



Conservation

Environmental Stewardship Division
Environmental Assessment and Licensing Branch
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5
T 204 945-7100 F 204 945-5229
www.gov.mb.ca/conservation/eal

FAXED

CLIENT FILE NO.: 5337.00

June 16, 2008

Stan Wiebe
Beaver Creek Farms Ltd.
Box 337
MacGregor MB R0H 0R0

Dear Mr. Wiebe:

Enclosed is Environment Act Licence No. 2836 dated June 16, 2008 issued in accordance with The Environment Act to **Beaver Creek Farms Ltd.** for the construction and operation of the Development being an irrigation system in the Rural Municipalities of Westbourne and North Norfolk, with two off-stream reservoirs capturing spring run-off, one from Pine Creek in SE 30-13-10W and one from Squirrel Creek in NW 34-12-10W, in accordance with the Proposal filed under The Environment Act dated April 3, 2007.

In addition to the enclosed Licence requirements, please be informed that all other applicable federal, provincial and municipal regulations and by-laws must be complied with.

For further information on the administration and application of the Licence, please feel free to contact Raymond Reichelt, Environment Officer at (204) 239-3608.

Pursuant to Section 27 of The Environment Act, this licencing decision may be appealed by any person who is affected by the issuance of this Licence to the Minister of Conservation within 30 days of the date of the Licence.

Yours truly,

Tracey Braun, M. Sc.
Director
Environment Act

Enc.

c: B. Gillespie, Central Regional Director
Raymond Reichelt
Millennium Public Library/Manitoba Eco-Network
Portage la Prairie City Library
R.M. of Westbourne

NOTE: Confirmation of Receipt of this Licence No. 2836 (by the Licencee only) is required by the Director of Environmental Assessment and Licensing. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by June 20, 2008.

On behalf of Beaver Creek Farms Ltd.

Date

****A COPY OF THE LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT ALL TIMES****

LICENCE

Licence No. / Licence n° 2836

Issue Date / Date de délivrance June 16, 2008

In accordance with The Environment Act (C.C.S.M. c. E125) /
Conformément à la Loi sur l'environnement (C.P.L.M. c. E125)

Pursuant to Section 11(1) / Conformément au Paragraphe 11(1)

THIS LICENCE IS ISSUED TO : / CETTE LICENCE EST DONNÉE À :

BEAVER CREEK FARMS LTD.;
"the Licencee"

for the construction and operation of the Development being an irrigation system in the Rural Municipalities of Westbourne and North Norfolk, with two off-stream reservoirs capturing spring run-off, one from Pine Creek in SE 30-13-10W and one from Squirrel Creek in NW 34-12-10W, in accordance with the Proposal filed under The Environment Act dated April 3, 2007 and subject to the following specifications, limits, terms and conditions:

GENERAL TERMS AND CONDITIONS

This Section of the Licence contains requirements intended to provide guidance to the Licencee in implementing practices to ensure that the environment is maintained in such a manner as to sustain a high quality of life, including social and economic development, recreation and leisure for present and future Manitobans.

1. The Licencee shall collect and dispose of all used oil products and other regulated hazardous wastes generated by the machinery used in the construction and operation of the Development in accordance with applicable Manitoba Conservation and legislation requirements.
2. The Licencee shall revegetate areas disturbed by the construction of the Development with a mixture of native or introduced grasses or legumes. These areas shall be revegetated as quickly as possible following construction to prevent soil erosion and the establishment of noxious weeds. Native species shall be used to revegetate areas where native species existed prior to construction.

****A COPY OF THE LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT ALL TIMES****

3. The Licencee shall:
 - (a) prepare "As Constructed" drawings for the Development and shall label the drawings "As Constructed"; and
 - (b) provide to the Director, within three months of the completion of construction of the Development, two sets of "As Constructed" drawings.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Project Scope

4. The Licencee shall, unless otherwise approved by the Director in writing, construct the water diversion and management works and irrigate the lands as described on Figure 1, attached to this Licence. Proposed amendments to this project must be submitted to the Director for approval with an accompanying discussion of the nature and purpose of the amendments.

