yours very truly,


W. S. Arneil,
Indian Commissioner for B.C.

.IM
Encl.

154/31-4-3-5



040339

AT THE GOVERNMENT HOUSE AT OTTAWA
FRIDAY, the 13th day of FEBRUARY, 1959

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Highways of the Province of British Columbia has applied for the lands hereinafter described, being a portion of Mauvais Rocher Indian Reserve number five, in the said Province, for road purposes;

AND WHEREAS the sum of \$79.75 has been received from the Province of British Columbia in full payment for the land required in accordance with a valuation approved by the Band Council of the Bonaparte Band of Indians on October 14, 1955, and officials of the Indian Affairs Branch;

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Citizenship and Immigration, pursuant to section 35 of the Indian Act, is pleased hereby to consent to the taking of the said lands by the Province of British Columbia and to transfer the administration and control thereof to Her Majesty in right of the Province of British Columbia:

Description

All that part of the Trans Canada Highway, in Mauvais Rocher Indian Reserve number five, in the Province of British Columbia, said part containing by admeasurement three acres and nineteen hundredths of an acre, more or less, as said part is shown bordered red on a plan of record number four thousand seven hundred and fifty-nine in the Indian Affairs survey records at Ottawa, a copy of which has been deposited in the Land Registry Office for the Kamloops Land Registration District of Kamloops under number M four hundred and sixty-nine. Reserving all mines and minerals whether solid, liquid or gaseous which may be found to exist within, upon or under such lands, together with full power to work the same and for this purpose to enter upon, use and occupy the said lands or so much thereof and to such extent as may be necessary for the effectual working and extracting of the said minerals.

Certified to be a true copy.

Clerk of the Privy Council



DETA STORE PRESENTING
WORKS IV 7.....347,
n 2,

R/A 5745

Your File: 154/31-4-3-5

RIGHT-OF-WAY COMPENSATION RE
VOUCHER NO. 75733,

\$ 79.75

523 Columbia Street,
Kamloops, B.C.

PROVINCE OF BRITISH COLUMBIA
GENERAL ACCOUNT
IN SETTLEMENT OF ACCOUNT AS STATED

Nº 834342

P January 21, 1959

W.S. Arneil
Indian Commissioner for B.C.,
Department of Citizenship and Immigration
Indian Affairs Branch
P.O. Box 70
Postal Station "A"
VANCOUVER 2, B.C.

Dear Sir:

Re: Trans Canada Highway - Mauvais
Rocher Indian Reserve No. 5.

Enclosed please find compensation cheque # 834342 P
in the amount of \$79.75, payable to the Receiver General of Canada.
This cheque is for land obtained by the Department of
Highways for right-of-way purposes.

Yours very truly,

A.C. BROWN,
Right-of-Way Agent

ACB/jva
Encl.
REGISTERED.



CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

OUR FILE NO. 154/51-4-3-5

YOUR FILE NO. R/W 5745

P. O. Box 70,
Postal Station "A",
Vancouver 2, B.C.,
January 9, 1959.

Department of Highways,
Right-of-Way Agent,
523 Columbia Street,
Kamloops, B.C.

Dear Sirs:

Re: Trans Canada Highway - Mauvais
Rocher Indian Reserve No. 5.

I wish to refer to your letter dated December 9th, acknowledging receipt of a cheque returned by this office covering compensation for the Trans Canada Highway as it affects the Mauvais Rocher Indian Reserve No. 5.

It was indicated that cheque in the amount of \$80.75 was \$1.00 in excess of the amount that should be received in view of the actual acreage taken based on the final survey plan.

To enable us to conclude the transaction, I would appreciate receiving as soon as conveniently possible your amending cheque, payable to the Receiver General of Canada, in the amount of \$79.75.

Yours very truly,

W. S. Arneil,
Indian Commissioner for B.C.

.IM

January 6, 1959

Right-of-Way Agent Mr. L.J. Moore
 Chief Right-of-Way Agent
Kamloops B.C. Victoria B.C.

R/W 5745

Attention: P.M. Russell

Mauvais Rocher Indian Reserve No. 5

December 30, 1958

With reference to the above captioned Indian Reserve and your letter of December 30th, the following will enlighten you on the difference in settlement figures from 3.23 acres to 3.19 acres.

Our initial compensation was for 3.23 acres based on our Location Plan, however, when legal survey was made, it was established that the total alienation was only 3.19 acres. Consequently the Department of Citizenship and Immigration, Indian Affairs Branch, returned the cheque for adjustment. The Departmental Comptroller was advised of this correction and I regret overlooking advising you of same.

Trusting this is sufficient information.

ACB/gb

A.C. Brown
Right-of-Way Agent

PROVINCE OF BRITISH COLUMBIA
DEPARTMENT OF HIGHWAYS

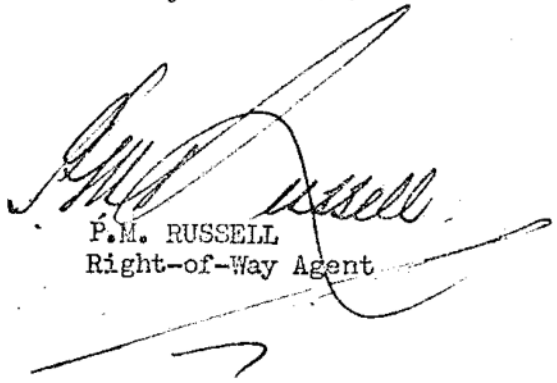
FROM Right-of-Way Agent Victoria, B. C.	TO Mr. A. C. Brown Right-of-Way Agent Kamloops, B. C.	DATE December 30, 1958 ELECTORAL DISTRICT Kamloops OUR FILE YOUR FILE R/W 5745
SUBJECT Mauvais Rocher Indian Reserve #5		REFERENCE YOUR LETTER

We received in this office on November 3rd, 1958 the H-120 for above property showing area taken for road purposes as 3.23 acres @ \$25.00 per acre extended \$80.75.

Under date of December 9th, 1958 and with the same file number we have a further H-120 which depicts the area taken for road purposes as 3.19 acres @ \$25.00 per acre extended \$79.75.

It will be appreciated if you will kindly elucidate.

PMR:sn


P.M. RUSSELL
Right-of-Way Agent

RIGHT OF WAY AGENT

A.E. RHODES
DEPARTMENTAL COMPTROLLER

DECEMBER 9, 1958

KAMLOOPS, B. C.

VICTORIA, B.C.

KAMLOOPS

R/W 5745

RE: CHEQUE # 801348 P. RECEIVER GENERAL
OF CANADA.

Attached herewith is the above cheque in the amount of \$89.75, covering compensation for land obtained from the Indian Affairs Branch on the Cache Creek - Lemonade Flats section of the Trans Canada Highway.

Our initial compensation was for 3.23 acres based on our Location Plan, however, when legal survey was made, it was established that the total alienation was only 3.19 acres. Consequently the Department of Citizenship and Immigration, Indian Affairs Branch have returned cheque for adjustment. As amended forms are being compiled by this office, it would be appreciated if you would arrange cancellation of the enclosed cheque.

A.C. BROWN,
Right-of-Way Agent

ACB/jvm
att.
REGISTERED.

R/W 5745
Your File: 154/31-4-3-5

RIGHT OF WAY AGENT

523 Columbia Street,
Kamloops, B.C.

December 9, 1958

Mr. W.S. Arneil,
Indian Commissioner for B.C.,
Department of Citizenship and Immigration
P.O. Box 70
VANCOUVER 2, B.C.

Dear Sir:

Re: Trans Canada Highway - Mauvais
Rocher Indian Reserve No. 5.

This will acknowledge receipt of your letter of the 2nd instant, relative to the above captioned Indian Reserve, and returning our cheque in the amount of \$80.75, which was paid in compensation for right-of-way taken.

Thank you for bringing this change to our attention and I wish to advise that corrected forms, are being processed today and as soon as cheque is received, same will be forwarded to you without delay.

Yours very truly,

A.C. BROWN,
Right-of-Way Agent

ACB/jvm
encl.

RIGHT OF WAY AGENT

KAMLOOPS, B. C.

CHIEF RIGHT-OF-WAY AGENT

VICTORIA, B. C.

DECEMBER 9, 1958

KAMLOOPS

R/W 5745

COMPENSATION FOR RIGHT OF WAY
CACHE CREEK - LEMOADE FLATS TRANS
CANADA HIGHWAY.

Enclosed herewith for vouchering is Compensation Form
as follows:

R/W 5745

Receiver General of Canada \$ 79.75

A.C. BROWN,
Right-of-Way Agent

ACB/jva
Encl.

GOVERNMENT OF BRITISH COLUMBIA—DEPARTMENT OF HIGHWAYS
COMPENSATION IN TERMS OF THE "HIGHWAY ACT"
 (SECTION 16)

DEPT. FILE No. _____ PLAN No. _____ RIGHT-OF-WAY FILE 505
 REGIONAL DISTRICT No. _____ ELECTORAL DISTRICT Kootenai
 Name and details of highway or incidental works Cooke Creek - Innesdale Flats - Trans
Canada Highway
 Description of property Maureen Hooper Indian Reserve S. 4.

 Name of registered owner Receiver General of Canada
 Is title unencumbered? Yes If not, give details of encumbrance _____

 Name, title, etc., of party to whom compensation is recommended to be paid
Receiver General of Canada

DETAILS OF COMPENSATION RECOMMENDED TO BE PAID PURSUANT TO SECTION 16 OF
 THE "HIGHWAY ACT"

A. For Improvements on the Lands Taken

(Subsec. (1) (a).) "Improvements on the land so taken, that is to say, everything constructed on or annexed to the soil by the hand of man."

Roads: Length, _____; width, _____
 Buildings: Length, _____; width, _____; height, _____
 See Remarks _____

Structures: See Remarks _____

Fences: Length, _____ feet. See Remarks _____
 Clearing: Area, _____ acres
 Grading: Area, _____ acres
 Planting: Area, _____ See Remarks _____
 Cultivation: Area, _____ See Remarks _____
 Other improvements (to be stated) _____

Remarks: _____

COMPENSATION RECOMMENDED

A.

B. For Lands Taken (Not Subdivided Lands)

(Subsec. (1) (b).) "Lands which were originally granted to some person by the Crown, either in the right of the Province or the Dominion, and by the taking of which the total area taken for the purpose of highways from the lands comprised in the original Crown grant is found to exceed one-twentieth of the total area of the lands comprised in the Crown grant, and then only for the area in excess of one-twentieth of that total area."

Area of original Crown grant	-	-	-	3.29	ac.	_____	ac.	_____	ac.
Total area taken for road purposes	-	-	-	utilized	ac.	_____	ac.	_____	ac.
Deduct one-twentieth of area of original Crown grant	-	-	-	3.29	ac.	_____	ac.	_____	ac.
Area for which compensation is payable	-	-	-		ac.	_____	ac.	_____	ac.
The land is valued at \$ _____ per acre.								79.75	

COMPENSATION RECOMMENDED \$

B.

I hereby certify that this statement is in accordance with the provisions of section 16 of the "Highway Act."

Date December 9, 1953

I hereby recommend that compensation be paid accordingly.

Regional Right-of-way Agent, Highways Dept.

Date _____, 19____

District Official, Highways Dept.

Date _____, 19____

APPROVED:

Regional Highway Engineer.

(DEALT WITH.)

Deputy Minister or Assistant Deputy Minister.

(OVER)

C. For Lands Taken (Subdivided Lands Only)

(Subsec. (1) (b).) "But, where the lands comprised in the Crown grant have been subdivided into parcels by any registered conveyance or plan of subdivision, the area of land which may be so taken from any parcel without payment of compensation shall not exceed one-twentieth of the area of that parcel, and where the lands are being taken from two or more of the parcels at the same time, the total area to be so taken without the payment of compensation shall be apportioned among those parcels on the basis of their respective areas."

