

PART VIII.

THE BOARD OF INVESTIGATION, ITS FUNCTIONS AND PROCEDURE.

288. (1) The Board as constituted under former Acts and having the powers conferred by this Act shall hear the claims of all persons holding or claiming to hold records of water and all other claims and rights to the use of water under any former Act or Ordinance; determine the priorities of the respective claimants; prescribe the terms (not inconsistent with this Act) upon which new licences, replacing records under former Acts, to take and use water pursuant to this Act will be granted; and shall generally discharge such duties with respect to existing rights and claims as may be imposed upon the Board, and with such powers and authorities for that purpose as are in this Act conferred. The Board of Investigation, its duties and powers.

(2) Subject to the provisions of section 290 of this Act, any licence subject to adjustment under section 20 of this Act, or any licence which is incomplete, imperfect, irregular, or the terms of which are inconsistent with this Act, and all rights claimed under such licence, may be reviewed by the Board, and the Board may direct that the said licence be amended and that a new licence be issued replacing the said licence, and prescribing the terms and conditions (consistent with this Act) respecting the new licence. Adjustment of licences.

(3) Before proceeding to review any licence as provided in the last preceding subsection, the Board shall notify the holder of such licence in manner similar to that provided in subsection (2) of section 293 of this Act to file his claim with the Board.

(4) The Board shall fix a time and place to hear the matter, and may direct such notice thereof to be given as it thinks fit.

289. (1) The Board may, among other things, with respect to any claim properly before it,— Powers of Board respecting claims.

- (a.) Examine the statement of claim filed, and hear evidence in support or in opposition thereto;
- (b.) Take into consideration any water record or right of which they have any knowledge for which a statement of claim has not been filed;
- (c.) Determine the source from which the water shall be taken;
- (d.) Determine the point of diversion or penning-back;
- (e.) Determine the time from which the right shall take precedence or priority;
- (f.) Determine the purpose or purposes for which the water is to be used;
- (g.) Determine the maximum quantity or flow of water which may be used;
- (h.) Determine the period of the year during which the water may be used or penned back;
- (i.) Determine the area and description of the land, mine, or undertaking to which the record was appurtenant, or the