

**Land Description
for**

**Joeyaska Indian Reserve No. 2
Lower Nicola First Nation**

British Columbia

**Prepared under
*First Nations Land Management Act (S.C. 1999, c. 24)***

Prepared on: June 13, 2016

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1. Introduction

As part of the implementation of the *First Nations Land Management Act* for the Lower Nicola First Nation Reserves, the Surveyor General Branch has prepared a Land Description describing the extent of the Reserve lands as required under Section 6.1(a) of the Act for Joeyaska Indian Reserve No. 2.

Outstanding issues related to the jurisdictional boundaries of the Reserve or to the Land Description contained in this Report are explained in Section 4.

The Land Description contained in Section 2 deals with the extent of the Reserve lands that will be subject to the Land Code of the Lower Nicola First Nation under the *First Nations Land Management Act* and is not intended to prejudice any of this First Nation's claims to lands.

The Land Description is based on a review of the Indian Lands Registry and other documents pertaining to the extent of title to the Reserve. The Land Description is not a legal interpretation of those documents. As there may be different legal interpretations of the documents, legal assistance may be required to determine the nature of the legal interests. The content of this Land Description is accurate based on the documents reviewed; however, there may be other documents that were not found or uncovered that may affect the extent of the title to the Reserve.

This Land Description Report was prepared by Steven J. Minnie, BCLS, CLS, of the Surveyor General Branch, per the Guidelines established under the authority of the Surveyor General of Canada.

Certified Correct as to the Land Description contained in Section 2 of this Report.



Steven J. Minnie, BCLS (766), CLS (1524)
Surveyor General Branch

June 13, 2016
Date



2. Land Description

Joeyaska Indian Reserve No. 2

Part A: Land Description of the Extent of Reserve Lands that will be subject to the Land Code of the Lower Nicola First Nation under the First Nations Land Management Act.

Reserve Lands within the Province of British Columbia, Canada In Kamloops Division of Yale District, more particularly described as:

All of Joeyaska Indian Reserve No. 2 bounded on the north by the north boundary of said Reserve shown on Plans 73661 and 82500 both recorded in the Canada Lands Surveys Records (CLSR) at Ottawa; and bounded on the east by the east boundary of said Reserve shown on Plans 73661 and 82500 CLSR, and bounded on the south by the south boundary of said Reserve shown on Plan 73661 CLSR; and bounded on the west by the west boundary of said Reserve shown on Plan 73661 CLSR.

Save and except all those portions of land more particularly described as firstly to thirdly:

Firstly, all of a Road Right of Way within Joeyaska Indian Reserve No. 2 shown outlined in red on Plan 53843 CLSR;

Secondly, all that part of Lot 12 shown on Plan 104831 CLSR save and except Lot 14 shown on Plan 105351 CLSR.

Thirdly, all of Lot 14 shown on Plan 105351 CLSR.

Total Lands containing 126 hectares, (312 acres) more or less.

The above described Reserve Lands are subject to:

The rights and reservations contained in provincial Order in Council 1938-1036, registered in the Indian Lands Registry as No 8042, transferring the land from the Province of British Columbia to Canada, as amended by provincial Order in Council 1969-1555, registered in the Indian Lands Registry as No 4111-118.

PART B: Land Description of the extent of Reserve Lands that are not subject to the Land Code of the Lower Nicola First Nation and which are excluded pursuant to Section 7 of the *First Nations Land Management Act*.

Reserve Lands within the Province of British Columbia, Canada

In Kamloops Division of Yale District, more particularly described as firstly to thirdly:

Firstly, all of a Road Right of Way within Joeyaska Indian Reserve No. 2 shown outlined in red on Plan 53843 CLSR;

Secondly, all that part of Lot 12 shown on Plan 104831 CLSR save and except Lot 14 shown on Plan 105351 CLSR.

Thirdly, all of Lot 14 shown on Plan 105351 CLSR.

Total Lands containing 3.92 hectares, (9.69 acres) more or less.

