

The 2013 Farm and Ranch Water Infrastructure Program Regulations

being

[Chapter F-8.001 Reg 47](#) (effective May 2, 2013; expire on March 31, 2020) as amended by Saskatchewan Regulations 48/2015.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER F-8.001 REG 47
The Farm Financial Stability Act

Title

1 These regulations may be cited as *The 2013 Farm and Ranch Water Infrastructure Program Regulations*.

Interpretation

2 In these regulations:

- (a) **“account”** means the 2013 Farm and Ranch Water Infrastructure Program Account established pursuant to section 4;
- (b) **“Act”** means *The Farm Financial Stability Act*;
- (c) **“agricultural business development project”** means a project undertaken by an eligible applicant to develop a secure water supply or to increase irrigation capacity outside of an irrigation district on the land set out in the application provided to the minister by the eligible applicant;
- (d) **“agricultural producer”** means any person engaged in the production of an agricultural commodity in Saskatchewan;
- (e) **“approval to construct”** means construction for which written approval has been obtained in accordance with section 59 of *The Saskatchewan Watershed Authority Act, 2005*;
- (f) **“approved outlet for drains”** means the outlet for construction of new irrigation district drainage required to increase irrigation district capacity where written approval has been obtained before construction commences in accordance with section 59 of *The Saskatchewan Watershed Authority Act, 2005*;
- (g) **“approved plan”** means a plan as defined in *The Agricultural Operations Act* that:
 - (i) is approved by the minister pursuant to that Act; and
 - (ii) sets out the manner in which the waste from an intensive livestock operation is to be managed or stored;
- (h) **“approved project”** means an eligible project that has been approved by the minister pursuant to section 11;
- (i) **“community well”** means a well for public use, including use by agricultural producers;
- (j) **“community well project”** means a project undertaken by an eligible applicant to develop a community well as a secure water supply;

- (k) **“eligible applicant”** means:
- (i) in the case of an on-farm project, an eligible applicant as described in section 6;
 - (ii) in the case of a community well project:
 - (A) a rural municipality on behalf of agricultural producers whom it represents; and
 - (B) an Indian band on behalf of agricultural producers whom it represents;
 - (iii) in the case of an irrigation district project, the board of an irrigation district that has and maintains an irrigation replacement fund on behalf of the irrigation district it represents;
 - (iv) in the case of an agricultural business development project, an eligible applicant as described in section 7;
- (l) **“eligible expenditures”** means the expenditures set out in section 12;
- (m) **“eligible project”** means an on-farm project, a community well project, an irrigation district project or an agricultural business development project that complies with the requirements of section 8;
- (n) **“Indian band”** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;
- (o) **“intensive horticultural operation”** means an agricultural operation producing horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs, flowers, greenhouse crops and specialty crops;
- (p) **“intensive livestock operation”** means an intensive livestock operation as defined in *The Agricultural Operations Act*;
- (q) **“irrigation district”** means irrigation district as defined in *The Irrigation Act, 1996*;
- (r) **“irrigation district project”** means a project undertaken by an eligible applicant to develop infill for the purpose of increasing the irrigation capacity of the land set out in the application provided to the minister by the eligible applicant;
- (s) **“irrigation replacement fund”** means an irrigation replacement fund established pursuant to section 73 of *The Irrigation Act, 1996*;
- (t) **“non-district irrigation project”** means a project undertaken by an eligible applicant for the purpose of increasing irrigation capacity by a minimum of 10 acres outside of an irrigation district on the land set out in the application provided to the minister by the eligible applicant;
- (u) **“non-district irrigator”** means an eligible applicant that operates, or will operate, to the satisfaction of the minister, a minimum of 10 acres of irrigated land for agricultural purposes outside of an irrigation district;
- (v) **“on-farm irrigation system”** means the pump, pipe, valves, fittings, drains, trenches, ditches, sprinklers, or power required to irrigate the irrigable land parcel from the secure water supply;