Construction

5. The Licencee shall, prior to beginning construction of the Development, obtain an agreement with the Whitemud Watershed Conservation District Board for the use and crossings of District rights-of-way.
6. The Licencee shall, not less than two weeks prior to beginning construction of the Development, provide notification to the Environment Officer responsible for the administration of this Licence of the intended starting date of construction and the name of the contractor responsible for the construction.
7. The Licencee shall establish any fuel storage areas required for the construction and operation of the Development:
 - (a) a minimum distance of 100 metres from any waterbody; and
 - (b) in compliance with the requirements of *Manitoba Regulation 188/2001*, respecting *Storage and Handling of Petroleum Products and Allied Products*, or any future amendment thereof.
8. The Licencee shall, during construction and operation of the Development:
 - (a) immediately report any reportable spills to Manitoba Conservation's Accident Reporting Line at (204) 944-4888; and
 - (b) provide a follow-up report to the Director on a reportable environmental accident outlining the cause(s) and proposing corrective action to prevent reoccurrence.
9. The Licencee shall not remove, destroy or disturb species listed as rare, endangered, or of special concern, or their habitats. These species are listed in *Manitoba Regulation 25/98*, respecting *Threatened, Endangered and Extirpated Species*, or any future amendment thereof, and in the federal Species at Risk Act.

10. The Licencee shall not harm, remove, destroy or disturb migratory birds, their nests or their eggs pursuant to the requirements of the federal Migratory Birds Convention Act.
11. The Licencee shall, during construction of the Development, take all appropriate measures to prevent erosion and the deposition of sediment into Pine Creek and Squirrel Creek.
12. The Licencee shall not undertake instream construction activities in connection with the Development between April 1 and June 30 of any year.
13. The Licencee shall not undertake instream construction activities in connection with the Development during periods of high streamflow.
14. The Licencee shall, during construction of water intake works in connection with the Development, minimize the extent of clearing of riparian vegetation adjacent to Pine Creek and Squirrel Creek.
15. The Licencee shall install buried pipelines on cultivated land or land in its natural state in accordance with the methodology illustrated in Figures 2 to 4, attached to this Licence. These procedures do not apply when a plough or a continuous trencher is used to install a pipeline.

Operation – Matters Respecting Water Management and Water Quality Protection

16. The Licencee shall install and maintain instream water diversion works associated with the Development in accordance with the requirements of the Department of Fisheries and Oceans.
17. The Licencee shall screen the pump intakes associated with the Development in accordance with the Department of Fisheries and Oceans publication "Freshwater Intake End-of-Pipe Fish Screen Guideline" (March, 1995). Final screen designs shall be approved by the Department of Fisheries and Oceans prior to the operation of the Development.
18. The Licencee shall alter the screens on the pump intakes associated with the Development if future research indicates that different design criteria are appropriate with respect to water withdrawals prior to July 1 of any year.
19. The Licencee shall maintain minimum instream flows below the diversion points of the Development on Pine Creek in SE 30-13-10W and on Squirrel Creek in NW 34-12-10W at all times while water is being diverted into the Development. The minimum instream flows at the diversion points shall be as determined by Manitoba Water Stewardship and in accordance with the provisions of a Water Rights Licence issued for the Development.

20. The Licencee shall immediately cease diverting water from Pine Creek and/or Squirrel Creek or reduce the diversion rate if the minimum instream flows provided for in Clause 19 of this Licence are not equaled or exceeded.
21. The Licencee shall limit the pumping rate at the water diversion points of the Development on Pine Creek in SE 30-13-10W and on Squirrel Creek in NW 34-12-10W to 66 litres per second (at each site) or as specified in a Water Rights Licence issued for the Development by Manitoba Water Stewardship.
22. The Licencee shall, on a daily basis while irrigation is occurring from the Development, record volumes of water pumped, and durations of pumping. A report on this information shall be provided, by February 1 of the following year, to the Environment Officer responsible for the administration of this Licence and the Environmental Assessment and Licensing Branch. The report shall be provided in the format shown in Table 1, attached to this Licence.
23. The Licencee shall install backflow prevention devices and maintain them in operational condition at all times if fertilizer or crop protection products are applied through the irrigation systems of the Development.
24. The Licencee shall, if fertilizer or crop protection products are applied through the irrigation systems of the Development, not allow irrigation water containing these materials to be applied to or drain to surface water bodies.

