

**WATER USE LICENCE
(Municipal)**

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01

Date of Issuance: **NOVEMBER 04, 2015**

No: **WUL-15-8363**

File: **517**

Licensee: **Town of Hopedale
PO Box 190
Hopedale NL A0P 1G0**

Attention: **Mr. Jim Tuttauk**

Re: **Water Withdrawal and Use from Unnamed Body of Water near Hopedale**

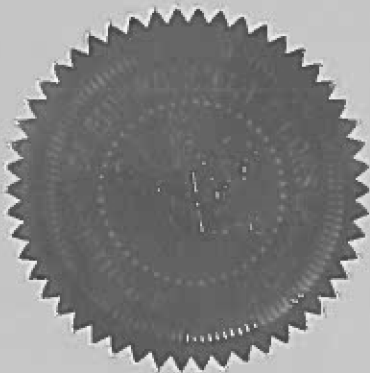
The Minister of Environment and Conservation (the "Minister") hereby grants a non-exclusive water right to: **Town of Hopedale** (the "Licensee") to withdraw and use water from an unnamed body of water (known as Pond 'B') near the Town of Hopedale (55°27'56"N, 60°16'07"W), as indicated in Schedule A (attached). The water so obtained may be used to increase the municipal water supply to the Town of Hopedale, in reference to the application received on October 22, 2015 and further information provided on November 4, 2015.

This Licence is subject to the terms and conditions, reservations, exceptions, and provisions stated herein and the *Water Resources Act* and regulations thereunder. Appendices A, B and Schedule A (attached) form part and parcel of this Licence.

This Licence does not release the Licensee from the obligation to obtain appropriate approvals, permits or licences from other concerned municipal, provincial and federal agencies.

The Licensee shall complete and return the attached Notification of Acceptance of Water Use Licence to the Water Rights and Investigations Section of the Department of Environment and Conservation within thirty (30) days of receipt of this Licence.

Failure to comply with the terms and conditions, reservations, exceptions, and provisions set out herein will render this Licence null and void, place the Licensee and/or its agents in violation of the *Water Resources Act*, and cause the Licensee to be responsible for any and all remedial measures which may be prescribed by the Department of Environment and Conservation.



MINISTER

GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

No: WUL-15-8363
File: 517

APPENDIX A
TERMS AND CONDITIONS FOR WATER USE LICENCE

The Minister of Environment and Conservation (the "Minister") hereby grants a non-exclusive water right to: **Town of Hopedale** (the "Licensee") to withdraw and use water from an unnamed body of water (known as Pond 'B') near the Town of Hopedale (55° 27'56"N, 60°16'07"W), as indicated in Schedule A (attached). The water so obtained may be used to increase the municipal water supply to the Town of Hopedale, in reference to the application received on October 22, 2015 and further information provided on November 4, 2015.