Details of registered subdivision plan, parcel, lot, etc. _____

Total area of parcel	-	-	-	-	-	-	-	ac.	_____	ac.	_____	ac.	_____	
Total area taken for road purposes	-	-	-	-	-	-	-	ac.	_____	ac.	_____	ac.	_____	
Deduct one-twentieth area of parcel	-	-	-	-	-	-	-	ac.	_____	ac.	_____	ac.	_____	
Area for which compensation is payable	-	-	-	-	-	-	-	ac.	_____	ac.	_____	ac.	_____	
The land is valued at \$													per acre.	_____

COMPENSATION RECOMMENDED \$ _____ **C.**

D. For Materials Taken from Improved Lands

(Subsec. (4).) "Where in respect of gravel, sand, stone, timber, or other materials taken by Crown for construction, maintenance, or repair of any highway or bridge, the provisions of any Statute or the reservations contained in any Crown grant permit of the same being so taken without payment of compensation, and where the same is taken from Improved Lands, the Minister may, notwithstanding the provisions or reservations aforesaid, pay reasonable compensation therefor."

CLASS OF MATERIAL TAKEN	QUANTITY	UNIT RATE	AMOUNT

TOTAL COMPENSATION RECOMMENDED \$ _____ **D.**

E. Deduction for Increased Capital Value due to Construction

(Subsec. (3).) "In determining the compensation payable to any owner in respect of any land entered upon and taken possession of under this Part, there shall be taken into consideration the increased value, beyond the increased value common to all lands in the locality, that will be given to the remaining lands of the owner through which the highway will pass, by reason of the passage of the highway through the same or by reason of the construction of the highway or of works incidental thereto, and the increased value that will be so given shall be set off against the compensation otherwise payable to that owner under this section."

Details _____

TOTAL DEDUCTIONS \$ _____ **E.**

Remarks:

(NOTE.—Give details and approximate value of any other compensation arranged for and recommended, such as fencing or transfer to adjacent owner of land comprised in old road to be closed, or other matters.)

Compensation payable upon approval.

No conditions

SUMMARY OF AMOUNT OF COMPENSATION RECOMMENDED TO BE PAID

A. For improvements on lands taken	-	-	-	-	-	-	-	\$	_____	A.
B. For lands taken (not subdivided lands)	-	-	-	-	-	-	-	\$	79.75	B.
OR { C. For lands taken (subdivided lands only)	-	-	-	-	-	-	-	\$	_____	C.
D. For materials taken from improved lands	-	-	-	-	-	-	-	\$	79.75	D.
Gross total amount of compensation recommended	-	-	-	-	-	-	-	\$	_____	
E. Deduction for increased value	-	-	-	-	-	-	-	\$	79.75	E.
NET TOTAL OF COMPENSATION RECOMMENDED TO BE PAID	-	-	-	-	-	-	-	\$	_____	



CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

OUR FILE NO. 154/31-4-3-5

YOUR FILE NO. R/W 5745

P. O. Box 70,
Postal Station "A",
Vancouver 2, B.C.,
December 2, 1958.

Department of Highways,
523 Columbia Street,
Kamloops, B.C.

Dear Sirs:

Re: Trans Canada Highway - Mauvais
Rocher Indian Reserve No. 5.

Receipt is acknowledged of your letter dated November 28th, and compensation cheque in the amount of \$80.75 covering payment for lands acquired for highway purposes within the above mentioned Indian Reserve.

Survey Plan confirmed and recorded in the Indian Affairs survey records as No. 4579, indicates a total acreage taken of only 3.19 acres and not 3.23 acres as originally shown on the preliminary plan. Description supplied by the Surveyor General as a result of the accepted survey plan also shows a total alienation of 3.19 acres and the cheque received, consequently, exceeds the compensation payable by \$1.00. Copy of the description supplied by the Surveyor General dated October 8th, and confirming the acreage taken is enclosed for your information and records.

Cheque No. 801348 is returned herewith for adjustment, please.

Yours very truly,

W. S. Arneil,
Indian Commissioner for B.C.

.LM
Encl.

523 Columbia Street,
Kamloops, B.C.

November 28, 1958

W.S. Arneil,
Indian Commissioner for B.C.
Department of Citizenship and Immigration
Indian Affairs Branch
P.O. Box 70
VANCOUVER 2, B.C.

Dear Sir:

Re: Trans Canada Highway -
Mauvais Rocher Indian Reserve #5.

This will acknowledge receipt of your letter of November 21, 1958, regarding right-of-way through the above Indian Reserve.

Enclosed herewith is compensation cheque in the amount of \$80.75.

Your letter of above date, intimates that right-of-way taken was 3.19 acres, however, our records show that right-of-way in the amount of 3.23 acres was taken, which accounts for the difference in your figure, and enclosed cheque.

Trusting this meets with your approval.

Yours very truly,

A.C. BROWN,
Right-of-Way Agent

ACB/jvm
encl.
REGISTERED.



CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

OUR FILE NO. 154/31-4-3-5
YOUR FILE NO. R/W 5745
R/W 2296
Kamloops

P. O. Box 70,
Postal Station "A",
Vancouver 2, B.C.,
November 21, 1958.

Department of Highways,
Right-of-Way Agent,
Kamloops, B.C.

Dear Sirs:

Re: Trans-Canada Highway - Mauvais
Rocher Indian Reserve No. 5.

I wrote to you on October 14th, advising of the approval of the Plan of Survey of the above noted portion of the Trans Canada Highway recorded as Plan No. 4579 in the Indian Affairs Survey Records. A total of 3.19 acres was involved for which compensation of \$25.00 was accepted by the Indian Band Council.

We would like to conclude this transaction and would appreciate having your cheque payable to the Receiver General of Canada in the total amount of \$79.75.

Yours very truly,

W. S. Arneil,
Indian Commissioner for B.C.

.LM

Right-of-Way Agent

Kamloops, B. C.

Chief Right-of-Way Agent

Victoria, B. C.

October 29th, 1958

Kamloops

R/W 5745

Compensation for Right-of-Way
Coche Creek - Lemonade Flats

October 23rd, 1958

We are returning herewith forms R-120 in favour of the Receiver General of Canada in the amount of \$80.75 for right-of-way through Mauvais Rocher Indian Reserve #5 on the above project.

This property is that acquired for right-of-way purposes but for which the Indian Affairs Branch was never compensated. Negotiations for this settlement were commenced in September 1955, but were never completed until now.

A. C. BROWN
Right-of-Way Agent

MHC:c
Encl.

PROVINCE OF BRITISH COLUMBIA
DEPARTMENT OF HIGHWAYS

FROM Right-of-Way Agent Victoria, B. C.	TO Mr. A. C. Brown Right-of-Way Agent Kamloops, B. C.	DATE October 23, 1958 ELECTORAL DISTRICT Kamloops OUR FILE YOUR FILE R/W 5745
SUBJECT T.C.H. Cache Creek - Lemonade Flats Mauvais Rocher I. R. #5		REFERENCE 21-10-58 YOUR LETTER

Reference the above and forms H-120 returned herewith.
Under "Remarks" may we please have detailed information covering this settlement. Is it supplemental for extra right-of-way or amended acreage based on B.C.L.S. plan? In all instances of this nature it is necessary to explain the situation.

L. J. MOORE
Chief R/W Agent

GEG:sn

encls.

per: 

Right-of-Way Agent
Kamloops, B. C.

Chief Right-of-Way Agent
Victoria, B. C.

October 21st, 1958

Kamloops
R/W 5745

Compensation for Right-of-Way
Cache Creek - Lemonade Flats

Enclosed herewith for vouchering is Compensation Form
as follows:

R/W 5745	Receiver General of Canada	\$80.75
	(Mauvais Rocher Indian Reserve #5)	

A. C. BROWN
Right-of-Way Agent

MHC:c
Encl.



CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

OUR FILE NO. 154/31-4-3-5

YOUR FILE NO. R/W 5745
R/W 2296
Kamloops

P. O. Box 70,
Postal Station "A",
Vancouver 2, B.C.,
October 14, 1958.

Right-of-Way Agent,
Department of Highways,
Kamloops, B.C.

Dear Sir:

Re: Trans-Canada Highway - Mauvais
Rocher Indian Reserve No. 5.

Plan of Survey for the above noted highway
right-of-way has now been approved and recorded as Plan No.
4579.

From our records we are unable to determine
whether compensation for the area taken has been paid as
requested in our letter dated September 21, 1956. Your
cheque payable to the Receiver General of Canada in the
amount of \$79³²₇₅, based on an acreage valuation of \$25.00
for the 3.19²³ acres involved will be appreciated.

As soon as compensation is received we can
proceed with a submission to the Governor-in-Council for
authority to transfer the road.

Yours very truly,

W. S. Arneil,
Indian Commissioner for B.C.

.IM


16241 (L7)

October 8, 1958.

Description for Transfer

All that part of the Trans Canada Highway, in Manvais
Recher Indian Reserve number five, in the province of
British Columbia, said part containing by admeasurement
three acres and nineteen hundredths of an acre, more or
less, as said part is shown bordered red on a plan of
record number four thousand seven hundred and fifty-nine
in the Indian Affairs survey records at Ottawa, a copy
of which has been deposited in the Land Registry Office
for the Kamloops Land Registration District of Kamloops
under number M four hundred and sixty-nine.

KS:fb


L.L. Anderson,
Chief, Legal Surveys.



R/W 5745

R/W 2296

Kamloops

RIGHT OF WAY AGENT

Kamloops, B.C.
October 2, 1956.

Mr. W.S. Arneil
Indian Commissioner for B.C.
Dept. of Citizenship & Immigration
P.O. Box 70
VANCOUVER, B.C.

Dear Sir:

With reference to your letters dated September 21, 1956 to Mr. L.J. Moore, Right-of-Way Agent, Victoria, I wish to advise the following:

Re: Survey of R/W - Tappen Siding I.R. No. 5
Kamloops Agency

This survey is now being made and will be completed sometime this Fall.

Re: Survey on Mauvais Rocher Indian Reserve No. 5 and
Merritt-Kamloops Road. Fishing Station
I. Reserves Nos. 2 and 3.

This survey is still not completed.

Yours truly,

D.R. McLeod
Regional Engineer

Per

E.D. MESBITT
Right-of-Way Agent.

EDM/gb

R/W 5745

Kamloops

RIGHT OF WAY AGENT

Kamloops, B.C.
September 28, 1956.

Mr. H. C. Whitaker, B.C.L.S.
Shamrock Auto Court
SALMON ARM, B.C.

Dear Sir:

Could you please advise as to whether the final survey
has been completed on the following properties:

Mauvais Rocher Indian Reserve No. 5

Tappen Siding Indian Reserve No. 5

Kamloops Indian Agency

Merritt Kamloops Road. Fishing Station
Indian Reserve No. 2 and 3.

Are you the proper authority for us to consult concern-
ing these surveys?

Yours truly,

E.D. NESBITT

Right-of-Way Agent.

EDN/gb

GOVERNMENT OF BRITISH COLUMBIA

MEMORANDUM

TO Mr. E.D. Nesbitt, R/W Agent,

Department of Highways,

Kamloops, B. C.

FROM

Right-of-Way Agent, Dept. of Highways,
Victoria, B.C.

September 26, 1956

Forwarded herein correspondence for your attention which has
been mailed to this office:

- 1) Letter dated Sept. 21st from Indian Commissioner
re R/W - Mauvais Rocher I. R. #5.
- 2) Letter dated Sept. 21st from Indian Commissioner
R/W - Tappen Siding I.R. #5.
- 3) Letter from Indian Commissioner dated Sept. 21st
re R/W - Merritt-Kamloops Road. Fishing Station
I. Reserves Nos. 2 and 3.

L.J. MOORE
Right-of-Way Agent

-/sn
encls.

Per: 

INDIAN COMMISSIONER
BRITISH COLUMBIA



FILE No. 154/31-1-3-5

YOUR FILE No. R/W 5745

RIGHT-OF-WAY AGENT
Department of Highways

SEP 25 1956

Ans'd.....

Victoria, B.C. File.....

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

P.O. BOX 70,
VANCOUVER, B.C.

September 21, 1956

Mr. L.J. Moore,
Right-of-Way Agent,
Department of Highways,
Victoria, B.C.