Operation – Matters Respecting Land Management and Soil Quality Protection


25. The Licencee shall not, with water diverted by the Development, irrigate any land parcel other than a land parcel identified in Figure 1 attached to this Licence.
26. The Licencee shall not use water diverted by the Development to irrigate land in the project area more frequently than one year in three.
27. The Licencee shall manage phosphorus as well as nitrogen in all nutrient management plans developed pursuant to Clause 28 of this Licence.
28. The Licencee shall implement agronomic practices described in the following documents:
 - (a) Section 4.1.3 of the report “Beaver Creek Farms Irrigation Project” prepared by Acres Manitoba Limited, April, 2008;
 - (b) Section 5.2 of the report “Soil Survey, and Land and Agronomic Assessment for the Beaver Creek Farms Irrigation Project” prepared by Jacques Whitford AXYS Ltd., January, 2008; and
 - (c) “Manual of Best Management Practices for Irrigated Crop Production in Manitoba, 2nd Draft” by the Association of Irrigators of Manitoba, concerning general agronomic practices, or future versions thereof.

Monitoring

29. The Licencee shall, upon the request of the Director:
- (a) sample, monitor, analyze or investigate specific areas of concern regarding groundwater, surface water and soil for such duration and at such frequencies as may be specified;
 - (b) determine the environmental impact associated with the specific areas of concern; and
 - (c) provide the Director, within such time as may be specified, with such reports, drawings, specifications, analytical data, descriptions of sampling and analytical procedures being used, and such other information as may from time to time be requested.
30. The Licencee shall, prior to the commencement of operation of the Development, meet with the Environment Officer responsible for the administration of this Licence and the contact person for the Environmental Assessment and Licensing Branch of Manitoba Conservation to review the monitoring and reporting requirements of this Licence.

REVIEW AND REVOCATION

- A. If, in the opinion of the Director, the Licencee has exceeded or is exceeding or has or is failing to meet the specifications, limits, terms, or conditions set out in this Licence, the Director may, temporarily or permanently, revoke this Licence.
- B. If construction of the development has not commenced within three years of the date of this Licence, the Licence is revoked.
- C. If, in the opinion of the Director, new evidence warrants a change in the specifications, limits, terms or conditions of this Licence, the Director may require the filing of a new proposal pursuant to Section 11 of The Environment Act.



Tracey Braun, M. Sc.
Director
Environment Act

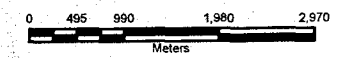
Client File: 5337.00

Beaver Creek Farms 2007

Legend

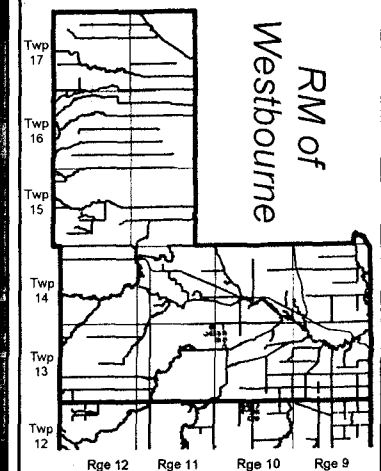
- Developed
- Proposed
- Existing Pipelines
- Proposed Pipelines
- Drainage
- Highways
- Roads

