

COUNTY OF WARNER NO. 5
DEVELOPMENT PERMIT

LAND USE BYLAW NO. 790-98

FORM D

Development Permit Application No.: 98-25

Development Permit No. 98-25

This development is hereby issued to:

NAME: F.A. NELSON RANCHES LTD.

ADDRESS: Box 128, Stirling, AB T0K 2E0

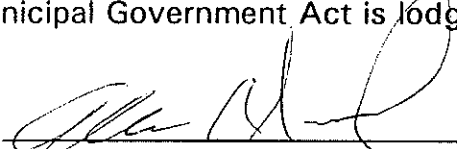
In respect of works consisting of: increase in intensive livestock operation from
3,000 to 7,000

On land located at: NE ¼ 7-6-19-W4
and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. 98-25

and is subject to the conditions contained herein:

This permit becomes effective the 20 day of October, 1998 unless an appeal pursuant to section 686(1) of the Municipal Government Act is lodged within (14) days of the following date:

DATE: October 6, 1998 SIGNED: 
Allan K. Romeril, Development Officer

THIS IS NOT A BUILDING PERMIT

The development outlined is subject to the following conditions:

- a. This permit indicates that only the development to which it relates is authorized in accordance with the provisions of the land use bylaw and in no way relieves or excuses the applicant from complying with the land use bylaw or any other bylaws, laws, order and/or regulations affecting such development.
- b. This permit, issued in accordance with the notice of decision, is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.
- c. If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twelve (12) months from the date of issue of this development permit.

See over →

COUNTY WARNER NO. 5
NOTICE OF DECISION

SCHEDULE 11
FORM C

LAND USE BYLAW NO. 790-98
DEVELOPMENT PERMIT APPLICATION NO.98-25

NAME: F.A. Nelson Ranches Ltd.
ADDRESS: Box 128, Stirling, AB T0K 2E0

In the matter of development of property located at: NE ¼ 7-6-19-W4

The development as specified in Application No. 98-25 has been:

APPROVED

APPROVED subject to the following conditions:

The developer must adhere to the following comments, recommendations and regulations as outlined by the County Municipal Planning Commission, other regulatory bodies and provincial government departments. Each regulatory body shall be responsible to enforce their own comments, recommendations and regulations except where there appears to be mutual areas of concern or interest. Mutual areas of concern or interest may be jointly enforced by the affected bodies. The comments, recommendations and regulations are as follows:

County of Warner: The County waives the minimum distance setback as recommended by the Code of Practise from 2378 feet to 1575 from the nearest residence. It also waives the minimum distance from Primary Highway 52 from one half mile to one quarter mile. The distance from the irrigation canal is approved at 100 feet south of it, if proper barriers are in place, otherwise the distance shall be 200 feet. No runoff can be allowed to enter the canal at any time. Manure shall be worked into the ground within 24 hours of spreading if neighbours deem it a problem, otherwise the manure needs to be incorporated into the soil within 48 hours. A dust control program within the feedlot will be implemented. A fly control program will be implemented.

Alberta Agriculture - The recommendations of Alberta Agriculture shall be adhered to except for those waived by the County of Warner and the information is enclosed in the letter dated September 25, 1998 and it is attached as Appendix A.

Alberta Transportation - Due to the feedlot being within 300 metres of Primary Highway 52, a permit is required to be obtained from Alberta Transportation.

Chinook Health Region - The recommendations of Chinook Health Region shall be adhered to except for those waived by the County of Warner and the information is enclosed in a letter dated September 30, 1998 and it is attached as Appendix B.

REFUSED for the following reasons:

Development Permit to be issued on the 20 day of October, 1998 (*if no appeals are received*)

A *development permit has been issued* in accordance with this notice but shall *not be valid until fourteen (14) days after the date of issue* in accordance with section 686 of the Municipal Government Act

DATE: October 6, 1998

SIGNED: 
Allan K. Romeril, Development Officer

THIS DOES NOT CONSTITUTE A DEVELOPMENT PERMIT

This decision is appealable to the Development Appeal Board of the County of Warner No. 5 within fourteen (14) days of the date of this notice by any party considering themselves to be adversely affected.

COUNTY OF WARNER NO. 5
APPLICATION FOR A DEVELOPMENT PERMIT

SCHEDULE 11
FORM A

LAND USE BY-LAW No. 681
DEVELOPMENT APPLICATION NO. 98-25

GENERAL INFORMATION

APPLICANT'S NAME: F.A. Nelson Ranches Ltd (Grant Nelson)
ADDRESS AND PHONE NO.: Box 128 Stirling Alta. (756-3589)
REGISTERED OWNER'S NAME: F.A. Nelson Ranches Ltd
ADDRESS AND PHONE NO.: Box 128 Stirling (756-3589)
APPLICANT'S INTEREST IF NOT THE REGISTERED OWNER _____
(Option - Lease - Other)

LEGAL DESCRIPTION OF LAND: LOT(s) _____ BLOCK _____ PLAN _____
QUARTER NE 1/4 SECTION 7 TOWNSHIP 6 RANGE 19
STREET ADDRESS (if applicable) _____

SPECIFIC INFORMATION

IN ORDER TO PROPERLY EVALUATE AN APPLICATION FOR DEVELOPMENT, THE MUNICIPAL PLANNING COMMISSION MUST BE PROVIDED WITH A COMPLETE AND CLEAR PICTURE OF THE LAND, EVERYTHING WHICH IS PRESENTLY BUILT ON THE LAND, AND EVERYTHING WHICH IS TO BE BUILT ON THAT LAND.

Therefore, the following information is required:

1. Details of DEVELOPMENT SITE:

Describe the lot/parcel dimensions ~~160~~ N 1/2 7-6-19-W4 and lot area/parcel acreage 320
Indicate data on a PLOT PLAN scaled as follows: 0-4 acres at 1" = 20'; 5-9 acres at 1" = 10'; 10 or more acres 1" = 200'.

