

WILSON LAYCRAFT

Barristers & Solicitors

Richard E. Harrison*

Direct Line: 403 441-2257
Email: rharrison@wilcraft.com

Paralegal: **Amy Mitchell**

Direct Line: 403 476-0150
Email: amitchell@wilcraft.com

February 19, 2025

Our File Number: 4194-002

Laura Friend

Natural Resources Conservation Board

Via Email: laura.friend@nrcb.ca

Dear Madam:

**Re: Rebuttal Submission – Hutterian Brethren of Ivy Ridge
Decision Summary LA23050**

I am counsel for the Hutterian Brethren of Ivy Ridge. I provide the following submissions on behalf of my client, in response to the Requests for Review received by Chelsey Hurt, Bev Olsen, David Olsen, Greg and Sara Olsen and the Municipal District of Willow Creek No. 26.

Municipal District of Willow Creek No. 26

My client will address the concerns raised by the municipality in the same order as they appear in the municipality's Request for Review:

1. Immediately following clause 9.2(f) of the Municipal Development Plan (“**MDP**”), clause 9.3 incorporates the *Agricultural Operations Practices Act* (“**AOPA**”) minimum distance separations (“**MDS**”). In this case, the Approval Officer's use of *AOPA*'s MDS was appropriate and in accordance with the MDP. The enclosed site plan confirms that the setbacks from the wetlands exceed the MDS for waterbodies, pursuant to section 5 of the *Standards and Administration Regulation*. Furthermore, neither ‘wetland’ nor ‘riparian area’ are defined terms in the MDP. Accordingly, the policy fails to provide a sufficient framework for which to determine whether my client is developing in a wetland or riparian area. Finally, this is not a wetland or riparian area. While there are several wetlands, neither is permanent and neither will be affected by the confined feeding operation.
2. Enclosed is a site plan that shows the setbacks.
3. As tacitly noted in the municipality's submission, this is an issue best dealt with at the development permit phase. My client would accept, as a condition to the Approval, that it negotiate road access as part of any development permit obtained by the municipality.

Water Usage

Two existing licences were transferred to my client from its mother colony, Parkland Colony. My client also purchased a licence from a third party.

My client will not apply for additional licencing to draw more water from Mosquito Creek or otherwise. This ought to mitigate any concern my client will depreciate any water resources.

Specifically, Licences 16954 and 16953 were transferred to my client from Parkland Colony. They are enclosed. Licence 16953 authorizes 150 acre feet of diversion, while Licence 16954 authorizes 145 acre feet of diversion. If my client obtains its development permit and confined feeding operation approval, it will amend the purpose to domestic household use and husbandry.

My client also purchased Licence 18203, which authorizes 33,304 cubic metres of diversion per year.

Each of these Licences will be repurposed such that there will be no additional allocation of water

Effect on Ground Water

The manure storage facility in this case has a protective layer that meets or exceeds the requirements of section 9 of the *Standards and Administration Regulation*.

Consultation

Enclosed is a consultation report that outlines the significant steps my client took to consult residents. Five colony members, three accountants, one engineer and myself were all present for the three hour in person consultation session. Only five members of the community participated.

No one participated in the virtual consultation session.

With the exception of the municipality, the foregoing ought to inform the Natural Resources Conservation Board of the underlying reason the requestors seek a review. Allegations that Hutterites “do not integrate into the local community”, do not contribute “to community-building activities [which] further isolates them from local society”, cause “a net drain rather than a positive force for development” and do not “contribute equitably to the tax base supporting [the local school system]” underscore the prejudices that motivate the requestors. These beliefs are false and they are damaging to our society.

Conclusion

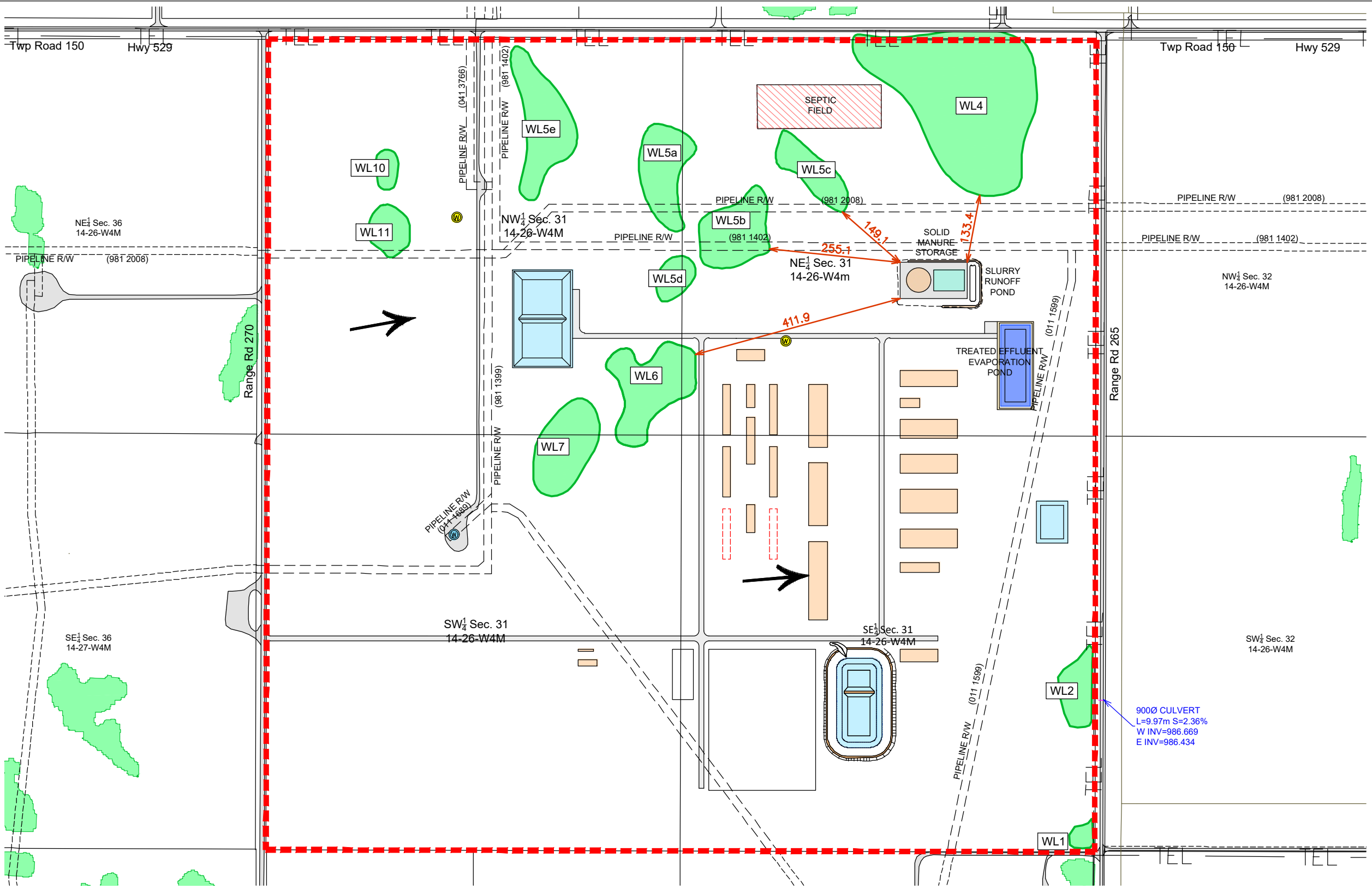
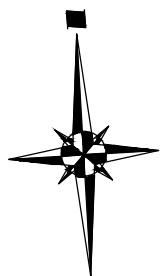
We respectfully request that the Board dismiss the requests for review. The issues raised were adequately dealt with by the approval officer.