1:75,000

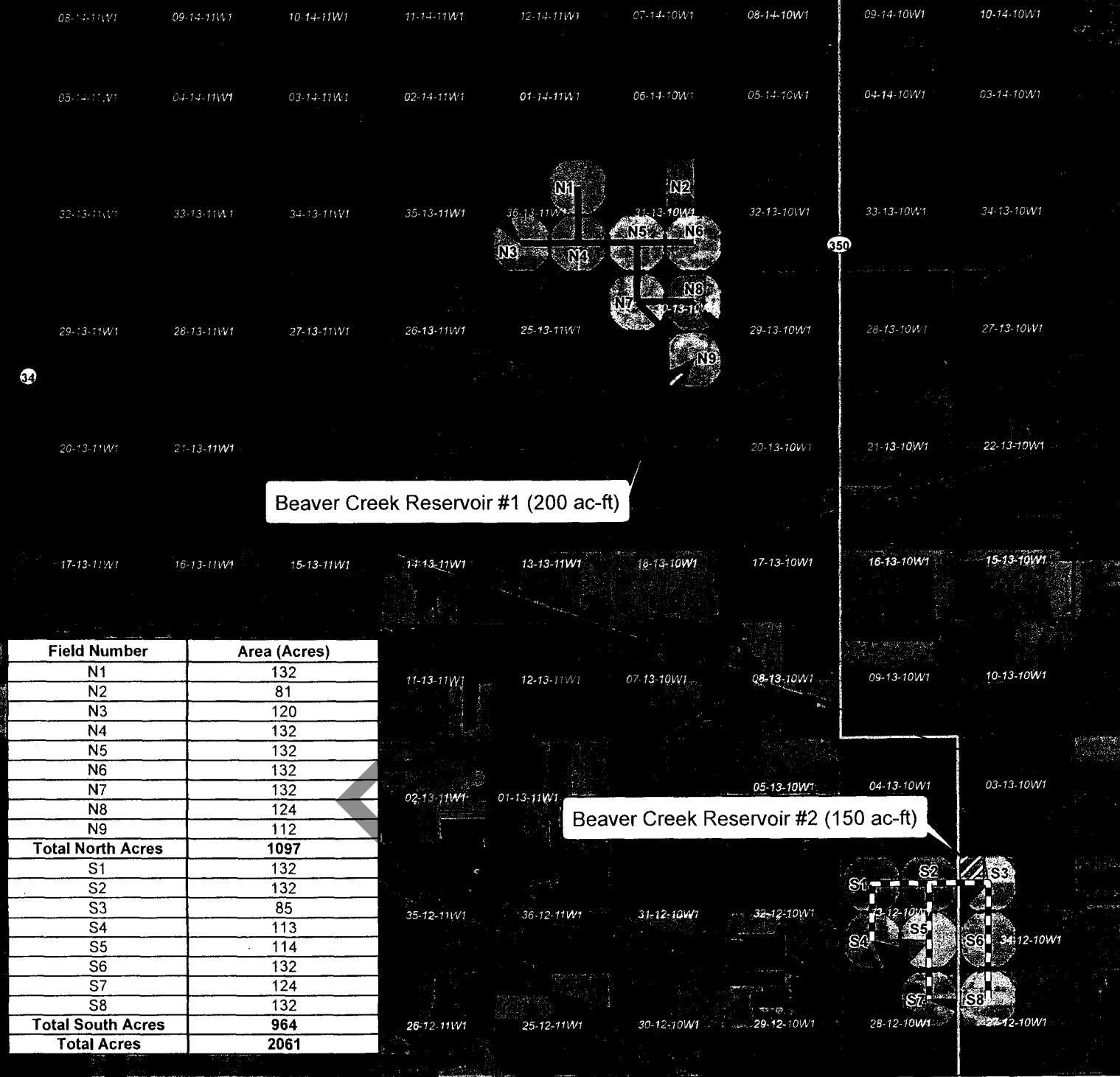


Data Source:
Designated Drains, Highway - Provincial Roads,
and Continuous Section Fabric data from
Manitoba Land Initiative, Manitoba Conservation
1:20,000

