

Licence to Use Water for Agricultural Purposes



Sustainable Development

200 Saulteaux Cresc.
Winnipeg, Manitoba
R3J 3W3

Project: Pinot

Issued in accordance with the provisions of
The Water Rights Act and regulations made thereunder.

Licence No.: **2018-141**

U.T.M.: Zone 14 460606 E
5441377 N

Subject to the terms and conditions contained in this Licence, the Minister of Sustainable Development authorizes:

~~HyLife Ltd.~~ **CATALINA FARMS LTD.**

in the **Rural Municipality of Killarney-Turtle Mountain** in the Province of Manitoba (the "LICENSEE") to construct, operate, establish and maintain a project consisting of water well(s), pump(s), transmittal pipeline(s) and other works specific to the type of use (the "WORKS") and divert water from a **sand and gravel** aquifer located on the following land:

SW 15-2-16 WPM

as more particularly located and shown on the attached Exhibit "A" for **agricultural** purposes on the following lands:

SW 15-2-16 WPM

This licence is issued upon the express condition that it shall be subject to the provisions of The Water Rights Act and Regulation and all amendments thereto and, without limiting the generality of the aforesaid, to the following terms and conditions, namely:

1. The water shall be used solely for **agricultural** purposes.
2. The WORKS shall be operated in accordance with the terms herein contained.
3. a) The maximum rate at which water may be diverted pursuant hereto shall not exceed **0.0068 cubic metres per second (0.2 cubic feet per second)**.
b) The total quantity of water diverted in any one year shall not exceed **38 cubic decametres (30.81 acre feet)**.
4. Water shall not be diverted during any period when the water level in the aquifer is below the casing of any project well.
5. The LICENSEE does hereby remise, release and forever discharge Her Majesty the Queen in Right of the Province of Manitoba, of and from all manner of action, causes of action, claims and demands whatsoever which against Her Majesty the LICENSEE ever had, now has or may hereafter have, resulting from the use of water for **agricultural** purposes.
6. In the event that the rights of others are infringed upon and/or damage to the property of others is sustained as a result of the operation or maintenance of the WORKS and the rights herein granted, the LICENSEE shall be solely responsible and shall save harmless and fully indemnify Her Majesty the Queen in Right of the Province of Manitoba, from and against any liability to which Her Majesty may become liable by virtue of the issue of this Licence and anything done pursuant hereto.
7. This Licence is not assignable or transferable by the LICENSEE and when no longer required by the LICENSEE this Licence shall be returned to the Water Use Licensing Section for cancellation on behalf of the Minister.
8. Upon the execution of this Licence the LICENSEE hereby grants the Minister or the Minister's agents the right of ingress and egress to and from the lands on which the WORKS are located for the purpose of inspection of the WORKS and the LICENSEE shall at all times comply with such directions and/or orders that may be given by the Minister or the Minister's agents in writing from time to time with regard to the operation and maintenance of the WORKS.
9. This Licence may be amended, suspended or cancelled by the Minister in accordance with The Water Rights Act by letter addressed to the LICENSEE at **Box 100, La Broquerie, MB, R0A 0W0, Canada** and thereafter this Licence shall be determined to be at an end.
10. Notwithstanding anything preceding in this Licence, the LICENSEE must have legal control, by ownership or by rental, lease, or other agreement, of the lands on which the WORKS shall be placed and the water shall be used.
11. The term of this Licence shall be **ten (10) years** and this Licence shall become effective only on the date of execution hereof by a person so authorized in the Department of Sustainable Development. The LICENSEE may apply for renewal of this Licence not more than 365 days and not less than 90 days prior to the expiry date.
12. This Licence expires automatically upon the loss of the legal control of any of the lands on which the WORKS are located or on which water is used, unless the Licence is transferred or amended by the Minister upon application for Licence transfer or amendment.
13. The LICENSEE shall keep records of weekly and annual water use and shall provide a copy of such records to the Water Use Licensing Section not later than February 1st of the following year.
14. A flow meter must be installed, positioned to accurately measure instantaneous pumping rate and accumulative withdrawals from the water source.


15. The LICENSEE does hereby agree to correct, to the satisfaction of the Minister, any water supply problems to other currently existing wells, dugouts, or other forms of supply, which are partly or wholly attributable, in the opinion of the Minister, to the diversion of water as authorized by this Licence.
16. The LICENSEE shall hold and maintain all other regulatory approvals that may be required and shall comply with all other regulatory requirements for the construction, operation, or maintenance of the WORKS or to divert or use water as provided by this Licence.

In witness whereof I the undersigned hereby agree to accept the aforesaid Licence on the terms and conditions set forth therein and hereby set my hand and seal this 2nd day of January 2019.

SIGNED, SEALED AND DELIVERED

CATALINA FARMS LTD.

in the presence of:

X 
 Witness

}

Per: X  (Seal)
 Licensee

Aelavie Harms
 Witness (Print name)

}

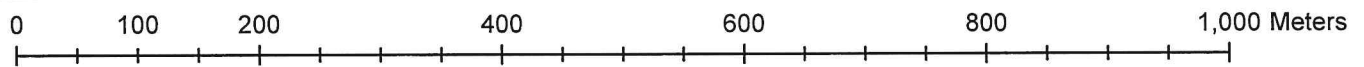
Grant Lazanuk - Director
 Licensee (Print name)

FOR OFFICE USE ONLY

Issued at the City of Winnipeg, in the Province of Manitoba, this 10th day of January A.D. 2019.



The Honourable the Minister of Sustainable Development (or her/his designate)



**Location of Agricultural Well
on SW 15-2-16 WPM
for Hylife Ltd. (Pinot)**

EXHIBIT "A"
THIS PLAN IS AN INTEGRAL PART OF
LICENCE NO. 2018-141
ISSUED UNDER THE WATER RIGHTS ACT

Water Use Licensing Section
Box 16, 200 Saulteaux Crescent, Winnipeg MB R3J 3W3
T: 204-945-3983 F: 204-948-2357 E: wateruse@gov.mb.ca
www.manitoba.ca

February 1, 2019

File: Catalina Farms Ltd., - 19

Catalina Farms Ltd.
Attention: Carlie Pauls
Box 100
La Broquerie, MB R0A 0W0

Dear Carlie Pauls:

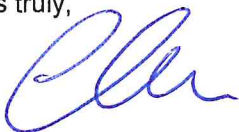
Please find enclosed your copy of Licence No.2018-141 issued under *The Water Rights Act*. Licence No. 2018-141 will expire on **January 10, 2029**. You may apply for renewal of this licence not more than 365 days and not less than 90 days prior to the expiry date.

I have also enclosed a copy of the form that is to be used to record your **weekly** and annual water use as per Clause 13 of your licence. This form is to be completed each year and returned to this office no later than February 1st of the following year. Additional water use forms are available on-line at www.gov.mb.ca/waterstewardship under *Licensing, Regulation & Policy – Water Use Licensing – Forms*.

You may also e-mail your water usage to us at wateruse@gov.mb.ca. Please remember to include in your message (a) your Water Rights licence number (b) the year for which you are reporting, and (c) the unit of measurement (e.g. litres, US gallons, Imperial gallons, clock time, etc.) applicable to your system.

If you have any questions regarding this licence, please contact the undersigned at 204-945-3983.

Yours truly,



Christopher McCombe
Database Manager