



Conservation and Water Stewardship

Climate Change and Environmental Protection Division
Environmental Approvals Branch
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5
T 204 945-8321 F 204 945-5229
www.gov.mb.ca/conservation/eal

CLIENT FILE NO.: 5575.00

June 20, 2012

Kelvin Smith
Box 501
Carman, MB
R0G 0J0

Dear Mr. Smith:

Enclosed is **Environment Act Licence No. 3008** dated June 20, 2012 issued to **Corduroy Plains Ltd.** for the construction and operation of the Development being an irrigation system in the Rural Municipality of Dufferin (Corduroy Plains Irrigation Project), with a water intake on the Boyne River in NW 22-6-5W and a reservoir in NW 34-6-5W, in accordance with the Proposal filed under *The Environment Act* dated March 12, 2012.

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. A Notice of Alteration must be filed with the Director for approval prior to any alteration to the Development as licensed.

For further information on the administration and application of the Licence, please feel free to contact Yvonne Hawryliuk, Environment Officer @ (204) 945-5305.

Pursuant to Section 27 of *The Environment Act*, this licensing 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

c: Don Labossiere, Director, Environmental Compliance and Enforcement
S. Moffat, KGS Group/Yvonne Hawryliuk, Environment Officer
Public Registries/Art Poppe (via email)

NOTE: Confirmation of Receipt of this Licence No. 3008 (*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 July 4, 2012.

On behalf of Corduroy Plains Ltd.

Date

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

LICENCE

Licence No. / Licence n° 3008

Issue Date / Date de délivrance June 20, 2012

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:

CORDUROY PLAINS LTD.;
"the Licencee"

for the construction and operation of the Development being an irrigation system in the Rural Municipality of Dufferin (Corduroy Plains Irrigation Project), with a water intake on the Boyne River in NW 22-6-5W and a reservoir in NW 34-6-5W, in accordance with the Proposal filed under The Environment Act dated March 12, 2012, 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 Conservation and Water Stewardship and legislation requirements.
2. The Licencee shall submit all information required to be provided to the Director under this Licence, in writing, in such form (including number of copies) and of such content as may be required by the Director, and each submission shall be clearly labeled with the Licence Number and Client File Number associated with this Licence.
3. The Licencee shall revegetate areas disturbed by the construction of the Development with a mixture of native or introduced grasses or legumes. These

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

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.

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, 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.
6. 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 unless double containment is provided; 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.
7. The Licencee shall, in the event of a release, spill, leak, or discharge of a pollutant or contaminant in an amount or concentration, or at a level or rate of release, that exceeds the limit that is expressly provided under this Act, another Act of the Legislature, or an Act of Parliament, or in a regulation, licence, permit, order, instruction, directive or other approval or authorization issued or made under one of those Acts, immediately report the release, spill, leak, or discharge by calling 204-944-4888. The report shall indicate the nature of the release, leak, or discharge, the time and estimated duration of the event and the reason for the release, spill, leak, or discharge.
8. 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*.

9. The Licencee shall not undertake instream construction activities in connection with the Development between April 1 and June 30 of any year.
10. The Licencee shall not undertake instream construction activities in connection with the Development during periods of high streamflow.
11. 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

12. 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.
13. The Licencee shall screen the pump intake associated with the Development in accordance with the Department of Fisheries and Oceans publication "Freshwater Intake End-of-Pipe Fish Screen Guideline" (March, 1995).
14. The Licencee shall alter the screen on the pump intake 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.
15. The Licencee shall maintain a minimum instream flow below the diversion point of the Development on the Boyne River in NW 22-6-5W at all times while water is being diverted into the Development. The minimum instream flow at the diversion point shall be as determined by Manitoba Conservation and Water Stewardship and in accordance with the provisions of a Water Rights Licence issued for the Development.
16. The Licencee shall immediately cease diverting water from the Boyne River or reduce the diversion rate if the minimum instream flow provided for in Clause 15 of this Licence is not equalled or exceeded.
17. The Licencee shall limit the pumping rate at the diversion point of the Development on the Boyne River in NW 22-6-5W to 90 litres per second or as specified in a Water Rights Licence issued for the Development by Manitoba Conservation and Water Stewardship.
18. The Licencee shall, on a daily basis while the reservoir in NW 34-6-5W is being filled and 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 March 1 of the following year, to the Environment Officer responsible for the administration of this Licence and the Environmental Approvals Branch. The report shall be provided in the format shown in Table 1, attached to this Licence.