2. Details of EXISTING DEVELOPMENT:

Describe below and indicate clearly on the scaled PLOT PLAN how many buildings/structures are presently located on the lot; noting the use(s) / type(s), dimensions, floor area(s) and which one(s) (if any) are to be removed, relocated and/or renovated.

Intensive livestock cattle operation + Feedmill
3,000 hd Capacity

Indicate clearly on the scaled PLOT PLAN the setbacks of all buildings from the front, rear, and side yard lot boundaries, as well as distances between all buildings/structures.

3. Details of PROPOSED DEVELOPMENT:

Describe below and indicate clearly on the scaled PLOT PLAN how many new buildings, additions and structures are to be constructed on the lot, noting the use(s), type(s), dimensions and floor area(s) of each. Describe below any proposed interior renovations, changes in use, or home occupations (if applicable).

Increase to 1000 hd fall of 1997
Proposed increase of 3,000 in 98 + 99 to maximum of 7000 hd

Indicate clearly on the scaled PLOT PLAN the setbacks of all new buildings, additions or structures from front, rear and side yard lot boundaries, as well as distances between all existing and proposed developments.

4. Details of LANDSCAPING:

Describe generally the type of landscaping features and fencing proposed, and indicate locations on a scaled LANDSCAPE PLAN.

NA

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5. Details of VEHICLE PARKING and ACCESS:

Describe the number and dimensions of all existing and proposed parking spaces, loading spaces, and driveways on site.

NA

Indicate locations of same on the scaled LANDSCAPE PLAN.

6. Details of EXTERIOR BUILDING FINISH:

Describe the type(s) and colour(s) of all material used to finish the existing and proposed structure exteriors.

additional per space pipe & wooden fence

Indicate same on SKETCHES of all new structure elevations (not necessarily scale drawings).

7. Details of SERVICES:

Indicate as follows: A = available; R = required.

water (A)	sewer ()	septicfield ()
natural gas (A)	electricity (A)	telephone (A)

Estimate Commencement date:

Oct 1st 1998

Estimated Completion date:

Oct 1st 1999

()

I have read and understand the provisions noted below and hereby apply for permission to carry out the development described above and on the attached plans and specifications. I further certify that the registered owner of the land described above is aware of, and in agreement with this application.

Signature of Applicant:

Grant C Nelson

Signature of Registered Owner:

Grant C Nelson

PLEASE NOTE:

1. Subject to the provisions of the land use by-law of the County of Warner, No. 5, the term "development" includes the making of any change in the use of buildings or land.
2. Although the development officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a development permit is received, is at his own risk.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in duplicate with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing, the application shall be deemed to be refused and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period.
5. Construction undertaken subsequent to approval of this development permit application may be regulated by the Alberta Uniform Building Standards Act. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approvals and inspections as may be required by the Alberta Department of Labour-Building Standards Branch.

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**COMMUNITY HEALTH - LETHBRIDGE**

801 - 1st Avenue South • Lethbridge, Alberta • T1J 4L5
 Phone: (403) 382-6666 Fax: (403) 328-5934

CORPORATE OFFICE

360 - 19 St. South
 Lethbridge, AB
 T1J 1W5
 Phone: (403) 382-6009
 Fax: (403) 382-6011

CARDSTON

Cardston Hospital
 Community Health Office
 Grandview Nursing Home

COALDALE

Community Health Offices

CROWSNEST PASS

Crowsnest Pass Hospital
 Community Health Office

FORT MACLEOD

Fort Macleod Hospital
 Community Health Office
 Special Development Unit

LETHBRIDGE

Lethbridge Regional Hospital
 Community Health Offices
 Children's Centre

MAGRATH

Magrath Hospital
 Community Health Office

MILK RIVER

Milk River Hospital

PICTURE BUTTE

Picture Butte Hospital
 Community Health Office

PINCHER CREEK

Pincher Creek Hospital
 Community Health Office

RAYMOND

Raymond Hospital
 Community Health Office

TABER

Taber Hospital
 Community Health Office

VAUXHALL

Community Health Office

WARNER

Community Health Office

September 30, 1998

Mr. Allan Romeril
 County Administrator
 County of Warner #5
 Box 90
 WARNER, Alberta
 TOK 2L0

Dear Allan:

Re: Development Application 98-25, NE 7-6-19-W4

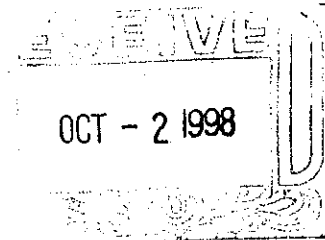
From the information provided and our on-site inspection, this office has the following comments:

1. ***The development should meet the distance requirements of the County of Warner #5 Land Use Bylaw and the Alberta Agriculture Code of Practice.***
2. ***All surface drainage should be properly contained on lands owned by the owner/operator. This should include properly designed catch basins for the proposed and existing feedlot areas.***
3. ***The irrigation canal should be protected from drainage and/or pollution from this operation.***
4. ***There should be written proof of sufficient land base for manure spreading as required by the Code of Practice and/or the Land Use Bylaw.***
5. ***Manure should be incorporated within 48 hours after application.***
6. ***There should be containment area for deads, and provision for removal or burial within 48 hours.***
7. ***A fly control program is required.***

Yours truly,

John Byrne, C.P.H.I.(C)
 Public Health Inspector

JB/lz



FAX Rec'd
 SEPT 30/98
 MR

APPENDIX A



Agriculture Centre, Jail Road, Lethbridge, Alberta T1J 4C7
Telephone: 403-381-5131; Fax Number: 403-381-5806

September 25th, 1998

County of Warner No. 5
P.O. Box 90
Warner, Alberta
T0K 2L0

Attention: Mr. Allan Romeril
Administrator

Dear Sir:

Re: **Application for Development**
F.A. Nelson Ranches 4,000 - Beef Feedlot Expansion
NE 7-6-19-W4

A review of the proposed development site was carried out on September 25th, 1998, with Mr. G. Nelson. The Code of Practice for the Safe and Economic Handling of Animal Manures forms the basis for these comments.