Sincerely,

WILSON LAYCRAFT



per:
Richard E. Harrison
Barrister & Solicitor



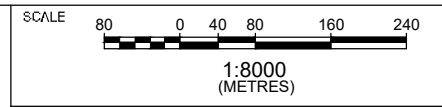
Feature ID	Classification ^{1,2}	Area (ha)
WL5b	Temporary Marsh	1.409
WL5d	Ephemeral Waterbody	0.454
WL6	Temporary Marsh	1.989
WL7	Temporary Marsh	1.639
WL1	Temporary Marsh	0.223
WL2	Temporary Marsh	0.824
WL4	Temporary Marsh	6.949
WL5a	Temporary Marsh	1.456
WL5c	Ephemeral Waterbody	0.955
WL5e	Ephemeral Waterbody	1.996
WL10	Ephemeral Waterbody	0.275
WL11	Temporary Marsh	0.635

9000 CULVERT
L=9.97m S=2.36%
W INV=986.669
E INV=986.434

LEGEND

- DEVELOPMENT BOUNDARY
- OVERLAND FLOW DIRECTION
- EXISTING WETLANDS
PER "Wetlands and Watercourse Inventory and Assessment for the Ivy Ridge Colony",
by BEARTRACK ENVIRONMENTAL SERVICES
June 2023
- ABANDONED GAS WELL
- ACTIVE GAS WELL
- EXISTING MAJOR CONTOURS (2.0m)
- EXISTING MINOR CONTOURS (0.4m)

Feature ID	Classification ^{1,2}	Area (ha)
WL5b	Temporary Marsh	1.409
WL5d	Ephemeral Waterbody	0.454
WL6	Temporary Marsh	1.989
WL7	Temporary Marsh	1.639
WL1	Temporary Marsh	0.223
WL2	Temporary Marsh	0.824
WL4	Temporary Marsh	6.949
WL5a	Temporary Marsh	1.456
WL5c	Ephemeral Waterbody	0.955
WL5e	Ephemeral Waterbody	1.996
WL10	Ephemeral Waterbody	0.275
WL11	Temporary Marsh	0.635



REVISIONS	BY	Y	M	D

MARTIN
GEOMATIC CONSULTANTS

Consulting Engineers, Planners, and Land Surveyors
265-31st Street, North, Lehigh, Alberta T1H 3T4
Ph: (403) 329-0030 E-mail: gcomart@mgd.ca Fax: (403) 329-6994

PROJECT	COLONY DESIGN	
TITLE	EXISTING SITE PLAN	
OWNER	IVY RIDGE HUTTERITE COLONY	
SCALE	1:8000	
DRAWN:	RJM	APPROVED: RJM
DESIGN:	RJM	DATE: MAY 21, 2024
PROJECT NUMBER	230351CE	
DRAWING NUMBER	C01 Page 3	



10-150 Fairmont Road South
Lethbridge, AB T1K 8C6

July 4, 2024

Lic. No. DANT0016953

Previously Lic. No. 33215

PRIORITY: 1962-03-20-001

15 Ac. Ft. - (0.2 cfs = 90 US gpm)

PRIORITY: 1977-04-15-006

120 Ac. Ft. (1.6 cfs = 718 US gpm)

150 Acres Irrigated (Total)

Len



LICENCE

PROVINCE OF ALBERTA

Water Act, RSA 2000, c.W-3, as amended

LICENCE NUMBER: DAUT0016953
 PRIORITY NUMBER: 1962-03-20-001, 1977-04-15-006
 EFFECTIVE DATE: 2024-07-02
 EXPIRY DATE:
 SOURCE OF WATER: Mosquito Creek
 POINT OF DIVERSION: NE-03-015-26-W4
 POINT OF USE: NE-03-015-26-W4, NW-03-015-26-W4, SE-03-015-26-W4, and SW-03-015-26-W4

LICENSEE: The Hutterian Brethren of Ivy Ridge

DAUT0016953 is an amendment, all other conditions as described in 00033215-00-00 as amended remain in force.

The Licence is amended as follows:

To change the name of the Licence holder from Ivy Ridge Pivots to The Hutterian Brethren of Ivy Ridge.

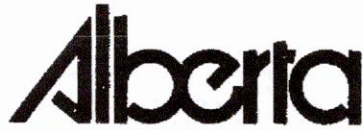
- This Licence number is changed from 00033215 to DAUT0016953.

Designated Director under the Water Act: Dorothy Lok

Date Signed: 2024-07-02

COPY

RING Irrigation Engineering
10 - 150 FAIRMONT ROAD S.
LETHBRIDGE, AB T1K 8C6



LICENCE to DIVERT AND USE WATER

ENVIRONMENT

Pursuant to Sections 11 and 35
THE WATER RESOURCES ACT

July 2, 2024: New Lic. No. DAMT0016953

Lic. No. 33215

File No. 18112

Priority No. 1962-03-02-01
1977-04-15-06

Purpose Irrigation
Drainage Basin Oldman River
First Issued 1965 05 27

Irwin Dale Andrews
Nanton, Alberta
TOL 1R0

TRANSFERRED BY
LETTER DATED 1990-06-09
a. J. Fenwick
CONTROLLER OF WATER RESOURCES

HAVING COMPLIED with the applicable provisions of The Water Resources Act and the regulations thereunder and Interim Licence No. 09013, a copy of which is attached hereto and incorporated herein,

IS HEREBY GRANTED LICENCE to divert and use the quantities of water prescribed in the Interim Licence in accordance with and subject to all other applicable provisions of that Act and the regulations thereunder, and the terms and conditions attached hereto and incorporated herein, at locations described in the Interim Licence,

BY MEANS AND THROUGH works and undertakings described in the Interim Licence.

1980 08 20

Date

a. J. Fenwick
Controller of Water Resources

COPY

WR 4 JAN. 80

RING Irrigation Engineering
10 - 150 FAIRMONT ROAD S.
LETHBRIDGE, AB. T1K 8C6



ENVIRONMENT

INTERIM LICENCE

Pursuant to Section 16
THE WATER RESOURCES ACT

Nº 09013

Rodger M. Ohler
Box 328
Stavelly, Alberta
TOL 1Z0

Supersedes No. 5054
File No. 18112
1962-03-20-01
Priority No. 1977-04-15-06

having complied with the applicable provisions of the Water Resources Act and the regulations thereunder is hereby authorized, as soon as right-of-way is obtained:

- A. To construct works as shown on plans and reports filed, approved and identified in departmental records as:

18112-1 General and Detail Plan

- B. To divert and use water as hereinafter specified and described subject to the terms and conditions attached hereto and incorporated herein.

