

WATER USE LICENCE
(Agricultural)

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

Date of Issuance: February 23, 2017

No: WUL-17-9062

File: 516

Licensee: Country Ribbon Inc.
PO Box 803
St. John's NL A1C 5L7

Attention: Mr. Davis Noel

Re: Water Withdrawal and Use from Cochrane Pond

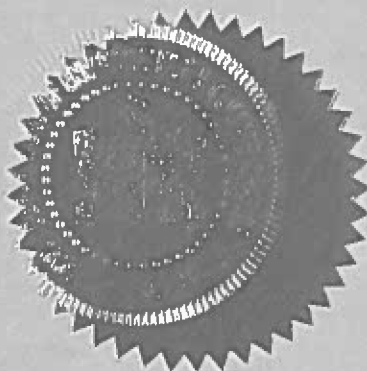
The Minister of Municipal Affairs and Environment (the "Minister") hereby grants non-exclusive water rights to: **Country Ribbon Inc.** (the "Licensee") to withdraw and use water from Cochrane Pond (47°27'54"N, 52°52'04"W), as indicated in Schedule A, for the purpose of supplying water to the Licensee's farm. This non-exclusive water right is granted in reference to the application dated February 1, 2017 and further information provided on or before February 23, 2017.

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 Municipal Affairs and Environment 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 regulations thereunder, and cause the Licensee to be responsible for any and all remedial measures which may be prescribed by the Department of Municipal Affairs and Environment.




MINISTER

GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF MUNICIPAL AFFAIRS AND ENVIRONMENT
APPENDIX A

No: WUL-17-9062
File: 516

TERMS AND CONDITIONS FOR WATER USE LICENCE

The Minister of Municipal Affairs and Environment (the "Minister") hereby grants a non-exclusive water right to: Country Ribbon Inc. (the "Licensee") to withdraw and use water from Cochrane Pond (47°27'54"N, 52°52'04"W), as indicated in Schedule A, for the purpose of supplying water to the Licensee's farm. This non-exclusive water right is granted in reference to the application dated February 1, 2017 and further information provided on or before February 23, 2017.

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 December 31, 2026 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 or 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.
5. The designated purpose of the water use is "Agricultural".
6. The maximum estimated annual water withdrawal from the said body of water shall not exceed 20,000,000 US gallons, subject to water availability without changing the hydraulic characteristics of or causing impact on fish and fish habitat in the said body of water or impact on other water users in or outside the withdrawal and use activities areas. The Licensee shall not at any time withdraw and use amounts of water in excess of the need of water to the designated purpose of the water use indicated in this Licence, irrespective of the amount of water authorized by this Licence. The water withdrawal pipe of the intake must be fitted with a screen to protect fish from impingement or entrainment. In addition, the Licensee shall take all necessary measures to avoid damage of fish habitat and disturbance of the material of the said body of water.
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 water and other water users in or outside the withdrawal and use activities areas and all operations must be carried out in a manner that prevents damage to land, vegetation, and bodies of water. The Water Resources Management Division of the Department of Municipal Affairs and Environment must be informed if water withdrawal and use activities or any ongoing activity has a potential to impair, pollute or cause to be polluted the quality of water in the said body of water or any nearby body of water. In addition, any and all waste material that may result from water withdrawal and use activities must be removed and disposed at a site approved by the regional Government Service Centre of the Department of Service NL. The Departments of Municipal Affairs and Environment and Service NL may require samples to be submitted for testing and analysis.
8. Water pumped or discharged from the water withdrawal and use activities, or any runoff or effluent directed out of the water withdrawal and use activities areas, must have silt and turbidity removed by filtration or other suitable treatment before discharging to any nearby body of water. Effluent discharged into receiving waters must comply with the *Environmental Control Water and Sewage Regulations, 2003*.
9. The Licensee shall prudently maintain in good faith records, accounts and statements of the rates and amounts of water withdrawals and uses, 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 Municipal Affairs and Environment on or before January 31st of each year or as required at any time during the term created by this Licence. Also, the Licensee may be required to monitor and assess water use, water quality and quantity of the water use and availability in such manner as the Minister considers necessary including, but is not limited to, the installation of flowmeter(s) and/or other necessary measures to record the exact water used.
10. The Licensee shall not make changes in the purpose, plans and rates and amounts of water authorized by 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. Also, the Licensee shall abide by all permits and licences issued or to be issued by the Minister to the Licensee.

GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF MUNICIPAL AFFAIRS AND ENVIRONMENT
APPENDIX A (CONTINUED)

No: WUL-14-057
File: 516

TERMS AND CONDITIONS FOR WATER USE LICENCE

11. The Licensee shall keep all systems, works, equipment and vehicles used for water withdrawal and use activities, in clean and good condition and repair, free of oil leaks, or other harmful substances that could impair water quality of the said body of water or any nearby body of water and shall notify the Minister immediately if any problem arises which may adversely affect public safety or other water users in or outside water withdrawal and use activities areas. Also, the Licensee shall restore all areas that may be affected by water withdrawal and use activities, 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.
12. The employees of the Department of Municipal Affairs and Environment, authorized by the Minister, may at all reasonable times during the term created by this Licence enter into the water withdrawal and use activities 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*.
13. The Licensee shall pay the applicable charges or royalties for the use of water, if imposed under the *Water Resources Act*, during the term of this Licence. Once imposed, the Licensee shall, upon receipt of an invoice stating the amount owing for annual charges or royalties for water use, pay to the Minister the full amount within thirty (30) days of the receipt of the said invoice.
14. 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, systems, works and equipment in the water withdrawal and use activities areas, 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, works and equipment, 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).
15. 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 Licensee, amend, modify, suspend or cancel this Licence in accordance with the *Water Resources Act, 2002*.
16. 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.
17. This Licence is subject to all provisions of the *Water Resources Act, 2002* 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.
18. 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 and facsimile number of the Licensee is:

Country Ribbon Inc.
PO Box 803
St. John's NL A1C 5L7
(709) 722-6010

The address and facsimile number of the Department of Municipal Affairs and Environment are:
Water Rights and Investigations Section
Department of Municipal Affairs and Environment
PO Box 8700
St. John's NL A1B 4J6
(709) 729-0320

**GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF MUNICIPAL AFFAIRS AND ENVIRONMENT**

APPENDIX B
REPORT TO DEPARTMENT OF MUNICIPAL AFFAIRS AND ENVIRONMENT

To: **Water Rights and Investigations Section** **No:** WUL-17-9062
Water Resources Management Division **File:** 516
Department of Municipal Affairs and Environment **First Authorized:** February 23, 2017
PO Box 8700
St. John's NL A1B 4J6

Re: Water Withdrawal and Use from Cochrane Pond

This report must be completed and filed on or before January 31st of each year. Provide the information required below:

1. **Has the Licensee used water authorized during past 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 rights for next year?** Yes No

If no, explain (use extra sheet to provide more information, if any).

3. **Has the Licensee exceeded the maximum water withdrawal of that indicated in Appendix A during the past year (attach monthly water withdrawal using table in Appendix B and water quality report(s) as applicable)?** Yes No

If yes, explain (use extra sheet to provide more information, if any).

4. **Is there any other matter on which the Licensee wishes to inform the the Department of Municipal Affairs and Environment regarding this Licence and its terms and conditions?** Yes No

If yes, explain (use extra sheet to provide more information, if any).

GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF MUNICIPAL AFFAIRS AND ENVIRONMENT

APPENDIX B (CONTINUED)
REPORT TO DEPARTMENT OF MUNICIPAL AFFAIRS AND ENVIRONMENT

No: WUL-17-9062
File: 516

Re: Water Withdrawal and Use from Cochrane Pond

5. Monthly water withdrawals and uses from Cochrane Pond for the purpose of supplying water for the Licensee's farm (Map 1N/07 - Bay Bulls), are indicated below. Excel sheets for daily withdrawal water and use must be submitted on a monthly basis (**Contact: Manager, Water Rights and Investigations - 709-729-4795**).

MONTH	MONTHLY WITHDRAWAL AND USES (litres or cubic metres per month)	COMMENTS
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
TOTAL		