The above described Reserve Lands are subject to:

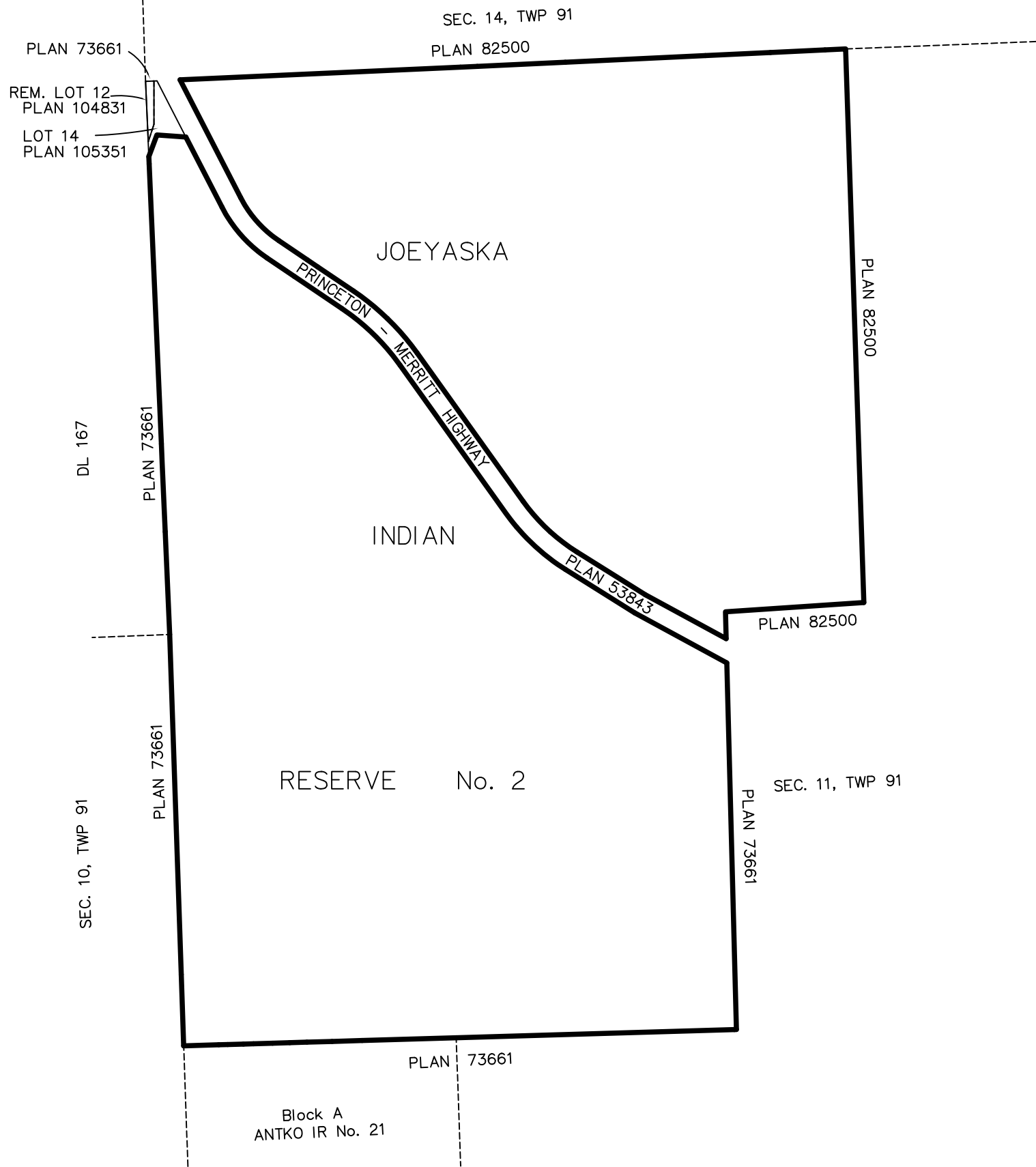
The rights and reservations contained in provincial Order in Council 1938-1036, registered in the Indian Lands Registry as No 8042, transferring the land from the Province of British Columbia to Canada, as amended by provincial Order in Council 1969-1555, registered in the Indian Lands Registry as No 4111-118.