PURPOSE: Irrigation (sprinkler)

SOURCE OF SUPPLY: Mosquito Creek

POINT OF DIVERSION: NE 3-15-26-4

150.0

GROSS DIVERSION: Up to ~~132.0~~ acre-feet*annually consisting of:

150.0

1. Estimated Consumptive Use: ~~132.0~~ acre-feet

2. Estimated Losses: Nil

3. Estimated Return Flow: Nil

Amended 1979 01 25

Controller of Water Resources

IRRIGABLE AREA: ~~132.0~~ acres

RATE OF DIVERSION: 2.0 cubic feet per second
(750 gallons per minute)

* 15.0 acre-feet with priority from 20 March, 1962

135.0 acre-feet with priority from 15 April, 1977

Date issued 22 December, 1977

Expiry Date 22 December, 1978

Controller of Water Resources

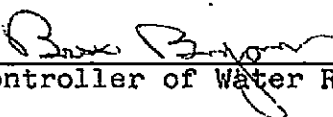
WR 2
Nov 77

TERM EXTENDED TO
<u>1979-12-22</u>
for Minister

TERMS AND CONDITIONS INTERIM LICENCE NO. 09013

1. Diversion from the stream shall not be permitted unless a minimum residual flow of 5.0 cubic feet per second is maintained.
2. The licensee shall submit an annual water use return to the Controller of Water Resources, Alberta Environment on or before October 31st in each year for that calendar year indicating:
 - a) periods and rates of diversion;
 - b) the daily quantity diverted in acre-feet;
 - c) the total annual quantity diverted in acre-feet; andsuch other information as may be required from time to time.
3. The quantity of water granted by this licence is less than that called for by the duty of water for the area of land herein specified; the licence has been issued in this form in order to meet the actual irrigation requirements of the project, within the limits of the available water supply.
4. The rights and privileges hereby granted are subject to periodic review and to modification to ensure the most beneficial use of the water in the public interest and more particularly to ensure preservation of the rights of other water users.
5. The rights and privileges hereby granted can only be extended, modified, transferred or assigned with the approval of the Minister and are subject to cancellation or modification as provided in The Water Resources Act.
6. Following completion of the works herein authorized this interim licence and its terms and conditions shall be attached to and become part of the licence to use water issued under provision of Section 35 of The Water Resources Act.

22 December, 1977
Dated at Edmonton


Controller of Water Resources

SEE ADDENDUM
DATED
1980-08-20

ADDENDUM INTERIM LICENCE NO. 09013

Said Interim Licence is hereby amended to add the following Terms and Conditions:

7. To protect the prior rights of other water users on this source of supply the licensee may be required to reduce the rate of diversion or to cease diverting when requested to do so by the Controller of Water Resources, a Watermaster or other authorized officer of the department.
8. The licensee is responsible for the operation and maintenance of the works and for any damages that may result therefrom.

1980 08 20
Dated at Edmonton

A. J. Fenwick
for Controller of Water Resources

Alberta

REC
ALBERTA ENV.

MAY 23 1990

APPLICATION FOR TRANSFER OF LICENCE

ENVIRONMENT

Water Resources
Administration Division
Controller of Water Resources

Pursuant to the
WATER RESOURCES ACT

APPLICANT'S NAME: Lynn D. + Cheryl Lynne Chouinard
Please type or print full name clearly

ADDRESS: P.O. Box 62
Street, P.O. Box or R.R. No.

Dewinton Alta T0L0X0
City, Town or Village Province Postal Code

TELEPHONE: 938-4102 260-0413
Residence Business

hereby requests transfer of a licence issued for works constructed or to be constructed on the

Quarter	Section	Township	Range	Meridian
E 1/2	3	15	26	4

for _____ purposes.

I hereby certify that I am the registered owner, purchaser or lessee of all lands affected by the works for which the licence was issued.

[Signature]
Witness

[Signature]
Signature of Applicant

Date 5/5 1990

FORWARD COMPLETED APPLICATION TO:
 The Controller of Water Resources
 Alberta Environment
 Oxbridge Place, 9820 - 106th Street
 Edmonton, Alberta. T5K 2J6

FOR WATER RIGHTS OFFICE USE ONLY:

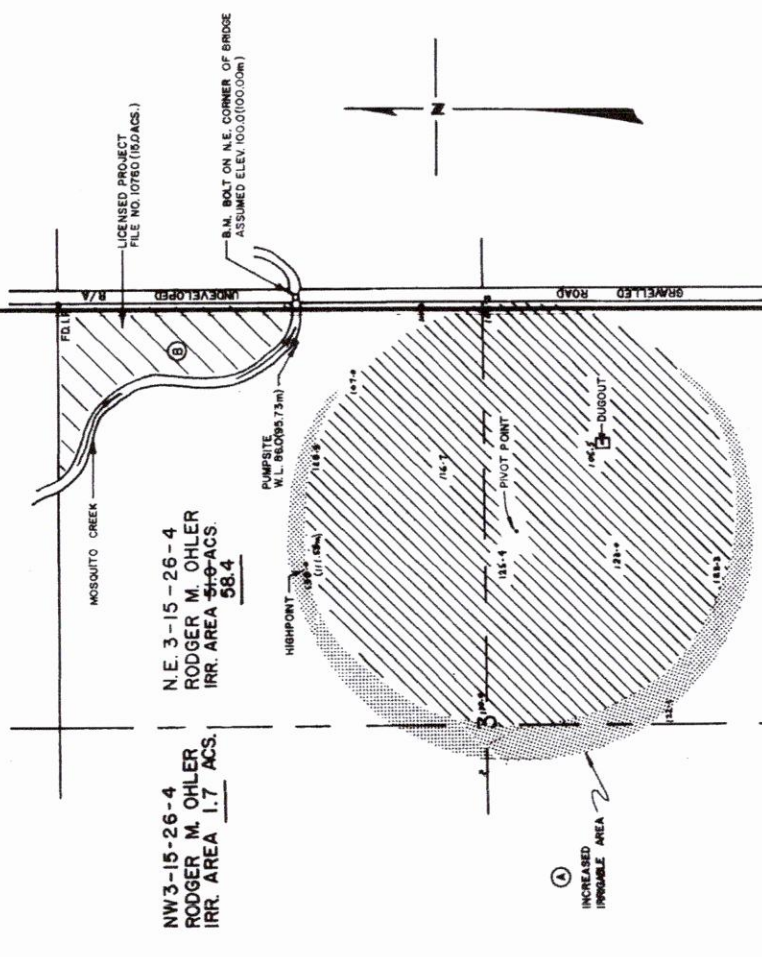
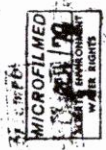
Accepted Unique No.	<u>1962</u> <u>1977</u> Year	<u>03</u> <u>04</u> Month	<u>20</u> <u>15</u> Day	<u>01</u> <u>06</u> Number
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File No. 18112
Receipt No. NA

Transfer Approved:

Date JUNE 4 1990 By: [Signature]
Controller of Water Resources

18112-1
18112-1



S.E. 3-15-26-4
RODGER M. OHLER
IRR. AREA 96.1

SW 3-15-26-4
RODGER M. OHLER
IRR. AREA 3.8 ACS.

N.E. 3-15-26-4
RODGER M. OHLER
IRR. AREA 58.4

NW 3-15-26-4
RODGER M. OHLER
IRR. AREA 1.7 ACS.



TOTAL IRRIGABLE AREA 150.0 ACRES (534 185.04 Sq. m)

COPY

APPROVED
UNDER PROVISIONS OF THE WATER RESOURCES ACT
22 DEC. 1977

PLAN AMENDED ON JULY 20, 1978 BY *RL*

- (A) TOTAL IRRIGABLE AREA INCREASED TO 150.0 ACS.
- (B) AREA NO LONGER IRRIGATED.