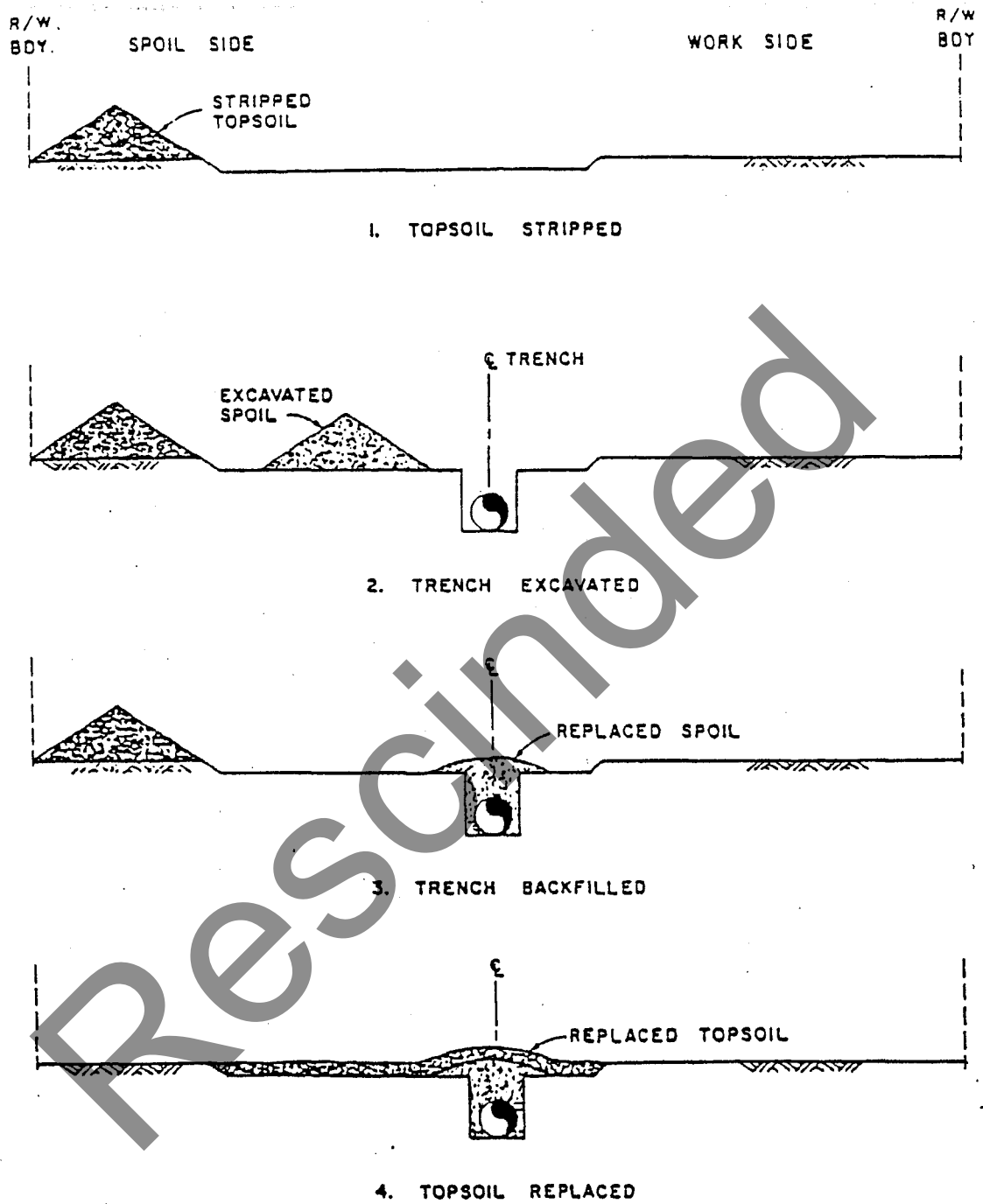
Map Design: Sonia Solivar, PFRA Winnipeg
Revised in ArcMap 9.2: March 31, 2008
File Reference: W:\data2\Irrigation\Projects\
Beaver_Creek_Farms\Maps\Beaver_Creek_Farms.mxd