It is understood that the proposed development will be an expansion of 20 pens, approximately 152' by 200' in size, onto the existing beef feedlot. The capacity of the existing feedlot, based upon information supplied by Mr. Nelson, is approximately 3,000 head at the present with the proposed expansion adding 4,000 animals. The proposed expansion is slated for the feeding of weaner calves through to full slaughter weight.

County of Warner No. 5
Development Application
F.A. Nelson Farms.
September 25, 1998
Page 2

a) Minimum Distance Separation (MDS)

The minimum separation distance from the nearest part of the feedlot to the nearest neighboring residence should be at least 2,378 feet (725 m) for a category 1, single residence or low sensitivity neighbour. The information supplied with the application, as well as air photo interpretation, shows the actual distance to be approximately 1575 feet to the nearest neighbouring residence from the closest point on the proposed expansion. This does not meet the separation distance criteria as set out in the Code.

In addition, a minimum separation of 150 feet must be provided from any irrigation canal/drainage ditch and adequate measures taken to ensure no contamination of these areas.

b) Soils Testing

It is recommended that proper testing of the soils in the area where the proposed pens are to be constructed be undertaken to ensure that the soils contain an adequate clay percentage to ensure that the pen floor permeability will allow no contamination of ground water. No soils information was available at the time of the site inspection.

c) Storage of Manure

The storage of manure can be accommodated within the pens. The manure should be cleaned from the pens as proposed on a six month basis.

d) Land for Manure Nutrient Utilization

In accordance with the Code of Practice, approximately 2,083 acres of cultivated dryland or 1,042 acres of cultivated irrigated land are required for adequate manure nutrient utilization from the entire feedlot (existing area and proposed expansion). These figures are based upon nitrogen utilization. Additional area may be required when phosphorus utilization is considered.

Manure should be incorporated within 48 hours of application, weather permitting. Due care and consideration should be exercised when spreading manure on lands near neighboring residences by maintaining an adequate separation distance.

Manure should not be spread on frozen or snow covered ground.

County of Warner No. 5
Development Application
F.A. Nelson Farms.
September 25, 1998
Page 3

All waterways on lands utilized for manure spreading must be protected from contamination by manure and/or run-off from manure.

e) Containment of Run-off

All surface run-off from the proposed facility should be contained and prevented from contaminating surface or groundwater. In order to achieve this, it is recommended that:

- 1) Berms be constructed to divert surface run-off water away from the facility and contain run-off originating at the facility.
- 2) Runoff storage ponds be constructed to contain excess runoff from the feedlot area. The storage volume for the proposed expansion should be 5,360 m³ (1.164 million gals) with a minimum of 0.5 m freeboard on the ponds.
- 3) The storage ponds are to be properly engineered and constructed so as to achieve a hydraulic conductivity of less than $1 \cdot 10^{-7}$ cm/sec. The floor of the pond must also be at least one meter above the ground water table. Information on the ground water table, as well as soils, was not available at the time of the site inspection.

The proposal for expansion makes provision for landscaping the expansion to allow for adequate drainage and diverting surface runoff away from the feedlot.

f) Water Provision

The provision of drinking water for the animals, with the appropriate permits, as detailed in the development application should be adequate for the feedlot and expansion. It is estimated that the peak water demand will be approximately 375 m³ / day (75,000 gal / day) for the entire feedlot.

g) Dead Animal Disposal

Dead animals are to be disposed of in a prompt and acceptable manner in accordance with the Livestock Diseases Act and Public Health Act. Dead animals should be properly handled, stored and/or disposed of within 48 hours of death to minimize odors, flies, transmission of disease and threat of pollution. The existing feedlot utilizes a

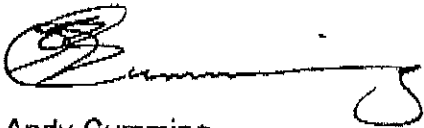
County of Warner No. 5
Development Application
F.A. Nelson Farms.
September 25, 1998
Page 4

rendering service for dead animal disposal which is an acceptable method of disposal.

With consideration of the above mentioned siting aspects of this proposed development, the proposed location is **not** considered satisfactory for such development in terms of the Code of Practice as it does not meet the recommended separation distance.

No soils information or information regarding the depth of ground water, was available at the time of the site inspection.

Yours truly,



Andy Cumming
Intensive Livestock and
Environmental Management Engineer

AC/bb

INTENSIVE LIVESTOCK OPERATION MANAGEMENT PLAN

An Intensive Livestock Operation Management Plan is required to be provided with a completed application form when applying to develop or expand an intensive livestock operation. This form is intended to assist in the preparation of a plan and may be completed and submitted with an application as a management plan or the applicant may have a plan prepared by a qualified professional. An applicant is encouraged to contact Alberta Agriculture, Food and Rural Development, Alberta Environmental Protection, and the Chinook Regional Health Authority and discuss the proposed development before preparing the management plan.