R. G. Hartness
FOR CONTROLLER OF WATER RESOURCES
DATE *July 21/78*
1979-01-18

DEPARTMENT OF REGIONAL ECONOMIC EXPANSION - CANADA
P.F.R.A.
WATER DEVELOPMENT SERVICE

GENERAL & DETAIL PLAN
SPRINKLER IRRIGATION
RODGER M. OHLER
N.E. 3-15-26-4

OFFICE	FORT MACLEOD, ALTA.	DATE	5-4-77
DRAWN BY	H. R. ALLEN	DATE	16-3-77
DESIGNED BY	<i>R. G. Hartness</i>	DATE	1-1-77
CHECKED BY	<i>R. G. Hartness</i>	DATE	5-4-77
APPROVED BY	<i>R. G. Hartness</i>	DATE	5-4-77

RING Irrigation Engineering
10 - 150 FAIRMONT ROAD S.

RING Irrigation Engineering
10 - 150 FAIRMONT ROAD S.

L I C E N C E A M E N D M E N T

PURSUANT TO THE PROVISIONS
OF THE *WATER ACT*

LICENCE No. Dated 1980 08 20
FILE No. 18112
PRIORITY No. 1977-04-15-006
AMENDMENT No. 00033215-00-01

Lynn and Cheryl Chouinard
P.O. Box 62
DeWinton, AB
T0L 0X0

Licence No. Dated 1980 08 20 is amended as follows to give effect to the transfer of a part of the allocation of water (13.5 acre-feet) from the licence to Paradise Hill Farm (Licence No. 00252896-00-00) and to further reduce the allocation to that which the works is capable of carrying:

1. Reduce the allocation from 166,522.5 cubic metres (135 ac-ft) to 148,020 cubic meters (120 acre-feet) of water annually.
2. Reduce the rate of diversion from 0.051 cubic metres per second (1.8 cubic feet per second) to 0.045 cubic metres per second (1.6 cubic feet per second).

Robert Burland

Designated Director under the Act

January 20, 2009

Dated

COPY

RING Irrigation Engineering
10 - 150 FAIRMONT ROAD S.
LETHBRIDGE, AB T1K 8C6

LICENCE AMENDMENT

PURSUANT TO THE PROVISIONS OF THE WATER ACT

LICENCE No. 1980-08-20

FILE No. 18112

PRIORITY No. 1962-03-20-01
1977-04-15-06

AMENDMENT No. 00033215-00-02

The Hutterian Brethren of Parkland

The licence is amended as follows:

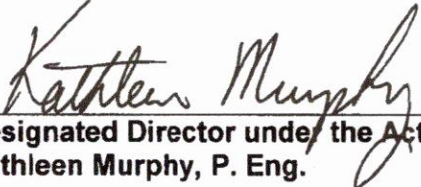
1. To change the name of the licence holder from Lynn & Cheryl Chouinard to the Hutterian Brethren of Parkland.
2. Delete condition 2 and substitute with the following:
 - 2.0 The Licensee shall:
 - (a) measure the total volume of water diverted on a monthly basis; and
 - (b) monitor the rate of diversion on a daily basis.
 - 2.1 The Licensee shall record and retain all of the following information for a minimum of 5 years after being collected:
 - (a) the place, date and time of all measuring and monitoring; and
 - (b) the results obtained pursuant to 2.0.
 - 2.2 The Licensee shall report to the Director the results of the measuring and monitoring required in 2.0 using the "Water Use Reporting System" and any other information required in writing by the Director.
 - 2.3 The Licensee shall submit the report required in 2.2 on or before the end of the month following the month in which the information is based upon was collected.
 - 2.4 "Water Use Reporting System" means the secure internet website provided by Alberta Environment and Sustainable Resource Development for submitting measuring and monitoring results electronically to the Director.

COPY

KM

AMENDMENT

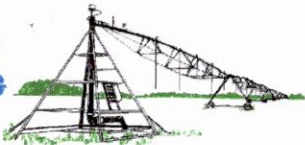
- 2.5 The Licensee shall comply with the terms and conditions of the "Water Use Reporting System User Consent"
3. To add the following condition:
9. The licence is appurtenant to the following lands:
- the point of diversion described as the actual point of removal from Mosquito Creek at NE 03-015-26-W4 as referenced on Plan 18112-1, and
 - the point(s) of use on Section 03-015-26-W4 designated as the total irrigated area on Plan No. 18112-1.


Designated Director under the Act
Kathleen Murphy, P. Eng.

MAR 05 2015
Dated

COPY

R
IRRIGATION
ENGINEERING
G



10-150 Fairmont Road South
Lethbridge, AB T1K 8C6

July 4, 2024

LICENCE: DAUTO0016954

PREVIOUS Lic. No. 34968

119.9 Acre Feet

155.6 Acres

1.78 cfs (800 US gpm)

Lew



LICENCE

PROVINCE OF ALBERTA

Water Act, RSA 2000, c.W-3, as amended

LICENCE NUMBER: DAUT0016954
 PRIORITY NUMBER: 1983-02-08-008
 EFFECTIVE DATE: 2024-07-02
 EXPIRY DATE:
 SOURCE OF WATER: Mosquito Creek through works of Women's Coulee Diversion (Alberta Environment File No. 02374)
 POINT OF DIVERSION: NW-02-015-26-W4
 POINT OF USE: NW-02-015-26-W4, SW-02-015-26-W4, and SE-02-015-26-W4

LICENSEE: The Hutterian Brethren of Ivy Ridge

DAUT0016954 is an amendment, all other conditions as described in 00034968-00-00 as amended remain in force.

The Licence is amended as follows:

To change the name of the Licence holder from Ivy Ridge Pivots to The Hutterian Brethren of Ivy Ridge.

- This Licence number is changed from 00034968 to DAUT0016954.

Designated Director under the Water Act: Dorothy Lok

Date Signed: 2024-07-02

COPY

FRING Irrigation Engineering
10 - 150 FAIRMONT ROAD S.
LETHBRIDGE, AB T1K 8C6



ENVIRONMENT

LICENCE to DIVERT AND USE WATER

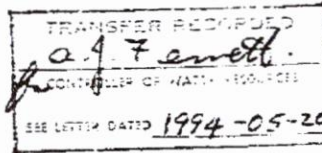
Pursuant to Sections 11 and 33
WATER RESOURCES ACT

July 2, 2024 - New Lic. No. DA4T0016954.
Lic. No. 34968
File No. 15917

Priority No. 1983-02-08-08

Purpose Irrigation
Drainage Basin Oldman River
First Issued 1984 - 10 - 30

Rodger M. Ohler
Box 428
Stavely, Alberta
T0L 1Z0



HAVING COMPLIED with the applicable provisions of The Water Resources Act and the regulations thereunder and Interim Licence No. 12302, a copy of which is attached hereto and incorporated herein,

IS HEREBY GRANTED LICENCE to divert and use the quantities of water prescribed in the Interim Licence in accordance with and subject to all other applicable provisions of that Act and the regulations thereunder, and the terms and conditions attached hereto and incorporated herein, at locations described in the Interim Licence.

BY MEANS AND THROUGH works and undertakings described in the Interim Licence.

