

Regional District of Central Kootenay

Box 590, 202 Lakeside Drive Nelson, BC V1L 5R4 web: www.rdck.bc.ca Telephone (250) 352-6665 Fax (250) 352-9300 BC Toll Free 1-800-268-7325 e-mail: info@rdck.bc.ca

R.D.C.K. File #4420-20-E29040.030 MoT File 02-010-19740

July 23, 2007

Mark Scott
Development Approvals Technician
Ministry of Transportation
310 Ward Street,
NELSON BC V1L 5S4

Re: Proposed Subdivision of Phase 1 - Parcel A, Lot 52, DK 309, KD, Plan 1858 and

Phase 2 - L 873, KD, exc. Part in RW Plan 1760

Owners: Kootenay Lake Estates Development Corporation

Please be advised that the Regional District of Central Kootenay has received applicable documentation addressing all outstanding requirements of RDCK Subdivision Bylaw No. 1321.

As per Part 6.02 of Subdivision Bylaw 1321, where a community water system is proposed to serve a subdivision, it shall be designed in accordance with the requirements of any authority having jurisdiction over the system pursuant to the Condominium Act, Health Act, Water Act, Water Utilities Act and Utilities Commission Act. In this regard, proof of water has been provided for a total of 19 lots as indicated in the July 11, 2007, letter from the Ministry of Environment.

Additionally, proof of water in the form of water licenses have been provided for 3 lots.

In total, proof of water confirmation has been received for <u>22 lots</u> of the proposed 31 lot subdivision.

Please note that in all cases where surface or groundwater is to be used as a domestic water source, a restrictive covenant, advising the property owner that no building shall take place until the owner of the property has received Interior Health Authority information regarding potability of ground and/or surface water sources, shall be registered on the property.

The Regional District has no additional conditions associated with this subdivision.

Sincerely,

Mark Crowe.

Planning Technician

cc: Kootenay Lake Estates Development Corporation

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File: 0321866 Ref: 6407 C

July 11, 2007

Daniel Kryski Procter Water Utility Limited PO Box 1053 Nelson BC V1L 6H3

FAX: (250) 505-5534

Dear Mr. Kryski:

Re:

Procter Water Utility Limited

Application for Certificate of Public Convenience and Necessity (CPCN)

Application Date: May 17, 2006

Increased Well Capacity

Enclosed please find a copy of supplementary groundwater evaluation report dated July 4, 2007 by Mr. Mike Wei, P. Eng., Head, Groundwater & Aquifer Science, pertinent to your CPCN application for Procter Water Utility Limited.

Mr. Wei indicates that, based on the additional available drawdown in the well due to the shut-in artesian pressure of 22.5 psi, the long term safe well yield for Well #WIN17109 is now upgraded to **0.908 l/s (14.4 USgpm or 12.0 lgpm).** This would provide for a Maximum Day Demand (MDD) of 17,257 lgpd, adequate for a total of 19 lots.

In view of this additional source capacity, as discussed by telephone on July 10, 2007, please provide written confirmation regarding the specific lot numbers which will be now be added to the proposed service area for Phase 1 developmental. To date, the scope of your application has been limited to 17 lots comprising Lot #'s 1 to 5, 8, 9, and 11 to 20.

Yours truly,

A. Aderichin, P. Eng. Head, Utility Engineering Water Utility Regulation

Enclosure

Ministry of Environment

Water Stewardship Division Water Management Branch Utility Regulation Section

www.env.gov.bc.ca/wsd/

Mailing Address: PO Box 9340 Stn Prov Govt Victoria BC V8W 9M1 Telephone: (250) 387-6355 Facsimile: (250) 953-5124 Location: 3rd Floor 1175 Douglas Street Victoria BC V8W 2E1



Pc's: Mr Jim R Brown, AScT Pennco Engineering Ltd Suite 301 – 625 Front Street Nelson BC V1L 4B6

> Ms Marianne Crowe, P. Eng. Public Health Engineer Interior Health Authority Kutenai Place #2 - 333 Victoria Street Nelson BC V1L 4K3

By FAX: (250) 354-0113

By FAX: (250) 505-7211



Ministry of Environment

Science and information Branch

MEMORANDUM

To:

Al Aderichin, P. Eng Head, Utility Engineering

Management and Standards Branch

Date: July 4, 2007 File: 3 8050-20/Procter

Re: Procter Water Utility Limited - Provision of Additional Information

Further to your email request dated July 4, 2007, a review of the June 28, 2007 letter from Kala Groundwater Consulting Ltd. to Kootenay Estates Development entitled: Procter Water Utility Ltd. Your File: 0.321866, Ref: 6407C & 38050/20/Procter "Water Act and Ground Water Protection Regulation Requirements" (referred to as the Kala, 2007 letter) has been completed. The Kala, 2007 letter provides additional information in response to our previous review comments on the "Kootenay Lake Village, Proposed Residential Subdivision – Water Well Evaluation WIN 17109 Second Yield Test Findings Procter, BC" dated May 18, 2007, and subsequent phone conversation between the developer and myself. This memorandum provides a revised assessment on the well capacity, as well as comments on controlling artesian flow and responsibility for well pump installation works.

The Kala, 2007 letter indicates the most recent measurement of shut-in artesian pressure of 22.5 psi; this equates to 15.77 m of additional available drawdown in the well. The total available drawdown in the well, based on this information, would be 244.8 m (from 229 m). Using the revised total available drawdown (244.8 m) and multiplying it by the 100-day specific capacity of 0.0053 L/s/m (estimated from the pumping test) and 0.7 (safety factor), the revised estimated well capacity is 0.908 L/s (14.4 USgpm).

The consultant also ensures that the artesian flow will be stopped or controlled. This should be verified by the consultant at final well completion. We are satisfied that Blaine Matuga (WPI 06020601) from Central Interior Pump is taking responsibility for the well pump installation.

Finally, information on the well protection plan being developed by Kala for the subject well should be made known to the Interior Health Authority (IHA); this would allow the IHA to consider implementation of the well protection plan in regulating the operation of the subject well.

If you require anything further, please let me know.

Mike Wei, P. Eng.

m.Wei

Head, Groundwater and Aquifer Science

cc: Des Anderson, Section Head, Regional Operations, Penticton

RECEIVED

UTILITY REGULATION SECTION

JUL 1 1 2007

REF. _______Page 4 of 37 TRA-2023-33464

KALA GROUNDWATER CONSULTING LTD.



1314 McGill Road Kamloops, B.C. V2C 6N6 Tel (250) 372-9194 Fax (250) 372-9398 info@kalagroundwater.com

Date:

May 25, 2007

Our Ref.:

R06775-100

Kootenay Lake Estates Development PO Box 1053 Nelson, BC V1L 6H3

Attn:

Daniel Kryski, P. Eng.

Re:

KOOTENAY LAKE VILLAGE, PROPOSED RESIDENTIAL SUBDIVISION

WATER WELL EVALUATION WIN 17109

SECOND YIELD TEST FINDINGS

PROCTER, BC

1.0 INTRODUCTION

A second pumping test has been completed on the above water well under the supervision of Kala Groundwater Consulting Ltd. (Kala) at the request of Kootenay Lake Estates (KLE). The second test had a duration of 8,470 minutes at a constant flowrate of 0.95 L/s which was established via the installation of a cycle stop valve and flow restrictor.

The primary regulatory compliance documents for this project are shown in Table 1. Explanatory tables and figures append the text.

The primary compliance criterion for this report is the document "Establishing Long-Term Well capacity for a CPCN, BC MOE 1999, ISBN 0-7726-4019-X. Proposed development details are provided at the client's website: http://www.kootenaylakevillage.com.