Canada

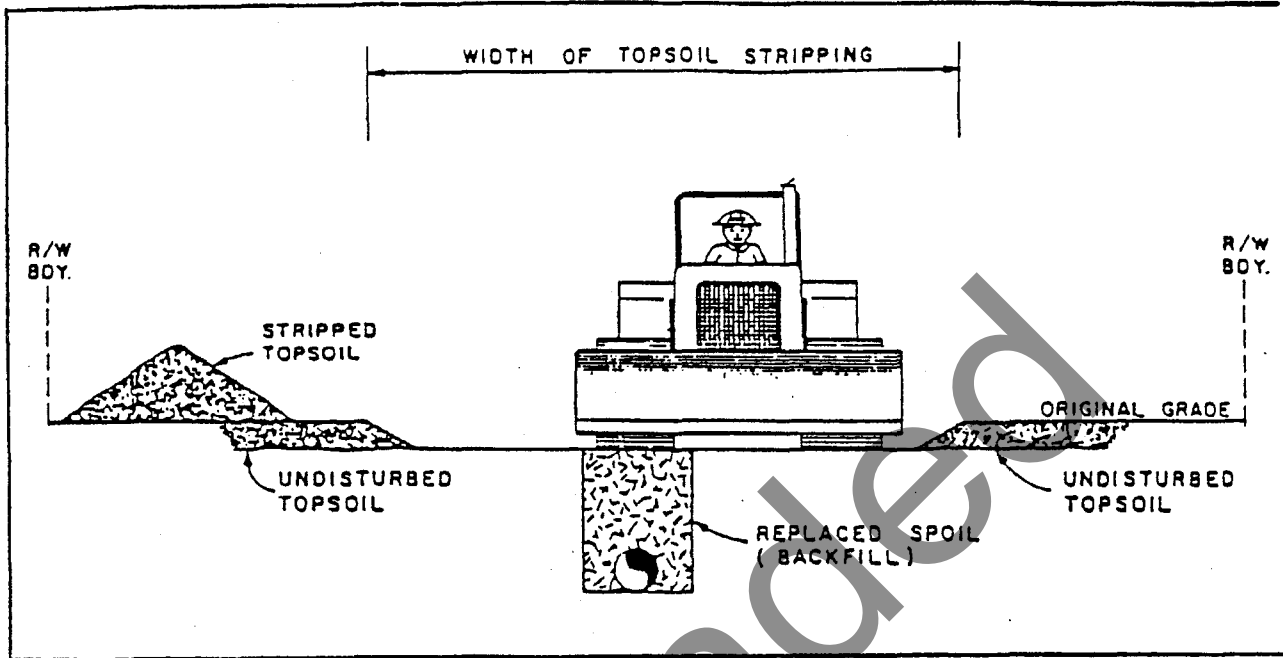


Field Number	Area (Acres)
N1	132
N2	81
N3	120
N4	132
N5	132
N6	132
N7	132
N8	124
N9	112
Total North Acres	1097
S1	132
S2	132
S3	85
S4	113
S5	114
S6	132
S7	124
S8	132
Total South Acres	964
Total Acres	2061