1. Ownership of water rights remains with the Crown and is not transferred. This Water Use Licence only provides permission for the Licensee to withdraw and use water for the designated purpose indicated in this Licence.
2. The non-exclusive rights and privileges hereby demised by this Licence shall not be sold, assigned, transferred, leased, mortgaged, sublet or otherwise alienated by the Licensee.
3. The Licensee acknowledges and agrees that this Licence does not grant any interest in land.
4. This Licence shall expire on June 30, 2016 or earlier if suspended or modified or cancelled by the Minister due to reasons that include, but is not limited to, non-compliance with the Water Resources Act, 2002 and terms and conditions, reservations, exceptions, and provisions, lack of utilization of approved water for the designated purpose and prompt reporting pursuant to this Licence. Also, this Licence may be renewed by the Minister for such renewal term as the Minister deems appropriate, on such terms and conditions as the Minister considers appropriate and in the public interest, provided the Licensee applies for an extension at least 90 days before the expiry of this Licence.
5. The designated purpose of the water use is Municipal.
6. The maximum water withdrawal and use from the said body of water shall not exceed an estimated amount of 98,000 cubic metres subject to water availability. The Licensee shall not use amounts of water in excess of the need for the Licensee, irrespective of the amount of water authorized herein. All necessary measures must be taken during water withdrawal to avoid any negative impact on the said body of water or any nearby body of water, fish and fish habitat and the environment.
7. The Licensee shall not at any time impair, pollute or cause to be polluted the quality of water in the said body of water or any nearby body of water. Also, this Licence shall not be interpreted as granting any rights to cause adverse effect(s) on other water user(s). The Water Resources Management Division of the Department of Environment and Conservation must be informed if this activity or any ongoing activity has a potential to impair water quality of the said body of water or any nearby body of water. In addition, any and all waste material that may result from this activity must be removed and disposed at a site approved by the regional Government Service Centre of the Department of Service NL. The Departments of Environment and Conservation and Service NL may require samples to be submitted for testing and analysis.
8. The Licensee shall prudently maintain in good faith records, accounts and statements of the rates and amounts of water withdrew and used and any other information that the Minister may require in whatever form, manner and time. Copies of such records, accounts, statements, all information required to exercise the non-exclusive rights and privileges demised under this Licence, and a form following the format of Appendix B shall be submitted to the Water Rights and Investigations Section of the Department of Environment and Conservation upon the completion of water withdrawal and use activities or as required at any time during the term created by this Licence.
9. The Licensee shall abide by terms and conditions of Permit No. WS8259-2015 and keep all associated systems or works in good condition and repair, and shall immediately notify the Minister if any problem arises which may adversely affect public safety or other water users. Also, the Licensee shall restore all area(s) that may be affected to a state that resembles local natural conditions. Further remedial measures to mitigate environmental impacts on water resources can and will be specified, if necessary in the opinion of this Department.
10. The Licensee shall not make changes in the purpose, plans and rates and amounts of water specified in this Licence or construct any systems or works or divert the course or alter the physical features of the said body of water or any nearby body of water without the prior written approval from the Minister.
11. The employees of the Department of Environment and Conservation, authorized by the Minister, may at all reasonable times during the term created by this Licence enter into the water withdrawal and use areas and the Licensee's designated place(s) of business to inspect all associated systems or works, records, statements, and accounts, and shall be entitled to copy such

information as may be required by the Minister in relation to this Licence and may exercise all other powers of inspection as provided for in the Water Resources Act, 2002.

12. The Licensee and its agent(s), subcontractor(s), and consultant(s) indemnify and hold the Government and the Minister harmless against any and all liabilities, losses, claims, demands, damages or expenses including legal expenses of any nature whatsoever whether arising in tort, contract, statute, trust or otherwise resulting directly or indirectly from the non-exclusive rights granted under this Licence, the water withdrawal and use activities areas and all associated systems or works, or any act or omission of the Licensee or its agent(s), subcontractor(s), or consultant(s) in or outside the water withdrawal and use activities areas and all associated systems or works, or arising out of a breach or non-performance of any of the terms and conditions, and provisions of this Licence by the Licensee or its agent(s), subcontractor(s), or consultant(s).
13. If the Licensee or its agent(s), subcontractor(s), or consultant(s) fails to perform, fulfil, or observe any of the terms and conditions, or provisions of this Permit and/or Ministerial orders and guidelines, as determined by this Department, the Minister may, after providing ten (10) day notice to the Proponent, amend, modify, suspend or cancel this Permit in accordance with the Water Resources Act.
14. Should any provision of this Licence be unenforceable, it shall be considered separate and severable from the remaining provisions of this Licence which shall remain in force and be binding as though the provision had not been included.
15. This Licence is subject to all provisions of the Water Resources Act and any regulations in effect either at the date of this Licence or hereafter made pursuant thereto or any other relevant legislation enacted by the Province of Newfoundland and Labrador in the future.
16. This Licence shall be construed and interpreted in accordance with the laws of the Province of Newfoundland and Labrador.