19. 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.
20. 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

21. The Licencee shall not use water diverted by the Development to irrigate land in the project area more frequently than one year in three.
22. The Licencee shall manage phosphorus as well as nitrogen in all nutrient management plans developed pursuant to Clause 23 of this Licence.
23. The Licencee shall implement agronomic practices described in the following documents:
 - a) Section 4.1.4 of the report “Corduroy Plains Irrigation Proposal Manitoba Environment Act Proposal” prepared by KGS Group, March, 2012;
 - b) The report “Land Suitability Assessment for Irrigation – Phase 1 Report” prepared by Stantec Consulting Ltd., 2012;
 - c) The report “Land Suitability Assessment for Irrigation – Producer Survey” prepared by Stantec Consulting Ltd., 2012; and
 - d) “Draft Best Management Practices Manual 1999” by the Central Manitoba Irrigators Association and Central Manitoba Resource Management Ltd., concerning general agronomic practices, or future versions thereof.

Monitoring

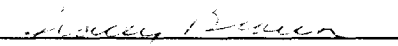
24. The Licencee shall, upon the request of the Director:
 - a) sample, monitor, analyze or investigate specific areas of concern regarding groundwater, surface water and soil for such duration and at such frequencies as may be specified;
 - b) determine the environmental impact associated with the specific 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.

25. 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 Approvals Branch of Conservation and Water Stewardship to review the monitoring and reporting requirements of this Licence.