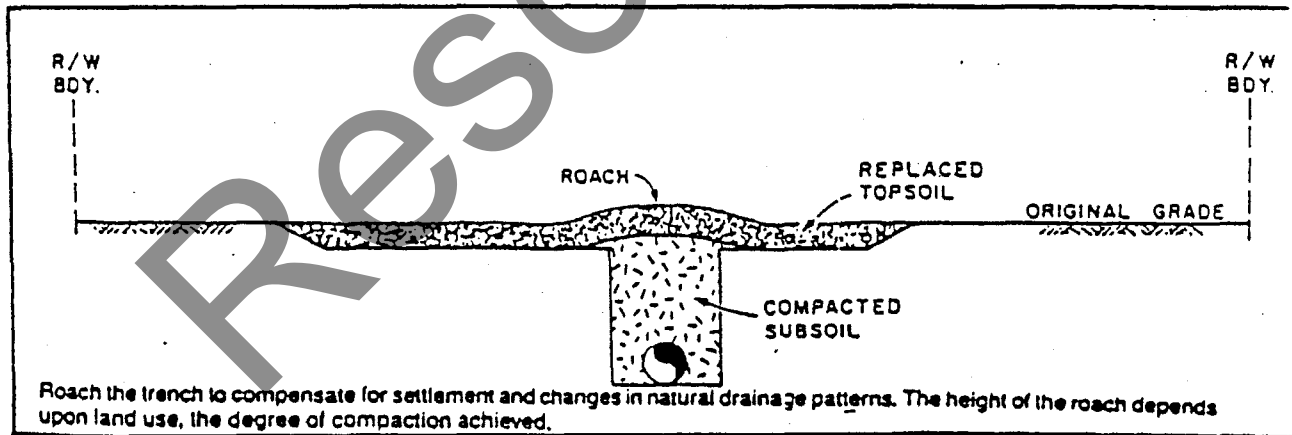
SEQUENCE OF TOPSOIL HANDLING

Figure 2



COMPACTION OF BACKFILL

Figure 3



ROACHING THE TRENCH

Figure 4

Annual Water Use Report for 20__

Manitoba Conservation
 Environmental Assessment & Licensing Branch
 160-123 Main Street
 Winnipeg MB R3C 1A5



Pursuant to *The Environmental Act*

TABLE 1 TO ENVIRONMENT ACT LICENCE NO. 2836

Report Type PUMPING FROM A STREAM, WELL OR RESERVOIR OR FILLING A RESERVOIR FROM A STREAM

Project Name

Contact: Name
 Address
 Phone No.

Licence Numbers:
 Env. Act
 Water Rights

LICENSEE MUST COMPLETE ONE "ANNUAL WATER USE REPORT" FOR EACH PUMP (AND ONE FOR FILLING OF EACH RESERVOIR IF APPLICABLE) FOR EACH CALENDAR YEAR AND FORWARD THE REPORT TO THE ENVIRONMENTAL ASSESSMENT & LICENSING BRANCH AT THE ABOVE ADDRESS NOT LATER THAN THE DUE DATE INDICATED IN THE ENVIRONMENT ACT LICENCE

	Reservoir	Pump (Water Source)
Location	<input type="text"/>	<input type="text"/>
Capacity	dam ³ <input type="text"/> or acre-feet <input type="text"/>	m ³ /s <input type="text"/> or cfs <input type="text"/>

Minimum instream flow (MIF):
 MIF m³/s
 Monitor Location

NOTES

1. d/s Q - Flow measured at downstream point of interest or downstream of pump intake
2. Elevation - reservoir elevation (Geodetic - metres)
3. Volume Pumped - as measured by change in reservoir elevation or pumping rate x time pumped

DAY OF MONTH	APRIL				MAY			
	d/s Q (1)	Elevation (2)	Hours Pumped	Vol Pumped (3)	d/s Q (1)	Elevation (2)	Hours Pumped	Vol Pumped (3)
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28								
29								
30								
31								
TOTAL			0	0			0	0

DAY OF MONTH	JUNE				JULY			
	d/s Q (1)	Elevation (2)	Hours Pumped	Vol Pumped (3)	d/s Q (1)	Elevation (2)	Hours Pumped	Vol Pumped (3)
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28								
29								
30								
31								
TOTAL			0	0			0	0

DAY OF MONTH	AUGUST				SEPTEMBER			
	d/s Q (1)	Elevation (2)	Hours Pumped	Vol Pumped (3)	d/s Q (1)	Elevation (2)	Hours Pumped	Vol Pumped (3)
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28								
29								
30								
31								
TOTAL			0	0			0	0

TOTAL VOLUME PUMPED FOR YEAR: 0 (insert unit measurement)