The legal property description is District Lot 873 Kootenay District except part included in R/W Plan 1760. The Kootenay Lake Village (KLV) site is located approximately 30 km east of Nelson BC along the south shore of Kootenay Lake (west arm) and is accessed via the Harrop-Proctor ferry and East Proctor Road. Site location and layout diagrams are shown in Figures 1 and 2 respectively.

There is one water well listed on the BC MOE groundwater resource atlas; a deep bedrock well located approximately 407 m north west of water well WIN 17109 and the well head is approximately 60 m lower in elevation as shown in Figure 3. This well was not monitored during the test results presented herein due to access conditions.

The subject water well (WIN17109) is a 152 mm diameter by 243.84 m deep bedrock well completed in fractured crystalline bedrock. The well exhibits flowing artesian conditions. Table 2 summarizes soil stratigraphy encountered during drilling. The well was drilled and completed by BC certified water well drilling firm Owens' Drilling Ltd. (ODL – Stan Woodford, WD05052907) in October 2006. The water well was not lined by the drilling contractor as ODL felt the crystalline bedrock would not slough and they did not desire to unduly restrict radial flow to the well bore. The well was rated by the driller at 15-20 USgpm. The water well is located within the northwestern portion of the proposed development with hand held GPS coordinates of N49° 37' 16.5"/W116° 56' 05.6" and an elevation of approximately 601 m above mean sea level (AMSL). Kootenay Lake is located approximately 500 m north of the well site at an approximate elevation of 539 m AMSL.

ODL installed approximately of surface casing 4.8 m casing before drilling open hole. Bedrock exposures surround the well location. The client reports that proposed onsite sewage treatment will occur via a filtration plant approximately 262 m from the well and a deep surface water lake outfall permitted through the BC MOE Municipal Sewage Regulations. There will be no onsite subsurface disposal of effluent. For background information pertaining to the well the reader is referred to Kala report "R06775 – Kootenay Lake Village, Proposed Residential Subdivision, Community Water Well Evaluation" dated March 23, 2007.

2.0 FIELDWORK

Central Interior Pumps (CIP) installed a permanent 10 hp submersible pump in the well at a depth of 234.7 m btoc. The pump was completed with 38 mm diameter drop pipe to surface. A Baker weld-on pitless adapter was installed at the time of pump installation. A well construction diagram is shown in Figure 5.

Between April 25 and May 1, 2007 the second yield test was undertaken. The second test had a pumping duration of 8,476 minutes at a constant flowrate of 0.95 L/s which was established via the installation of a cycle stop valve and flow restrictor. Flowrates were measured using an orifice plate with manometer tube. Well water level recovery was monitored after test pumping cessation.

3.0 YIELD TEST FINDINGS

A constant rate discharge test was conducted on the water well according to the BC Ministry of Environment (MoE) Guideline— "Evaluating Long-Term Well Capacity for a Certificate of Public Convenience and Necessity" (CPCN). During the 8,476 minute test, the discharge rate was constant at 0.95 L/s. The water level was drawn down from flowing condition to 169.69 m below top of casing (mbtoc) over the 8,476-minute test representing 74% of the total available drawdown (TAD). TAD was measured as the vertical water column between the top of the installed submersible pump and the static water level (assumed to be 0.00 m).

The greatest measured drawdown occurred at t=4610 minutes at 171.45 m btoc, after which the well level recovered slightly then stabilized. Overall the well level appeared stabilized from t=2,988 to t=8,476 minutes. A bit of water level oscillation was noted, not atypically for lowing bedrock wells.

A summary of the yield test is provided in Table 3. The CPCN criteria suggest the total available drawdown (TAD) within a fractured bedrock well is measured as the static water level to the uppermost major groundwater bearing fracture. Based on ODL discussions, the camera inspection and yield testing, Kala felt the only major fracture was the lower fracture near the very bottom of the well.

Water level recovery was monitored after pumping cessation. Approximately 100% of well recovery occurred within 238 minutes of pumping cessation at the subject well (The well was fully flowing). Yield test data, raw data and interpretative plots are attached.

4.0 CONCLUSIONS

Based on the office, field and laboratory program undertaken by Kala, the following conclusions and recommendations are provided for client, owner and regulatory consideration:

- a) The Kootenay Lake Village Well (WIN17109) is a 152 mm by 243.84 m deep bedrock well completed within a flowing artesian aquifer system.
- b) A 10 hp submersible pump was installed in the well to the depth of 234.70 m below the top of casing by Central Interior Pumps.
- c) An 8,476 -minute yield test was conducted on the subject well between April 25 and May 1, 2007. The test was a constant rate discharge test undertaken at 0.95 L/s.
- d) A total drawdown of approximately 169.69 m was observed at the end of the test. The well level recovered to flowing conditions within 238 minutes of test pumping cessation.
- e) Water samples were not collected.

5.0 RECOMMENDATIONS

Based on the conclusions above the following recommendations are provided:

- a) Kaia recommends a maximum pumping rate of 1.10 L/s. Long term monitoring and analysis of operational pumping data is considered mandatory.
- b) The operational pump has been installed as shown in Figure 4. The well has an external casing bentonite grout seal to a depth of 4.57 m below ground surface. However, the well does not have a surface seal yet. We recommend that the client construct a surface seal (poured concrete slab with casing cold joint). Final construction drawings must be provided to the Ministry of Environment and the local Health Unit for provision of the water system operating permit.
- c) It is understood that a pumphouse shall be constructed in close proximetery to the well head. The pump house and wellhead should be surrounded with a 1.8 m high chain link fence having minimum side lengths of 10 m square. Kala recommends the client undertake a wellhead protection program to address well stewardship in accordance with the auspices of the BC MOE Wellhead Protection Toolkit, July 1999.
- d) CIP installed two 25 mm diameter PVC educator pipes within the well. Kala recommends that a data logging pressure transducer be installed during well head completion (Solinst M100 or equivalent) for the purposes of collecting water level information over time and adjudicating the aquifer response to groundwater withdrawal under operational conditions. Kala should review the information once every six months for the first 36 months of build out to verify the conclusions of this report.
- e) The Nelson BC IHA office and BC Ministry of Environment should be provided with a copy of this report as warranted. This is a deep artesian bedrock groundwater source, which yields high quality groundwater.
- f) The groundwater source described herein will not satisfy the proposed development. The client should construct a second groundwater supply well at an alternate location or apply for a surface water intake.
- g) The client should undertake caution in land use planning proximate to the wellhead location. The client should undertake a wellhead protection assessment in accordance with the auspices of the BC MOE Wellhead Protection Toolkit.
- h) Regular raw water quality sampling and analysis should be conducted in accordance with published IHA specifications.

KALA GROUNDWATER CONSULTING LTD.

6.0 CLOSURE

Find attached a detailed description of the terms, limitations and constraints applicable to Kala involvement within this project and the uses of this report.

If there are any questions regarding this document please contact our Kamloops office at your convenience.

Report Prepared by:

Kala Groundwater Consulting Ltd.

Per:

Paul J Blackett, AScT. Senior Project Manager

Reviewed by:

Per:

Larry C. Topp, P.Geo. Hydrogeologist

Distribution:

5 copies - Kootenay Lake Estates Development

2 copies - Kala Groundwater

Standard of Care

This report has been prepared in accordance with generally accepted hydrogeological and environmental practices. Where possible and applicable Kala has referenced and undertaken authorized commissions in accordance with governing regulatory guidelines. No other warranty, expressed or implied, is made.

Reporting

This report has been prepared for the specific site, design objective, development and purpose that was described to Kala Groundwater Consulting Ltd. (Kala) by the client and summarized in this document. The applicability and reliability of any of the findings, recommendations, suggestions, or opinions expressed in the report are only valid to the extent that there has been no material alteration to or variation from any of the said descriptions provided to Kala, unless Kala was specifically requested by the Client to review and revise the report in light of such alteration or variation.