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

Country Ribbon Inc.
PO Box 803
St. John's NL A1C 5L7

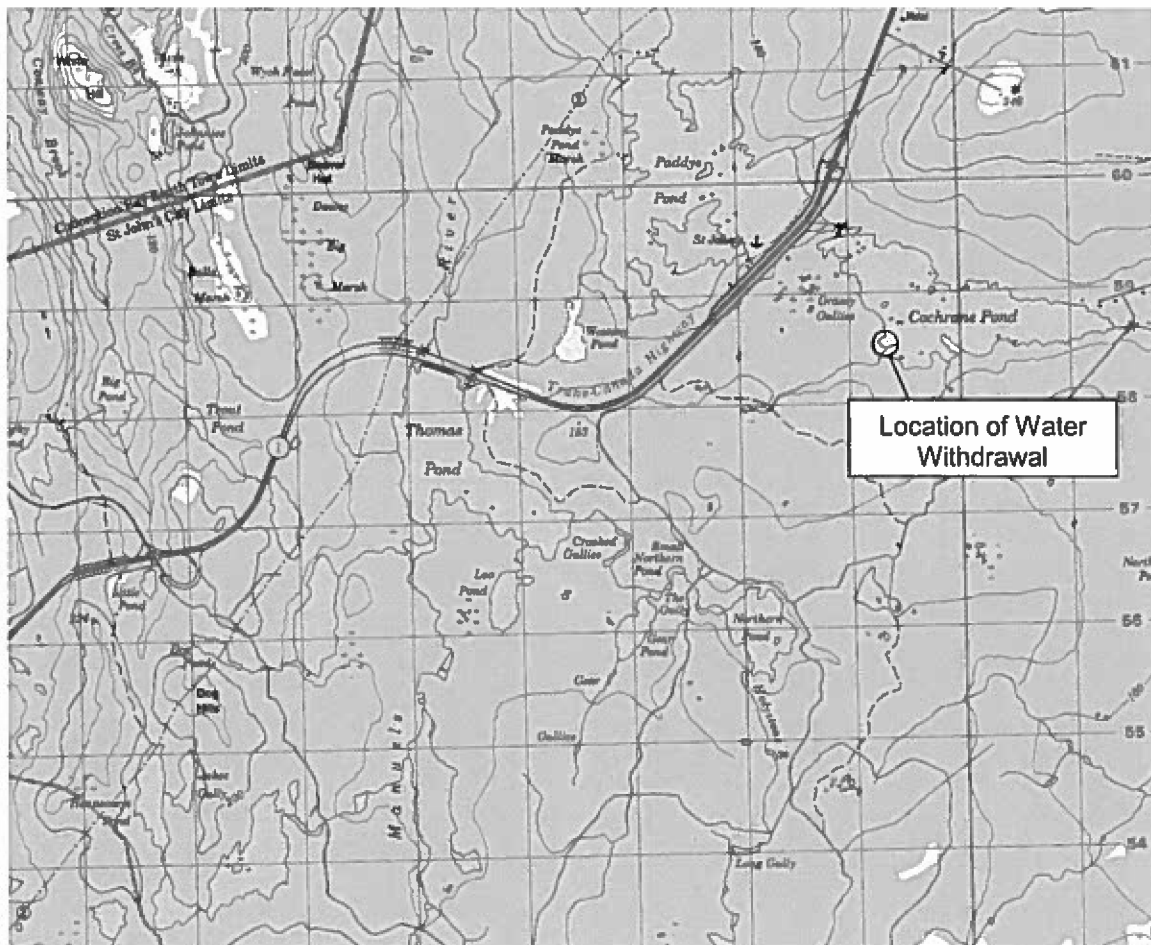
Signature: _____

Name/Title: _____

Date: _____

GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF MUNICIPAL AFFAIRS AND ENVIRONMENT
SCHEDULE A
Water Use Licence No WUL-17-9062

**Location of Water Withdrawal from Cochrane Pond (Map 1N/7 - Bay Bulls) for
Country Ribbon Inc.**



cc: Dr. Abdel-Zaher Kamal Abdel-Razek, Ph. D., P.Eng.
Manager, Water Rights and Investigations Section
Water Resources Management Division
Department of Municipal Affairs and Environment
P.O. Box 8700
4th Floor, West Block, Confederation Building
St. John's NL A1B 4J6
aabdelrazek@gov.nl.ca

cc: Mr. Steve Barnable (E)
Regional Lands Manager
Department of Fisheries and Land Resources
PO Box 8700
Howley Building, Higgin's Line
St. John's NL A1B 4J6
easternlandsoffice@gov.nl.ca

cc: Ms. Sharon Williams, Regional Manager
Environmental Health, GSC - Mount Pearl, Service NL
PO Box 8700
St. John's NL A1B 4J6
williams@gov.nl.ca

cc: Mr. Rick Carey
Director of Land Resource Stewardship Division
Department of Fisheries and Land Resources
PO Box 2006
1st Floor, Fortis Bldg.
Corner Brook NL A2H 6J8
rcarey@gov.nl.ca

DATE: February 23, 2017
FILE: 516

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

NOTIFICATION OF ACCEPTANCE OF WATER USE LICENCE
[Water Withdrawal and Use from Cochrane Pond]

Water Use Licence No. WUL-17-9062 issued on February 23, 2017, and valid until December 31, 2026.

As a Licensee of Water Use Licence No. WUL-17-9062, issued pursuant to the *Water Resources Act*, **Country Ribbon Inc.** (the "Licensee"), agrees to accept this Licence for the stated duration and abide by all terms and conditions, stated therein. The Licensee acknowledges that failure to abide by the terms and conditions, indicated in Appendices A and B and Schedule A 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 Municipal Affairs and Environment.

Signed, sealed, and delivered by
Country Ribbon Inc.,
in accordance with its rules and
regulations in that behalf
at _____, _____, this _____ day
of _____, 2017 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.