1984 - 10 - 30
Date

a.J. Fenwick
Controller of Water Resources

COPY

0266h

WRA 4 (Rev. 04)

RING Irrigation Engineering
10 - 150 FAIRMONT ROAD S.
LETHBRIDGE, AB T1K 8C6



ENVIRONMENT

UPDATED AND RE-ISSUED
INTERIM LICENCE

Pursuant to Section 18
THE WATER RESOURCES ACT

Issued to: Rodger M. Ohler
Box 428
Stavely, Alberta
T0L 1Z0

No 12302

File No 15917

Priority No 1983-02-08-08

This updated and re-issued Interim Licence particularizes the rights, privileges and obligations embodied in and associated with the original Interim Licence as numbered above, or with any other form of authorization or approval issued in connection with the project identified herein under any former applicable Act or regulation, and updates same to conform to and comply with the current Act, regulations and standards.

In particular this Interim Licence provides for the right to

- A. Construct, maintain and operate works as shown on current plans and reports filed, approved and identified in departmental records as

15917-2 General and Detail Plan

- B. Divert and use water as hereinafter specified and described subject to the terms and conditions attached hereto and incorporated herein

PURPOSE: Irrigation (sprinkler)

SOURCE OF SUPPLY: Mosquito Creek through Works of Squaw Coulee Diversion

POINT OF DIVERSION: NW 2-15-26-4

GROSS DIVERSION: Up to 145.0 acre-feet annually consisting of:

1. Estimated Consumptive Use: 145.0 acre-feet
2. Estimated Losses: NIL
3. Estimated Return Flow: NIL

IRRIGABLE AREA: 134.0 acres

RATE OF DIVERSION: 1.78 cubic feet per second
(667 imperial gallons per minute)

Date first issued: 1983 06 17

Date re-issued: 1984 - 10 - 30

Original Department
of Environment
49-28-0000

1266

TERMS AND CONDITIONS UPDATED & RE-ISSUED INTERIM LICENCE NO. 12302

1. Diversion from Mosquito Creek shall not be permitted before April 15 or after July 31 in any year.
2. The Controller of Water Resources may designate a minimum residual flow rate immediately downstream of the point of diversion and the licensee shall be required to cease or reduce any further diversion during periods when the residual flow falls below the rate designated.
3. The licensee shall submit an annual water use return to the Controller of Water Resources, Alberta Environment on or before October 31st in each year for that calendar year indicating:
 - (a) periods and rates of diversion.
 - (b) the total annual quantity of water diverted.
 - (c) the total area irrigated.
 - (d) such other information as may be required from time to time.
4. To protect the prior rights of other water users on this source of supply the licensee may be required to reduce the rate of diversion or to cease diverting when requested to do so by the Controller of Water Resources, a Watermaster or other authorized officer of the department.
5. The quantity of water hereby granted is less than that called for by the duty of water for the area of land herein specified in order to meet the actual irrigation requirements of the project, within the limits of the available water supply.
6. The licensee is responsible for the operation and maintenance of the works and for any damages that may result therefrom.
7. The rights and privileges hereby granted are subject to periodic review and to modification to ensure the most beneficial use of the water in the public interest and more particularly to ensure preservation of the rights of other water users.
8. The rights and privileges hereby granted can only be extended or modified with the approval of the Controller of Water Resources and are subject to cancellation or modification as provided in the Water Resources Act.
9. Following completion of the works herein authorized this Interim Licence and its terms and conditions shall be attached to and become part of the Licence to use water issued under the provisions of Section 33 of the Water Resources Act.

1984-10-30
Dated at Edmonton

C. A. F. ...
Controller of Water Resources

0266h



L I C E N C E A M E N D M E N T

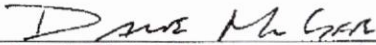
PURSUANT TO THE PROVISIONS
OF THE *WATER ACT*

LICENCE No. Dated 1984 10 30
FILE No. 15917
PRIORITY No. 1983-02-08-008
AMENDMENT No. 00034968-00-01

Lynn D. and Cheryl L. Chouinard
Box 62
De Winton, Alberta
T0L 0X0

The licence is amended as follows

1. To extend the period identified in condition 1 to allow diversion of water for irrigation purposes up to September 15, for the 1999 irrigation season ONLY, subject to the availability of water at the designated pumpsite as regulated by the Water Act and the strict observance of such operating guidelines as may be adopted by, or imposed on, those charged with the responsibility of operating the Highwood River Diversion works at the Squaw Coulee and Little Bow Canal.


Regional Water Manager, Prairie Region

AUG 05 1999
Dated

Form WA AA1 (1999)

COPY



L I C E N C E A M E N D M E N T

PURSUANT TO THE PROVISIONS
OF THE *WATER ACT*

LICENCE No. Dated 1984 10 30
FILE No. 15917
PRIORITY No. 1983-02-08-008

AMENDMENT No. 00034968-00-02

Lynn D. and Cheryl L. Chouinard
Box 62
De Winton, Alberta
T0L 0X0

The licence is amended as follows:

1. To extend the period identified in condition 1 to allow diversion of water for irrigation purposes up to August 8, 2003 for the 2003 irrigation season ONLY, subject to the availability of water at the designated pumpsite as regulated by the Water Act and the strict observance of such operating guideline as may be adopted by, or imposed on, those charged with the responsibility of operating the Highwood River Diversion works at the Squaw Coulee and Little Bow Canal.


Designated Director under the Act

AUG 0 8 2003
Dated

COPY



L I C E N C E A M E N D M E N T

PURSUANT TO THE PROVISIONS
OF THE *WATER ACT*

LICENCE No. Dated 1984 10 30
FILE No. 15917
PRIORITY No. 1983-02-08-008
AMENDMENT No. 00034968-00-03

Lynn D. & Cheryl L. Chouinard
Box 62
De Winton, Alberta
T0L 0X0

The licence is amended as follows:

1. To extend the period identified in condition 1 to allow diversion of water for irrigation purposes up to August 20, 2004 for the 2004 irrigation season ONLY, subject to the availability of water at the designated pumpsite as regulated by the Water Act and the strict observance of such operating guideline as may be adopted by, or imposed on, those charged with the responsibility of operating the Highwood River Diversion works at Woman's Coulee and Little Bow Canal.

A handwritten signature in blue ink that reads "Dave McGee".

Designated Director under the Act

AUG 03 2004
Dated

Form WA AA1 (1999)

COPY

RING Irrigation Engineering
10 - 150 FAIRMONT ROAD S.
LETHBRIDGE, AB T1K 8C6

LICENCE No. Dated 1984-10-30
FILE No. 15917
PRIORITY No. 1983-02-08-008
AMENDMENT No. 00034968-00-04

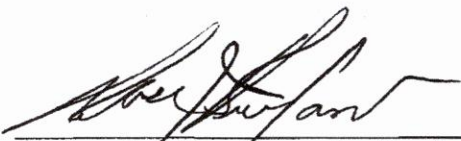
The Hutterian Brethren of Parkland

The licence is amended as follows:

1. To change the name of the licence holder from Lynn D. & Cheryl L. Chouinard to The Hutterian Brethren of Parkland.
2. To delete Plan No. 15917-2 and substitute it with Plan No. 15917-3.
3. Reduce the Gross Diversion Estimated Consumptive Use by 17.3% from 145.0 acre-feet (179,015 m³) annually to 119.9 acre-feet (148,025 m³) annually.
4. Reduce the Irrigable Area by 17.3% from 134.0 acres (54.23 hectares) to 110.8 acres (44.84 hectares).
5. Delete condition 3 and substitute with the following:
 - 3.0 The Licensee shall:
 - (a) measure the total volume of water diverted on a monthly basis;
 - (b) measure the total area irrigated; and
 - (c) monitor the rate of diversion on a daily basis.
 - 3.1 The Licensee shall record and retain all of the following information for a minimum of 5 years after being collected:
 - (a) the place, date and time of all measuring and monitoring and monitoring; and
 - (b) the results obtained pursuant to 3.0
 - 3.2 The Licensee shall report to the Director the results of the measuring and monitoring required in 4.0 using the "Water Use Reporting System" and any other information required in writing by the Director.