1. LAND OWNER INFORMATION

- 1.1 Land owner: Name: F.A Nelson Ranches
Address: Stirling Alta
Phone: 756-3584
- 1.2 Facility operator: Name: Grant Nelson (owner)
(if not owner) Address: _____
Phone: _____
- 1.3 Land location: ¼ NE Sec. 6 Twp. 6 Rge. 19
- 1.4 Size of parcel under title: _____ ha (920 acres)
- 1.5 Total land holdings owned: _____ ha (9,000 acres)
Total land leased: _____ ha (1000 acres)

2. ANIMAL INFORMATION

- 2.1 Type of animals to be fed:
(check appropriate boxes)
- | | Existing | Proposed |
|---------|-------------------------------------|-------------------------------------|
| Cattle | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Hogs | <input type="checkbox"/> | <input type="checkbox"/> |
| Poultry | <input type="checkbox"/> | <input type="checkbox"/> |
| Sheep | <input type="checkbox"/> | <input type="checkbox"/> |
| Horses | <input type="checkbox"/> | <input type="checkbox"/> |

2.2 Specific numbers of animals to be fed:

CATTLE:	Existing	Proposed		Existing	Proposed
Bulls	<u>50</u>	<u>50</u>	Cows	<u>500</u>	<u>500</u>
Calves	<u>3,000</u>	<u>7,000</u>	Feeders	<u>1000</u>	1000 1000

DAIRY CATTLE:	Existing	Proposed		Existing	Proposed
Cows Wet	_____	_____	Cows Dry	_____	_____
Calves	_____	_____	Bulls	_____	_____

HOGS:	Existing	Proposed		Existing	Proposed
Sows	_____	_____	Boars	_____	_____
Feeders	_____	_____	Wieners	_____	_____

POULTRY:	Existing	Proposed		Existing	Proposed
Hens	_____	_____	Chicks	_____	_____
Turkey Hens	_____	_____	Turkey Toms	_____	_____
Turkey Broilers	_____	_____			

SHEEP:	Existing	Proposed		Existing	Proposed
Rams	_____	_____	Ewes	_____	_____
Lambs	_____	_____			

HORSES:	Existing	Proposed
Total Horses	_____	_____

MINK:	Existing	Proposed
Total Mink	_____	_____

RABBITS:	Existing	Proposed
Total Rabbits	_____	_____

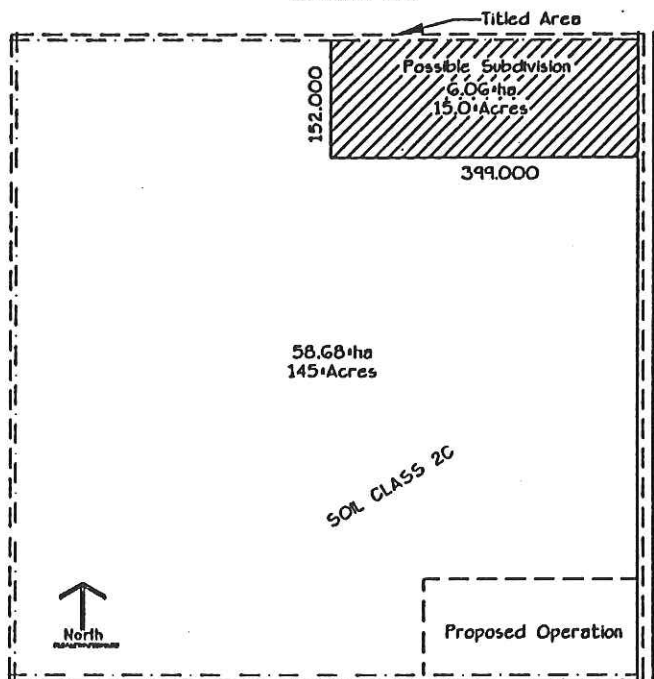
2.3 Total Animal Units (to be filled in by designated officer) - _____ AUs

3. SITE DATA

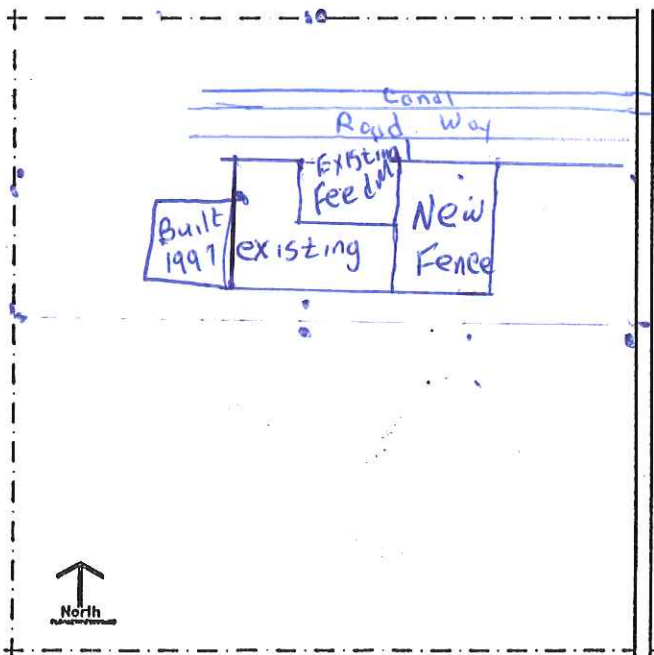
Refer to the example diagrams and prepare diagrams with accurate measurements of your proposed developments.