Dear Mr. Moore:

Re: Right-of-Way - Mauvais
Rocher Indian Reserve #5.

We regret the delay in replying to Mr. Pritchard's letter of October 6, 1955 concerning the settlement for the right-of-way within the above noted reserve.

The Band Council has agreed to accept your offer of \$25.00 per acre for the 3.23 acres involved and we would appreciate receiving your cheque, payable to the Receiver General of Canada, at your convenience.

Would you also advise if the final survey has been completed on this right-of-way.

Yours very truly,

W.S. Arneil,
Indian Commissioner for B.C.

:bl

INDIAN COMMISSIONER
BRITISH COLUMBIA



OUR No. 154/31-4-5-2 & 3

YOUR FILE No.

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

P.O. BOX 70,
VANCOUVER, B.C.

September 21, 1956

Mr. L.J. Moore,
Right-of-Way Agent,
Department of Highways,
Victoria, B.C.

Dear Mr. Moore:

Re: Right-of-Way - Merritt-Kamloops Road -
Fishing Station I.Rs. No. 2 and 3.

I would appreciate receiving a reply to my
letter dated July 20 regarding completion of the survey through
the above noted Indian Reserves.

Yours very truly,

A handwritten signature in dark ink, appearing to read "W.S. Arneil".

W.S. Arneil,
Indian Commissioner for B.C.

:bl

RIGHT-OF-WAY AGENT Department of Highways
SEP 25 1956
Ans'd _____
Victoria, B.C. File _____

R/W 5745

Your File: 154/31-4

RIGHT OF WAY AGENT

October 6th, 1955.
Victoria, B. C.

Mr. W.S. Arneil,
Indian Commissioner for B.C.,
Department of Citizenship & Immigration,
P.O. Box 70,
Vancouver, B.C.

Re: Right-of-Way within Mauvais
Indian Reserve #5

Dear Sir:

This will acknowledge receipt of your letter of September 27th concerning the settlement for right-of-way within the above-mentioned Indian Reserve.

It is held that the evaluation stated in your letter is most excessive for the type of land involved and does not favorably reflect with the settlement award consummated for right-of-way within adjoining lands. It is known that open grazing land in this vicinity has been purchased at less than \$2.50 per acre. The Department endeavors to maintain a fair and comparable basis of settlement, with due regard to the locale, and it would be appreciated if this issue of compensation for lands required within Mauvais Rocher I.R. #5 could be further reviewed.

In connection with the last paragraph of your letter, I respectfully advise that a surveyor has not been assigned to conduct a legal survey. Preparation of the necessary plans will be forthcoming upon completion of the highway construction.

Yours truly,

E.W. Pritchard,
Right-of-Way Agent.

E/P:nnw

COMMISSIONER
COLUMBIA



DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

IN YOUR REPLY REFER TO

No. 154/31-4
ALSO TO DATE OF THIS LETTER

Your: R/W 2296

5745

P.O. BOX 70,
VANCOUVER, B.C.

September 27, 1955

Department of Highways,
Right-of-Way Agent,
Victoria, B.C.

Attn: Mr. E.W. Pritchard.

Dear Sirs:

Re: Trans-Canada Highway Right-of-Way -
Mauvais Rocher Indian Reserve No. 5.

We are in receipt of a Band council resolution from the Bonaparte Band of Indians, Kamloops Agency, wherein the Band council agree to the granting of a right-of-way easement over the above mentioned Indian reserve, at a rate of compensation based on \$60.00 per acre. The resolution states that an area of approximately 3.23 acres of Band owned land is involved.

May we have your formal application, in triplicate, for this particular right-of-way, at the compensation rates requested.

It is presumed that a B.C. Land Surveyor has been engaged to conduct the necessary survey, and that he has made application to the Surveyor General for the necessary instructions.

Yours very truly,

W.S. Arneil
for W.S. Arneil,
Indian Commissioner for B.C.

..bl

*No. has
note and
will not
until cons.
completed
if 2*

E.W. Pritchard,
Right-of-Way Agent.

EJP:HW

RIGHT OF WAY AGENT

September 26th, 1955.
Victoria, B. C.

Mr. W.S. Arneil,
Indian Commissioner for B.C.,
Dept. of Citizenship & Immigration,
P.O. Box 70,
Vancouver, B.C.

Re: Cache Creek to Lemonade Flats.
Mauvais Rocher Indian Reserve #5.

Dear Sir:

I respectfully advise that the Department will, in the near future, commence the reconstruction of the Cache Creek to Lemonade Flats section of the Trans Canada Highway. This will necessitate an encroachment within "Mauvais Rocher" Indian Reserve No. 5.

For your information and convenience, prints of part of the Location Plan are being forwarded under separate cover to illustrate the relocation of the right-of-way within said Reserve.

From a ground inspection it was observed that the new highway lies to the north and above the existing road, bearing into the sidehill to maintain grade. The 3.23 acres of land involved consists of unimproved and non-agricultural land. It is felt that an offer of \$25.00 per acre is ample for this type of rocky, sagebrush range land.

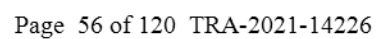
During my recent stay in Kamloops, I took the opportunity to meet Mr. Clark, the Indian Supervisor, and left a print of the plan for his files.

It would be appreciated if this matter could be advanced to the Indian Council and this office notified thereon in due course.

Yours truly,

E.W. Pritchard,
Right-of-Way Agent.

EWP:rw



INDIAN RESERVE INFORMATION

INDEX NO. _____

HIGHWAY DISTRICT Kamloops

RESERVE LEGAL NAME Mauvais Rocher Indian Reserve #5 (Bonaparte Band)

RESERVE COMMON NAME Mauvais Rocher Indian Reserve #5 (Bonaparte Band)

LOCATION At Anglesey, Mile 308, Trans-Canada Highway

UNORGANIZED TERRITORY X ORGANIZED TERRITORY _____ NAME _____

NO. OF HOUSES: Native houses occupied Winter Nil / Summer Nil

Others " " Winter Nil / Summer Nil

NO. OF PERMANENT PERSONS: Winter Nil Summer Nil

SCHOOLS ON THE RESERVE: Primary Nil Jr. Secondary Nil Sr. Secondary Nil

SCHOOL BUSES SERVICING THE RESERVE:

Nil Primary via _____ Road

Nil Jr. Secondary via _____ Road

Nil Sr. Secondary via _____ Road

BAND COUNCIL ADMINISTERING THE RESERVE - Yes/No

Address Box 143,

Cache Creek, British Columbia.

Chief's Name Mackenzie, Basil

PRINCIPAL SOURCE OF INCOME FOR THE RESERVE INDIANS:

Fishing _____ Handicrafts _____

Trapping _____ Industrial Jobs _____

Logging _____ (Other) _____

Land Rental _____ None _____

COMMENT ON POSSIBLE FUTURE COMMUNITY DEVELOPMENTS _____

OTHER COMMENTS AND PERTINENT INFORMATION _____

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.

NAME AND NUMBER	MILES	R/W STATUS	EXISTING ROAD					UPGRADED ROAD (IF NEEDED)					Description of Upgrading Incl. Negotiation Diffic- ulties if expected.
			Width	Surface	MAINTAINED		Annual Maint. Cost	Miles	Width	Surface	Est. Annual Maint. Cost	Cost of Reconst. Incl. Surface	
					Winter	Summer							
#1 Trans-Canada Hwy.	0.20	Gazette	24 ft.	paved	yes	yes	600.00	0.20	12 ft.	paved	\$300.00	\$8000.00	Proposed Truck lane in reserve only. (length of entire truck lane 1.3 miles.)
TOTALS													

DGS

Nil

ME

COMMENTS

NAME (IF ANY)	Indian Residential Access	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	COMPANY	Width	Surface	Minor or Feeder	Sum.	Wint.	Width	Surface	Cost to Upgrade	Annual Cost to Maintain
				No private roads on Reserve.										
TOTALS														

EDGES

AME

COMMENTS

INDIAN RESERVE INFORMATIONACCESS ROADSROAD NAMES Nil Report

INITIAL POINT ON PUBLIC ROAD SYSTEM _____

DOES ACCESS ROAD TERMINATE AT OR WITHIN THE INDIAN RESERVE? _____

DOES THE ACCESS ROAD SERVE LANDS BEYOND? _____

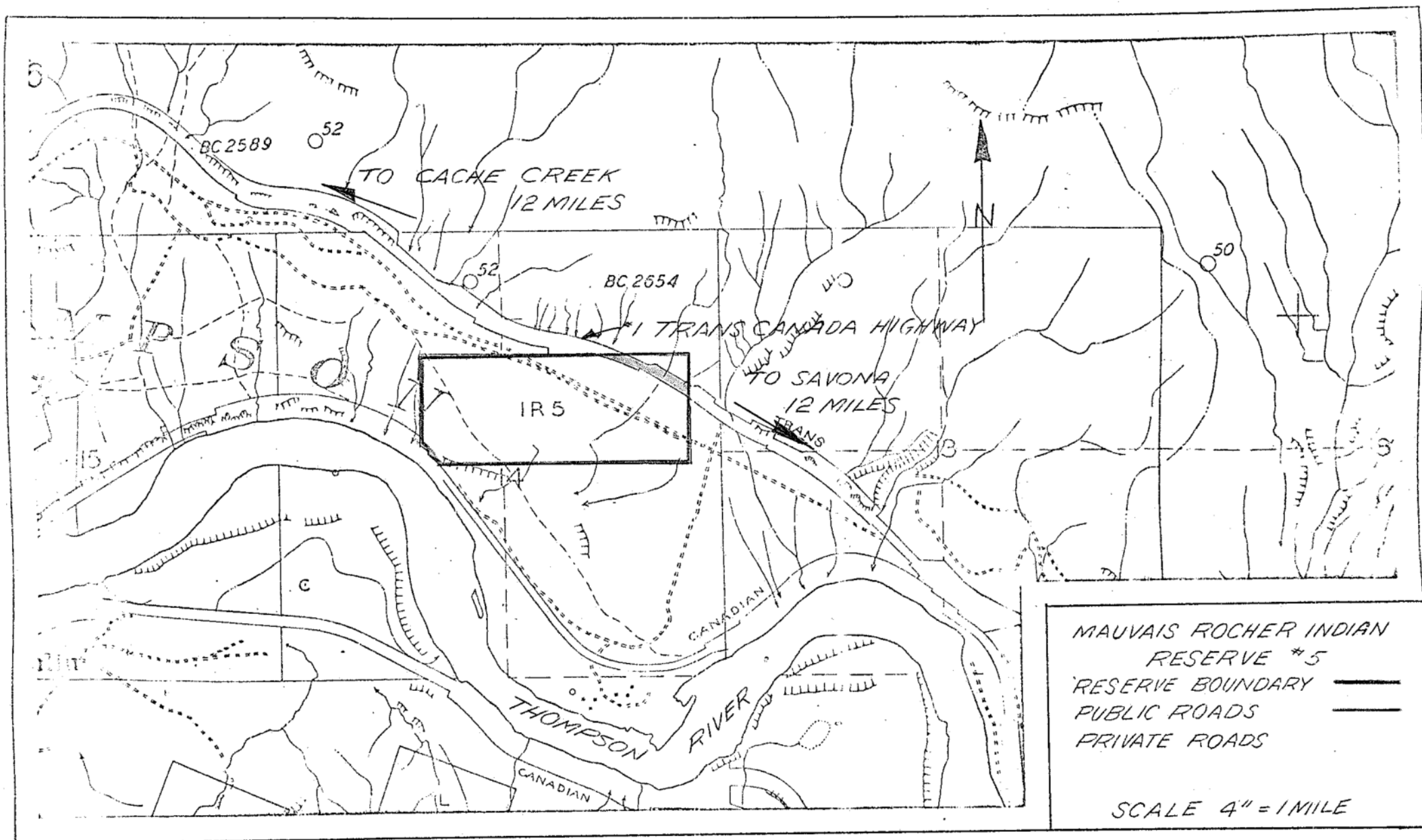
IF SO, WHAT INDUSTRY? HOW MANY PEOPLE? PRIVATE PROPERTY? ETC.