AMENDMENT

- 3.3 The Licensee shall submit the report required in 3.2 on or before the end of the month following the month in which the information is based upon was collected.
- 3.4 "Water Use Reporting System" means the secure internet website provided by Alberta Environment at <http://www.environment.alberta.ca/1286.html> for submitting measuring and monitoring results electronically to the Director.
- 3.5 The Licensee shall comply with the terms and conditions of the "Water Use Reporting System User Consent".
6. Add a new condition 9 as follows:
- 9.0 The licence is appurtenant to the following lands:
- (a) the point of diversion described as the actual point of removal from Mosquito Creek through works of Women's Coulee Diversion (Alberta Environment File No. 02374) as referenced on Plan No. 15917-3 dated Dec 22, 2011; and
 - (b) the points of use on W ½ 02-015-26-W4 designated as the total irrigated area on Plan No. 15917-3 dated Dec 22, 2011.



Designated Director under the Act
Robert Burland

DEC 22 2011

Dated

Y400

LICENCE No. Dated 1984-10-30
FILE No. 15917
PRIORITY No. 1983-02-08-008
AMENDMENT No. 00034968-00-05

The Hutterian Brethren of Parkland

The licence is amended as follows:

1. To delete Plan No. 15917-3 and substitute it with Plan No. 15917-4.
2. Increase the Irrigable Area by 40.4% from 110.8 acres (44.84 hectares) to 155.6 acres (62.97 hectares).
3. To delete condition 9 and substitute it with the following:
 - 9.0 The licence is appurtenant to the following lands:
 - (a) the point of diversion described as the actual point of removal from Mosquito Creek through works of Women's Coulee Diversion (Alberta Environment File No. 02374) at NW 02-015-26-W4 as referenced on Plan No. 15917-4; and
 - (b) the points of use on W ½ 02-015-26-W4 and a portion of SE 02-015-26-W4 designated as the total irrigated area on Plan No. 15917-4.



Designated Director under the Act
Robert Burland

MAY 14 2012

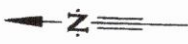
Dated

Form WA AA1 (2001)

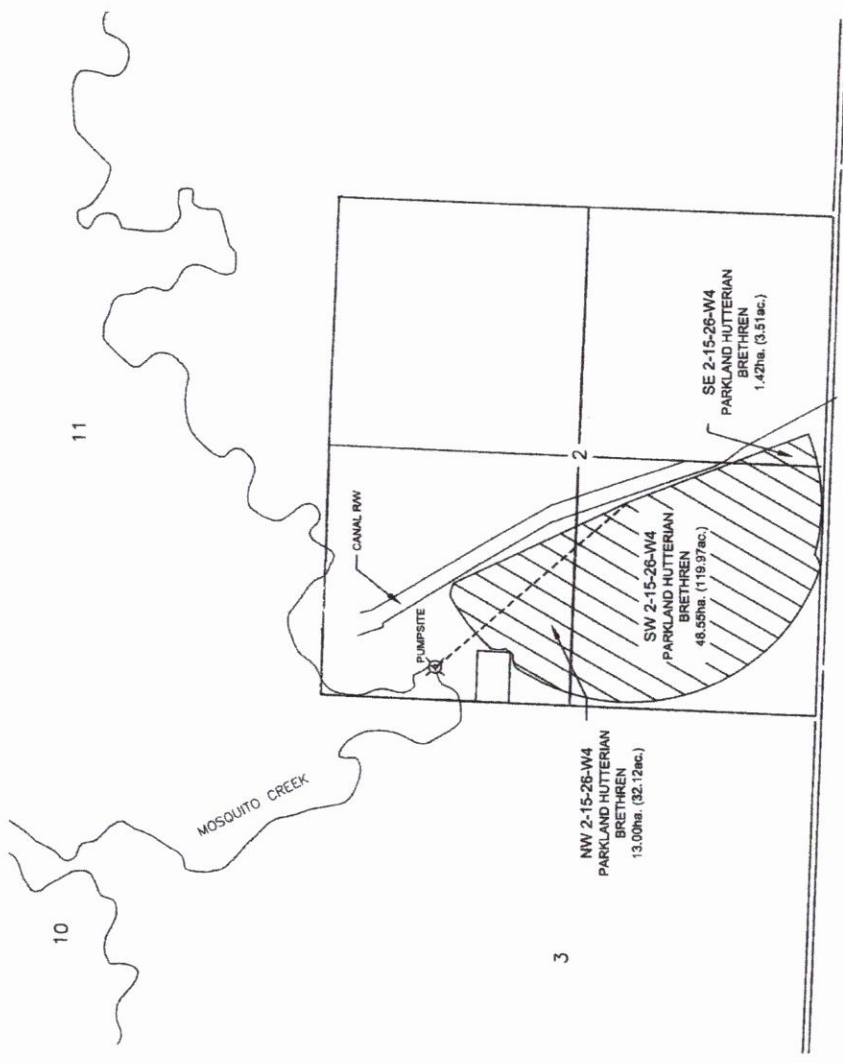
COPY

FRING Irrigation Engineering
10 - 150 FAIRMONT ROAD S.
LETHBRIDGE, AB T1K 8C6

PLAN NO. 15917-4
 THIS DOCUMENT FORMS PART OF
 AN AUTHORIZATION ISSUED UNDER THE
 WATER ACT
 MAY 14 2012
 DATE DESIGNATED DIRECTOR UNDER THE ACT



AMENDED PLAN
 SUPERSEDES PLAN No. 15917-3



Summary of Irrigated Areas

NW 2-15-26-W4	13.00ha. (32.12ac.)
SW 2-15-26-W4	48.55ha. (119.97ac.)
SE 2-15-26-W4	1.42ha. (3.51ac.)
TOTAL	62.97ha. (155.60ac.)

COPY

34

33

Government of Alberta Agriculture and Rural Development	NW 2-015-26-W4 Parkland Hutterian Brethren
SUBMITTED 2012-03-05 DATE 2012-03-05 APPROVED _____ DATE 2012-03-05	DESIGNED V. ELBERT CHECKED _____ DRAWN BFC DATE 2012-03-05
IRRIGATED AREA	
SCALE 1:15,000	SHEET 1 OF 1
DWG. No. 412003LG	FILE No.

RING Irrigation Engineering
 10-150 FAIRMONT ROAD S.
 LETHBRIDGE, AB T1K 8C6

LICENCE AMENDMENT

PURSUANT TO THE PROVISIONS
OF THE WATER ACT

LICENCE No. Dated 1984-10-30
FILE No. 15917
PRIORITY No. 1983-02-08-008
AMENDMENT No. 00034968-00-06

The Hutterian Brethren of Parkland

The licence is amended as follows:

1. To extend the period identified in condition 1 to allow diversion of water for irrigation purposes to August 31, 2019 for the 2019 irrigation season ONLY, subject to the availability of water at the designated pumpsite meeting or exceeding a minimum of 0.283 cubic metres per second (minimum operation flow for Women's Coulee Diversion, Canal and Mosquito Creek upstream of Twin Valley Reservoir) as identified in the Water Management Plan for the Watersheds of the Upper Highwood and Upper Little Bow Rivers – Volume 2, dated March 2008.