- (w) **“on-farm project”** means a project undertaken by an eligible applicant to develop a secure water supply on the land set out in the application provided to the minister by the eligible applicant;
- (x) **“other governmental assistance”** means any rebates, grants or other financial assistance, including in-kind contributions, received from the Government of Canada, the Government of Saskatchewan or any municipal government respecting eligible expenditures for an approved project;
- (y) **“program”** means the 2013 Farm and Ranch Water Infrastructure Program established pursuant to section 3;
- (z) **“program payment”** means a payment made to an eligible applicant pursuant to the program;
- (aa) **“program year”** means the period commencing on April 1 in one year and ending on March 31 of the following year;
- (bb) **“secure water supply”** means a long-term source of water and includes wells, pipelines and dugouts;
- (cc) **“solar powered watering system for livestock”** means an all-in-one solar powered water pump, water storage and distribution system used to provide a water source for livestock;
- (dd) **“storage tank”** means a tank with a capacity of at least 3 700 litres that is used as a secure water supply;
- (ee) **“value-added agricultural business”** means a business engaged in processing primary agricultural commodities;
- (ff) **“water appliance”** means a watering bowl, hydrant or water trough with a capacity of at least 450 litres.

13 May 2013 cF-8001 Reg 47 s2.

Program established

- 3(1) The 2013 Farm and Ranch Water Infrastructure Program is established.
- (2) The purpose of the program is to provide program payments to eligible applicants who dedicate those program payments to the development of a secure water supply or to increase irrigation capacity in Saskatchewan.

13 May 2013 cF-8001 Reg 47 s3.

Account established

- 4(1) The 2013 Farm and Ranch Water Infrastructure Program Account is established in the fund pursuant to clause 24(2)(a) of the Act.
- (2) The Minister of Finance is authorized to deposit into the account:
- (a) all contributions from the Government of Canada that are directed to the account for the purposes of the program pursuant to an agreement made pursuant to subsection 22(2) of the Act; and
- (b) from moneys appropriated by the Legislature, all contributions of the Government of Saskatchewan to the program pursuant to an agreement made pursuant to subsection 22(2) of the Act.

- (3) The account consists of:
 - (a) all contributions mentioned in clause (2)(a);
 - (b) all moneys appropriated by the Legislature:
 - (i) for the purposes of the program; or
 - (ii) for any other farm income stabilization purpose, if the Minister of Finance designates that those moneys are to be paid into the account;
 - (c) all earnings on investments of moneys in the account; and
 - (d) all other moneys received in the account for the purposes of the program.
- (4) All program payments are to be paid from the account.
- (5) Any surplus remaining in the account when the program is completed is to be returned to the Government of Canada and the Government of Saskatchewan in proportion to each government's contribution to the account.
- (6) The fiscal year of the account is the program year.

13 May 2013 cF-8001 Reg 47 s4.

Minister to administer account and program

- 5(1) The minister shall administer the account and the program.
- (2) For the purpose of administering the account and the program, the minister may:
 - (a) exercise the powers given to the minister pursuant to the Act; and
 - (b) do any other thing that the minister considers necessary to administer the account or the program.
- (3) Without limiting the generality of subsection (2), for the purpose of administering the account or the program, the minister may:
 - (a) enter into any agreement that the minister considers advisable with any person, agency, organization, association, institution or body;
 - (b) undertake research, conduct studies and provide information to agricultural producers, eligible applicants or persons who, in the minister's opinion, may become eligible applicants in relation to eligible projects or the program;
 - (c) use any moneys received in the account:
 - (i) to pay for the administration of the account and the program; and
 - (ii) to make program payments;
 - (d) invest any moneys in the account that are not presently required for the purposes of the program in any securities or class of securities authorized pursuant to *The Financial Administration Act, 1993* for the investment of moneys in the general revenue fund; and
 - (e) dispose of any investment made pursuant to clause (d), subject to the terms of the investment, in any manner, on any terms and in any amount that the minister considers expedient.

13 May 2013 cF-8001 Reg 47 s5.

Eligible applicants re on-farm projects

6 A person, partnership or Indian band is eligible to apply to have an on-farm project approved by the minister as an eligible project if:

- (a) in the case of an individual, the individual is a Saskatchewan resident who is at least 18 years of age;
- (b) in the case of a corporation or partnership, the corporation or partnership has its head office in Saskatchewan or carries on business in Saskatchewan;
- (c) in the case of an Indian band, the Indian band has reserve land in Saskatchewan and the land on which the proposed on-farm project is to be undertaken is in Saskatchewan and is controlled by the Indian band;
- (d) the person, partnership, or Indian band owns or occupies at least 320 acres of agricultural land in Saskatchewan;
- (e) in the case of an individual, partnership or corporation, the individual, partnership or corporation filed or will file an income tax return respecting farm income in Saskatchewan for the year preceding the year for which an application is made, or for the year for which an application is made, that shows or will show to the satisfaction of the minister that at least \$35,000 income was derived from farm income in Saskatchewan.