Preliminary Site Investigations

This report authorizes the use of this Kala Groundwater Consulting Ltd. (Kala) report by the client as named here within, its solicitors, lenders, engineers and consultants to the same extent as the client, and confirms that the client can rely on this report for financial purposes. This report may be relied upon by supporting financial institutions and related solicitors, lenders, engineers and consultants to the same extent as the original client. Reporting is confidential intended to provide the client with a baseline assessment of environmental conditions within and adjacent to the subject property. Reporting is based on data, information and materials collected during the performance of a PSI. A PSI is based solely on site conditions of the subject property during the time of the site visits as described in this report. In evaluating a site Kala relies in good faith on historical information provided by individuals and agencies noted within the report. Kala does not warranty any property, explicitly or implicitly. Although every effort is made to verify the authenticity of pertinent information, Kala assumes no responsibility for any deficiency, mis-statement or inaccuracy contained within a report as a result of omissions, misrepresentation or fraudulent acts of the individuals or parties interviewed.

Groundwater Potential Evaluations and Proof of Sufficient Water Investigations

Groundwater potential evaluations are based on a thorough review of maps, databases and published documents available at the time of the assessment, and a site reconnaissance. The conclusions provided by Kala do not preclude the existence of other aquifers from those identified. A groundwater supply investigation involving testwells and evaluation techniques is required to verify the presence or absence of suspected aquifers. If additional information or assessment findings arise which may alter the conclusions and/or recommendations of this report Kala would be pleased to review and append our report where required.

Proof of water assessments are based on pumping test information provided by others and interpreted by Kala unless otherwise noted. Groundwater sourced from fractured bedrock aquifers is dependant on the density and aperture of randomly and structurally oriented fractures and joints. Kala can not warranty the long term viability of domestic water wells completed within fractured bedrock. Water well maintenance is required on a regular basis to ensure long term yields.

Kala proof of water evaluations are valid for the time of year and site conditions as noted. The impacts of neighboring water wells on the pumping well or the later alteration of site conditions to include additional water wells has not been determined. While every effort is made to establish a recommended pumping rate for a subject water well based on the data provided, the client or well owner is responsible for monitoring long term well water to verify an aquifers response to pumping and maintain the well such that well bore deterioration does not impact well performance.

Kala recommends the construction, development and use of drilled wells over and above excavated wells where ever possible. Dug wells generally comprise shallow culvert style excavations which are directly under the influence of surface water owing to depth and proximity to surface water recharge. Dug wells unlike deeper drilled wells are more sensitive to fluctuations in total available drawdown which impacts the quantity of water available. Seasonal fluctuations in water level especially during drought periods can have pronounced impact on dug wells. Dug wells are not developed to a silt and sand free condition as deeper drilled wells completed in unconsolidated formations are; rather dug wells rely on the filtering capacity of the surrounding envelope of drain rock to improve water quality. Both the quality and quantity of water sourced from dug wells is more sensitive to surface and local watershed changes.

Report Use

Kala will consent to any reasonable request by the client to approve the use of this report by other parties as approved users. This report may be relied upon by financial institutions, solicitors, lenders, engineers and consultants to the same extent as the original client. Kala authorizes only the client and those client identified agents to make copies of the report, and only in such quantities as are reasonably necessary for the use of the report by those parties. The client and approved users or agents may not give, lend, sell or otherwise make available the report or any portion thereof, or any copy of the report or portion thereof, to any other party without the permission of Kala.

Third Party Report Use

The information provided within this report is for the exclusive use of the client/owner and their authorized users and agents. Third party use of this report or any reliance or decisions made on the subject information herein, is at the sole risk of the third party. Kala has no obligation, contractual or otherwise to any third persons or parties, using or relying on this information for any reason and therefore accepts no responsibility for damages incurred by a third party as a result of actions taken or decisions made on the basis of the subject information.

Complete Report

The report is not intended to stand alone without reference to the instructions given to Kala by the Client, communications between Kala and the Client, and to any other reports prepared by Kala for the Client relative to the specific site described in the report. In order to properly understand the suggestions, recommendations, and opinions expressed in the report, reference must be made to the whole of the report. Kala cannot be responsible for use by any party of portions of the report without reference to the whole report.

Interpretation of the Report

- (a) Nature and Exactness of Soil Description: Classification and identification of soils, rocks and geologic units have been based upon commonly accepted methods employed in professional geotechnical practice. This report contains descriptions of the systems and methods used. Where deviations from these systems have been used they are specifically mentioned. Classification and identification of the type and condition of soils, rocks and geologic units are judgmental in nature. Accordingly, Kala cannot warrant or guarantee the exactness of the description of insitu ground conditions set forth in the Report.
- (b) Logs of Test Holes, Pits, Trenches etc.: The test hole logs are a record of information obtained from field observations and laboratory testing of selected samples as well as an interpretation of the likely subsurface stratigraphy at the test hole sites. In some instances normal sampling procedures do not recover a complete sample. Soil, rock or geologic zones have been interpreted from the available data. The change from one zone to another, indicated on the logs as a distinct line, may be transitional. The same limitations apply to test pit and other logs.
- (c) Stratigraphic and Geologic Sections: The stratigraphic and geologic sections indicated on drawings contained in this report are interpreted from logs of test holes, test pits or other available information. Stratigraphy is inferred only at the locations of the test holes or pits to the extent indicated by items (a) and (b) above. The actual geology and stratigraphy, particularly between these locations, may vary considerably from that shown on the drawings. Since natural variations in geologic conditions are inherent and a function of the historic site environment, Kala does not represent or warrant that the conditions illustrated are exact and the user of the report should recognize that variations may exist.
- (d) Groundwater Conditions: Groundwater conditions shown on logs of test holes and test pits, and/or given within the text of this report, record the observed conditions at the time of their measurement. Groundwater conditions may vary between test hole and test pit locations and can be affected by annual, seasonal and special meteorological conditions, or by tidal conditions for sites near the seas. Groundwater conditions can also be altered by construction activity. These types of variations need to be considered in design and construction.

Samples

Kala normally disposes of all unused soil, rock, and sediment or water samples after 90 days of completing the testing program for which the samples were obtained. Further storage or transfer of samples can be made at the owner's expense upon written request.