3.1 Location on the quarter section; also indicate titled area if not the full quarter section.

EXAMPLE

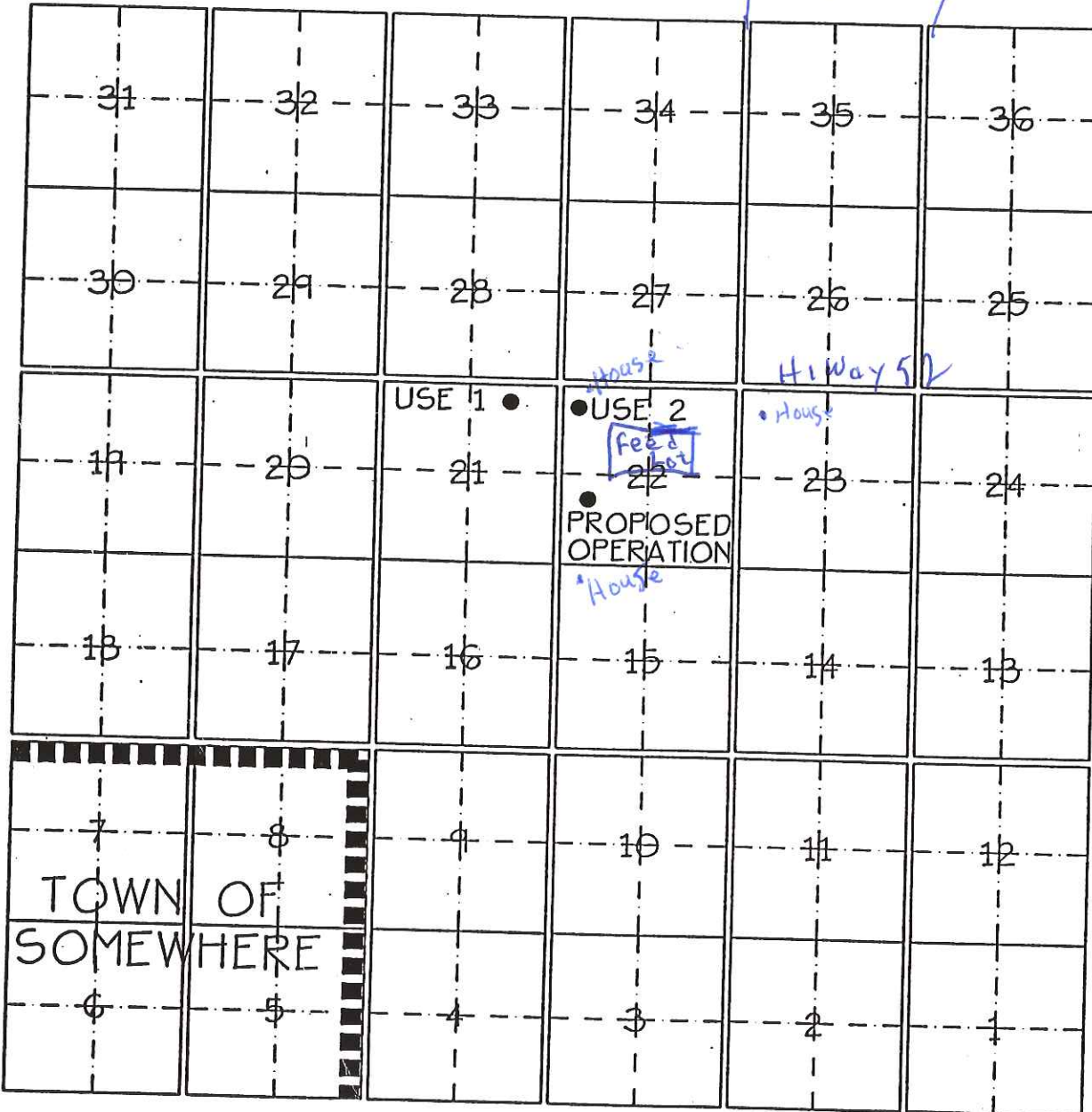


OPERATION LOCATION



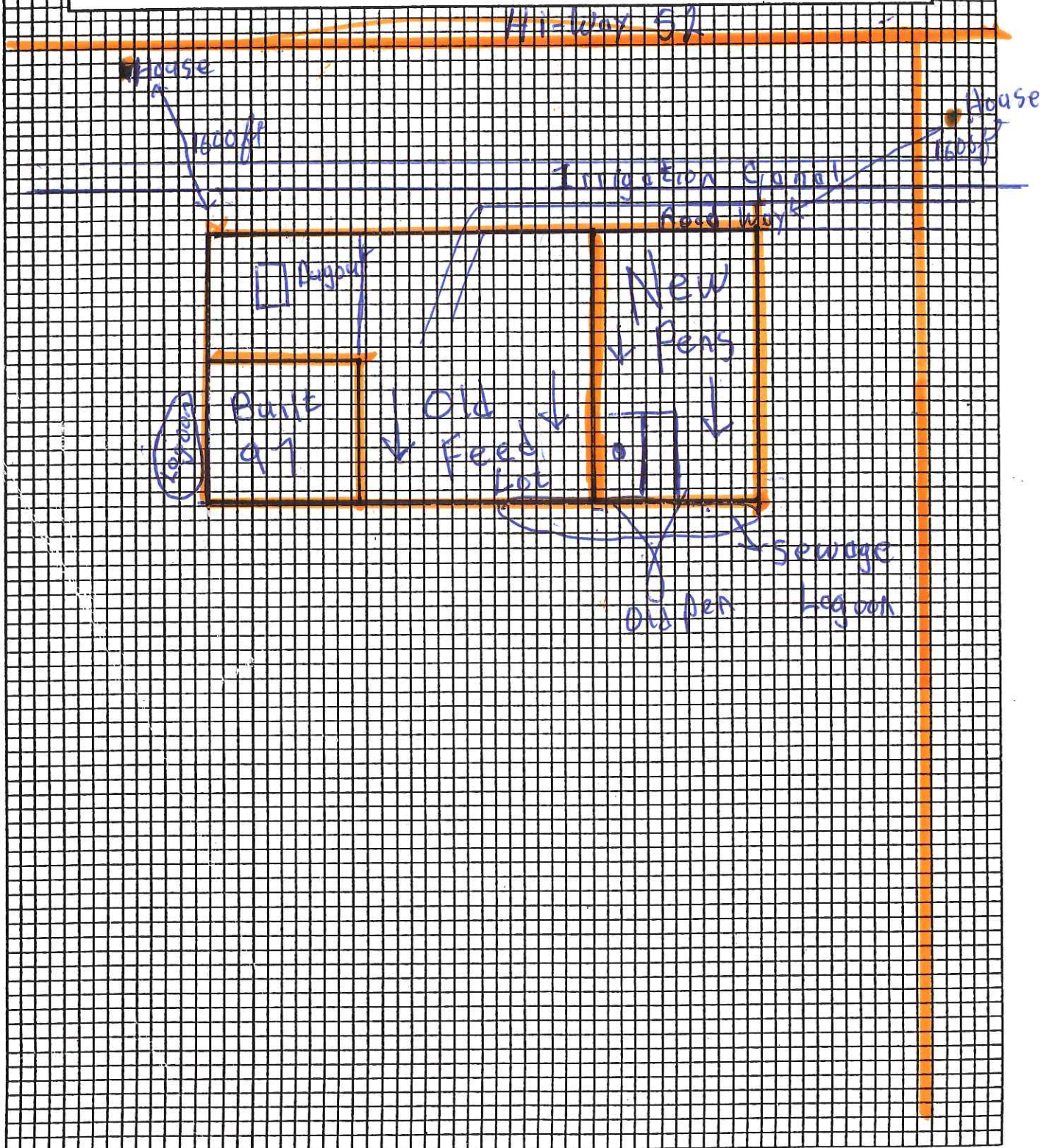
3.2 Location in area; also indicate location of other residential, public uses or urban municipalities within a two-mile radius of the proposed development.

