

Approved and ordered this 13th day of August, A.D. 1947.

At the Executive Council Chamber, Victoria,

Carson
Lieutenant-Governor.

PRESENT:

The Honourable

- Mr. Hart
- Mr. Pearson
- Mr. Wismer
- Mr. Anscomb
- Mr. Putnam
- Mr. MacDonald
- Mr. Carson
- Mr. Weir
- Mr.
- Mr.
- Mr.

in the Chair.

Joram.

To His Honour

The Lieutenant-Governor in Council: *AMN o/c 836/68, 4714/71, 1717/89*

The undersigned has the honour to report:

THAT a petition has been presented by a number of owners of land near Armstrong, B. C., praying that the tract of land hereinafter mentioned and the owners of land in the said tract be incorporated into an improvement district.

THAT the petitioners have complied with the requirements of the "Water Act, 1939" relative to such petitions.

THAT it appears in the public interest to grant the prayer of the said petition.

AND TO RECOMMEND:-

THAT in accord with Section 49 of the Water Act, 1939, being Chapter 63 of the Statutes of British Columbia, 1939, Letters Patent in the terms of the Letters Patent herewith, be issued incorporating the tract of land therein described and the owners of land in the said tract into an improvement district under the name "Silver Star Waterworks District" and with the rights, powers, privileges and obligations conferred and imposed on improvement districts under the said Act except as otherwise specified in the said Letters Patent.

DATED the 12th day of August 1947.

Chrusch
Acting Minister of Lands and Forests.

APPROVED the 13th day of August 1947.

Chrusch
Presiding Member of the Executive Council.

*Water Branch
Lands
C. 13-8-47
AB*

*By my Mr Lane
Water Branch*

Carbank

Lieutenant-Governor.

C A N A D A:
PROVINCE OF BRITISH COLUMBIA.

GEORGE the SIXTH, by the Grace of God of Great Britain, Ireland, and
the British Dominions beyond the Seas, KING, Defender of the
Faith, Emperor of India.

TO ALL TO WHOM THESE PRESENTS SHALL COME -- GREETING.

Chisvard
Acting Minister of Lands and Forests.) WHEREAS by section 49 of the
("Water Act, 1939" it is provided
(that the Lieutenant-Governor in

Council may incorporate a tract of land and the owners thereof into
an improvement district:

And whereas the Lieutenant-Governor in Council has by Order in
Council made pursuant to the said Act been pleased to order that the
tract of land hereinafter described and the owners thereof be incorporated
into an improvement district under the said Act and has made further
provision to the tenor and effect hereinafter appearing:

NOW KNOW YE that by these presents We do hereby order and
proclaim:-

1. The tract of land comprising Lots 4, 6, 7 and 8, Registered
Plan B 3007; Lots 3 and 9, Registered Plan 1847; the parts of Section 4,
Township 35, Osoyoos Division of Yale District, covered by Registered
Plans 1887, B 4281, B 300, B 1340, B 1368 and B 1876; and an unregistered
3 acre parcel of Lot 1 and 2, Registered Plan 2997, Kamloops Land
Registration District of Kamloops Division of Yale Land District and all
subdivisions thereof, and the owners of land in the said tract are
incorporated into an improvement district under the "Water Act, 1939"
and subject to the provisions thereof and to the conditions hereinafter
contained.

2. The said improvement district shall be known as the
"Silver Star Waterworks District".

3. The objects of the said improvement district shall be the
provision of a water supply and fire protection and the acquisition,
maintenance and operation of works for the said purposes and all matters

incidental thereto.

4. There shall be three Trustees of the said improvement district.

5. The persons qualified to vote at the first election of Trustees shall be Canadian citizens who are twenty-one years of age or older and are entitled to be registered as voters under the "Provincial Elections Act" and are owners of land in the tract of land hereinbefore described, and the persons qualified to be candidates at the said election shall be the persons qualified as aforesaid to vote and their wives and husbands.

6. C. H. Jenkinson of Armstrong, B.C., shall be Returning Officer for the first election of Trustees. He shall call a general meeting of the persons who are qualified as aforesaid to vote and shall, at least seven days before the date of the said meeting, post in a conspicuous place at the post-office or other public building in the tract of land hereinbefore described, a notice signed by him giving the date, time and place of holding the said meeting. The Returning Officer shall be chairman of the said meeting and subject to the provisions of clause 5 he shall have power to determine whether or not any person who desires to vote is qualified to do so. He shall have power to determine the procedure to be followed at the said meeting and the method of taking the votes. Each qualified voter shall be entitled to cast one vote for each of three candidates. The Returning Officer shall declare the result of the election and shall notify the Comptroller of Water Rights of the said result.