SECTION	MILE	to	MILE	OWNER OR DEPARTMENT	WIDTH	SURFACE	R/W STATUS
A							
B							
C							
D							
E							

SECTION	MAINTAINED NOW		BY WHOM	COST TO MAINTAIN		COST TO UPGRADE TO BE MAINTAINABLE	PROPOSED	
	Sum.	Wint.		Sum.	Wint.		Width	Surface
A								
B								
C								
D								
E								

COMMENTS: (A) ROADS _____

(B) BRIDGES _____





Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

From the desk of Roger B. Cote
Land Management Officer
Lands and Economic Development
600-1138 Melville Street
Vancouver BC V6E 4S3
Phone: 604-666-0353
Roger.cote@inac.gc.ca

Fax Cover Sheet

Name/Organization: *R.C. MOTH.*

Attention: *ELAINE SHIBATA.*

Fax: *250 828 4229*

Phone:

Date:

Subject:

Pages: *4*

File Number:

☐

Urgent

☐

Reply ASAP

☒

Please Comment

☒

For Your Records

Re: Bonaparte IR #5

Comments:

Elaine: Is this what you were looking for?

Roger

Roger B. Cote



CANADA
PRIVY COUNCIL

P.C. 1968-1663

AT THE GOVERNMENT HOUSE AT OTTAWA
WEDNESDAY, the 28th day of AUGUST, 1968

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL.

Copyright

Page 064 of 120 to/à Page 065 of 120

Withheld pursuant to/removed as

Copyright

INSTRUMENT MANAGEMENT

Reserve/Band Land:	07167	MAUVAIS ROCHER NO. 5	
Crown Land:			
Instrument Type:	17	OCPC	
Instrument Date:	1968/AUG/28	* (yyyy/mm/dd)	
Registration Number:	4240		
Registration Date:	1968/SEP/16	Registration Time:	(hh:mm:ss AM)
Land Affected:	CLSR 4759		
Remarks:	PC #1968-1663 ADDITION TO RESERVE		
Ref. Regist. #:		Ref. Regist. Date:	
IOGC:		>> X	
OCPC:	PC #1968-1663		
Effective Date:		Expiry Date:	Actual Expiry Date:
Term:	0	yy	0
	mm	0	dd
Indeterminate:	NO		
Purpose:	ADDITION		Area: 3.35 ACRES = 1.36 Hectares
Grantor/Grantee Information:			
Grantor(s):	GRANTOR NAME	FAMILY CODE	
	CROWN CANADA		
	Add Grantor		
	Add Grantee		
Close Window			

INSTRUMENT MANAGEMENT

Reserve/Band Land:	07167	MAUVAIS ROCHER NO. 5
Crown Land:		
Instrument Type:	17	OCPC
Instrument Date:	1959/FEB/13	* (yyyy/mm/dd)
Registration Number:	12146	
Registration Date:	1969/AUG/13	(yyyy/mm/dd) Registration Time: (hh:mi:ss AM)
Land Affected:	RIGHT OF WAY CLSR 4759	
Remarks:	PC #1959-148 TRANSFERS ADMINISTRATION & CONTROL OF LANDS RESERVING MINES & MINERALS	

Ref. Regist. #: Ref. Regist. Date:

IOGC: >> X

OCPC: PC #1959-148

Effective Date: Expiry Date: Actual Expiry Date: Indicator: N/A

Term: 0 yy 0 mm 0 dd Indeterminate: NO

Purpose: Area: 3.19 ACRES = 1.29 Hectares

Grantor/Grantee Information:

Grantor Name	Family Code
Grantor(s): CROWN CANADA	
Add Grantor	
Grantee Name	Family Code
Grantee(s): CROWN BRITISH COLUMBIA	
Add Grantee	

Close Window

**BONAPARTE STUCTWESEMC INDIAN GOVERNMENT
OF THE SHUSWAP NATION**

Minutes of Meeting
Thursday, February 3, 1994 (10:00 - 12:30)

Copyright

**Page Two
Minutes of Meeting
February 3, 1994**

Copyright

MAUVAIS.XLS

BAND NAME:	BONAPARTE INDIAN BAND						
RESERVE NAME:	MAUVAIS ROCHER NO. 5						
HIGHWAY DISTRICT:	SOUTH CARIBOO						
PS FILE NO:	5745						
LOCATION:	Kamloops District; on right bank of the Thompson River, 10 miles northeast of Ashcroft; NTS 92 I/14E; at 50o47'N, 121o05'W						
FEDERAL: Order-in-Council No. 205							
Order-in-Council No. 1938, 2 August 1913							
ROAD NAME AND NUMBER	PURCHASE DATE	PRIVY COUNCIL ORDER	DATE	RESUMPTION	FT / M	ACRES / HA	MISCELLANEOUS
Trans Canada Highway No. 1	M469	Order In Council 1343	13-Apr-68			3.35 acres	Closed Portion
Trans Canada Highway No. 1	CLSR 4759	Gazetted	20-Nov-67			2214.27 feet	
Trans Canada Highway No. 1	M469 (IASR 4759)	Privy Council Order 1959-148	13-Feb-59		IASR 4759	3.19 acres	\$79.75 - H120
ROAD NAME AND NUMBER	PLAN	NAME	LENGTH	WIDTH FT./M.	ACRES/HA.		MISCELLANEOUS
STATUS - AREA SUBJECT TO RESUMPTION							
GROSS AREA OF RESERVE:	95.24 Acres			WIDTH FT./M.	ACRES/HA.		
ROAD ACQUISITION							
ROAD NAME AND NUMBER	PURCHASE DATE	PC ORDER	DATE	RESUMPTION	DATE	ACRES HA	PLAN
was 3.23 acres based on Location Plan. When Legal Survey Prepared it was 3.19 acres.							
See correspondence of January 6, 1959 and December 30, 1958							
DATE COMPILED: June 1993	COMPILED BY: J.H. Jones, Property Agent			REVISION DATE:			

5	Mauvais Rocher.....	Bonaparte.....	Kamloops District. In Township 81, Range E3, Section 14, West of Sixth Meridian. In the valley of the Thompson River two miles below Anglesey Station C.N.Ry. (Ref. Map #89 - Sectional Map #111)	95.24	<p> Allotted by Commissioner O'Reilly, 6th August 1881. Original Survey 1883. Plan No. 4.....99.80 In Railway Belt. Dominion Order-in-council #205, 25th January 1913. Right of way C.N.Ry. Plan #RR1253, Dominion Order-in-council #1938, 2nd August 1913, Dominion Patent #17063, 16th January 1914. Certificate of Ind. Title #5564F, 23rd March 1914..... 0.56 Right of Way Trans Canada Highway (preliminary) 4.00 </p>
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Victoria, B. C.,
May 6, 1968.

Mr. J. V. Boys,
Indian Commissioner for B. C.,
Dept. of Citizenship & Immigration,
P. O. Box 70,
Vancouver, B. C.

Dear Sir,

Forwarded herewith please find a copy of Order-in-Council No. 1343, approved April 30th, 1968, authorizing the transfer of closed portion of the Old Trans-Canada Highway No. 1 in the Mauvais Rocher Indian Reserve No. 5, to Her Majesty the Queen in the Right of Canada, as represented by the Minister of Citizenship and Immigration.

Yours very truly,

APPROVING OFFICER,

CRE:om

Per: CR

cc - Mr. J. W. Nelson, Kamloops, B. C.
Mr. A. H. Dibben, Kamloops, B. C.

1343.

report:

THAT by Notice dated November 20th, 1967, and published in the British Columbia Gazette of December 14th, 1967, the Minister of Highways has, pursuant to Section 11 of the "Highway Act", discontinued and closed all that portion of the Old Trans-Canada Highway No. 1 in the Mauvais Rocher Indian Reserve No. 5, shown as "Old Location of 66 feet wide Trans-Canada Highway" on Plan M.469 as deposited in the Land Registry Office at Kamloops, B. C., having an area of 3.35 acres, the centre line bearing S. 63° 20' 30" E. a distance of 2,214.27 feet.

AND TO RECOMMEND, pursuant to Section 11 of the "Highway Act", that the land comprised in the portion of road allowance hereinbefore mentioned, which was so discontinued and closed, be transferred to and become the property of Her Majesty the Queen in the Right of Canada, as represented by the Minister of Citizenship and Immigration.

DATED this 29th day of April A.D. 1968.

"W.D. Black"

MINISTER OF HIGHWAYS

APPROVED this 29th day of April A.D. 1968.

"W.A.C. Bennett"

PRESIDING MEMBER OF THE EXECUTIVE COUNCIL

File: 2070-2/70313.

FC H. 118

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF HIGHWAYS

Regional Engineer's Office

TO:	Mr. A. C. Brown, Right-of-Way Agent, 523 Columbia Street, Kamloops, B. C.	DEPARTMENT OF HIGHWAYS DEC 18 1967 KAMLOOPS, B. C.	SENDER'S ADDRESS: Victoria, B. C., DATE: December 13, 1967. ELECTORAL DISTRICT: Kamloops HEADQUARTERS FILE: 2070-2/70313 REGIONAL FILE: R/W 5745 DISTRICT FILE:
ATTENTION:			
SUBJECT:	Discontinuing and Closing Portion of Old Trans-Canada Highway in Mauvais Rocher Indian Reserve No. 5.		
		REFERENCE:	DATED: Your letter of November 13, 1967.

Forwarded herewith for your records please
find a copy of Gazette Notice dated November 20th,
1967, covering the closure of a portion of the Old
Trans-Canada Highway in Mauvais Rocher Indian
Reserve No. 5.

APPROVING OFFICER,

CRE:om

Per: 

cc - Mr. A. H. Dibben, Kamloops, B. C.
Mr. J. W. Nelson, Kamloops, B. C.

FOR DEPARTMENTAL CORRESPONDENCE ONLY.

0

Approving Officer,
Department of Highways,
Victoria, B. C.

Regional Highway Engineer
Kamloops, B. C.
November 13, 1967

Kamloops

2070-2/70313

R/W 5745

Road Closure,
Mauvis Rocher I.R. No. 5

Your letter (GRE) Nov. 10, 1967

I would suggest we process gazette notice to close road
and if this is not suitable to Indian Department, we could
then discuss who should be liable for survey.

A. C. BROWN,
Right-of-Way Agent.

ACB/ga

KAMLOOPS ELECTORAL DISTRICT

Discontinuing and Closing Portion of Old
Trans-Canada Highway in Mauvais
Rocher Indian Reserve No. 5.

NOTICE is given, pursuant to section
11 of the *Highway Act*, that all that por-
tion of the Old Trans-Canada Highway
No. 1 in the Mauvais Rocher Indian Re-
serve No. 5, shown as "Old Location of
66 feet wide Trans-Canada Highway" on
Plan M 469 as deposited in the Land Reg-
istry Office at Kamloops, B.C., having an
area of 3.35 acres, the centre line bearing
S. 63° 20' 30" E. a distance of 2,214.27
feet, is hereby discontinued and closed.

P. A. GAGLARDI,
Minister of Highways.

*Department of Highways,
Parliament Buildings,
Victoria, B.C., November 20, 1967.
File 2070-2/70313. del4-7694*

PROVINCE OF BRITISH COLUMBIA
DEPARTMENT OF HIGHWAYS

TO: Mr. A. C. Brown, Regional Right-of-Way Agent, 523 Columbia Street, Kamloops, B. C.	SENDER'S ADDRESS: Victoria, B. C., DATE: November 10, 1967. DISTRICT: Kamloops HEADQUARTERS FILE: 2070-2/70313 REGIONAL FILE: R/W 5745 DISTRICT FILE:
ATTENTION:	NOV 13 1967 DEPARTMENT OF HIGHWAYS
SUBJECT: Road Closure - Mauvis Rocher Indian Reserve No. 5, B. C.	REFERENCE: DATED: Your letter - September 28, 1967.

With reference to your request of September 28th, a draft Gazette Notice covering the closure of the old Trans-Canada Highway through the Mauvis Rocher Indian Reserve No. 5, has been referred to the Registrar at Kamloops in order to ascertain if it would meet his requirements for the purpose of transfer to the Indian Reserve. A copy of the draft notice is attached.

