

the bona-fide exercise of its powers and privileges, be entitled to a licence under this Act for the same quantity of water and having the same priority as the record, and shall thereupon have all the rights and privileges conferred by this Act on licensees whose works have been approved by the Lieutenant-Governor in Council, and shall also be liable to the obligations imposed by this Act on such licensees.

(3.) Companies who made application before the twelfth day of March, 1909, to a Judge of the Supreme Court for a certificate under section 55 of the said "Water Clauses Consolidation Act," and have obtained such certificate, shall, upon presentation to the Board of their record and of such certificate, be entitled to a licence under this Act, and shall thereupon have all the rights and privileges conferred by this Act on licensees whose works have been approved by the Lieutenant-Governor in Council, and shall also be liable to the obligations imposed by this Act on such licensees.

291. Where claim is founded on a record granted for the use of water for any specific purpose, and the water referred to in such record or some portion thereof shall have been actually enjoyed without interruption for the full period of twenty years for some other purpose than that for which it was recorded, but for which water might have been recorded, or where rights are claimed under a record which is lost or cannot be produced, and it is proved that the water has been actually enjoyed without interruption for some purpose for which such water might have been recorded for the full period of twenty years, the right to such waters respectively shall be absolute, and shall not be defeated by reason only that the record was for some other purpose than that for which it has been so used, or that the record is not produced (as the case may be), unless it shall be proved that the said water was so enjoyed by some consent or agreement in writing for that purpose entered into by some person entitled to such water and who could legally object to such enjoyment.

*Examinations and Surveys.*

292 (1.) The Minister may cause to be made on any stream a proper measurement of the low water, high water, and flood discharge, and an examination of all the works constructed for storing, carrying, or utilizing water from each stream, an examination of the extent to which the water has been put to beneficial use, and in case of records for irrigation an examination of the land on which the water may be used; and the report of such measurement and examination may be used by the Board when inquiring into and determining rights and claims upon any stream.

(2.) The Board may call upon any engineer who has made the examination referred to in the last preceding section and upon the Engineer and Water Recorder of the district for all data in their