EXAMPLE: LOCATION IN AREA



	Use	m	(feet)
Distance to Use 1	Residence	457.2	1,500
Distance to Use 2	Feedlot	304.8	1,000

Please use this graph paper to show to scale the location of structures on the site, including the location of manure storage.



4. MANAGEMENT METHODS

4.1 State source of water for operation: (i.e. river, well, irrigation system) irrigation dugout

4.2 Type of Bedding: (i.e. straw, other, none)

Existing: Straw

Proposed: Straw

4.3 Type of Manure Storage: (i.e. dry, wet, including any proposed structures)

Existing: Wet in Pens hauled out & put on land in spring & fall

Proposed: Wet in pens & hauled out in spring & fall and put on land

4.4 Amount of Manure Storage: (state number of weeks, months)

Existing: _____

Proposed: _____

5. METHODS OF DISPOSAL

5.1 How will manure be disposed? Spread on land with manure spreaders

5.2 If spread on the land how will it be spread? (i.e. spread on surface, injected, shanked, etc.)

Surface spread and disced under

We don't need anyone else's land

5.3 How often will the manure be spread on each area listed below (times per year)?

Area 1 _____ Area 2 _____

5.4 If the entire amount of manure can't be spread on your land, where will the manure be spread? It is the responsibility of the operator/applicant to have authorization from two owners of land that will permit manure to be spread. Each area listed below should have sufficient land area to accommodate all manure.

Area 1

Legal description: _____ Sec. 7 Twp. 8 Rge. 19 W 4

Land area available: _____ ha (600 acres) Time of year land available: _____

Owner: _____

Authorization: _____
(Owner's Signature)

Area 2

Legal description: _____ Sec. _____ Twp. _____ Rge. _____ W _____

Land area available: _____ ha (____ acres) Time of year land available: _____

Owner: _____

Authorization: _____
(Owner's Signature)

5.5 Length of time for incorporation into soil: (i.e. immediate, shanked, other - number of days after spreading)

Weekly unless it is causing a problem for someone

5.6 If land drainage is toward road side, ditch, canal or other land, describe method to control runoff: (i.e. dirt berms around portions of manure storage areas)

Road drainage from the feedlot is directed toward lagoons which will be pumped out on a yearly basis or as often as needed

6. FLY CONTROL MEASURES

6.1 Outline the fly control measures to be taken:

As Needed

7. OTHER INFORMATION

7.1 Provide any other information that will assist in the description of the intensive livestock operation such as methods of limiting impact:

SIGNATURES:

Grant C Nelson
Owner

Grant C Nelson
Operator

Grant C Nelson
Person Preparing the Plan

October 28, 1998



Alberta Labour, Building Standards Branch
General Safety Services Division
360 Provincial Building
200 - 5th Avenue South
LETHBRIDGE, AB T1J 4C7

Dear Sir:

Re: Development Permit Application - F.A. Nelson Ranches Ltd. - 98-25

Please find enclosed plans for the above development permit for your records.

Yours truly,

Allan K. Romeril
Administrator

AKR/amb

Enclosure

Regional Transportation
Office of the Regional Director

Box 314
3rd Floor, Administration Building
909 Third Avenue North
LETHBRIDGE AB T1H 0H5

Telephone 403/381-5426
Fax 403/381-5253

Our Ref: 3189-2056 (52)

September 22, 1998

*F.A. Jackson
Receiver*

Mr. Allan Romeril
County Administrator
County of Warner No. 5
Box 90
WARNER AB T0K 2L0

Dear Mr. Romeril:

**RE: PROPOSED INCREASE IN LIVESTOCK OPERATION IN THE NE 7-6-19-4
HIGHWAY 52 EAST OF RAYMOND**

Reference to the above noted.

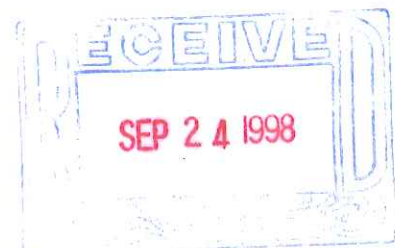
The subject property is within 300 meters of a controlled highway and as such the proposed development will require the benefit of a permit from our department. This requirement is outlined in the Public Highways Development Act and the enacting Highway Development Control Regulation, being Alberta Regulation 242/90. We would appreciate it if your transactions with the developer could include the requirement of a permit from our department.

Thank you for the referral and opportunity to comment.

Yours truly,


John Thomas
Development Technologist

JT/rp



NOTICE OF DECISION

In the matter of property located at NE ¼ 7-6-19-W4 to increase intensive livestock operation from 3,000 to 7,000 the development has been approved with conditions, provided the developer adheres to all comments, regulations as outlined by the County Municipal Planning Commission and other regulatory bodies and provincial government bodies.