13 May 2013 cF-8001 Reg 47 s6.

Eligible applicants re agricultural business development projects

7 A person, partnership or Indian band is eligible to apply to have an agricultural business development project approved by the minister as an eligible project if:

- (a) in the case of an individual, the individual is a Saskatchewan resident who is at least 18 years of age;
- (b) in the case of a corporation or partnership, the corporation or partnership has its head office in Saskatchewan or carries on business in Saskatchewan;
- (c) in the case of an Indian band, the Indian band has reserve land in Saskatchewan and the land on which the proposed agricultural business development project is to be undertaken is in Saskatchewan and is controlled by the Indian band; and
- (d) the person, partnership, or Indian band in the year in which the application is made operates one or more of the following:
 - (i) an intensive horticultural operation that earns, or will earn to the satisfaction of the minister, at least \$35,000 of income derived from horticulture sales in Saskatchewan;
 - (ii) an intensive livestock operation with an approved plan that earns, or will earn to the satisfaction of the minister, at least \$35,000 of income derived from livestock or livestock product sales in Saskatchewan;
 - (iii) a value-added agricultural business that earns, or will earn to the satisfaction of the minister, at least \$35,000 of income derived from processing primary agricultural commodities in Saskatchewan;
 - (iv) a non-district irrigator with an approval to construct that earns, or will earn to the satisfaction of the minister, at least \$35,000 of income derived from farming in Saskatchewan.

13 May 2013 cF-8001 Reg 47 s7.

Eligible projects

8 For the purposes of these regulations, an eligible project is a project in Saskatchewan that:

- (a) is undertaken by an eligible applicant;
- (b) must be substantially for environmental, agricultural or value-added agricultural purposes;
- (c) must involve the development of a secure water supply for the eligible applicant, including:
 - (i) in the case of an on-farm project, dugouts, small-diameter and large-diameter wells, shallow buried pasture pipelines, deep buried pipelines, decommissioning wells, protecting existing wells and relocating watering systems for livestock for environmental purposes;
 - (ii) in the case of a community well project, community wells and pipelines associated with establishing a loading site, protecting existing wells and decommissioning wells;
 - (iii) in the case of an irrigation district project, irrigation infrastructure related to infill development to increase irrigation capacity within an irrigation district; and
 - (iv) in the case of an agricultural business development project, dugouts, small-diameter and large-diameter wells, shallow buried pipelines, deep buried pipelines, decommissioning wells, protecting existing wells, relocating watering systems for livestock for environmental purposes and pipelines and associated infrastructure related to increasing irrigation capacity by a minimum of 10 acres outside of an irrigation district;
- (d) in the case of an application for:
 - (i) an irrigation district project, is commenced on or after April 1, 2013 and with respect to which the eligible applicant undertakes in the application to complete the project, to the satisfaction of the minister, on or before February 15, 2018;
 - (ii) an eligible project that is an on-farm project, a community well project or an agricultural business development project, is commenced on or after August 1, 2012 and with respect to which the eligible applicant undertakes in the application to complete the project, to the satisfaction of the minister, on or before the earlier of:
 - (A) the date that is 18 months after the date that the eligible applicant receives the minister's approval for the project; and
 - (B) February 15, 2018;
- (e) must comply with the other requirements of these regulations; and
- (f) is determined by the minister to be an eligible project.