7. The candidate elected as Trustee for whom the greatest number of votes is cast at the general meeting called pursuant to clause 6 hereof shall hold office until the annual general meeting of 1950, the candidate elected for whom the second greatest number of votes is cast shall hold office until the annual general meeting of 1949, and the candidate elected for whom the third greatest number of votes is cast shall hold office until the annual general meeting of 1948, but should there be nominated no more than three candidates for the office of Trustee, or should any two or more candidates receive an equal number of votes, then the Returning Officer shall have power to and shall declare which of the candidates elected shall hold office until the next, the second

and the third succeeding annual general meetings respectively.

8. All subsequent elections of Trustees shall be held at the annual general meetings of the improvement district and it shall be the duty of the Trustees to call a general meeting to be held between January 1st and May 1st in each year except 1947 for the following purposes:-

- (a) To receive from the Trustees a report on condition of the works and a statement of the financial condition of the improvement district:
- (b) To discuss with the Trustees any matter relating to the works or finances of the improvement district:
- (c) To fix the remuneration of the Trustees for the ensuing year:
- (d) To elect a Trustee or Trustees to succeed those whose terms of office expire coincident with the holding of such annual general meeting, and to elect a Trustee or Trustees to fill any other vacancy or vacancies that has or have occurred or is or are about to occur among the Trustees.
- (e) To choose the Auditor for the ensuing year.

A special general meeting may be called by the Trustees at any time for the purpose of electing a Trustee or Trustees to fill any vacancy or vacancies among the Trustees, or for the purpose of discussing with the owners any matter or matters which in the opinion of the Trustees should be brought up at a general meeting.

At least seven days' notice of every general meeting shall be given by a notice posted up in a conspicuous place at the building where the meeting is to be held.

The secretary shall enter in a book provided by the Trustees for this purpose minutes of all matters brought before the meeting and the action taken thereon. At any general meeting every person shall be qualified to vote who is a Canadian Citizen and is twenty-one years old or older and is an owner of land in the improvement district, or the authorized agent of any Board or corporation that is an owner of such land, or the legal representative of any owner of such land who has died, become insolvent, or insane, and is entitled to be registered as

a voter under the "Provincial Elections Act". Every person qualified as aforesaid to vote and the wife or husband of any such person shall be qualified to be a candidate for and to hold the office of Trustee, but no person shall be entitled to vote or be a candidate for Trustee or hold the office of Trustee while there is owing to the improvement district in respect of the land held by him or her or by his wife or her husband any taxes, tolls, or other charges other than those levied, fixed or charged by the Trustees within one year of the date of the meeting. In the event of the right of any person to vote at any general meeting being challenged, the chairman shall have authority to determine whether or not such person is entitled to vote, and the chairman may require such person to make and file with him a statutory declaration showing that the declarant is qualified as aforesaid to vote at such general meeting. Forthwith after the holding of a general meeting the Trustees shall file with the Comptroller of Water Rights a true copy of the minutes of such meeting and copies of all auditors' reports and financial statements presented or discussed at the meeting.

9. All words and phrases given special meaning in section 2 of the "Water Act, 1939" shall where used herein, be ascribed the meaning given them in the said section, unless the context otherwise requires.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Our said Province to be hereunto affixed:

WITNESS, His Honour CHARLES ARTHUR BANKS, Lieutenant-Governor of Our said Province, at Our Government House, in Our City of Victoria, this 13th day of August, in the year of our Lord one thousand nine hundred and forty-seven, and in the eleventh year of Our Reign.

By Command.



Norman Baker
Deputy Provincial Secretary.



VICTORIA, B.C. August 7, 1947.

WATER RIGHTS BRANCH
DEPARTMENT OF LANDS AND FORESTS

MEMO:

The Honourable the Minister of Lands & Forests,
Buildings.

Herewith are draft order in council and draft
Letters Patent to incorporate the Silver Star Waterworks
District.

A majority of the owners of land in the area
affected have signed a petition for incorporation and have
otherwise complied with the requirements of the Water Act.

I recommend the approval of the Order and the
issue of the Letters Patent.

A handwritten signature in cursive script, appearing to read 'R. C. Farrow'.

(R. C. Farrow)
Comptroller of Water Rights.

Encl.

File No. 0168168.