This decision is appealable to the Development Appeal Board of the County of Warner No. 5 by 4:30 p.m. on October 20, 1998, which is within fourteen days of the date of this notice, by any party considering themselves to be adversely affected.

Date: October 6, 1998

Signed: Allan K. Romeril
Development Officer

ADVOCATE: PLEASE RUN THIS AD ON SATURDAY, OCTOBER 10, 1998. IF YOU CANNOT RUN IT ON THIS DATE PLEASE CALL ME IMMEDIATELY. I WILL E-MAIL IT TO YOU SHORTLY.

size next
page

NOTICE OF DECISION

In the matter of property located at NE ¼ 7-6-19-W4 to increase intensive livestock operation from 3,000 to 7,000 the development has been approved with conditions, provided the developer adheres to all comments, regulations as outlined by the County Municipal Planning Commission and other regulatory bodies and provincial government bodies.

This decision is appealable to the Development Appeal Board of the County of Warner No. 5 by 4:30 p.m. on October 20, 1998, which is within fourteen days of the date of this notice, by any party considering themselves to be adversely affected.

Date: October 6, 1998

Signed: Allan K. Romeril
Development Officer

To County of Warner.

Sept 18 1998
For the Oct 6 meeting

Att. Allan Romeril Re: Development Hearing Oct. 6 98 NE1/4 7-6-19 W4

A few observations;

1. Hwy 52 feeders with some 14000 capacity, the feedyard 1/2 K to the west, the feedyard less than 2K to the north along Stirlings So. West Boarder, and other small livestock, chicken, hog etc. operations are plenty for our community. The large dust cloud off 52 and the above, moving in every direction this summer certainly created much choking and miserable time for area residents.

2. Reasonable sized operations should be adequately spaced with some hope of air dilution

3. All land owners should be protected by elected bodies so that fairness neighbor to neighbor and reasonableness are evident. Future land use by adjacent land owners may change

4. The feedlot alley north of Lethbridge should make us a little wiser.

5. Please view these operations from all wind directions, place you're self in the shoes of the community and neighbors then decide accordingly.

6. I therefor recommend that no development take place.

Respectfully,
David J Steed

DAVID J STEED - 801277
Stirling AB

I am unable to attend personally,
but would like this letter recorded
and brought to the attention of the Board.



October 6, 1998

County of Warner Development Committee
Attn. Mr. Allan Romeril

I have talked to Mr. Jake Hofer about his concerns about my proposed feedlot expansion. I might add that Mr. Hofer had buried a water line main across the area where I propose to build the new pens, as he was planning a similar expansion at some future date had he retained ownership of the property.

Mr. Hofer has three main concerns about my feedlot expansion. I have addressed the areas of concern with him and feel that they were legitimate concerns and I feel that we can be responsible in minimizing these concerns.

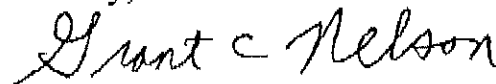
1. Dust control program to be implemented. We know that cattle do not do well in dusty pens and would try to eliminate this problem, whether or not we had any neighbors.

2. Manure disposal next to his house will be worked under within twenty-four hours or whenever he deems it is causing him problems.

3. Fly control program to be investigated and implemented.

I feel that we have been a good feedlot operator in years past and will continue to be so in the years to come. I don't think that the county has had any complaints about our feedlot operation in years past and hope it will continue to be that way.

Sincerely,



Grant C. Nelson



Natural Resources Service
Prairie Region, Water Management

2nd floor, Provincial Building
200 - 5th Avenue South
Lethbridge, Alberta
Canada T1J 4C7

Telephone (403) 381-5994
Fax (403) 381-5337

September 24, 1998

Allan K. Romeril
Development Officer
County of Warner No. 5
Box 90
Warner AB T0K 2L0

File: W4-19-06

Dear Mr. Romeril:


Re: F. A. Nelson Ranches Ltd.
Development App. No. 98-25
- Required Licencing for Feedlot Water Supply under the Water Resources Act

Please be advised that F. A. Nelson Ranches Ltd. made application on September 23, 1998 for licencing approval on their existing 4000 head feedlot and including a proposed 3000 head expansion for a total of 7000 head.

Enclosed, for your information are the "Guidelines for the licencing of surface water and use under the Water Resources Act". Basically any intensive livestock operations requiring more than 5.0 acre-feet (1.3 million gallons) of water per year require licencing approval under the Water Resources Act.

If you have any further questions on the above, please contact me at 381-5994.

Yours truly,
DEPARTMENT OF ENVIRONMENTAL PROTECTION


K. C. Perdue
Water Administration Officer

Attachment



GENERAL INFORMATION

Guidelines for the licensing of surface water diversion and use under the Water Resources Act

The present Water Resources Act requires all users to obtain a licence for their water use, except as provided for under Section 2 of the Act, which allows landowners to use as much water as they need for domestic purposes without a licence. Section 2 reads as follows:

"Nothing in this Act requires a person who owns or occupies

- a) Land that adjoins a river, stream, lake, watercourse or other body of water, or
- b) Land under which groundwater exists

to obtain a licence or permit under this Act for the use of as much of that water as he requires for domestic purposes on that land.

A person in the exercise of a right under ..(the above)...may pump or otherwise convey water to fill a tank, cistern, trough or dugout without a permit or licence."

"Domestic" is defined in the Water Resources Act as "...household requirements, sanitation and fire prevention, the watering of domestic animals and poultry and the irrigation of a garden not exceeding one acre adjoining a dwelling house on the land of a riparian owner."

We have administered the Act under the interpretation that domestic animals in this context are the personally owned animals needed for a landowner to subsist. Changing agricultural practices have introduced feedlots, dairies, broiler barns and other intensive livestock operations. Where to draw the line on the requirement for a licence for the more intensive livestock operations has been policy only, since it is not quantified in the definition of domestic.