A reply has now been received to the effect that this notice would appear to be acceptable for the closure of the road but that the description is not sufficient on which to base an indefeasible title.

If you have any suggestions which would enable an acceptable description to be prepared I would be pleased to receive same.

APPROVING OFFICER,

GRE:om

Per: Ed Eva

I would suggest we process gazette notice to close the road and if this is not suitable to Ind Dept. we could then discuss who should be liable for survey.

B

DRAFT

DEPARTMENT OF HIGHWAYS

NOV 18 1967

KAMLOOPS, B. C.

KAMLOOPS ELECTORAL DISTRICT

Discontinuing and Closing Portion of Old Trans-Canada
Highway in Mauvis Roche Indian Reserve No. 5.

NOTICE is given, pursuant to Section 11 of the "Highway Act", that all that portion of the Old Trans-Canada Highway No. 1 in the Mauvis Roche Indian Reserve No. 5, shown as "Old Location of 66 feet wide Trans-Canada Highway" on Plan M-469 as deposited in the Land Registry Office at Kamloops, B. C., having an area of 3.35 acres, the centre line bearing S. 63° 20' 30" E. a distance of 2214.27 feet, is hereby discontinued and closed.

MINISTER OF HIGHWAYS

Department of Highways,
Parliament Buildings,
Victoria, B. C.

, 1967.

File: 2070-2/70313.

NOTICE

KAMLOOPS ELECTORAL DISTRICT

Discontinuing and Closing Portion of Old Trans-Canada
Highway in Mawia Roche Indian Reserve No. 5.

NOTICE is given, pursuant to Section 11 of the "Highway Act",
that all that portion of the Old Trans-Canada Highway No. 1 in
the Mawia Roche Indian Reserve No. 5, shown as "Old location
of 66 feet wide Trans-Canada Highway" on Plan M-469 as deposited
in the Land Registry Office at Kamloops, B. C., having an area
of 3.35 acres, the centre line bearing S. 63° 20' 30" E. a dis-
tance of 2214.27 feet, is hereby discontinued and closed.

MINISTER OF HIGHWAYS

Department of Highways,
Parliament Buildings,
Victoria, B. C.

, 1967.

File: 5070-2/70313.

5745

Your file: 976/31-4-3

Kamloops, B. C.

Regional Highway Engineer,
523 Columbia Street,
October 16, 1967

Mr. J. L. Homan,
Superintendent,
Kamloops Indian Agency,
317 Seymour Street,
Kamloops, B. C.

Dear Sir:

Re: Closing of Trans Canada Hwy.
Mauvis Rocher I.R. No. 5

In reply to your letter of October 12, 1967, gazette notice was submitted to Headquarters on September 28, 1967 for approval.

Forms submitted requested the old road be returned to Indian Reserve status and notice should appear in the B. C. Gazette very shortly.

Yours very truly,

J. W. Nelson, P. Eng.
REGIONAL HIGHWAY ENGINEER

per:

A. C. Brown,
Right-of-Way Agent.

ACB/gs

Department of
Indian Affairs and
Northern Development

Indian
Affairs
Branch

Ministère des
Affaires indiennes et
du Nord canadien

Direction
des affaires
indiennes

Room 224, Federal Building
317 Seymour St.
Kamloops, B. C.

Regional Engineer's Office
DEPARTMENT OF HIGHWAYS

OCT 13 1967

KAMLOOPS, B. C.

our file/notre dossier
your file/votre dossier
date

976/31-4-3

R/W 5745

October 12, 1967

Mr. A. C. Brown
Right-of-Way Agent
Dept. of Highways
523 Columbia St.
Kamloops, B. C.

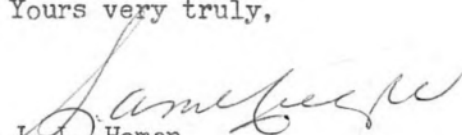
Dear Sir:

Re: Old Provincial Trans-Canada Highway, Plan 4759
3.19 acres, Mauvis Rocher Indian Reserve No. 5
Bonaparte Band

Further to our letters of July 12, September 6 and September 25 regarding the return of the above portion of the Trans-Canada Highway to reserve status.

It would be appreciated if this could receive your immediate attention as the C.N.R. is now pressing us regarding their application for this area which was submitted to our office in July for processing.

Yours very truly,


J. L. Homan

Superintendent
KAMLOOPS INDIAN AGENCY

SAM/ce

Chief Right-of-Way Agent,
Department of Highways,
Victoria, B. C.

Regional Highway Engineer
Kamloops, B. C.
September 28, 1967
Kamloops

R/W 5745

Road Closure
Mauvis Rocher Indian Reserve No. 5

The following declaration is forwarded for approval and insertion in the
B. C. Gazette:

1. KAMLOOPS ELECTORAL DISTRICT

Closing Road Allowance
Old T.C.H. Mauvis Rocher Indian Reserve No. 5

Notice is given, pursuant to Section 11 of the
Highway Act, that all that portion of the old
Trans Canada Highway No. 1 in Mauvis Rocher Indian
Reserve No. 5 shown as "Old location of 66 feet
wide Trans Canada Highway and containing 3.35 acres
on Plan M-469" as deposited in the Land Registry
Office at Kamloops, B. C., is hereby discontinued
and closed.

P. A. GAGLARDI
Minister of Highways.

- 2.)
3.) } Form H.222 attached.
4.) }
5. Plan M-469.

A. C. BROWN,
Right-of-Way Agent.

ACB/ga

5275

Department of
Indian Affairs and
Northern Development

Indian
Affairs
Branch

Ministère des
Affaires indiennes et
du Nord canadien

Direction
des affaires
indiennes

Room 224, Federal Building
317 Seymour St.
Kamloops, B. C.

Regional Engineer's Office
DEPARTMENT OF HIGHWAYS

SEP 26 1967

KAMLOOPS, B. C.

ur file notre dossier
our file, votre dossier
date

976/31-4-3

September 25, 1967

Mr. A. C. Brown
Right of Way Agent
Dept. of Highways
523 Columbia St.
Kamloops, B. C.

Dear Sir:

Re: Old Provincial Trans-Canada Highway, Plan 4759
3.19 acres, Mauvis Rocher I. R. No. 5 - Bonaparte Band

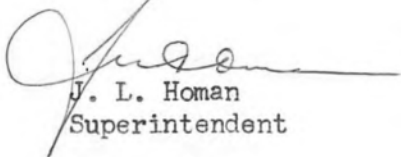
Further to our letters of July 12 and September 6th regarding the return of the above portion of the Trans-Canada Highways to reserve status.

Could we please be advised as to what progress is being made in this matter.

Your early attention to this matter would be appreciated.

Yours very truly,

KAMLOOPS INDIAN AGENCY


J. L. Homan
Superintendent

/ce



1867 | 1967



Department of
Indian Affairs and
Northern Development

Indian
Affairs
Branch

Ministère des
Affaires indiennes et
du Nord canadien

Direction
des affaires
indiennes

Room 224, Federal Building
317 Seymour St.
Kamloops, B. C.

Regional Engineer's Office
DEPARTMENT OF HIGHWAYS

SEP 7 - 1967

KAMLOOPS, B. C.

our file/notre dossier
your file/votre dossier
date

976/31-4-3

R/W 5745

September 6, 1967

Mr. A. C. Brown
Right of Way Agent
Dept. of Highways
523 Columbia St.
Kamloops, B. C.

Dear Sir:

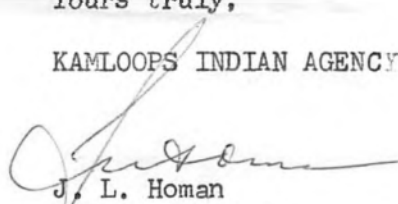
Re: Old Provincial Trans-Canada Highway, Plan 4759
3.19 acres, Mauvis Rocher I. R. No. 5 - Bonaparte Band

With reference to our letter of July 12 and yours of August 1 regarding the
returning of the above portion of the Trans-Canada Highway to reserve status.

Could we please be advised as to what progress has been made in this matter.

Yours truly,

KAMLOOPS INDIAN AGENCY


J. L. Homan
Superintendent

/ce



1867 | 1967

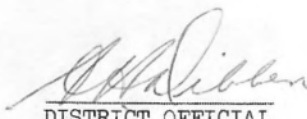
DEPARTMENT OF HIGHWAYS
CLOSING ROAD ALLOWANCE BY GAZETTE NOTICE
(OTHER THAN BY PLANS CANCELLATION)

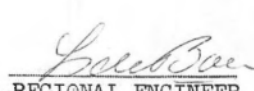
Date August 7, 1967
Electoral Dist. Kamloops, R.#2
Headquarters File _____
Regional File R2-21-21-36
District File 21-21-36
Reference _____
Dated _____

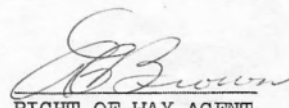
	<u>YES</u>	<u>NO</u>
(1) Draft Notice attached	X	
(2) Final disposition will be carried out under Sec. 11, Sub-sec. (2) of the "Highway Act"	X	
(3) Objections, if any, attached		X
(4) Plan or Description attached	X	
(5) A check has been made to see that there are no public utilities or private works on the right-of-way involved	X	
(6) All regular users have been informed of notice of intent	X	
(7) A check has been made to insure that this closure does not cut off access to any individual parcel of land	X	
(8) If closure is within a municipal area has the municipality signified approval	N/A	
(9) Statement as to why it is to be closed, and <u>comment on objections, if any:</u>		

Road to be closed and discontinued and returned to the Indian Reserve.

RECOMMENDED:


DISTRICT OFFICIAL


REGIONAL ENGINEER


RIGHT-OF-WAY AGENT

H 222

KAMLOOPS ELECTORAL DISTRICT

Discontinuing and closing road allowance in Mauvis
Rocher Indian Reserve No. 5.

Notice is given, pursuant to Section 11 of the
Highway Act, that all that portion of the old Trans Canada
Highway No. 1 in Mauvis Rocher Indian Reserve No. 5 shown
as "Old location of 66 feet wide Trans Canada Highway and
containing 3.35 acres on Plan M469" as deposited in the Land
Registry Office at Kamloops, B. C., is hereby discontinued
and closed.

523 Columbia Street,
Kamloops, B.C.

Regional Highway Engineer,
August 1, 1967.

Department of Indian Affairs
and Northern Development,
Room 224,
Federal Building,
Kamloops, B. C.

Attention: Mr. J. L. Homan, Superintendent.

Dear Sir:

Re: Old T.C.H. and Mauvis Rocher I.R. #5,
Your File: 976/31-4-3

In reply to your letter of July 12, I would advise
our District Superintendent, Kamloops was furnished a copy of
your letter for handling.

As soon as a reply is received, further action will
be taken.

Trusting this is satisfactory.

Yours truly,

J. W. Nelson, P.Eng.,
REGIONAL HIGHWAY ENGINEER.

A. C. BROWN
Right-of-Way Agent.

ACB/ile

TO
Dist. Supt
Kam.

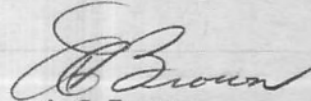
FROM
Right of Way Office
Kam.

SUBJECT T.C.H. and Mauvis Rocher I.R. No. 5

DATE July 31, 1967

- | | | | | |
|---|---|---|---|---|
| <input type="checkbox"/> For Your Information | <input type="checkbox"/> Please O.K. and Return | <input type="checkbox"/> Please Discuss With Me | <input type="checkbox"/> Per Your Request | <input type="checkbox"/> For Your Signature |
| <input type="checkbox"/> Please Process | <input type="checkbox"/> Return With More Details | <input type="checkbox"/> Investigate and Report | <input type="checkbox"/> Please Answer | <input type="checkbox"/> For Your File |

Re attached letter from the Ind. Dept. If you are agreeable, would you please prepare form H 222 for closure. Thanks.


A.C. Brown

file: R.W. 5745
encl.