All notices to be given pursuant to the terms and conditions of this Licence shall be given in writing and delivered by facsimile with auto confirmation or registered mail. If a notice is delivered by facsimile, it is deemed to have been received on the day it was sent if that day is a normal business day, if not, it is deemed to have been received on the next normal business day. If a notice is sent by registered mail, it is deemed to have been received three days after the day it was mailed. The address of the Licensee is:

Town of Hopedale
PO Box 190
Hopedale NL A0P 1G0

The address and facsimile number of the Department of Environment and Conservation are:

Water Rights and Investigations Section
Department of Environment and Conservation
PO Box 8700
St. John's NL A1B 4J6
(709) 729-0320

GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
APPENDIX B

Report to Department of Environment and Conservation

To: Water Rights and Investigations Section
Water Resources Management Division
Department of Environment and Conservation
PO Box 8700
St. John's NL A1B 4J6

No: WUL-15-8363
File: 517
Authorized: NOVEMBER 04, 2015

Re: *Water Withdrawal and Use from Unnamed Body of Water near Hopedale*

This report must be completed and filed on or before March 31st of each year or upon the completion of activities for a temporary period. Provide the information required below:

1. Has the Licensee used water during last year? Yes No
If no, explain (use extra sheet to provide more information, if any).

2. Does the Licensee wish to continue the non-exclusive water right? Yes No
If no, explain (use extra sheet to provide more information, if any).

3. Has the Licensee exceeded the estimated maximum water withdrawal of that indicated in Appendix A? Yes No
If yes, explain in the space below (use extra sheet to provide more information, if any).

In the table below, state the monthly water uses during last year or a temporary period and attach spreadsheet for daily water uses along with water quality report(s) as may be applicable:

Month	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Use in litres or cubic meters													

4. Is there any other matter on which the Licensee wishes to inform the Department of Environment and Conservation regarding this Licence and its terms and conditions? Yes No
If yes, explain (use extra sheet to provide more information, if any).

I/We acknowledge that the information contained in this report is true and correct.