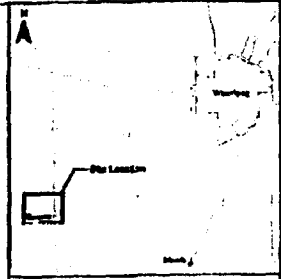
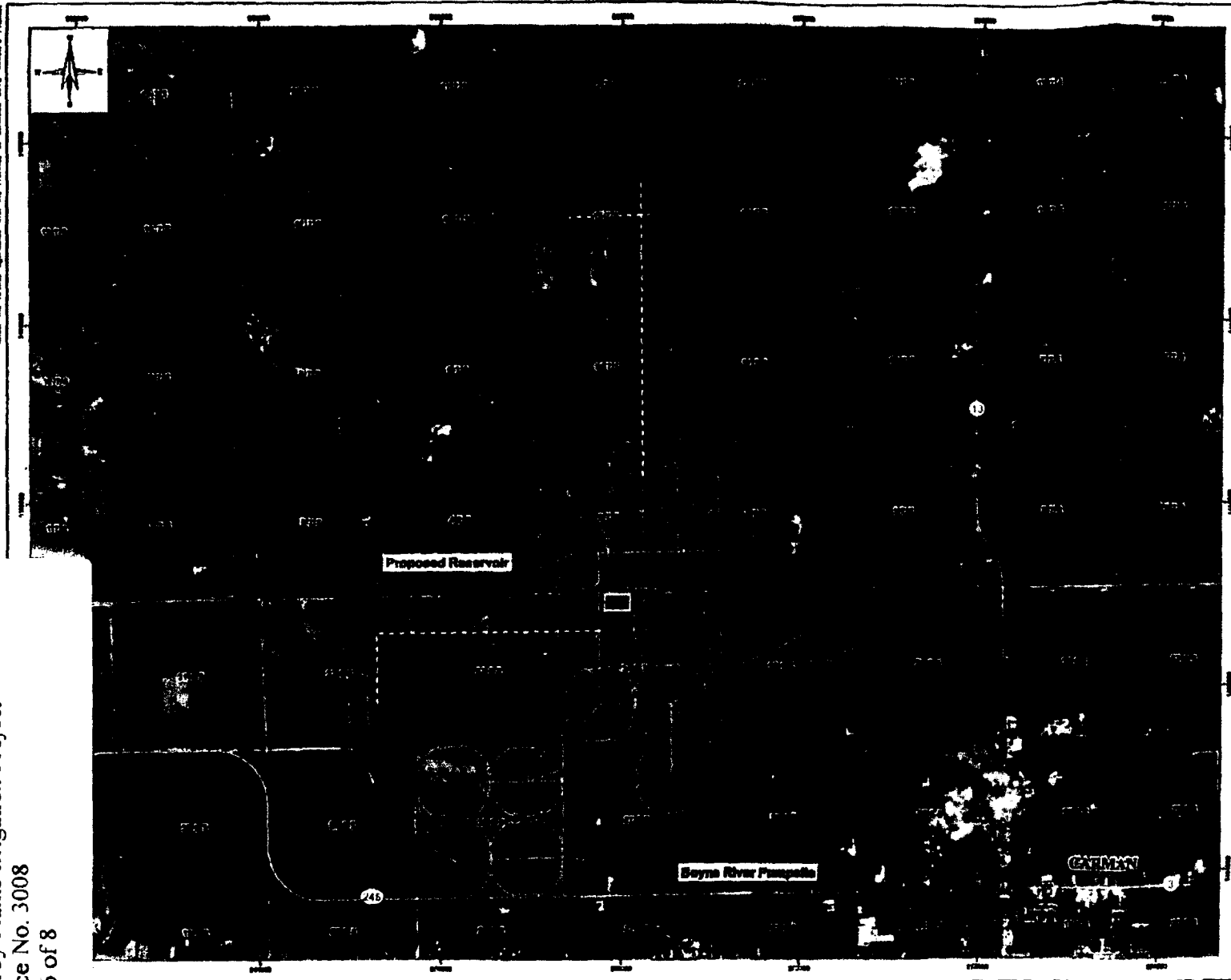
REVIEW AND REVOCATION

- 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*.

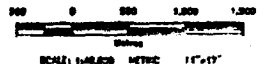

Tracey Braun, M.Sc.
Director
Environment Act

Client File: 5575.00

Profile of site prepared by [unreadable] for the purpose of [unreadable] and [unreadable]
 under the [unreadable] Act of [unreadable] and the [unreadable] Act of [unreadable]



- LEGEND:**
- Existing Plane
 - Proposed Plane
 - Setback Line
 - Proposed Reservoir
 - Existing Plant
 - Proposed Plant
 - Proposed Covered Area