Application

- 9(1)** An eligible applicant who wishes to receive a program payment for an on-farm project, a community well project, an irrigation district project or an agricultural business development project must apply to the minister by providing to the minister a completed application on a form supplied by the minister.
- (2) In the application form mentioned in subsection (1), the eligible applicant must:
- (a) describe the proposed eligible project;
 - (b) identify the location of the proposed eligible project by including the legal land description and the rural municipality or Indian reserve in which the land is situated;
 - (c) provide an estimate of the costs of the proposed project;
 - (d) in the case of an application respecting an on-farm project or an agricultural business development project, describe:
 - (i) the farming operation, including the number of acres farmed and the number of livestock, if any, or the nature of the value-added business; and
 - (ii) the uses for the water;
 - (e) in the case of an application respecting an on-farm project, a community well project or an agricultural business development project, describe the water-related problem the eligible project is attempting to address; and
 - (f) in the case of an application respecting an irrigation district project or a non-district irrigation project, provide a plan for irrigation development and an estimate of the increased irrigation capacity the project will provide.
- (3) Every eligible applicant must:
- (a) in the case of an on-farm project, provide the minister on request with:
 - (i) a copy of the eligible applicant's most recent income tax return; or
 - (ii) information, satisfactory to the minister, showing that the eligible applicant will derive at least \$35,000 of income from farm income in Saskatchewan for the year in which the application is made;
 - (b) in the case of an agricultural business development project, provide the minister on request with:
 - (i) a copy of the eligible applicant's most recent income tax return; or
 - (ii) information, satisfactory to the minister, showing that the eligible applicant will derive at least \$35,000 of income in Saskatchewan for the year in which the application is made from one of the following sources:
 - (A) horticulture sales;
 - (B) livestock or livestock product sales;
 - (C) processing primary agricultural commodities;
 - (D) farm income, if the project involves a non-district irrigation project;
 - (c) provide any additional information that the minister may require to determine that the applicant is an eligible applicant or that a project is an eligible project; and

- (d) provide the minister with any additional information that the minister may reasonably require to determine the applicant's eligibility for a program payment.
- (4) No eligible applicant shall supply any false or misleading information to the minister on any application form or in response to any request for information from the minister.
- (5) An eligible applicant shall provide the minister with any changes to the information on the applicant's application form as soon as possible after that information has changed.
- (6) Only one application may be submitted for each eligible project.

13 May 2013 cF-8001 Reg 47 s9.

Time limit for submitting applications

- 10(1)** Subject to subsection (2), an application must be received by the minister on or before August 1, 2017.
- (2) The minister may accept an application that is received after August 1, 2017 if the minister is satisfied that:
 - (a) the eligible applicant had a reasonable excuse for failing to apply within the time limit; and
 - (b) it is not contrary to the public interest to do so.

13 May 2013 cF-8001 Reg 47 s10.

Approval of application

- 11** Subject to section 16, on receipt of an application made by an eligible applicant, the minister may approve the eligible project if the minister is satisfied that:
 - (a) the applicant is an eligible applicant;
 - (b) the project is an eligible project;
 - (c) the eligible applicant has complied with these regulations; and
 - (d) there are sufficient moneys in the account to fund the application.

13 May 2013 cF-8001 Reg 47 s11.

Eligible expenditures

- 12(1)** Subject to subsection (3) and sections 14 and 16, the minister may approve as eligible expenditures any of the expenditures mentioned in subsection (2), if the minister is satisfied that those expenditures were incurred by an eligible applicant for an approved project.
- (2) For the purposes of subsection (1), the following are the expenditures that may be approved:
 - (a) in the case of on-farm projects and agricultural business development projects, with the exception of non-district irrigation projects:

- (i) the purchase cost of capital items, including:
 - (A) pumps, screens, pipes for shallow buried pasture pipelines and deep buried pipelines, dedicated to the development of a secure water supply; and
 - (B) subject to the limits set out in subsections 14(3), (5) and (11), storage tanks, a watering appliance and pad and a solar powered watering system for livestock, dedicated to the development of a secure water supply;
 - (ii) construction costs dedicated to the development of a secure water supply, including costs related to:
 - (A) excavating dugouts;
 - (B) drilling wells;
 - (C) purchasing and installing screening;
 - (D) installing pipelines;
 - (E) subject to the limits set out in subsections 14(3), (5) and (11), installing fencing to exclude livestock;
 - (F) subject to the limits set out in subsections 14(3), (5) and (11), installing or developing storage tanks; and
 - (G) subject to the limits set out in subsections 14(3), (5) and (11), installing power to remote livestock watering sites;
 - (iii) subject to the limits set out in subsections 14(3), (5) and (11), costs related to connecting to an existing deep buried pipeline, including any hook-up or subscription costs;
 - (iv) subject to the limits set out in subsections 14(3), (5) and (11), costs related to protecting existing wellheads for environmental purposes, including costs related to:
 - (A) landscaping to build up the area around the wellhead to prevent contamination; and
 - (B) installation of above-ground casing extensions and lockable vented well caps; and
 - (v) subject to the limits set out in subsection 14(4), costs related to decommissioning wells, including sealing and capping water wells;
- (b) in the case of community well projects:
- (i) the purchase cost of capital items, including pumps, pipes necessary for constructing a water loading site, storage tanks and power loading equipment, dedicated to the development of a community well;