DATE OF REPLY
RETAIN THIS COPY UNTIL REPLY RECEIVED, THEN DESTROY.

SIGNATURE



EVERGREEN PRESS LIMITED - CARBON READY SETS
1070 S.E. MARINE DRIVE, VANCOUVER 15, B.C. - FAX 604-52231

Memogram

REMOVE THIS SHEET AND FORWARD BALANCE OF SET (INTACT)

Department of
Indian Affairs and
Northern Development

Indian
Affairs
Branch

Ministère des
Affaires indiennes et
du Nord canadien

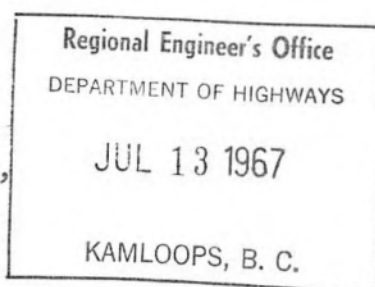
Direction
des affaires
indiennes

Room 224,
Federal Building,
Kamloops, B.C.

our file/notre dossier
your file/votre dossier
date

976/31-4-3
5745
July 12, 1967

Mr. A. C. Brown,
Right of Way Agent,
Dept. of Highways,
523 Columbia St.,
KAMLOOPS, B.C.



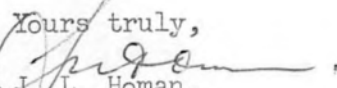
Dear Sirs:

Re: Old Provincial Trans-Canada Highway, Plan 4759,
3.19 acres. Mauvis Rocher I. R. No. 5 - Bonaparte Band.

According to our records it would appear that the above portion of
the old Trans-Canada Highway through Mauvis Rocher I. R. No. 5
has never been returned to reserve status.

It would be appreciated if you would arrange to have this done and
advise us accordingly.

It would be appreciated if this could receive your immediate
attention as we now have an application from the C.N.R. for the
use of this old highway.

Yours truly,

J. L. Homan,
Superintendent,
KAMLOOPS INDIAN AGENCY.

PA 4451

L J MOORE
CHIEF R/W AGENT
DEPT OF HIGHWAYS
VICTORIA B C

YOUR TT 10:55 RE RIGHT OF WAY THROUGH DEADMANS' CREEK I R AND
MAUWAIS ROCHER #5 I R.

LAND REGISTRY REPORTS NEITHER OF THESE PLANS REGISTERED. WORK
~~XXXXXXXXXXXX~~ IS BEHIND AND IT IS POSSIBLE THEY MAY BE IN
AND NOT YET REGISTERED.

PN 574

MRS G SCHNEIDER
R/W OFFICE

KAMLODPS
JUNE 23 59
1:44 PM
MSGE RCD VIC

MR A C BROWN
R/W AGENT
KAM OPS B C

LANDS AND SURVEYS ENQUIRING HERE WHETHER OUR PLANS OF RIGHT OF WAY
AS SURVEYED BY WILLIAMS ET AL, KAMLOOPS THROUGH DEADMAN'S CREEK I R
AND MAUVAIS ROCHER #5 I R IF EITHER OR BOTH THESE PLANS REGISTERED
LAND REGISTRY OFFICE. WOULD YOU KINDLY ADVISE WITH RESPECTIVE
DEPOSIT NUMBERS.

L J MOORE
CHIEF R/W AGENT

VICTORIA
JUN JUNE 23 1959
10:55 AM
MSG RCD KAM

INDIAN AFFAIRS BRANCH

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION



DIVISION DES AFFAIRES INDIENNES

MINISTÈRE DE LA CITOYENNETÉ ET DE L'IMMIGRATION

OUR FILE NO. 154/31-4-3-5
Notre dossier n°.....

Your file: R/W 5745

Right-of-Way Agent,
Department of Highways,
523 Columbia Street,
Kamloops, B.C.

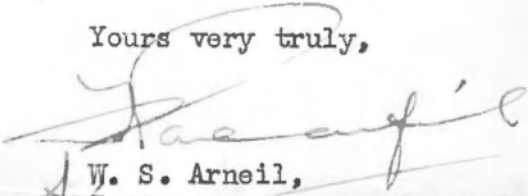
P. O. Box 70,
Postal Station "A",
Vancouver 2, B.C.,
March 5, 1959.

Dear Sir:

Re: Trans Canada Highway
Mauvais Rocher I.R. No. 5.

Attached hereto please find two certified copies of Order-in-Council No. P.C. 1959-148 dated February 13, 1959, transferring an area containing 3.19 acres of land on the above mentioned Indian Reserve, for highway purposes, to the Province of British Columbia.

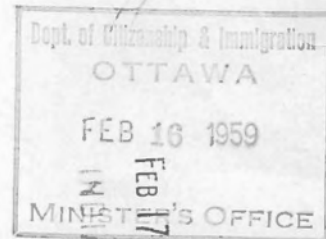
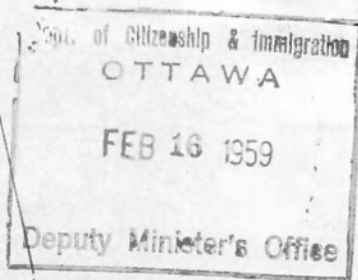
Yours very truly,


W. S. Arneil,
Indian Commissioner for B.C.

.IM
Encl.

RECEIVED
MAR 6 1959
KAMLOOPS, B.C.

154/31-4-3-5



040335

AT THE GOVERNMENT HOUSE AT OTTAWA
FRIDAY, the 13th day of FEBRUARY, 1959

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Highways of the Province of British Columbia has applied for the lands hereinafter described, being a portion of Mauvais Rocher Indian Reserve number five, in the said Province, for road purposes;

AND WHEREAS the sum of \$79.75 has been received from the Province of British Columbia in full payment for the land required in accordance with a valuation approved by the Band Council of the Bonaparte Band of Indians on October 14, 1955, and officials of the Indian Affairs Branch;

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Citizenship and Immigration, pursuant to section 35 of the Indian Act, is pleased hereby to consent to the taking of the said lands by the Province of British Columbia and to transfer the administration and control thereof to Her Majesty in right of the Province of British Columbia:

Description

All that part of the Trans Canada Highway, in Mauvais Rocher Indian Reserve number five, in the Province of British Columbia, said part containing by admeasurement three acres and nineteen hundredths of an acre, more or less, as said part is shown bordered red on a plan of record number four thousand seven hundred and fifty-nine in the Indian Affairs survey records at Ottawa, a copy of which has been deposited in the Land Registry Office for the Kamloops Land Registration District of Kamloops under number M four hundred and sixty-nine.

Reserving all mines and minerals whether solid, liquid or gaseous which may be found to exist within, upon or under such lands, together with full power to work the same and for this purpose to enter upon, use and occupy the said lands or so much thereof and to such extent as may be necessary for the effectual working and extracting of the said minerals.

Certified to be a true copy.

Clerk of the Privy Council



DETACH BEFORE PRESENTING

WORKS 7.....347,
n 2,

RIGHT-OF-WAY COMPENSATION RE
VOUCHER NO. 75733,

\$ 79.75

PROVINCE OF BRITISH COLUMBIA
GENERAL ACCOUNT
IN SETTLEMENT OF ACCOUNT AS STATED

Nº 834342 P

R/W 5745

Your File: 154/31-4-3-5

RIGHT OF WAY AGENT

523 Columbia Street,
Kamloops, B.C.

January 21, 1959

W.S. Arneil
Indian Commissioner for B.C.,
Department of Citizenship and Immigration
Indian Affairs Branch
P.O. Box 70
Postal Station "A"
VANCOUVER 2, B.C.

Dear Sir:

Re: Trans Canada Highway - Mauvais
Rocher Indian Reserve No. 5.

Enclosed please find compensation cheque # 834342 P
in the amount of \$79.75, payable to the Receiver General of Canada.

This cheque is for land obtained by the Department of
Highways for right-of-way purposes.

Yours very truly,

A.C. BROWN,
Right-of-Way Agent

ACB/jvm
Encl.
REGISTERED.



CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

OUR FILE NO. 154/31-4-3-5

YOUR FILE NO. R/W 5745

P. O. Box 70,
Postal Station "A",
Vancouver 2, B.C.,
January 9, 1959.

Department of Highways,
Right-of-Way Agent,
523 Columbia Street,
Kamloops, B.C.

Dear Sirs:

Re: Trans Canada Highway - Mauvais
Rocher Indian Reserve No. 5.

I wish to refer to your letter dated December 9th, acknowledging receipt of a cheque returned by this office covering compensation for the Trans Canada Highway as it affects the Mauvais Rocher Indian Reserve No. 5.

It was indicated that cheque in the amount of \$80.75 was \$1.00 in excess of the amount that should be received in view of the actual acreage taken based on the final survey plan.

To enable us to conclude the transaction, I would appreciate receiving as soon as conveniently possible your amending cheque, payable to the Receiver General of Canada, in the amount of \$79.75.

Yours very truly,


W. S. Arneil,

Indian Commissioner for B.C.

.LM

Right-of-Way Agent
Kamloops B.C.

Mr. L.J. Moore
Chief Right-of-Way Agent
Victoria B.C.

January 6, 1959

R/W 5745

Attention: P.M. Russell

Nauvais Rocher Indian Reserve No. 5

December 30, 1958

With reference to the above captioned Indian Reserve and your letter of December 30th, the following will enlighten you on the difference in settlement figures from 3.23 acres to 3.19 acres.

Our initial compensation was for 3.23 acres based on our Location Plan, however, when legal survey was made, it was established that the total alienation was only 3.19 acres. Consequently the Department of Citizenship and Immigration, Indian Affairs Branch, returned the cheque for adjustment. The Departmental Comptroller was advised of this correction and I regret overlooking advising you of same.

Trusting this is sufficient information.

ACB/gb

A.C. Brown
Right-of-Way Agent

PROVINCE OF BRITISH COLUMBIA
DEPARTMENT OF HIGHWAYS

FROM Right-of-Way Agent Victoria, B. C.	TO Mr. A. C. Brown Right-of-Way Agent Kamloops, B. C.	DATE December 30, 1958 ELECTORAL DISTRICT Kamloops OUR FILE YOUR FILE R/W 5745 ✓
SUBJECT Mauvais Rocher Indian Reserve #5		REFERENCE YOUR LETTER

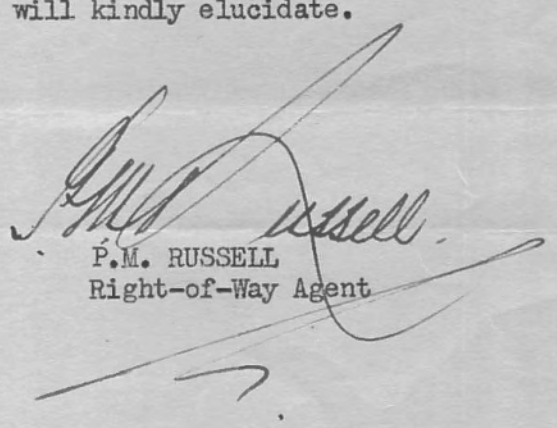
FOR DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE ONLY

We received in this office on November 3rd, 1958 the H-120 for above property showing area taken for road purposes as 3.23 acres @ \$25.00 per acre extended \$80.75.

Under date of December 9th, 1958 and with the same file number we have a further H-120 which depicts the area taken for road purposes as 3.19 acres @ \$25.00 per acre extended \$79.75.

It will be appreciated if you will kindly elucidate.

PMR:sn


P.M. RUSSELL
Right-of-Way Agent

RIGHT OF WAY AGENT

A.E. RHODES
DEPARTMENTAL COMPTROLLER

KAMLOOPS, B. C.

VICTORIA, B.C.

DECEMBER 9, 1958

KAMLOOPS

R/W 5745

RE: CHEQUE # 801348 P, RECEIVER GENERAL
OF CANADA.

Attached herewith is the above cheque in the amount of \$89.75, covering compensation for land obtained from the Indian Affairs Branch on the Cache Creek - Lemonade Flats section of the Trans Canada Highway.