Designated Director under the Act

JUL 25 2019
Dated

COPY

RING Irrigation Engineering
10 - 150 FAIRMONT ROAD S.
LETHBRIDGE, AB T1K 8C6

LICENCE AMENDMENT

PURSUANT TO THE PROVISIONS
OF THE WATER ACT

LICENCE No. Dated 1984-10-30
FILE No. 15917
PRIORITY No. 1983-02-08-008
AMENDMENT No. 00034968-00-07

The Hutterian Brethren of Parkland

The licence is amended as follows:

1. To extend the period identified in condition 1 to allow diversion of water for irrigation purposes to August 31 for the 2020 irrigation season ONLY, subject to the availability of water at the designated pumpsite meeting or exceeding a minimum of 0.283 cubic metres per second (minimum operation flow for Women's Coulee Diversion, Canal and Mosquito Creek upstream of Twin Valley Reservoir) as identified in the Water Management Plan for the Watersheds of the Upper Highwood and Upper Little Bow Rivers – Volume 2, dated March 2008.



Designated Director under the Act

JUL 31 2020

Dated

COPY

RING Irrigation Engineering
10 - 150 FAIRMONT ROAD S.
LETHBRIDGE, AB T1K 8C6

LICENCE AMENDMENT

PURSUANT TO THE PROVISIONS OF THE WATER ACT

LICENCE No. Dated 1984-10-30

FILE No. 15917

PRIORITY No. 1983-02-08-008

AMENDMENT No. 00034968-00-08

The Hutterian Brethren of Parkland

The licence is amended as follows:

1. To extend the period identified in condition 1 to allow diversion of water for irrigation purposes to August 31 for the 2021 irrigation season ONLY, subject to the availability of water at the designated pumpsite meeting or exceeding a minimum of 0.283 cubic metres per second (minimum operation flow for Women’s Coulee Diversion, Canal and Mosquito Creek upstream of Twin Valley Reservoir) as identified in the Water Management Plan for the Watersheds of the Upper Highwood and Upper Little Bow Rivers – Volume 2, dated March 2008.



Designated Director under the Act

July 29, 2021

Dated

COPY

RING Irrigation Engineering
10 - 150 FAIRMONT ROAD S.
LETHBRIDGE, AB T1K 8C6

L I C E N C E A M E N D M E N T

PURSUANT TO THE PROVISIONS
OF THE WATER ACT

LICENCE No. Dated 1984 10 30
FILE No. 15917
PRIORITY No. 1983-02-08-008
AMENDMENT No. 00034968-00-09
Effective Date July 22, 2022

The Hutterian Brethren of Parkland

The Licence is amended as follows:

1. To extend the period identified in condition 1 to allow diversion of water for irrigation purposes to August 31 for the 2022 irrigation season ONLY, subject to the availability of water at the designated pumpsite meeting or exceeding a minimum of 0.283 cubic metres per second (minimum operation flow for Women's Coulee Diversion, Canal and Mosquito Creek upstream of Twin Valley Reservoir) as identified in the Water Management Plan for the Watersheds of the Upper Highwood and Upper Little Bow Rivers – Volume 2, dated March 2008.



Designated Director under the Act
Dorothy Lok, P.Eng

July 22, 2022
Dated

COPY

File No. 20382

Priority No. 1982-06-14-03

Purpose Irrigation

Drainage Basin Oldman River

First Issued 1983 11 18

Highwood Valley Ranch Ltd.
R.R. 2
High River, Alberta
TOL 180

TRANSFERRED BY
LETTER DATED 1991-12-05
J. A. Fenwick
CONTROLLER OF WATER RESOURCES

TRANSFER RECORDED
David M. ...
OTHER, SURFACE WATER RIGHTS
BRANCH, SOUTHERN RIVER BASIN
SEE LETTER DATED 1976-11-22

HAVING COMPLIED with the applicable provisions of The Water Resources Act and the regulations thereunder and Interim Licence No. 11991, a copy of which is attached hereto and incorporated herein,

IS HEREBY GRANTED LICENCE to divert and use the quantities of water prescribed in the Interim Licence in accordance with and subject to all other applicable provisions of that Act and the regulations thereunder, and the terms and conditions attached hereto and incorporated herein, at locations described in the Interim Licence,

BY MEANS AND THROUGH works and undertakings described in the Interim Licence.

1983 11 18

Date

V. Carlson

Controller of Water Resources



ENVIRONMENT

INTERIM LICENCE

Pursuant to Section 18
THE WATER RESOURCES ACT

Nº 11991

Highwood Valley Ranch Ltd.
R.R. 2
High River, Alberta
TOL 1B0

File No. 20382

Priority No. 1982-06-14-03

having complied with the applicable provisions of The Water Resources Act and the regulations thereunder is hereby authorized, as soon as right-of-way is obtained:

A. To construct works as shown on plans and reports filed, approved and identified in departmental records as:

20382-1 General and Detail Plan

B. To divert and use water as hereinafter specified and described subject to the terms and conditions attached hereto and incorporated herein:

PURPOSE: Irrigation (sprinkler)

SOURCE OF SUPPLY: Mosquito Creek through the works of the Squaw Coulee ^{Diversion} ~~Division~~

POINT OF DIVERSION: SE 7-16-27-4

GROSS DIVERSION: Up to 101.0 acre-feet annually consisting of:

1. Estimated Consumptive Use: 101.0 acre-feet
2. Estimated Losses: NIL
3. Estimated Return Flow: NIL

IRRIGABLE AREA: 75.4 acres

RATE OF DIVERSION: 1.34 cubic feet per second
(500 gallons per minute)

The construction of the works hereby authorized is to be completed within one year from the date hereof.

1982 10 29

Date Issued

Controller of Water Resources

TERMS AND CONDITIONS INTERIM LICENCE NO. 11991

1. Diversion from Mosquito Creek shall not be permitted before April 15 or after July 31 in any year.
2. The licensee shall submit an annual water use return to the Controller of Water Resources, Alberta Environment on or before October 31st in each year for that calendar year indicating:
 - (a) periods and rates of diversion;
 - (b) the daily quantity of water diverted;
 - (c) the total monthly quantity of water diverted;
 - (d) the total annual quantity of water diverted;
 - (e) the total area irrigated;
 - (f) such other information as may be required from time to time.
3. The Controller of Water Resources may designate a minimum residual flow rate immediately downstream of the point of diversion and the licensee shall be required to cease or reduce any further diversion during periods when the residual flow falls below the rate designated.
4. To protect the prior rights of other water users on this source of supply the licensee may be required to reduce the rate of diversion or to cease diverting when requested to do so by the Controller of Water Resources, a Watermaster or other authorized officer of the department.
5. The quantity of water hereby granted is less than that called for by the duty of water for the area of land herein specified in order to meet the actual irrigation requirements of the project, within the limits of the available water supply.
6. The licensee is responsible for the construction, operation and maintenance of the works and for any damages that may result therefrom.
7. The rights and privileges hereby granted are subject to periodic review and to modification to ensure the most beneficial use of the water in the public interest and more particularly to ensure preservation of the rights of other water users.

