

	to restrain by injunction the owner wrongfully using the same.	
Reservation.	(d.) No license shall be deemed to confer any right to the use of water as against any person requiring a reasonable quantity for his own domestic use ; and if any question arises as to what is a reasonable quantity the Warden shall decide.	5
Commencement of work.	(e.) Subject to the provisions as to protection hereinafter contained, the construction of a race or dam shall be commenced within two months after the issue of the license therefor, and shall thereafter be continued with reasonable diligence until the work is completed :	10
Warden may extend date of commencement of work.	Provided that, in the case of a race or dam which is to be used for working a claim, the Warden may from time to time, on application in that behalf, extend the date of the commencement of its construction for such period as he thinks fit, having regard to the nature and extent of the operations on the claim.	15
Limiting use as to quantity, or for certain months.	(f.) The license for a water-race or dam may be granted subject to the condition that the water therein shall be used only in such quantities or during such months in each year as are specified in the license, and in such case non-user in terms of such conditions shall not be ground of forfeiture or evidence of abandonment :	20
In certain cases Warden may authorise greater use of water.	Provided that the Warden in his discretion may from time to time, on application on that behalf, but subject in every instance to all existing priorities and rights of other persons, authorise the licensee to use the water in greater quantity or at other times than those specified in the license.	25
Persons may use surplus of water on certain terms.	(g.) In any case where the water available under any mining privilege granted under this Act in respect of water exceeds the quantity reasonably required by the person entitled thereto, the surplus shall be available for use by any other person on such terms as to price and otherwise as are agreed on between such person and the persons entitled, or as, in the absence of agreement, are fixed by the Warden on the application of any of the persons concerned.	30 35
License may be revoked.	(h.) In any case where the Governor is satisfied that the water diverted or used under any license is required by <i>bona fide</i> settlers, or for any public use or purpose, he may revoke such license and cause such water to be restored to its natural channel.	40
Compensation.	(i.) In such case the licensee of the license so revoked, and also every person, including such licensee, whose mining or other lawful operations are injuriously affected by such revocation, shall be entitled to full compensation from His Majesty for all loss or damage thereby sustained.	45
Fixed quantity of water to be allowed to flow in natural bed for public use.	117. In any case where any race or dam is fed by a watercourse, the following provisions shall apply :—	
1898, No. 38, sec. 102	(a.) On the application of any person being the owner or lawful occupier of any land on, through, adjoining, or within three chains of which such watercourse exists or runs, the Warden	50