TABLES

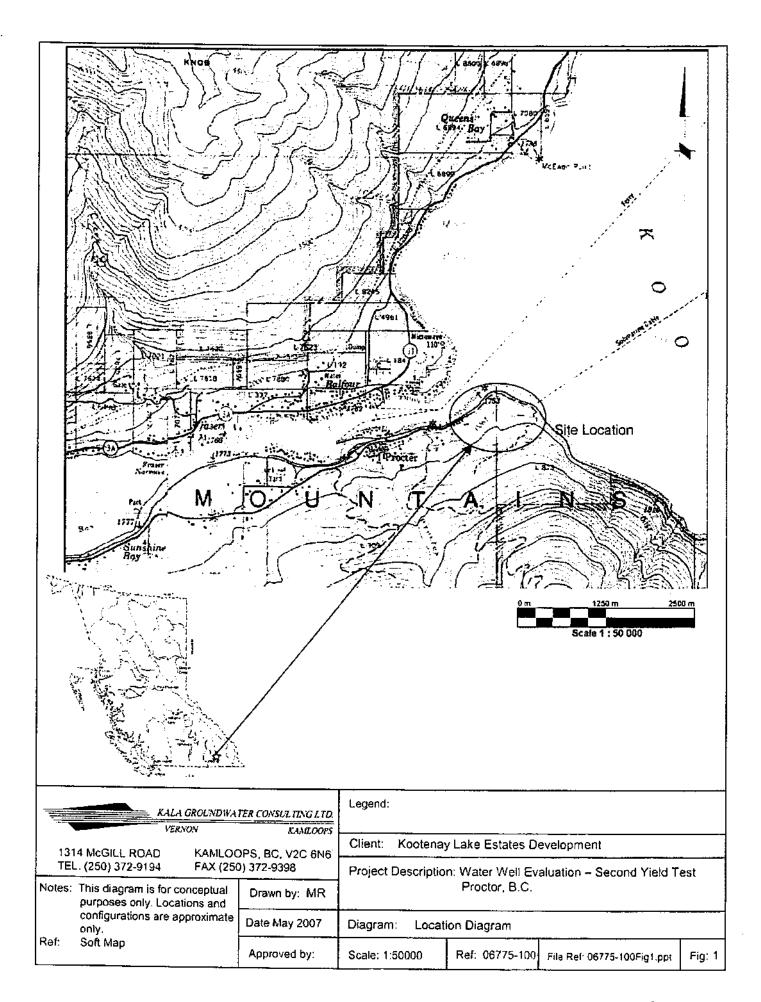
TABLES

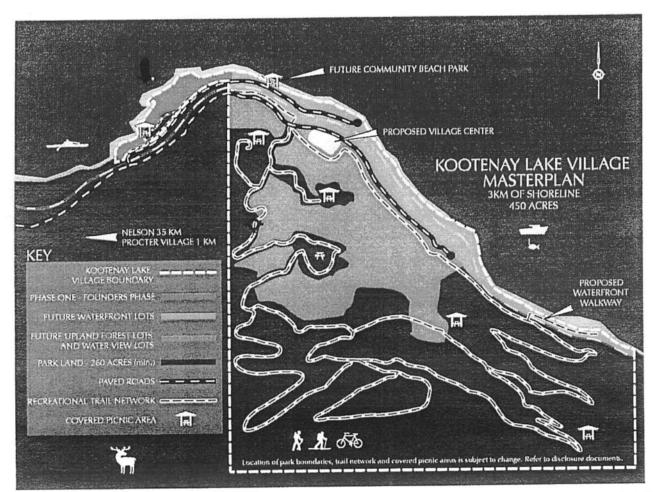
<u> </u>	Table 1 – Regulatory Compliance Documents
Activity	Document
Yield Testing	Evaluating Long Term Well Capacity for a Certificate of Public Convenience and Necessity, MoWLAP, July 1999.
Water Quality	Summary of Guidelines for Canadian Drinking Water Quality, Health and Welfare Canada 2006

	Table 2 – Drilling Stratigraphy
Depth (m)	Formation Description
0 – 0.3	Brown clay gravel
0.3 – 42.7	Bedrock (1/2 gpm)
42.7 – 201.2	Bedrock (12 gpm)
201.2 - 243.8	White layers (18-20 gpm)

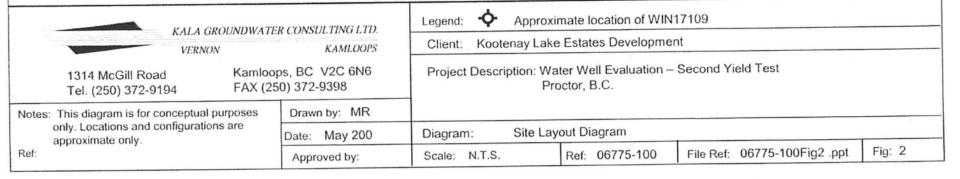
Table 3 - Yield Test Su	mmary	
	Test #1	Test #2
Date of test	December 19-22, 2006	April 25-May 18, 2007
Duration of test (min.)	4,330	8,476
Static water level (m)	Flowing	Flowing
Step tests (L/s)	n/a	n/a
Constant flow rate (L/s)	0.945 (average)	0.95
Well recovery duration (min.)	150	238
Parameter	Pin	ding
Maximum Drawdown (m)	191.82	169.69
Water level stabilization	Yes	Yes
Total Available Drawdown (m)	234.70	229.0
Percent Available Drawdown (%)	81.7	74
100 Day Specific Capacity (L/s/m)	0.006	0.006
Estimated Transmissivity (m²/d)	n/a	n/a

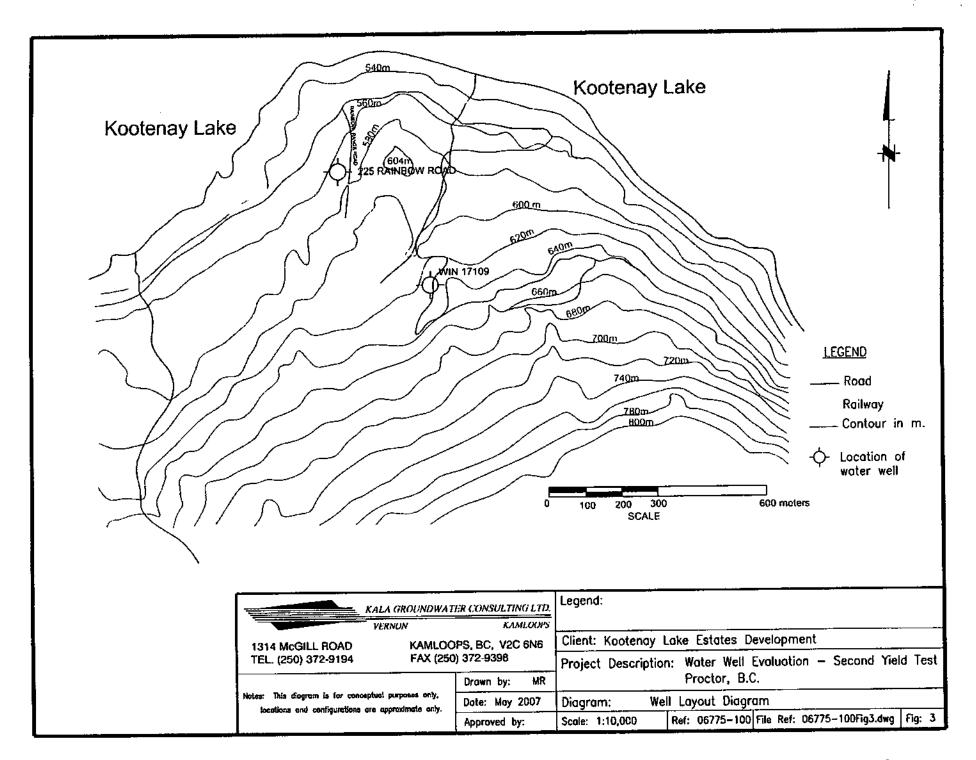
FIGURES

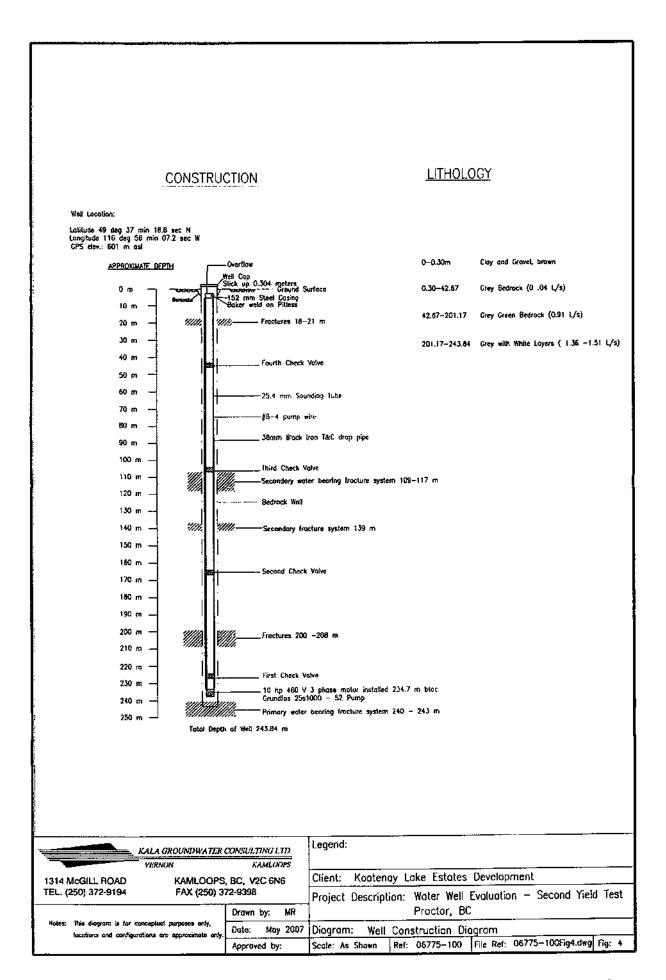




Property Legal Description: District Lot 873 Kootenay Land District except part included in R/W Plan 1760