Approvals are not necessary for:

1. Domestic use of water, including:
 - Dugouts that hold less than 5.0 acre feet (1.4 million gallons) of water and fill from surface runoff.
 - Livestock numbers requiring less than 5.0 acre-feet of water per year on a parcel of land (see calculation worksheet).

Approvals are required for:

2. Any dam, including those for domestic and/or stockwater use, or
- * 3. Livestock numbers requiring more than 5.0 acre-feet of water per year on a parcel of land (see calculation worksheet), or
4. Irrigation Use - includes crops, greenhouses, tree/sod farms, parks, etc., or
5. Industrial Use - includes abattoirs, oil recovery, etc., or
6. Municipal Use - includes 3 households or more using a common water supply, communities, Hutterite colonies, hauling points, water co-ops, etc..

Licences are issued for the amount of water required for an entire year, and in some cases, include a maximum diversion rate. Licences have priority amongst themselves based on the "first in time, first in right" principle; during a water shortage an older (senior) licensee is entitled to receive the whole of his licensed supply before a junior licensee has any claim to his licensed supply of water..

For further information, please call Water Resources Administration in Lethbridge at 381-5396.

ANNUAL WATER CONSUMPTION TABLE

REPORT NO. _____

DATE _____

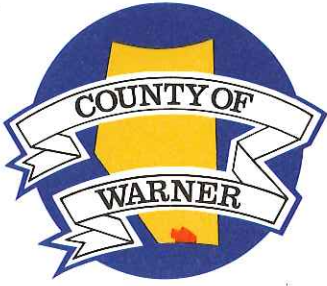
CONSUMER	AVERAGE ESTIMATED DAILY USE (GALLONS) (A)	NUMBER OF USERS (B)	NUMBER OF DAYS WATERED PER YEAR (C)	TOTAL NUMBER OF GALLONS USED PER YEAR (AxBxC)
HUMAN	65			
DAIRY MILK COWS (inc. wash water) DRY COWS & HEIFERS CALVES	30 10 5			
CATTLE FEEDERS COW/CALF COWS/Bulls CALVES	10 12 5			
HOGS FARROW TO FINISH PER SOW (inc. wash water) WEANERS TO FEEDERS FEEDER OPERATION FEEDERS DRY SOWS/BOARS	23 1 2 4			
HORSES	10			
SHEEP	2			
POULTRY 100 CHICKENS 100 TURKEYS 100 DUCKS/GEESE	5 10 5			
OTHER				
TOTAL NUMBER OF GALLONS USED				

ANNUAL WATER CONSUMPTION = _____ ACRE-FEET (No. gal./271,470 Can gal or 325,850 US)

RESERVOIR SIZE = _____ LENGTH X _____ WIDTH X _____ DEPTH
 SURFACE AREA = _____ ACRES LOSSES = 1.5 X S.A. = _____ ACRE-FEET
 CAPACITY = _____ ACRE-FEET

RESERVOIR SIZE = _____ LENGTH X _____ WIDTH X _____ DEPTH
 SURFACE AREA = _____ ACRES LOSSES = 1.5 X S.A. = _____ ACRE-FEET
 CAPACITY = _____ ACRE-FEET

RESERVOIR SIZE = _____ LENGTH X _____ WIDTH X _____ DEPTH
 SURFACE AREA = _____ ACRES LOSSES = 1.5 X S.A. = _____ ACRE-FEET
 CAPACITY = _____ ACRE-FEET



COUNTY OF WARNER No. 5

OFFICE OF THE ADMINISTRATOR
WARNER, ALBERTA
TOK 2L0

PHONE 642-3635
329-8875
FAX 642-3631

September 17, 1998

FAXED TO: 756-2203

Mr. Steed:

Please find attached a list of the County Councillors as requested. I am unable to provide you with a list of the people to whom the County sent notices to. Whenever personal information is requested, an approval from administration is required. Of course, if you wish to consult a County map or look at the Assessment Roll which lists landowners and their legal descriptions, you are welcome to come in and do so. Allan will be back in the office on Monday morning and I will forward your request to him then. If he approves, this list will be faxed to you at that time.

Yours truly,

Alison Bly
Secretary

/amb

Sept 21/98

*T. Golden to
investigate
privacy*

D.V. 2 Emma Hulit 344-2222
Box 7
COUTTS, AB TOK ONO

D.V. 7 Lenore Rockenbach 222-2409
Box 118
WRENTHAM, AB TOK 2P0

D.V. 5 Robert Jones 642-3680
Box 211
WARNER, AB TOK 2L0

D.V. 3 Robert Takaguchi 752-4012
Box 1249
RAYMOND, AB TOK 2S0

D.V. 6 Robert Grbavac 756-3932
Box 806
RAYMOND, AB TOK 2S0

D.V. 1 Gordon Peterson - 344-4428
Box 116
COUTTS, AB TOK ONO

D.V. 4 Franki Kaupp 733-3535
General Delivery
NEW DAYTON, AB TOK 1P0

COUNTY OF WARNER NO. 5
PUBLIC NOTICE OF DEVELOPMENT

SCHEDULE 11
FORM B

LAND USE BY-LAW NO. 681
DEVELOPMENT APPLICATION NO. 98-25

Notice is hereby given that an application is being made for a development with regard to the following:

TYPE OF DEVELOPMENT:

Increase in intensive livestock operation from 3,000 head to 7,000

LEGAL DESCRIPTION OF SITE:

NE 1/4 7-6-19-W4

PLACE OF HEARING: County of Warner No. 5 Administration Office

TIME OF HEARING: 1:00 p.m.

DATE OF HEARING: October 6, 1998

Any person affected by the said proposal has the right to present a written brief prior to the hearing and to be present and be heard at the hearing.

Persons requesting to be heard at the hearing or submitted briefs shall inform the development officer no later than: October 2, 1998 at 12 noon (a.m./p.m.)

~~XX~~

DATE: September 14/98

SIGNED: 

Development Officer
Allan K. Romeril