Our initial compensation was for 3.23 acres based on our Location Plan, however, when legal survey was made, it was established that the total alienation was only 3.19 acres. Consequently the Department of Citizenship and Immigration, Indian Affairs Branch have returned cheque for adjustment. As amended forms are being compiled by this office, it would be appreciated if you would arrange cancellation of the enclosed cheque.

A.C. BROWN,
Right-of-Way Agent

ACB/jvm
att.
REGISTERED.

RIGHT OF WAY AGENT

KAMLOOPS, B. C.

CHIEF RIGHT OF WAY AGENT

VICTORIA, B. C.

DECEMBER 9, 1958

KAMLOOPS

R/W 5745

COMPENSATION FOR RIGHT OF WAY
CACHE CREEK - LEMONADE FLATS TRANS
CANADA HIGHWAY.

Enclosed herewith for vouchering is Compensation Form
as follows:

R/W 5745

Receiver General of Canada \$ 79.75

A.C. BROWN,
Right-of-Way Agent

ACB/jvm
Encl.

COMPENSATION IN TERMS OF THE "HIGHWAY ACT"

(SECTION 16)

DEPT. FILE NO. PLAN NO. RIGHT-OF-WAY FILE 5245REGIONAL DISTRICT NO. ELECTORAL DISTRICT KamloopsName and details of highway or incidental works Cash Creek - Lacombe Flats - Trans
Canada Highway.Description of property Nauyas Rooster Indian Reserve # 5.Name of registered owner Receiver General of CanadaIs title unencumbered? Yes If not, give details of encumbrance

Name, title, etc., of party to whom compensation is recommended to be paid

Receiver General of CanadaDETAILS OF COMPENSATION RECOMMENDED TO BE PAID PURSUANT TO SECTION 16 OF
THE "HIGHWAY ACT"

A. For Improvements on the Lands Taken

(Subsec. (1) (a).) "Improvements on the land so taken, that is to say, everything constructed on or annexed to the soil by the hand of man."

Roads: Length, ; width, ; height,
Buildings: Length, ; width, ; height,
See Remarks

Structures: See Remarks

Fences: Length, feet. See Remarks

Clearing: Area, acres

Grading: Area, acres

Planting: Area, . See Remarks

Cultivation: Area, . See Remarks

Other improvements (to be stated)

Remarks:

COMPENSATION RECOMMENDED

A.

B. For Lands Taken (Not Subdivided Lands)

(Subsec. (1) (b).) "Lands which were originally granted to some person by the Crown, either in the right of the Province or the Dominion, and by the taking of which the total area taken for the purpose of highways from the lands comprised in the original Crown grant is found to exceed one-twentieth of the total area of the lands comprised in the Crown grant, and then only for the area in excess of one-twentieth of that total area."

Area of original Crown grant - - - - - 7.29 ac. - - - - - ac. - - - - - ac.Total area taken for road purposes - - - - - utilised ac. - - - - - ac. - - - - - ac.Deduct one-twentieth of area of original Crown grant - - - - - 7.29 ac. - - - - - ac. - - - - - ac.

Area for which compensation is payable - - - - - ac. - - - - - ac. - - - - - ac.

The land is valued at \$ per acre.

COMPENSATION RECOMMENDED \$

79.75

B.

I hereby certify that this statement is in accordance with the provisions of section 16 of the "Highway Act."

Date December 9, 1953

Regional Right-of-way Agent, Highways Dept.

I hereby recommend that compensation be paid accordingly.

Date _____, 19____

District Official, Highways Dept.

APPROVED:

Date _____, 19____

Regional Highway Engineer.

(DEALT WITH.)

Deputy Minister or Assistant Deputy Minister.

(OVER)

C. For Lands Taken (Subdivided Lands Only)

(Subsec. (1) (b).) "But, where the lands comprised in the Crown grant have been subdivided into parcels by any conveyance or plan of subdivision, the area of land which may be so taken from any parcel without payment of compensation shall not exceed one-twentieth of the area of that parcel, and where the lands are being taken from two or more of the parcels at the same time, the total area to be so taken without the payment of compensation shall be apportioned among those parcels on the basis of their respective areas."

Details of registered subdivision plan, parcel, lot, etc. _____

Total area of parcel	-	-	-	-	-	-	-	ac.	ac.	ac.
Total area taken for road purposes	-	-	-	-	-	-	-	ac.	ac.	ac.
Deduct one-twentieth area of parcel	-	-	-	-	-	-	-	ac.	ac.	ac.
Area for which compensation is payable	-	-	-	-	-	-	-	ac.	ac.	ac.
The land is valued at \$								per acre.		

COMPENSATION RECOMMENDED \$ C.**D. For Materials Taken from Improved Lands**

(Subsec. (4).) "Where in respect of gravel, sand, stone, timber, or other materials taken by Crown for construction, maintenance, or repair of any highway or bridge, the provisions of any Statute or the reservations contained in any Crown grant permit of the same being so taken without payment of compensation, and where the same is taken from Improved Lands, the Minister may, notwithstanding the provisions or reservations aforesaid, pay reasonable compensation therefor."

CLASS OF MATERIAL TAKEN	QUANTITY	UNIT RATE	AMOUNT

TOTAL COMPENSATION RECOMMENDED \$ D.**E. Deduction for Increased Capital Value due to Construction**

(Subsec. (3).) "In determining the compensation payable to any owner in respect of any land entered upon and taken possession of under this Part, there shall be taken into consideration the increased value, beyond the increased value common to all lands in the locality, that will be given to the remaining lands of the owner through which the highway will pass, by reason of the passage of the highway through the same or by reason of the construction of the highway or of works incidental thereto, and the increased value that will be so given shall be set off against the compensation otherwise payable to that owner under this section."

Details _____

TOTAL DEDUCTIONS \$ E.**Remarks:**

(NOTE.—Give details and approximate value of any other compensation arranged for and recommended, such as fencing or transfer to adjacent owner of land comprised in old road to be closed, or other matters.)

Compensation payable upon approval.

No conditions

SUMMARY OF AMOUNT OF COMPENSATION RECOMMENDED TO BE PAID

A. For improvements on lands taken	-	-	-	-	-	-	-	\$	A.
B. For lands taken (not subdivided lands)	-	-	-	-	-	-	-	\$	B.
C. For lands taken (subdivided lands only)	-	-	-	-	-	-	-	\$	C.
D. For materials taken from improved lands	-	-	-	-	-	-	-	\$	D.
Gross total amount of compensation recommended	-	-	-	-	-	-	-	\$	
E. Deduction for increased value	-	-	-	-	-	-	-	\$	E.
NET TOTAL OF COMPENSATION RECOMMENDED TO BE PAID	-	-	-	-	-	-	-	\$	

R/W 5745
Your File: 154/31-4-3-5

RIGHT OF WAY AGENT

523 Columbia Street,
Kamloops, B.C.

December 9, 1958

Mr. W.S. Arneil,
Indian Commissioner for B.C.,
Department of Citizenship and Immigration
P.O. Box 70
VANCOUVER 2, B.C.

Dear Sir:

Re: Trans Canada Highway - Mauvais
Rocher Indian Reserve No. 5.

This will acknowledge receipt of your letter of the 2nd instant, relative to the above captioned Indian Reserve, and returning our cheque in the amount of \$80.75, which was paid in compensation for right-of-way taken.

Thank you for bringing this change to our attention and I wish to advise that corrected forms, are being processed today and as soon as cheque is received, same will be forwarded to you without delay.

Yours very truly,

A.C. BROWN,
Right-of-Way Agent

ACB/jvm
encl.



CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

OUR FILE NO. 154/31-4-3-5

YOUR FILE NO. R/W 5745

P. O. Box 70,
Postal Station "A",
Vancouver 2, B.C.,
December 2, 1958.

Department of Highways,
523 Columbia Street,
Kamloops, B.C.

Dear Sirs:

Re: Trans Canada Highway - Mauvais
Rocher Indian Reserve No. 5.

Receipt is acknowledged of your letter dated November 28th, and compensation cheque in the amount of \$80.75 covering payment for lands acquired for highway purposes within the above mentioned Indian Reserve.

Survey Plan confirmed and recorded in the Indian Affairs survey records as No. 4579, indicates a total acreage taken of only 3.19 acres and not 3.23 acres as originally shown on the preliminary plan. Description supplied by the Surveyor General as a result of the accepted survey plan also shows a total alienation of 3.19 acres and the cheque received, consequently, exceeds the compensation payable by \$1.00. Copy of the description supplied by the Surveyor General dated October 8th, and confirming the acreage taken is enclosed for your information and records.

Cheque No. 801348 is returned herewith for adjustment, please.

Yours very truly,

W. S. Arneil,

Indian Commissioner for B.C.

.LM
Encl.

523 Columbia Street,
Kamloops, B.C.

November 28, 1958

W.S. Arneil,
Indian Commissioner for B.C.
Department of Citizenship and Immigration
Indian Affairs Branch
P.O. Box 70
VANCOUVER 2, B.C.

Dear Sir:

Re: Trans Canada Highway -
Mauvais Rocher Indian Reserve #5.

This will acknowledge receipt of your letter of November 21, 1958, regarding right-of-way through the above Indian Reserve.

Enclosed herewith is compensation cheque in the amount of \$80.75.

Your letter of above date, intimates that right-of-way taken was 3.19 acres, however, our records show that right-of-way in the amount of 3.23 acres was taken, which accounts for the difference in your figure, and enclosed cheque.

Trusting this meets with your approval.

Yours very truly,

A.C. BROWN,
Right-of-Way Agent

ACB/jvm
encl.
REGISTERED.



CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

OUR FILE NO. 154/31-4-3-5

YOUR FILE NO. R/W 5745
R/W 2296
Kamloops

P. O. Box 70,
Postal Station "A",
Vancouver 2, B.C.,
November 21, 1958.

Department of Highways,
Right-of-Way Agent,
Kamloops, B.C.

Dear Sirs:

Re: Trans-Canada Highway - Mauvais
Rocher Indian Reserve No. 5.

I wrote to you on October 14th, advising of the approval of the Plan of Survey of the above noted portion of the Trans Canada Highway recorded as Plan No. 4579 in the Indian Affairs Survey Records. A total of 3.19 acres was involved for which compensation of \$25.00 was accepted by the Indian Band Council.

We would like to conclude this transaction and would appreciate having your cheque payable to the Receiver General of Canada in the total amount of \$79.75.

Yours very truly,

W. S. Arneil,
Indian Commissioner for B.C.

.LM

Right-of-Way Agent

Kamloops, B. C.

Chief Right-of-Way Agent

Victoria, B. C.

October 29th, 1958

Kamloops

R/W 5745

Compensation for Right-of-Way
Cache Creek - Lemonade Flats

October 23rd, 1958

We are returning herewith forms H-120 in favour of the Receiver General of Canada in the amount of \$80.75 for right-of-way through Mauvais Rocher Indian Reserve #5 on the above project.

This property is that acquired for right-of-way purposes but for which the Indian Affairs Branch was never compensated. Negotiations for this settlement were commenced in September 1955, but were never completed until now.

A. C. BROWN
Right-of-Way Agent

MHC:c
Encl.

PROVINCE OF BRITISH COLUMBIA
DEPARTMENT OF HIGHWAYS

FROM Right-of-Way Agent Victoria, B. C.	TO Mr. A. C. Brown Right-of-Way Agent Kamloops, B. C.	DATE October 23, 1958 ELECTORAL DISTRICT Kamloops OUR FILE YOUR FILE R/W 5745
SUBJECT T.C.H. Cache Creek - Lemonade Flats Mauvais Rocher I. R. #5		REFERENCE 21-10-58 YOUR LETTER

Reference the above and forms H-120 returned herewith.
Under "Remarks" may we please have detailed information covering this settlement. Is it supplemental for extra right-of-way or amended acreage based on B.C.L.S. plan? In all instances of this nature it is necessary to explain the situation.

L. J. MOORE
Chief R/W Agent

GEG:sn
encls.

per: *J. Gould*

Reply

Re -

*Settlement is for R/Way acquired
but never paid for.*

October 21st, 1958

Right-of-Way Agent

Chief Right-of-Way Agent

Kamloops, B. C.

