



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

## WATER USE LICENCE (AQUACULTURE)

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

Date of Issuance: **NOVEMBER 20, 2015**

No: **WUL-15-8379**  
File: **515**

Licensee: **Cold Ocean Salmon Inc.**  
**PO Box 59**  
**1 Boys Road**  
**Hermitage NL A0H 1S0**

Attention: **Julia Jensen**

Re: **Water Use for Freshwater Aquaculture Facility (Overwintering) in Long Pond**

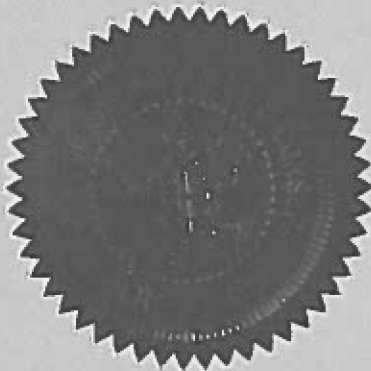
The Minister of Environment and Conservation (the "Minister") hereby grants a non-exclusive water right to: **Cold Ocean Salmon Inc.** (the "Licensee") to use the water column and continue the operation of an existing freshwater aquaculture facility with an estimated area of 5.58 hectares in an Unnamed Pond, known as Long Pond, near Hermitage Road (47°35'37"N, 55°49'50"W), as indicated in Schedule A, in reference to the original application dated March 24, 1997, the application received on June 28, 2012, application received on September 3, 2013 for overwintering, and application for an amendment received on July 15, 2015 and further information provided by the Department of Fisheries and Aquaculture and Licensee on or before November 17, 2015.

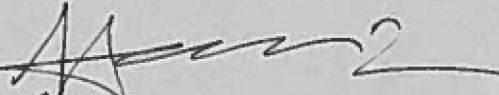
This Licence is subject to the terms and conditions, reservations, exceptions, and provisions stated herein and the *Water Resources Act* and regulations thereunder. Appendices A, B and Schedule A (attached) form part and parcel of this Licence.

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-15-8379  
File: 515

APPENDIX A  
TERMS AND CONDITIONS FOR WATER USE LICENCE

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The Minister of Environment and Conservation (the "Minister") hereby grants a non-exclusive water right to: **Cold Ocean Salmon Inc.** (the "Licensee") to use the water column and continue the operation of an existing freshwater aquaculture facility with an estimated area of 5.58 hectares in an Unnamed Pond, known as Long Pond, near Hermitage Road (47°35'37"N, 55°49'50"W), as indicated in Schedule A, in reference to the original application dated March 24, 1997, the application received on June 28, 2012, application received on September 3, 2013 for overwintering, and application for an amendment received on July 15, 2015 and further information provided by the Department of Fisheries and Aquaculture and Licensee on or before November 17, 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 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 or any right to expand the facility or to construct onshore facilities.
4. This Licence shall expire on December 31, 2017 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 hundred and eighty (180) days before the expiry of this Licence. This Licence supercedes and cancels WUL-13-082.
5. The designated purpose of the water use is Commercial/Aquaculture.
6. The Licensee shall not at any time impair, pollute or cause to be polluted the quality of water in Long Pond and any and all bodies of water flowing into and out of Long Pond or any nearby body of water. Also, this Licence shall not be interpreted as granting any rights to cause adverse effect(s) on water in or outside the area of the facility in Long Pond or 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 Long Pond or any nearby body of water. In addition, any and all waste material that may result from this facility activities must be removed and disposed at a site approved by the regional Government Service Centre of the Department of Service NL.
7. The Licensee shall secure the aquaculture gear by suitable anchors to prevent dislodgement due to wave action or other conditions and clearly mark the perimeter of the facility with cautionary buoys.
8. The Licensee shall keep all systems and works in good condition and repair, and shall notify the Minister immediately if any problem arises which may adversely affect public safety and any and all water users. The Licensee shall be responsible for any environmental or property damage, or personal injury arising from dislodgement caused by wind, wave, or ice action, or structural failure or from other water related problems.
9. In the event that the site is no longer being used during the term created by this Licence, the Licensee shall remove the aquaculture gear and other work(s) and system(s) associated with and restore all areas affected by this facility to a state that resembles local natural conditions. Further remedial measures to mitigate environmental impacts on water resources and all areas affected by this facility can and will be specified, if necessary in the opinion of this Department.
10. The Licensee agrees to be responsible for carrying out the terms and conditions of this Licence. The Licensee agrees to abide by such further terms and conditions and directives as may be issued by the Minister of Environment and Conservation from time to time in relation to the site referenced in this Licence.
11. The total number of fish introduced into Long Pond in the month of November at the location of the cages approved by this Licence, shall not at any time exceed 600,000 during the term created by this Licence.

12. All fish that may be stocked at the approved site in Long Pond shall have an average weight of 130 grams and shall be removed out from Long Pond in the month of June at average weight of 150 grams.
13. The Licensee shall sample the water of Long Pond four times during the term of this Licence, and provide water quality analysis reports for all parameters prescribed in the Certificate of Approval C.A. 98-02-4838. The Licensee shall also provide any other information that the Minister may require in whatever form, manner and time in relation to this Licence. In addition, the Licensee shall annually inform, in writing, the Water Rights and Investigations Section of the Department of Environment and Conservation regarding any water related or environmental problems or other matters related to this Licence and compliance with its terms and conditions.
14. The Licensee shall operate the works and systems in a manner which does not cause any water related and/or environmental problems. The Licensee shall immediately notify the Minister if any problem arises which may adversely affect water or public safety or any and all water users.
15. 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 Licensee's facility 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.
16. 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 operation of the said facility 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 said facility 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).
17. 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 Licence 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 Licence in accordance with the Water Resources Act.
18. 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.
19. 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.
20. 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:

**Cold Ocean Salmon Inc.**  
**PO Box 59**  
**1 Boys Road**  
**Hermitage NL A0H 1S0**

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-15-8379  
File: 515  
Authorized: NOVEMBER 20, 2015

**Re:** *Water Use for Freshwater Aquaculture Facility (Overwintering) in Long Pond*

**This report must be completed and filed on or before March 31<sup>st</sup> 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).

