Pacific Coast Power Company water license 1903

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At the Executive Council Chamber, Victoria, B. C.,

The 29th day of July, , A. D. 1903.

Present:

The Honourable

Mr. McBride. (in the Chair)

Mr. McPhillips,

Mr. Tatlow.

Mr.

Mr.

On the recommendation of the Honourable

The Acting Provincial Secretary.

and under the provisions of Section 90 of Chapter 190: R.S.

the 'Water Clauses Consolidation Act, 1897'.

His Honour the Lieutenant-Governor of British Columbia, by and with the advice of his Executive Council, doth order as follows: that a Certificate amending and consolidating the first Certificate of Approval dated 10th July, 1900, issued to the PACIFIC COAST POWER COMPANY, LIMITED, and the Order in Council of the 17th day of July, 1902, extending the time within which the works of the Company were to be in operation, be issued to the said Company, in the form of the draft attached to the accompanying Report.

O/C 336/00

O/C 308/02

APPROVED AND ORDERED THIS 30th DAY OF July A.D. 1903

Henri G. Joly de Lotbinière
LIEUTENANT-GOVERNOR.

O/C 6/8

Jan 6/8

A. Caufheld Reddie.

Deputy Clerk: Executive Council.

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Dated 30th July.

ORDER IN COUNCIL

providing

approval of the issue of a Certificate under the "Water Clauses Consolidation Act, 1897" to the "Pacific Coast Power Company, Limited."

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THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

PART IV.

"WATER CLAUSES CONSOLIDATION ACT, 1897."

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(1.) THIS IS TO CERTIFY that "The Pacific Coast Power Company, Limited," a specially incorporated Company within the meaning of Part IV. of the "Water Clauses Consolidation Act, 1897," registered on the 13th day of September, 1899, has submitted its undertaking to the Lieutenant-Governor in Council for approval, and that the said undertaking, as shown by the documents and plan filed, has been approved, and is as follows:—

To construct a dam across Powell River, in New Westminster District, at such a point not exceeding 200 feet above the Falls, and at such a height (not exceeding 50 feet) as the Company, in its own discretion, may see fit, with the right to back the waters of Powell River and Powell Lake above said dam to a level with the crest of said dam, and to increase the head of water in said river and lake, and extend the area of said river and lake, and to render said water and water-power available for use, and to draw off said water so stored and to divert said waters thence and convey same by suitable conductors along either bank or both banks of said river a distance of 1,409 feet, more or less, to the place at which the water is to be used for the development of power, and at which it will be returned to the stream, and to operate the same by the use of 48,000 inches of water from the said Powell River, which has been recorded by said Company for the purpose of developing power and using and disposing of the same for milling, manufacturing, industrial and mechanical purposes, and for the purpose of producing and generating electricity for the purposes of light, heat and power, and in particular and without restricting the generality of the above purposes, for the purpose of manufacturing pulp and paper.

(2.) And this is to further certify that the Company may, under the provisions of said Act, acquire land for any and all of the above purposes, and as a right of way along the line of the intended conductors.

(3.) And this is further to certify that the estimated cost of the undertaking, including lands to be purchased and said dam, conductors and the necessary water-wheels, the construction whereof is to be presently undertaken by the Company, is $50,000, which has been subscribed.

(4.) And this is further to certify that said undertaking and works have been commenced.

(5.) And this is further to certify that the date by which said works shall be in operation is fixed at the 10th day of January, 1904.

(6.) And this is further to certify that for the transporting of timber, logs and lumber to salt water from the point in Powell River where the said Company's dam shall be erected, the said Company shall, under the supervision of the Government Engineer, place in said dam, at the north-west end thereof, a slip at least six feet deep from the crest of the dam, and nine feet wide, having proper head-gates, and keep the same in good and sufficient repair, so that persons transporting timber, logs or lumber may make connection therewith by chute or flume to salt water.