Notes

1. The Administrative Sketch in Section 3 illustrates this land description.
2. Refer to the pertinent survey plans and instruments for authoritative boundary definition and nature of the interest in the land.
3. The extent of Oil and Gas Rights are not dealt with in this description.
4. Third party interests such as permits, easements, and leases that may affect the described lands are not dealt with in this description.
5. Mines and minerals are managed according to the British Columbia Indian Reserves Mineral Resources Act 1943-44 c.19.

3. Administrative Sketch and Image Overlay

(Attached)



ADMINISTRATIVE SKETCH
ILLUSTRATION OF THE EXTENT OF RESERVE LANDS THAT WILL BE SUBJECT TO THE LAND CODE OF THE LOWER NICOLA FIRST NATION UNDER THE FIRST NATIONS LAND MANAGEMENT ACT.

**LOWER NICOLA FIRST NATION
JOEYASKA INDIAN RESERVE NO. 2
KAMLOOPS DIVISION YALE DISTRICT
PROVINCE OF BRITISH COLUMBIA
LAT: 50°05'30" LONG: 120°45'25"**

PREPARED ON THE 4th. OF JUNE, 2016 BY CADE H. BROWN, BCLS, CLS

SCALE: 1:7500 150 75 0 75 150 225 300 375METRES

All Plan numbers are Canada Lands Surveys Records (CLSR) plan numbers unless otherwise stated.

Extent of Reserve Lands that will be subject to the Land Code of the Lower Nicola First Nation under the First Nations Land Management Act bounded thus....

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

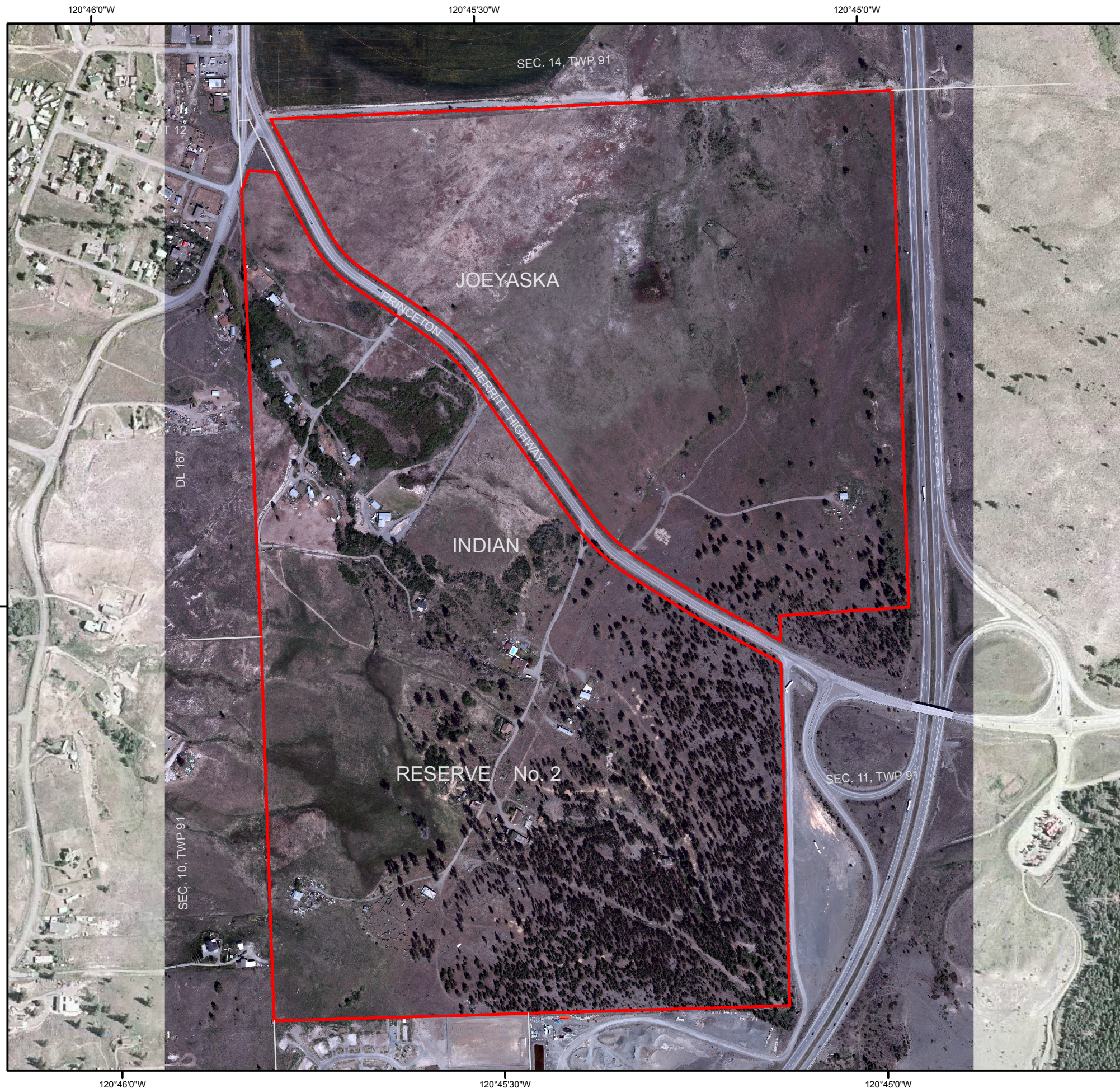
Refer to the pertinent survey plans and instruments for the authoritative boundary definition and the nature of the interests in the land.