.../2

8. The rights and privileges hereby granted can only be extended or modified with the approval of the Controller of Water Resources and are subject to cancellation or modification as provided in the Water Resources Act.
9. Following completion of the works herein authorized this interim licence and its terms and conditions shall be attached to and become part of the licence to use water issued under the provisions of Section 33 of the Water Resources Act.

1982 10 29

Dated at Edmonton

V Carlson
Controller of Water Resources

Alberta

ENVIRONMENT

RECEIVED

LETHBRIDGE

OCT 15 1996

WATER RESOURCES
ADMINISTRATION DIVISION

Alberta Environment

APPLICATION FOR TRANSFER OF LICENCE

Pursuant to the
WATER RESOURCES ACT

APPLICANT'S NAME: DAN BYRNE
Please type or print full name clearly

ADDRESS: Box 1214
Street, P.O. Box or R.R. No.

NANTON AB. T0L-1R0
City, Town or Village Province Postal Code

TELEPHONE: 646-5461 255-0443
Residence Business

hereby requests transfer of a licence issued for works constructed or to be constructed on the

SE	7	16	27	W 4
Quarter	Section	Township	Range	Meridian

for Irrigation purposes.

I hereby certify that I am the registered owner, purchaser or lessee of all lands affected by the works for which the licence was issued.

D Byrne Witness [Signature] Signature of Applicant

Date Oct. 8/96 1996

FORWARD COMPLETED APPLICATION TO:
Regional Administrator
Alberta Environmental Protection
Prov. Bldg., 200 - 5 Avenue S.
Lethbridge, Alberta T1J 4C7

FOR WATER RIGHTS OFFICE USE ONLY:

Accepted Unique No.	<u>1982</u>	<u>06</u>	<u>14</u>	<u>03</u>
	<small>Year</small>	<small>Month</small>	<small>Day</small>	<small>Number</small>

File No. 20382

Receipt No. N/A

Transfer Approved:

Date Nov. 13 1996 By: [Signature]

The background of the page is a photograph of a community consultation room. Several large maps are displayed on wooden easels. The most prominent map on the left is titled "Location of Ivy Ridge Colony" and shows a detailed site plan with various colored zones and roads. Other maps in the background show regional context and site details. The room has a grey wall and wooden paneling at the bottom.

Ivy Ridge Development Consultation Report

September 24th and September 30th Community
Consultation Sessions

Report Developed by: MNP

Community Engagement Overview

To engage local residents and stakeholders on the proposed Ivy Ridge development, both a community town hall and a virtual town hall were held. Advertised through an engagement ad in the local newspaper (see figure 1), these sessions provided an inclusive platform for community members to learn about the project, ask questions, and provide feedback.

The in-person community town hall allowed attendees to review site plans, discuss the anticipated economic and cultural contributions of the colony, and express their perspectives directly with project representatives. For those unable to attend in person, a virtual town hall replicated this experience online, including a presentation on the development proposal and a live Q&A session.

This approach enabled a broad spectrum of stakeholders to participate, supporting transparency and ensuring diverse input. Feedback from both sessions has been documented to inform future planning and ensure the community's interests are considered as the project moves forward.

In-Person Engagement Session: Monday September 24th, 2024, held in Stavelly Alberta at the Stavelly Community Hall 4:00 PM until 7:00 PM.

Virtual Information Town Hall: Monday, September 30th, 2024, held virtually: [Meeting Link for Virtual Town Hall](#) from 7:00 PM – 8:00 PM.



Figure 1: Engagement Ad

In-Person Engagement Overview

- On Monday September 24th, 2024, a community engagement session regarding the proposed Ivy Ridge Colony development was held in Stavely Alberta, including a site tour of the land for the proposed development. The community engagement session was held from 4:00 PM until 7:00 PM and had a total of 5 community members participate during that time.
- The engagement session was set up as a townhall where community members were provided an overview of the proposed development, with subject matter experts present to answer any questions. Participants were also asked to share their feedback.

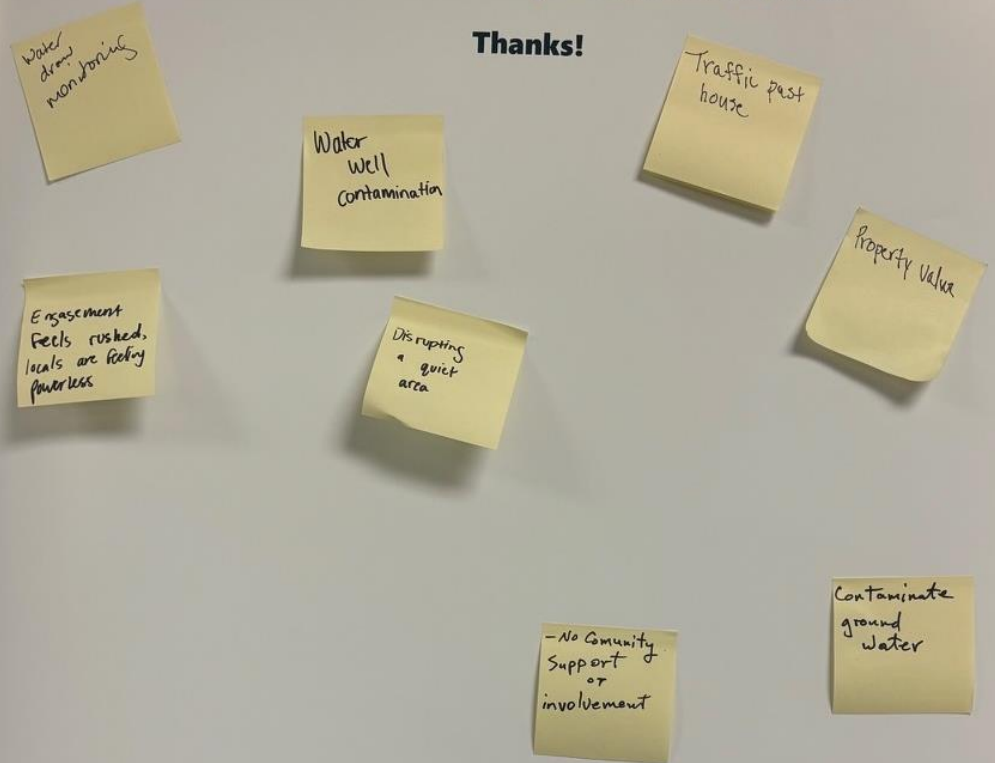
In-Person Community Feedback

- While community participation in the session was limited, those who did come to the session identified the following concerns:
 - Water: community members noted that there needs to be better accountability with water draws from shared reserves. Community members also expressed concerns about water contamination related to colony developments.
 - Property Value: community members expressed concern over perceived decline in property value – related to colony developments.
 - Increased Traffic: community members expressed concern of increased traffic past their properties.
 - Lack of Involvement: community members expressed the development process has not involved the community enough.

Anything We Didn't Cover?

Please leave any questions or comments regarding information shared or information you still want to learn.

Thanks!



In-Person Engagement Photos



Virtual Engagement Overview

- On Monday September 30th, 2024, a virtual engagement session regarding the proposed Ivy Ridge Colony development was held. The engagement session was held from 7:00 PM - 8:00 PM.
 - The session was set up as a virtual townhall where community members were provided an overview of the proposed development, with subject matter experts present to answer any questions.
 - No community members participated in this event.