(7.) And this is further to certify, and it is an express condition of this Certificate, that the said Company shall submit to and obey any and all orders or regulations which may be made by the Lieutenant-Governor in Council by Order in Council, having reference to such further provisions as the Lieutenant-Governor in Council shall deem reasonable with respect to the transporting of timber, logs or lumber from the point on Powell River where the said Company's dam shall be erected to salt water. And it is also an express condition of this Certificate that in the sale of power to the public the rates and tolls therefor shall be subject to revision and final settlement by the Lieutenant-Governor in Council.

(8.) And this is further to certify that the locality, place or district within which the corporate powers of the Company in respect of its undertaking and works are to be exercised may be described as follows:—All of Lot 1901A, Group One, New Westminster District, and also that portion of Lot 450, Group One, New Westminster District, lying to the east of said Powell River, and also that portion of said Lot 450 lying to the west of said Powell River which is bounded as follows:—Commencing at a point on Powell River or Teeshquot Creek, being the south-west corner of said Lot 1901A; thence north sixty degrees west following the boundary of said Lot 1901A, and said Lot 450, a distance of ten chains; thence south thirty degrees west a distance of thirty chains; thence north sixty degrees west a distance of twenty chains; thence south thirty degrees west to shore line of Malaspina Inlet, a distance of twenty-four chains, more or less; thence easterly following the said shore line to the mouth of Powell River or Teeshquot Creek; thence following the right bank of said Powell River or Teeshquot Creek to the point of commencement; containing 91.28 acres, more or less, which said portion of said Lot 450 is indicated in red on the plan attached to the application.

(9.) And this is further to certify that the said Company shall have and exercise its rights, powers and privileges hereunder only if and when the said Company, within two months from the date of this Certificate, shall have deposited with the Minister of Finance the sum of $10,000 in cash, or securities approved by said Minister, as security, first, that the said Company will fully comply with and carry out the terms hereof, and second, satisfy any damages that may ensue to any private property or rights consequent upon the construction of the works.

Dated this 29th day of July, A.D. 1903.

1898.

Clerk, Executive Council.

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To

His Honor the Lieutenant- Governor in Council.

The undersigned has the honour to report for the consideration of the Council the following -

The Pacific Coast Power Company, Limited, was specially incorporated as a Limited Company, (its Memorandum of Association being executed on the 23rd February, 1899, and registered on the 18th day of September, 1899) for the purpose of exercising the rights, powers, privileges and priorities, created, granted and conferred in and by part IV of the "Water Clauses Consolidation Act, 1897."

On the 10th day of May, 1899, the Company acquired a record of 48,000 inches of water out of Powell River, Malaspina Straits, New Westminster District.

On the 10th day of July, 1900, the first Certificate of approval was granted to the Company;

The undertaking and works described in the said Certificate of approval were commenced, and the capital fixed was subscribed within the time limited by the certificate;

On the 17th day of July, 1902, the date fixed by said Certificate of Approval by which the works were to be in operation was extended to the 10th day of January, 1904;

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The Company has filed with the Clerk of the Executive Council, in connection with its application, the documents referred to in Section 85 of said Act, together with the declaration of John J. Shallcross as to the commencement of the undertaking and works, and the certificate of the Registrar of Joint Stock Companies as to the subscription of capital.

These documents show that the Company proposes to exercise its corporate powers within the District of New Westminster, the area being more particularly described in its application.

The works the Company proposes to do are :- (a) To construct a dam across Powell River as indicated on the plan accompanying the application at such height not exceeding 50 feet as the banks of the river will permit. (b) To construct a cofferdam at a convenient point above said dam (c) To construct in said dam suitable headgates for the safe passage of logs and lumber. (d) To construct suitable conductors of the water from the point of diversion to the water-wheels . (e) To construct suitable water-wheels for the development of power.

The Company's application is made in pursuance of Section 90 of the "Water Clauses Consolidation Act,1897" and is that the said first Certificate of Approval of the 10th day of July, 1900, and the said Order-in-Council of the 17th day of July, 1902, be amended and consolidated and a further certificate granted. As the statutory requirements have been complied with and the public interest will be served as appears by the report of the Government Engineer filed herein, the undersigned recommends that a further certificate approving the undertaking be issued to read as follows:-

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Enc # 3444



P A R T I V.