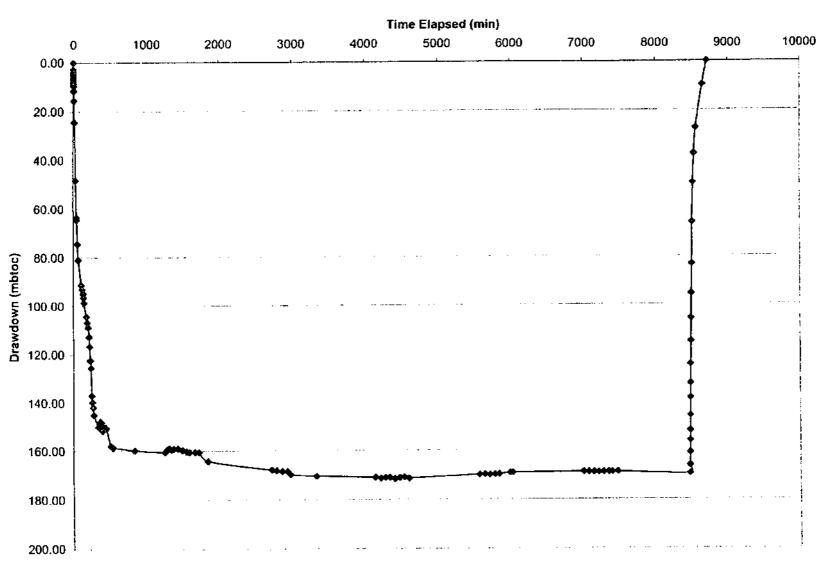




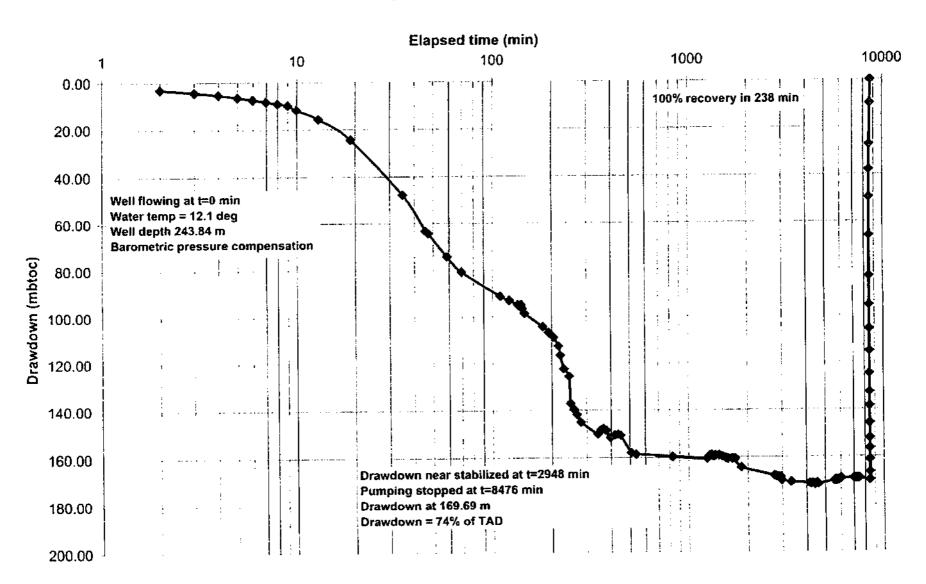
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Well diffier (part decry): Name (first, last) (see note 15): Story Woodford Registration no. (see note 20): 10 POSOS 300 7 Consultant (if applicable, reme and company): DECLARATION: Well decrements, and attention or well occurs, on To case may be.	Date of work (mynusupoc): Started: 2006/10/09 Completed: 2006/10/16
Ne bean dame in accommon with the regularization in the Above As and the Ground Water Profession Regulation Signature of Orillar Responsible	and the state of t
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KOOTENAY LAKE ESTATES WIN17101 Yield Test No. 2 April 25-May 1, 2007 Constant rate 0.95 L/s



KOOTENAY LAKE ESTATES WIN17109 Yield Test No. 2 April 25-May 1, 2007 Constant Flowrate 0.95 L/s



Kala Groundwater - Yield Test Data Kootenay Lake Estates - WIN17109 Yield Test No. 2 Constant flowrate 0.95 L/s (flow restrictor and cycle stop) Flowing at start of test

Date	Elapsed Time (min)	Drawdown (m)
4/25/07	0	0.00
	2	2.86
	3	4.05
	4	5.10
	5	6.15
	6	7.06
	7	7.97
	8	8.75
	9	9.49
	10	11.50
•	13	15.50
	19	24.30
	35	48.00
	46	63.40
	47	64.40
	59	74.30
	70	80.90
	110	91.20
	122	93.00
	135	94.80
	140	94.80
	142	96.40
	146	98.50
	181	104.30
	193	106.70
	205	108.75
	217	112.55
	222	116.50
	231	122.25
	245	125.40
	250	136.96
	260	139.56
	269	141.77
	281	144.97
	343	149.96
	355	148.35
	366	147.74
	377	148.39
	397	151.60
	419	150.34
	436	150.21
	449	150.56
	510	157.94
	539	158.54

· ···	831	159.70
	1250	160.50
4/26/07	1285	159.23
4/20/07	1310	158.91
	1340	159.41
	1370	159.12
	1430	158.94
	1490	159.64
	1550	160.22
		160.53
	1590 1670	160.50
· · · · · · · · · · · · · · · · · · ·		
	1725 1854	160.56 164.26
4/07/07	2730	167.80
4/27/07		<u> </u>
	2795	168.00
	2876	168.41
	2948	168.41
	2988	169.80
	3345	170.51
4/28/07	4149	171.06
	4225	171,38
	4289	171.13
	4346	171.13
	4417	171.71
	4486	171.21
	4549	171.00
	4610	171.45
4/29/07	5582	169.95
	5656	169.75
	5724	169.97
	5795	169.81
	5854	169.75
	6010	169.15
	6047	169.09
4/30/07	7023	168.87
	7090	168.91
	7164	168.97
	7226	169.02
	7292	168.95
	7360	168.89
	7409	168.96
	7486	168.85
5/1/07	8476	169.69
	8477	166.31
	8478	161.11
	8479	156.26
	8480	152.07
	8482	145.76
	8484	138.47
	8486	132.59
	8489	124.65
	8492	115.25

	8496	105.86
	8501	95.61
	8508	83.39
	8516	66.14
	8526	49.83
	8540	38.06
	8564	27.29
	8654	9.76
5/1/07	8714	0.00

Wednesday, July 18, 2007

Pennco File: 04-387

MoE File: 38050/20 Procter

Ministry of Environment Water Stewardship Division Water Utility Regulation PO Box 9340 Stn Prov Govt Victoria, BC V8W 9M1

Attention: Al Aderichin, P.Eng.