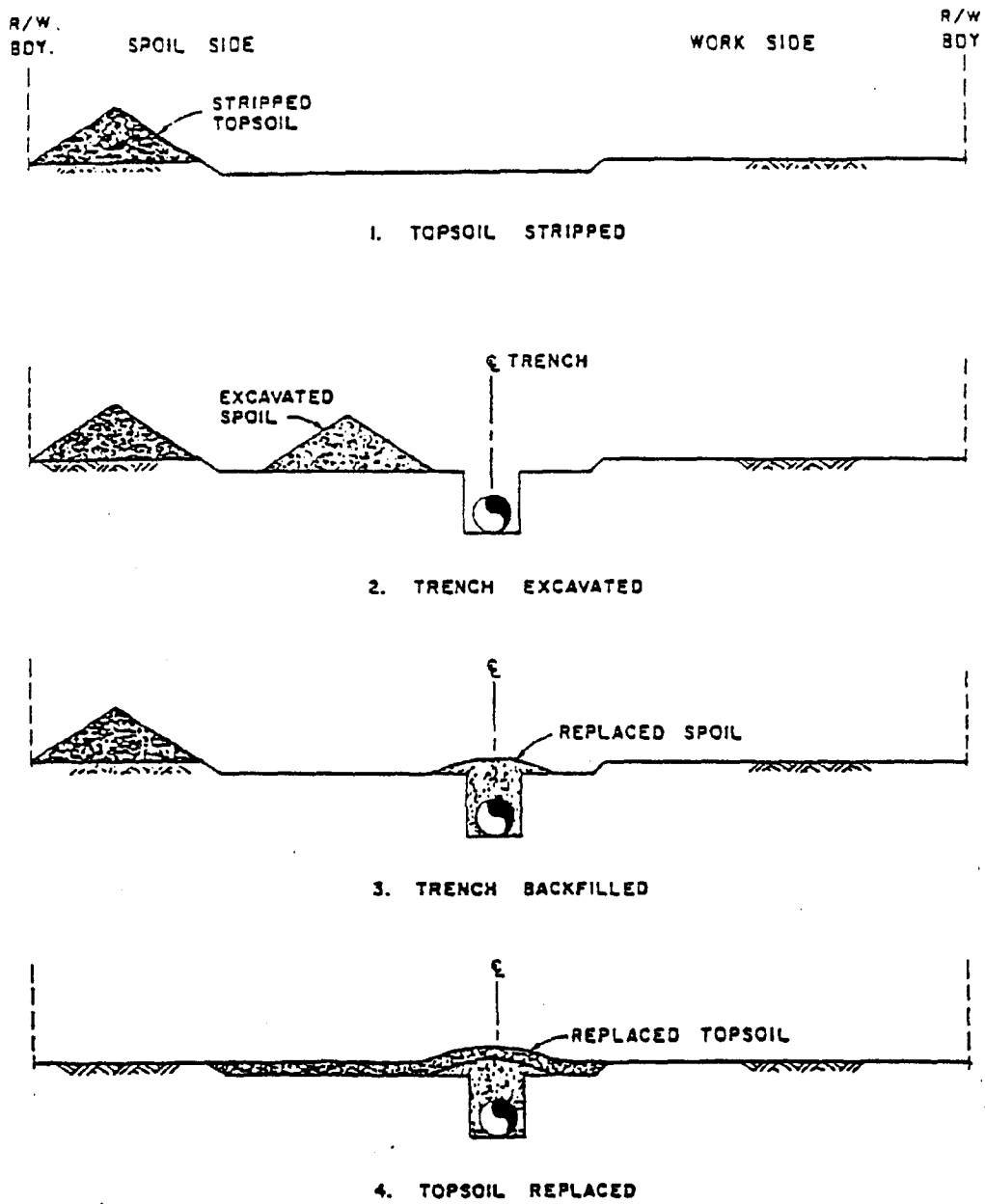


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 Drawings are to be used only for the project shown.