Town of Hopedale
PO Box 190
Hopedale NL A0P 1G0

Signature: _____

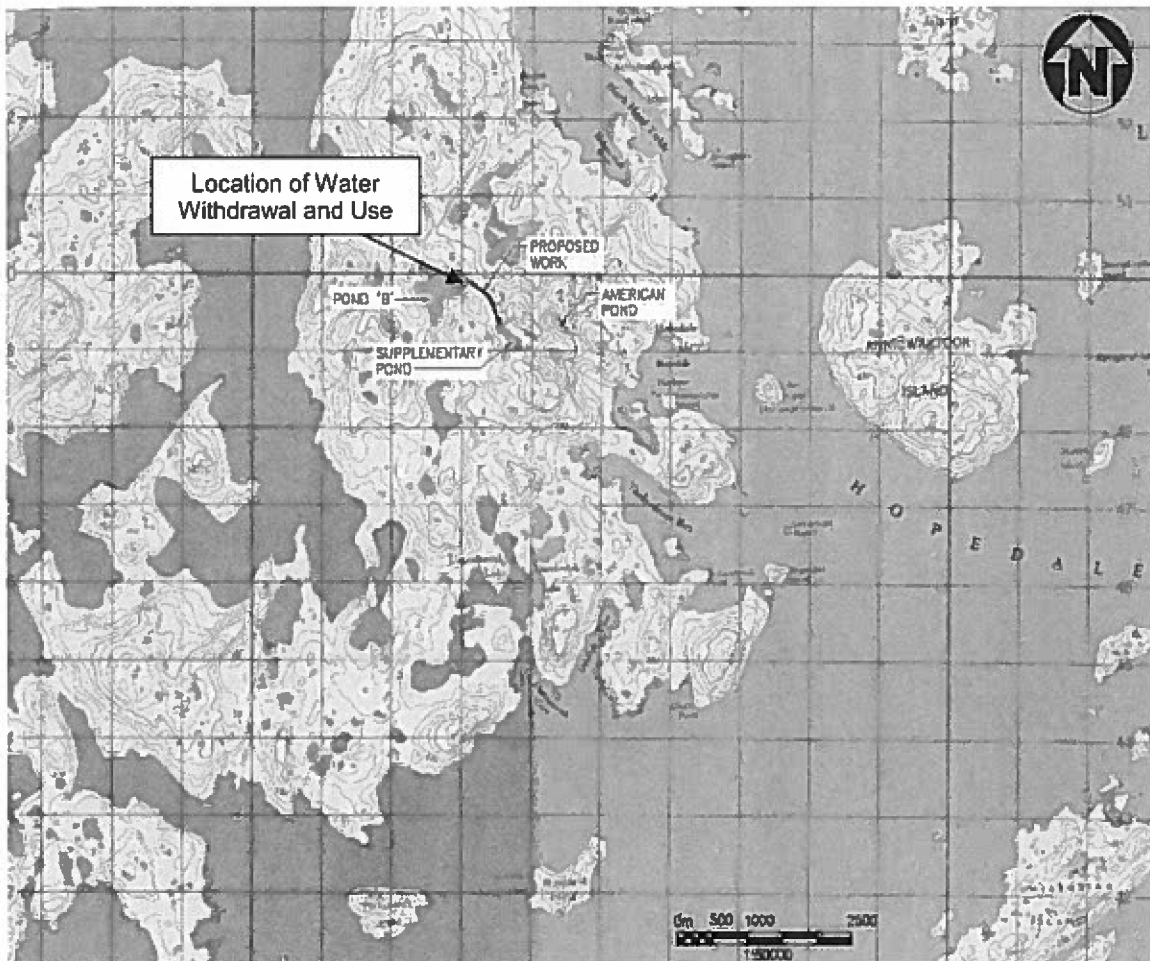
Name/Title: _____

Date: _____

GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

SCHEDULE A
Water Use Licence No WUL-15-8363

**Location of Water Withdrawal and Use (Map 13N) for
Hopedale Temporary Water Supply**



- cc: File Copy for Binder
- cc: Mr. Chris Blanchard, B.Tech.(Env), AScT
Environmental Scientist
Water Resources Management Division
Department of Environment and Conservation
PO Box 2006
Corner Brook NL A2H 6J8
- cc: Ms. Carla Hayes
Environmental Scientist , Drinking Water & Wastewater Section
Water Resources Management Division
Dept. of Environment and Conservation
P.O. Box 2006
Corner Brook, NL
A2H 6J8
- cc: Mr. Paul Alyward (L)
Manager, Labrador Regional Crown Lands
PO Box 3014
Happy Valley-Goose Bay NL A0P 1E0
- cc: Dr. Abdel-Zaher Kamal Abdel-Razek, Ph. D., P.Eng
Manager, Water Rights and Investigations Section
Water Resources Management Division
Department of Environment and Conservation
P.O. Box 8700
St. John's NL A1B 4J6
- cc: Mr. Ken Russell (Labrador)
Manager of Operations
Department of Service NL
PO Box 3014, Stn. B
Happy Valley-Goose Bay NL A0P 1E0
- cc: Fisheries Protection Division
Ecosystem Management Branch
Fisheries and Oceans Canada
P.O. Box 5667
St. John's NL A1C 5X1
- cc: AMEC Foster Wheeler Americas Limited
Mr. Darryl Kenny, P. Eng.
133 Crosbie Road
PO Box 9600
St. John's NL A1A 3C1



Government of Newfoundland and Labrador
Department of Environment and Conservation
Water Resources Management Division

Water Rights and Investigations Section
Water Resources Management Division
Department of Environment and Conservation
PO Box 8700
St. John's NL A1B 4J6

Date: NOVEMBER 04, 2015
File: 517

NOTIFICATION OF ACCEPTANCE OF WATER USE LICENCE
Water Withdrawal and Use from Unnamed Body of Water near Hopedale

Water Use Licence No. WUL-15-8363 issued on NOVEMBER 04, 2015, and valid until June 30, 2016.

As a Licensee of Water Use Licence No. WUL-15-8363, issued pursuant to the *Water Resources Act*, **Town of Hopedale** (the "Licensee"), agrees to accept this Licence for the stated duration and abide by all terms and conditions, reservations, exceptions and provisions stated therein. The Licensee acknowledges that failure to abide by the terms and conditions, reservations, exceptions and provisions indicated in Appendices A, B and Schedule A (attached), and the *Water Resources Act* will render the Licence null and void, place the Licensee and/or their agent(s) in violation of the *Water Resources Act* and regulations thereunder and cause the Licensee to be responsible for any and all remedial measures which may be prescribed by the Department of Environment and Conservation.

Signed, sealed, and delivered by
Town of Hopedale,
in accordance with its rules and
regulations in that behalf
at _____, _____, this _____ day
of _____, 2015 in the presence
of:

Witness

Per: _____
Signing Officer

Seal:

Important: The attached Water Use Licence is not valid unless the Licensee completes and returns this notification to the address above within thirty (30) days of receipt.