Senior Waterworks Engineer

Dear Mr. Aderichin:

Re: Procter Water Utility Limited

Application for Certificate of Public Convenience and Necessity (CPCN)

Application Date: May 17, 2006

We certify that we have supervised installation of the Kootenay Lake Village Phase 1 (19 lots) water system which is now substantially complete. Sealed Civil Engineering as built drawings will be submitted when finalized together with an engineers estimate for any final items that may require bonding.

If you have any questions or require further information please do not hesitate to call at 250-354-0112.

Yours truly,

Pennco Engineering Ltd.

Bernie Penner P.Eng.

ed July 1,8 2,00 7

MEMO:

To: Approving Officer Date: December 05, 2008

With respect to PLA Condition 1, Community Water System:

1. Please see attached written confirmation from RDCK on bylaws



Regional District of Central Kootenay

Box 590, 202 Lakeside Drive Nelson, BC V1L 5R4 web: www.rdck.bc.ca Telephone (250) 352-6665 Fax (250) 352-9300 BC Toll Free 1-800-268-7325 e-mail: info@rdck.bc.ca

R.D.C.K. File #4420-20-E29040.030 MoT File 02-010-19740

December 12, 2008

Michelle Ihas
Development Approvals Technician
Ministry of Transportation
310 Ward Street,
NELSON BC V1L 5S4

Re: Phase 2 of NES3286 which is the proposed 12 lot subdivision of Lot A, Plan NEP84603, District Lot 309, Except Phase 1 of Plan NES3286 (Formerly referred to as Phase 2 of L873, KD, exc. Part in RW Plan 1760) Owners: Kootenay Lake Estates Development Corporation

Please be advised that the Regional District of Central Kootenay has received applicable documentation addressing all outstanding requirements of RDCK Subdivision Bylaw No. 1321.

As per Part 6.02 of Subdivision Bylaw 1321, where a community water system is proposed to serve a subdivision, it shall be designed in accordance with the requirements of any authority having jurisdiction over the system pursuant to the Condominium Act, Health Act, Water Act, Water Utilities Act and Utilities Commission Act. In this regard, Certificate of Public Convenience and Necessity Certificate No. 1349 has been provided as proof of water.

Section 941 requirements for the provision of parkland will be required at a later phase in the development.

The Regional District has no additional conditions associated with this subdivision.

Sincerely,

Mark Crowe,

Planning Technician

cc: Kootenay Lake Estates Development Corporation
W:\Departments\Plandept\SUBDIVSN\APPROVALS\Archived\Approval_E29040030_Phase2.DOC



KOOTENAY LAKE

418 HOOVER STREET, NELSON, BC, CANADA V1L 4W7 f: 250 354 0526 f: 250 354 3520

Peter Muirhead Ministry of Transportation West Kootenay District 310 Ward Street Nelson, BC V1L 5S4

August 5, 2005

Dear Peter

Please find included for your consideration our Preliminary Layout Application with respect to the adjacent 10 acres.

The acreage is a beautiful waterfront piece which is currently being marketed out of Calgary as developable acreage. We are concerned that a unsympathetic subdivision would conflict with our plans for a sustainable model next door so we have optioned the piece until October to carry out the necessary due diligence to purchase the land. Central to that decision is the ability to subdivide. Please find included a copy of our purchase contract addendum with the seller providing their authority for our application in this regard.

The acreage would be consolidated into our Master Plan and the individual strata lots would benefit from the common infrastructure established on the parent piece, including access to the protected green spaces and trails. The parent piece will benefit from a second crossing and create a traffic loop and our main trail would be extended 1800ft through a spectacular densely forested piece. Septic and water would be consolidated into our approved central systems and the additional lots can share in the inevitable costs in upgrading Proctor East Road. The same stringent design and setback requirements of our Statutory Building Scheme will apply and the natural beauty of the shoreline and forest maintained.

It is our intention to show this proposal as part of our Master Plan at the requested Proctor Meeting and we will record and address any additional concerns raised.

The PLA is almost exactly the same as our parent application on DL873. The proposed paved road is outside of the CPR lands and will meet strata road standards. The rail crossing exists but will have to be widened to meet MoT guidelines. The communal pathway system will be extended by way of an easement across the back of the lots and because of the depth of individual lots we will likely create partially shared driveways to building sites so that there is the least interruption to the natural forest.

The public access to waterfront remains an issue. We will work on this over the weekend and make a formal proposal after our site meeting on Monday which can then be presented to the Proctor Community at the meeting for consideration.

Should you require any further information please do not hesitate to contact us.

s.22

PRELIMINARY SUBDIVISION APPLICATION

D. FURTHER INFORMATION AND COMMENTS

We wish to incorporate this parcel of land with the 450 acre adjacent property which was purchased in December 2004 by Kootenay Lake Estates Ltd. and is being developed by Kootenay Lake Estates Development Corporation Ltd. (KLEDC). KLEDC plans to build a sustainable community development that protects, preserves and enhances the natural beauty of this beautiful piece of property on Kootenay Lake. Our plan is to do a strata subdivision in which the vast majority (at least 300 acres) of the adjacent 450 acre property is designated as "common" property, in which no building development will occur such that the community can share in a large piece of land that will be preserved in perpetuity. Much of this "common" property is mature 100+ year old forest. The development goal is also to create a lifestyle community that is pedestrian friendly and provides common and easy access to a series of hiking and biking trails. Pathways are being designed such that there will be little, if any, need to walk on or to cross roads to access the pathway network. A building scheme will also be designed to control building sizes, building materials and building placement such that there is minimal impact to the land. Roads will be designed so mature trees are preserved, especially along the waterfront, where the oldest trees exist on the entire property (many are 100 year+).

Treated community septic and water systems will be provided to all lots. Water and septic treatment systems will be situated on the adjacent 425 acre parcel through easement agreements and shared service agreements. All strata lot owners will share in the costs of maintaining these systems as well as other common infrastructure such as pathways.

Hydro and telus will also most likely be provided to each lot by underground service in order to make the least obstruction to views and property aesthetics.

This PLA is for 16 strata lots.

We are working with leading architectural, planning and design firms to ensure the development is aesthetic, well planned and environmentally sensitive.

Other Considerations

Access Road – the developer is aware of deficiencies in Procter East road and has agreed to provide a traffic study and propose options to address any problems.

Strata Road – a 10 meter strata road allowance with a 7 meter paved surface will access each lot as shown on the plan. (This road will connect to the easement driveway on the adjacent property, allowing for better traffic flow and emergency vehicle access for the adjacent property)