DATE	2012/03/01	BY	W. J. [unreadable]
REVISIONS / ISSUE			

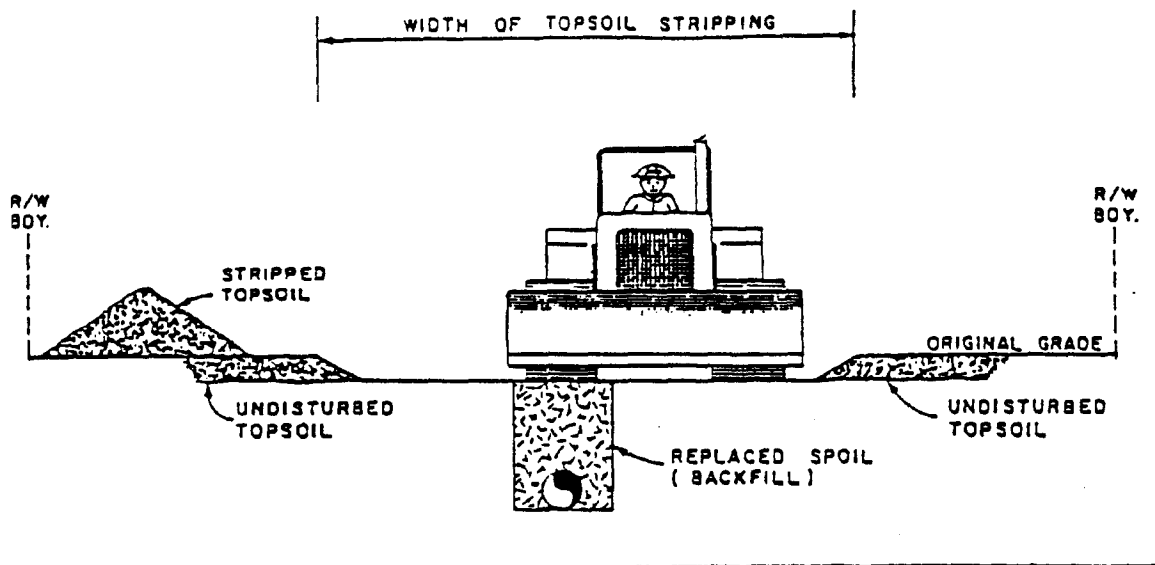
KGS GROUP
 CONSULTING ENGINEERS
CORDUROY PLAINS LTD.
 IRRIGATION PROJECT

PROJECT AREA	
MARCH 2012	FIGURE 01 D



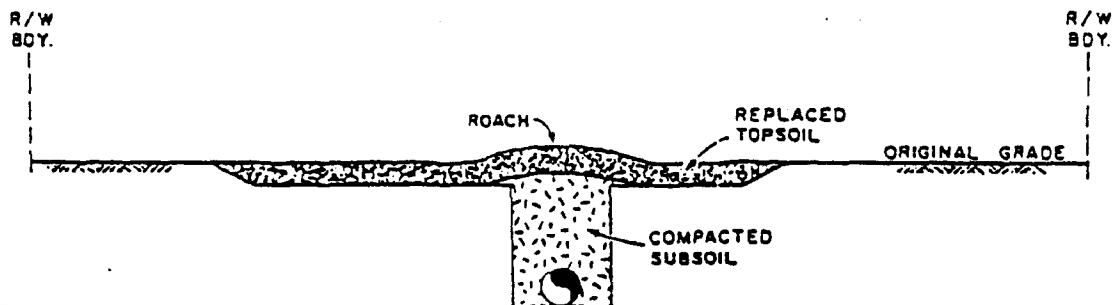
SEQUENCE OF TOPSOIL HANDLING

Figure 2



COMPACTION OF BACKFILL

Figure 3



Roach the trench to compensate for settlement and changes in natural drainage patterns. The height of the roach depends upon land use, the degree of compaction achieved.

ROACHING THE TRENCH

Figure 4

Table 1
Corduroy Plains Irrigation Project Reservoir in NW 34-6-5W
Licence No. 3008

Year: _____

Reservoir capacity: _____ dam³ or acre-feet

Pump Capacities: 1. Filling reservoir from the Boyne River: _____ m³/s or cfs
 2. Irrigation from reservoir: _____ m³/s or cfs

Minimum instream flow: _____ m³/s

MIF Monitoring Location: _____

Notes:

1. d/s Q - Flow measured at downstream point of interest (specify _____)
 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 _____

1. Filling reservoir		From the Boyne River in NW 22-6-5W			
Day	Date	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					
Total				0.00	0.00

2. Use from Reservoir

Day	Date		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					
Total				0.00	0.00

3. Irrigation Directly from Boyne River (intake in NW 22-6-5W)

Day	Date	d/s Q (1)		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					
Total				0.00	0.00