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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).

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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).

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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).

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

Cold Ocean Salmon Inc.  
PO Box 59  
1 Boys Road  
Hermitage NL A0H 1S0

Signature: \_\_\_\_\_

Name/Title: \_\_\_\_\_

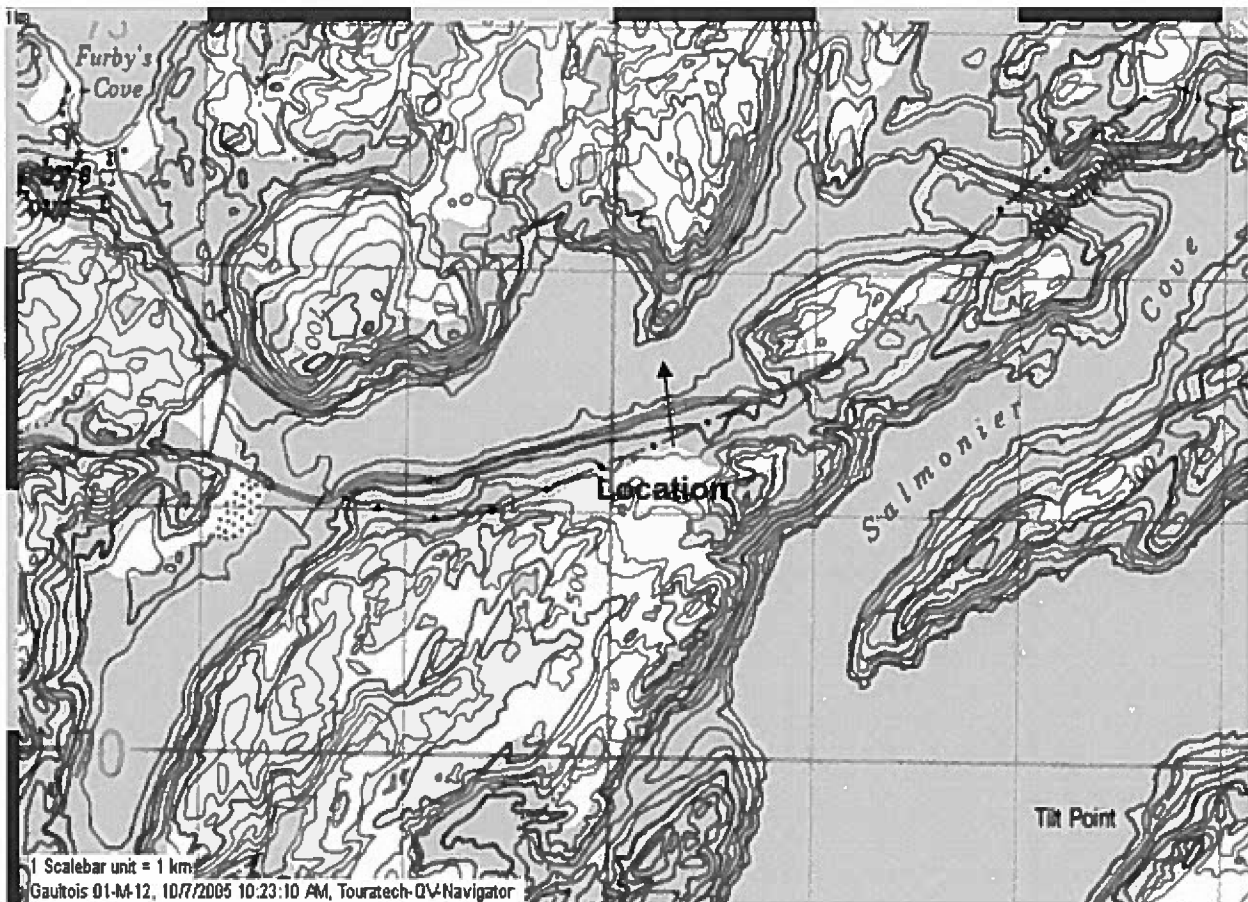
Date: \_\_\_\_\_

GOVERNMENT OF  
NEWFOUNDLAND AND LABRADOR  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

**SCHEDULE A**

Water Use Licence No WUL-15-8379/F1074

**LOCATION OF FRESHWATER AQUACULTURE FACILITY IN LONG POND  
(OVERWINTERING) FOR COLD OCEAN SALMON INC. NEAR HERMITAGE ROAD**





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 20, 2015  
File: 515

**NOTIFICATION OF ACCEPTANCE OF WATER USE LICENCE**  
Water Use for Freshwater Aquaculture Facility (Overwintering) in Long Pond

Water Use Licence No. WUL-15-8379 issued on NOVEMBER 20, 2015, and valid until December 31, 2017.

As a Licensee of Water Use Licence No. WUL-15-8379, issued pursuant to the *Water Resources Act*, **Cold Ocean Salmon Inc.** (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  
**Cold Ocean Salmon Inc.**,  
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.