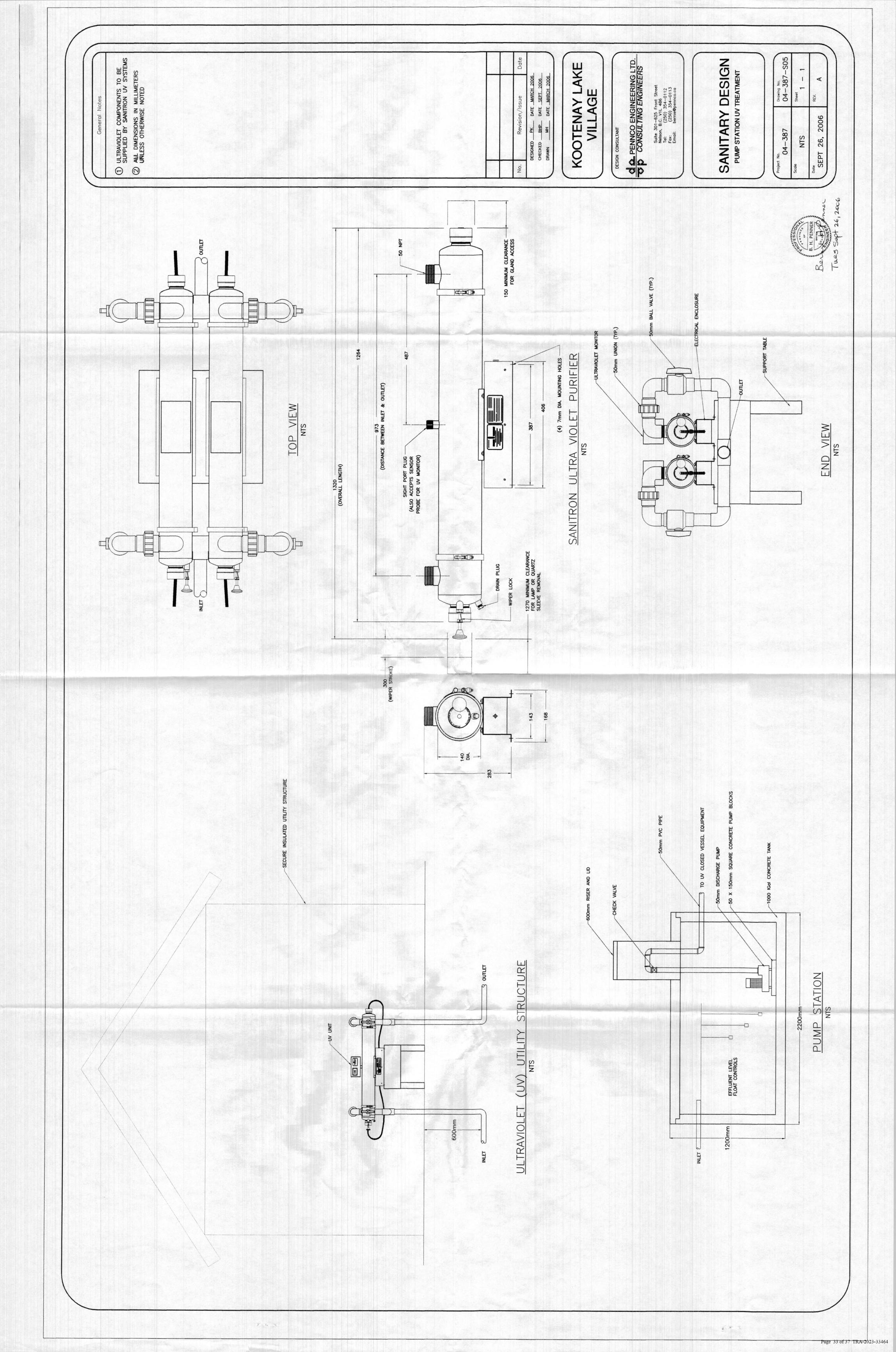
Access to water – The total waterfront of this property and the adjacent property is about 2800 meters. The developer proposes to give over to crown 800 meters (over 28%) as public dedication to waterfront. This waterfront includes the best beach on the entire property. The developer would also develop a forest pathway from the end of the constructed public road to a pedestrian CP crossing. This pathway would be constructed within the crown road allocation. The pathway will be maintained by the strata development.

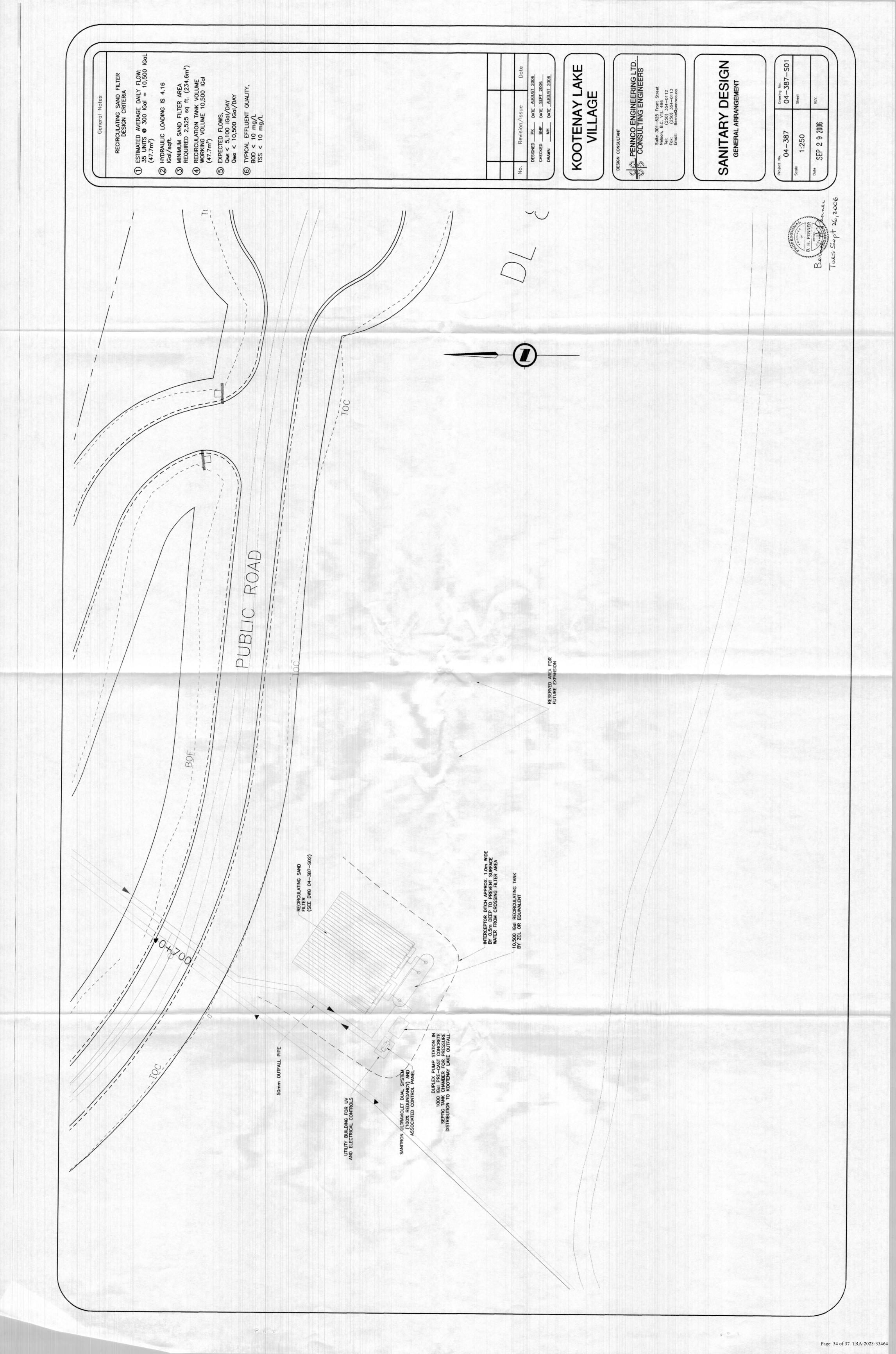
Water Licenses - no water licenses exist on the lots that are being subdivided.