Victoria, B. C.

Kamloops

R/W 5745

Compensation for Right-of-Way
Cache Creek - Lemonade Flats

Enclosed herewith for vouchering is Compensation Form
as follows:

R/W 5745	Receiver General of Canada	\$80.75
	(Mauvais Rocher Indian Reserve #5)	

A. C. BROWN
Right-of-Way Agent

MHC:c
Encl.



CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

OUR FILE NO. 154/31-4-3-5

YOUR FILE NO. R/W 5745
R/W 2296
Kamloops

P. O. Box 70,
Postal Station "A",
Vancouver 2, B.C.,
October 14, 1958.

Right-of-Way Agent,
Department of Highways,
Kamloops, B.C.

Dear Sir:

Re: Trans-Canada Highway - Mauvais
Rocher Indian Reserve No. 5.

Plan of Survey for the above noted highway
right-of-way has now been approved and recorded as Plan No.
4579.

From our records we are unable to determine
whether compensation for the area taken has been paid as
requested in our letter dated September 21, 1956. Your
cheque payable to the Receiver General of Canada in the
amount of \$~~70.75~~^{30.15}, based on an acreage valuation of \$25.00
for the 3.~~19~~²³ acres involved will be appreciated.

As soon as compensation is received we can
proceed with a submission to the Governour-in-Council for
authority to transfer the road.

Yours very truly,

W. S. Arneil,
Indian Commissioner for B.C.

.LM

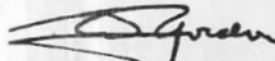
16041 (L7)

October 8, 1958.

Description for Transfer

All that part of the Trans Canada Highway, in Mauvais
Rocher Indian Reserve number five, in the province of
British Columbia, said part containing by admeasurement
three acres and nineteen hundredths of an acre, more or
less, as said part is shown bordered red on a plan of
record number four thousand seven hundred and fifty-nine
in the Indian Affairs survey records at Ottawa, a copy
of which has been deposited in the Land Registry Office
for the Kamloops Land Registration District of Kamloops
under number M four hundred and sixty-nine.

KS:fb


L.L. Anderson,
Chief, Legal Surveys.



R/W 5745

R/W 2296

Kamloops

RIGHT OF WAY AGENT

Kamloops, B.C.
October 2, 1956.

Mr. W.S. Arneil
Indian Commissioner for B.C.
Dept. of Citizenship & Immigration
P.O. Box 70
VANCOUVER, B.C.

Dear Sir:

With reference to your letters dated September 21, 1956 to Mr. L.J. Moore, Right-of-Way Agent, Victoria, I wish to advise the following:

Re: Survey of R/W - Tappen Siding I.R. No. 5
— Kamloops Agency

This survey is now being made and will be completed sometime this Fall.

Re: Survey on Mauvais Rocher Indian Reserve No. 5 and
Merritt-Kamloops Road. Fishing Station
I. Reserves Nos. 2 and 3.

This survey is still not completed.

Yours truly,

D.R. McLeod
Regional Engineer

Per

E.D. NESBITT
Right-of-Way Agent.

EDN/gb

Shamrock Auto Court

Salmon Arm B.C.

Sept. 29th 1956.

Mr E. D. Nesbitt

Right-of-Way Agent
Dept. of Highways
Kamloops B.C.

Dear Sir;

Reference to yours of Sept. 28th, your
File R/W 5745 (Kamloops).

At present I am working on the R/W
of the Trans-Canada Highway through
Tappen Siding Indian Reserve No 5 and
will have same completed this Fall.

I know nothing about the other Indian
Reserves you mention.

The only surveys I undertake and know
anything about are those I have been instruct-
ed to deal with by the Location Engineer
of our Dept. at Victoria.

The proper authority to consult concerning
any of these Hwy. R/W surveys, should be
the Right-of-Way Agent, Dept. of Highways
Douglas Building Victoria B.C.

Yours Truly

H. C. Whitaker
(H. C. Whitaker)
B.C.L.S.

R/W 5745
Kamloops

RIGHT OF WAY AGENT

Kamloops, B.C.
September 28, 1956.

Mr. H. C. Whitaker, B.C.L.S.
Shamrock Auto Court
SALMON ARM, B.C.

Dear Sir:

Could you please advise as to whether the final survey
has been completed on the following properties:

Mauvais Rocher Indian Reserve No. 5
Tappen Siding Indian Reserve No. 5
Kamloops Indian Agency

Merritt Kamloops Road. Fishing Station
Indian Reserve No. 2 and 3.

Are you the proper authority for us to consult concern-
ing these surveys?

Yours truly,

E.D. NESBITT
Right-of-Way Agent.

EDM/gb

MEMORANDUM

TO Mr. E.D. Nesbitt, R/W Agent,
Department of Highways,
Kamloops, B. C.

FROM

Right-of-Way Agent, Dept. of Highways,
Victoria, B.C.

September 26, 1956

Forwarded herein correspondence for your attention which has
been mailed to this office:

- 1) Letter dated Sept. 21st from Indian Commissioner
re R/W - Mauvais Rocher I. R. #5.
- 2) Letter dated Sept. 21st from Indian Commissioner
R/W - Tappen Siding I.R. #5.
- 3) Letter from Indian Commissioner dated Sept. 21st
re R/W - Merritt-Kamloops Road. Fishing Station
I. Reserves Nos. 2 and 3.

L.J. MOORE
Right-of-Way Agent

-/sn
encls.

Per: 

INDIAN COMMISSIONER
BRITISH COLUMBIA



OUR FILE No. 154/31-4-3-5

YOUR FILE No. R/W 5745

RIGHT-OF-WAY AGENT
Department of Highways

SEP 25 1956

Ans'd.....

Victoria, B.C. File.....

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

P.O. BOX 70,
VANCOUVER, B.C.

September 21, 1956

Mr. L.J. Moore,
Right-of-Way Agent,
Department of Highways,
Victoria, B.C.

Dear Mr. Moore:

Re: Right-of-Way - Mauvais
Rocher Indian Reserve #5.

We regret the delay in replying to Mr. Pritchard's letter of October 6, 1955 concerning the settlement for the right-of-way within the above noted reserve.

The Band Council has agreed to accept your offer of \$25.00 per acre for the 3.23 acres involved and we would appreciate receiving your cheque, payable to the Receiver General of Canada, at your convenience.

Would you also advise if the final survey has been completed on this right-of-way.

Yours very truly,

W.S. Arneil,
Indian Commissioner for B.C.

:bl

INDIAN COMMISSIONER
BRITISH COLUMBIA



OUR FILE No. 154/31-4-6-5

YOUR FILE No. R/W 2296

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

P.O. BOX 70,
VANCOUVER, B.C.

September 21, 1956

Mr. L.J. Moore,
Right-of-Way Agent,
Department of Highways,
Victoria, B.C.

Dear Mr. Moore:

Re: Survey of Right-of-Way -
Tappen Siding I.R. No. 5,
Kamloops Indian Agency.

With reference to Mr. Pritchard's
letter of July 7, 1955, will you please advise if the
final survey covering the right-of-way through the
above reserve has been completed.

Yours very truly,

W.S. Arneil,
Indian Commissioner for B.C.

:bl

RIGHT-OF-WAY AGENT
Department of Highways

SEP 25 1956

Ans'd _____

Victoria, B.C. File _____

INDIAN COMMISSIONER
BRITISH COLUMBIA



OUR FILE No. 154/31-4-5-2 & 3

YOUR FILE No.

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

P.O. BOX 70,
VANCOUVER, B.C.

September 21, 1956

Mr. L.J. Moore,
Right-of-Way Agent,
Department of Highways,
Victoria, B.C.

Dear Mr. Moore:

Re: Right-of-Way - Merritt-Kamloops Road -
Fishing Station I.Rs. No. 2 and 3.

I would appreciate receiving a reply to my
letter dated July 20 regarding completion of the survey through
the above noted Indian Reserves.

Yours very truly,

W.S. Arneil,
Indian Commissioner for B.C.

:bl

RIGHT-OF-WAY AGENT Department of Highways
SEP 25 1956
Ans'd.....
Victoria, B.C. File.....

R/W 5745

Your File: 154/31-4

RIGHT OF WAY AGENT

October 6th, 1955.
Victoria, B. C.

Mr. W.S. Arneil,
Indian Commissioner for B.C.,
Department of Citizenship & Immigration,
P.O. Box 70,
Vancouver, B.C.

Re: Right-of-Way within Mauvais
Indian Reserve #5

Dear Sir:

This will acknowledge receipt of your letter of September 27th concerning the settlement for right-of-way within the above-mentioned Indian Reserve.

It is held that the evaluation stated in your letter is most excessive for the type of land involved and does not favorably reflect with the settlement award consummated for right-of-way within adjoining lands. It is known that open grazing land in this vicinity has been purchased at less than \$2.50 per acre. The Department endeavors to maintain a fair and comparable basis of settlement, with due regard to the locale, and it would be appreciated if this issue of compensation for lands required within Mauvais Rocher I.R. #5 could be further reviewed.

In connection with the last paragraph of your letter, I respectfully advise that a surveyor has not been assigned to conduct a legal survey. Preparation of the necessary plans will be forthcoming upon completion of the highway construction.

Yours truly,

E.W. Pritchard,
Right-of-Way Agent.

EWP:ms

INDIAN COMMISSIONER
BRITISH COLUMBIA



CANADA

IN YOUR REPLY REFER TO

No. 154/31-4
ALSO TO DATE OF THIS LETTER

Your: R/W 2296

5745

RIGHT-OF-WAY AGENT
Department of Highways

SEP 28 1955

Ans'd.....

Victoria, B.C. File.....

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

P.O. BOX 70,
VANCOUVER, B.C.

September 27, 1955

Department of Highways,
Right-of-Way Agent,
Victoria, B.C.

Attn: Mr. E.W. Pritchard.

Dear Sirs:

Re: Trans-Canada Highway Right-of-Way -
Mauvais Rocher Indian Reserve No. 5.

We are in receipt of a Band council resolution from the Bonaparte Band of Indians, Kamloops Agency, wherein the Band council agree to the granting of a right-of-way easement over the above mentioned Indian reserve, at a rate of compensation based on \$60.00 per acre. The resolution states that an area of approximately 3.23 acres of Band owned land is involved.

May we have your formal application, in triplicate, for this particular right-of-way, at the compensation rates requested.

It is presumed that a B.C. Land Surveyor has been engaged to conduct the necessary survey, and that he has made application to the Surveyor General for the necessary instructions.

Yours very truly,

W.S. Arneil

for W.S. Arneil,
Indian Commissioner for B.C.

..bl

*No. has
not and
will not
until cons.
completed
if 2*

RIGHT OF WAY AGENT

September 26th, 1955.
Victoria, B. C.

Mr. W.S. Arneil,
Indian Commissioner for B.C.,
Dept. of Citizenship & Immigration,
P.O. Box 70,
Vancouver, B.C.

Re: Cache Creek to Lemonade Flats.
Mauvais Rocher Indian Reserve #5.

Dear Sir:

I respectfully advise that the Department will, in the near future, commence the reconstruction of the Cache Creek to Lemonade Flats section of the Trans Canada Highway. This will necessitate an encroachment within "Mauvais Rocher" Indian Reserve No. 5.

For your information and convenience, prints of part of the Location Plan are being forwarded under separate cover to illustrate the relocation of the right-of-way within said Reserve.

From a ground inspection it was observed that the new highway lies to the north and above the existing road, bearing into the sidehill to maintain grade. The 3.23 acres of land involved consists of unimproved and non-agricultural land. It is felt that an offer of \$25.00 per acre is ample for this type of rocky, sagebrush range land.

During my recent stay in Kamloops, I took the opportunity to meet Mr. Clark, the Indian Supervisor, and left a print of the plan for his files.

It would be appreciated if this matter could be advanced to the Indian Council and this office notified thereon in due course.

Yours truly,

E.W. Pritchard,
Right-of-Way Agent.

EWP:mw

Page 120 of 120

Withheld pursuant to/removed as

s.3