"WATER CLAUSES CONSOLIDATION ACT, 1897."

I: This is to certify that the Pacific Coast Power Company, Limited, a specially incorporated Company within the meaning of Part IV of the "Water Clauses Consolidation Act,1897", registered on the 13th day of September, 1899, has submitted its undertaking to the Lieutenant-Governor in Council for approval, and that the said undertaking as shown by the documents and plan filed has been approved and is as follows:-

To construct a dam across Powell River, in New Westminster District, at such a point not exceeding 200 feet above the Falls, and at such a height (not exceeding 50 feet) as the Company in its own discretion may see fit, with the right to back the waters of Powell River and Powell Lake above said dam to a level with the crest of said dam, and to increase the head of water in said river and lake and extend the area of said river and lake, and to render said water and water-power available for use, and to draw off said water so stored and to divert said waters thence and convey same by suitable conductors along either bank or both banks of said river a distance of 1409 feet, more or less, to the place at which the water is to be used for the development of power, and at which it will be returned to the stream, and to operate the same by the use of 48,000 inches of water from the said Powell River, which has been recorded by said Company for the purpose of developing power and using and disposing of the same for milling, manufacturing, industrial and mechanical purposes, and for the purpose of producing and generating electricity for the purposes of

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light, heat, and power, and, in particular and without restricting the generality of the above purposes, for the purpose of manufacturing pulp and paper.

2: And this is further to certify that the Company may, under the provisions of said Act, acquire land for any and all of the above purposes and as a right of way along the line of the intended conductors.

3: And this is further to certify that the estimated cost of the undertaking, including lands to be purchased and said dam, conductors and the necessary water-wheels, the construction whereof is to be presently undertaken by the Company, is $50,000, which has been subscribed.

4: And this is further to certify that said undertaking and works have been commenced.

5: And this is further to certify that the date by which said works shall be in operation is fixed at the 10th day of January, 1904.

6: And this is further to certify that for the trahsporting of timber, logs and lumber to salt water from the point in Powell River where the said Company's dam shall be erected, the said Company shall, under the supervision of the Government Engineer, place in said dam at the north west end thereof, a slip at least six feet deep from the crest of the dam, and nine feet wide, having proper headgates, and keep the same in good and sufficient repair, so that persons transporting timber, logs or lumber, may make connection therewith by chute or flume to salt water.

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7 : And this is further to certify, and it is an express condition of this Certificate, that the said Company shall submit to and obey any and all orders or regulations which may be made by the Lieutenant-Governor in Council by Order in Council, having reference to such further provisions as the Lieutenant-Governor in Council shall deem reasonable with respect to the transporting of timber, logs or lumber from the point on Powell River where the said Company's dam shall be erected to salt water. And it is also an express condition of this Certificate that in the said power the public shall be entitled to rates and tolls thereon fixed by the Lieutenant-Governor in Council.

8: And this is further to certify that the locality, place or district, within which the corporate powers of the Company in respect of its undertaking and works are to be exercised may be described as follows :- All of Lot 190I A., Group One, New Westminster District, and also that portion of Lot 450, Group One, New Westminster District, lying to the east of said Powell River, and also that portion of said Lot 450 lying to the west of said Powell River which is bounded as follows :- Commencing at a point on Powell River or Teeshquot Creek, being the South West corner of said Lot 190I A, thence North Sixty degrees West following the boundary of said lot 190I A, and said Lot 450, a distance of ten chains; thence South thirty degrees West a distance of thirty chains; thence North Sixty degrees West a distance of twenty chains; thence South thirty degrees west, to the shore line of Malaspina Inlet, a distance of twenty four chains more or less; thence easterly following the said shore line to the mouth of Powell River or Teeshquot Creek; thence following the right bank of said Powell River, or Teeshquot Creek to the point of commencement: containing 91.28 acres

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