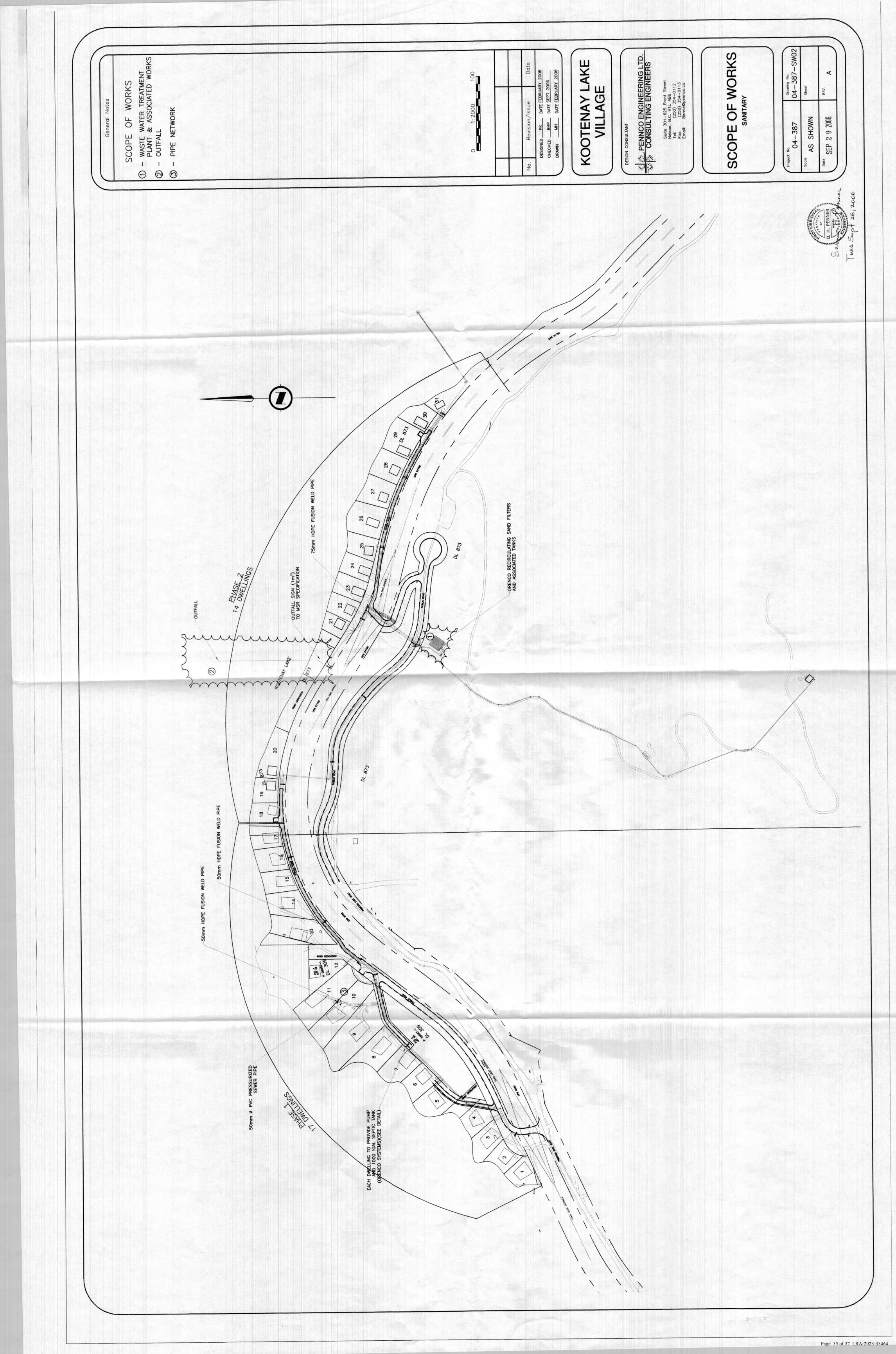
Natural Hazards - The proposed development is not subject to flooding, snow avalanche, rock fall, erosion, land slip or tidal action (see RDCK letter attached).

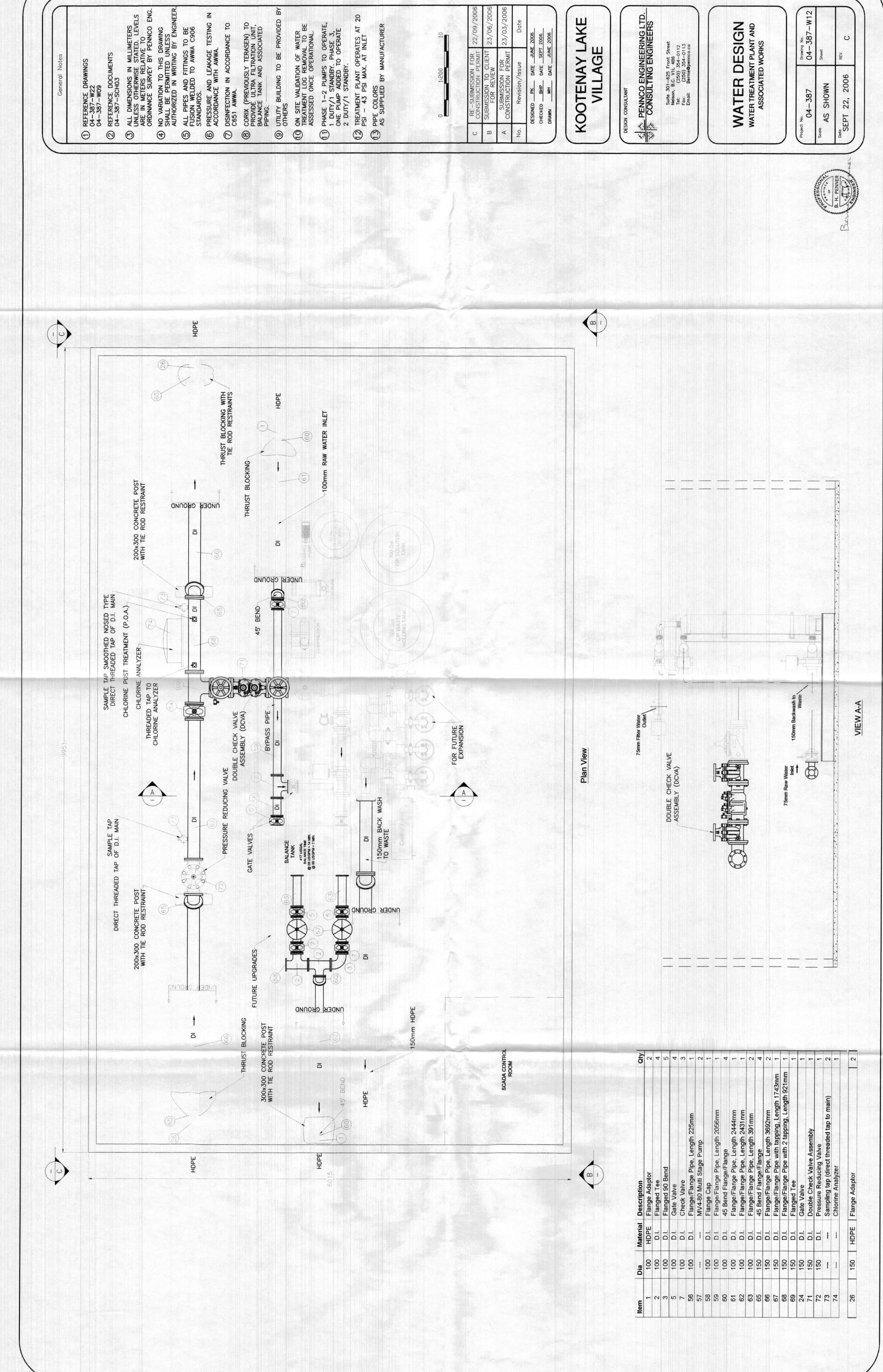
CP Crossing – A CP crossing already exists to access the property, however, a new agreement will be necessary to access a strata subdivision and the crossing will need to be upgraded to Ministry of Transport standards.

Septic and Water - to be delivered service from common strata in accordance with Interior Health requirements and Municipal Sewage Regulations.



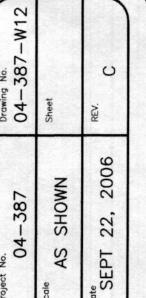






WATER DESIGN

Project No. 04-387	Drawing No. 04-387-W12
Scale AS SHOWN	Sheet
Date SFPT 22, 2006	REV.



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