TABLE SHOWING HOW AREAS WERE DERIVED	
Plans	Area
Calculated from Plans 73661, 82500	130 ha., 322 ac.
Plan 53843	-3.62 ha., -8.94 ac.
Plan 104831 less Plan 105351	-790 m ² , 0.20 ac.
Plan 105351	-0.223 ha., -0.551 ac.
TOTAL HECTARES	126 ha., more or less
TOTAL ACRES	312 ac., more or less

Available From:
Natural Resources
Surveyor General Branch
British Columbia Client Liaison Unit



Natural Resources Canada Ressources naturelles Canada



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LOWER NICOLA FIRST NATION

JOEYASKA INDIAN RESERVE No. 2

KAMLOOPS DIVISION OF YALE DISTRICT
PROVINCE OF BRITISH COLUMBIA

LAT: 50°05'30" LONG: 120°45'25"

PREPARED ON: JANUARY 11, 2016



Extent of Reserve Lands that will be subject to the
Land Code bounded thus....

Date of Photography: 2012
Ortho Imagery: McElhanney
Project: 2013-10-214

Reserve boundary line work derived from Canada Lands
Digital Cadastral Data
(© Government of Canada with permission from
Natural Resources Canada, Surveyor General Branch)

This is not a plan of survey. The map is illustrative only and
is not to be used for defining boundaries. Administrative
decisions should be based on legal documents and legal
survey plans.

SURVEYOR GENERAL BRANCH
BRITISH COLUMBIA REGIONAL OFFICE
1501-1138 MELVILLE ST.
VANCOUVER, BC



Natural Resources
Canada

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Canada

4. Additional Items

i. Trans-Mountain Oil Pipe Line Company

Document No. 10906 is an indenture, dated August 3, 1958, for an easement over the Reserve in favor of the Trans-Mountain Oil Pipe Line Company Ltd. for pipeline purposes as shown on Plan M3622 CLSR. A portion of these lands falls within the surveyed highway corridor shown on Plan 53843 CLSR. The highway corridor has not yet been transferred to the Province for Highway purposes and is intended to be excluded from the Land Description pursuant to Section 7 of the *FNLMA*.