- (ii) construction costs, including costs related to drilling wells, purchasing and installing screening, installing power and constructing buildings, dedicated to the development of a community well;
 - (iii) costs related to site excavation and preparation dedicated to the development of a community well, including road construction costs or costs to improve access;
 - (iv) costs related to protecting existing wellheads, including costs related to:
 - (A) landscaping to build up the area around the wellhead to prevent contamination; and
 - (B) installation of above-ground casing extensions and lockable vented well caps; and
 - (v) subject to the limits set out in subsection 14(4), costs related to decommissioning wells, including sealing and capping water wells;
- (c) in the case of an irrigation district project:
- (i) the purchase cost of capital items, including pipes, pumps, drains and turnouts, dedicated to the development of irrigation infrastructure for the purpose of creating secure water supply points for increasing irrigation capacity:
 - (A) up to the upstream edge of the furthest most irrigable land parcel where the infrastructure has capacity to service that parcel alone; or
 - (B) to the approved outlet for drains; and
 - (ii) construction costs related to the installation of pipelines, pumps, drains, turnouts and power, dedicated to the development of irrigation infrastructure for the purpose of creating secure water supply points for increasing irrigation capacity:
 - (A) up to the upstream edge of the furthest most irrigable land parcel where infrastructure has capacity to service that parcel alone; or
 - (B) to the approved outlet for drains;
- (d) in the case of a non-district irrigation project, subject to the limits set out in subsection 14(11):
- (i) the purchase cost of capital items, including pipes, pumps, drains and turnouts, dedicated to the development of irrigation infrastructure for the purpose of creating secure water supply points for increasing irrigation capacity:
 - (A) up to the upstream edge of the furthest most irrigable land parcel where infrastructure has capacity to service that parcel alone; or
 - (B) to the approved outlet for drains; and

- (ii) construction costs related to the installation of pipelines, pumps, drains, turnouts and power, dedicated to the development of irrigation infrastructure for the purpose of creating secure water supply points for increasing irrigation capacity:
 - (A) up to the upstream edge of the furthest most irrigable land parcel where infrastructure has capacity to service that parcel alone; or
 - (B) to the approved outlet for drains;
 - (e) costs of services provided for the purposes of the approved project, including costs associated with groundwater exploration, fees paid for consultations that the minister is satisfied are reasonable, and fees associated with the filing of applications and registrations, dedicated to the development of a secure water supply;
 - (f) any other costs that the minister is satisfied are specifically required for the execution of the approved project.
- (3) The following are not eligible to be approved as eligible expenditures:
- (a) in the case of an on-farm project or agricultural business development project, with the exception of a non-district irrigation project and remote livestock watering sites, costs related to the installation of power;
 - (b) taxes;
 - (c) costs related to the acquisition of real property;
 - (d) costs of capital items that the minister is satisfied are not specifically required for the execution of the approved project;
 - (e) financing costs, interest, bank or legal fees;
 - (f) non-permanent fencing or structures to exclude livestock;
 - (g) on-farm irrigation systems;
 - (h) any other expenditures that the minister determines are ineligible.

13 May 2013 cF-8001 Reg 47 s12.

Claim for program payments

13(1) Subject to subsection (2), to make a claim for a program payment, the information mentioned in subsection (3) must be submitted to the minister with respect to an approved project on or before the earlier of:

- (a) the day that is 18 months after the minister's approval of the project; and
 - (b) February 15, 2018.
- (2) To make a claim for a program payment with respect to an approved irrigation district project, the information mentioned in subsection (3) must be submitted to the minister on or before February 15, 2018.

(3) For the purposes of subsection (1), the following information must be submitted to the minister:

- (a) a claim in a form provided by the minister for all eligible expenditures that have been paid for the approved project;
- (b) copies of all receipts, invoices, bills or other documents, in a form satisfactory to the minister, with respect to the eligible expenditures that state:
 - (i) the date the expenditure was incurred;
 - (ii) the date payment was made;
 - (iii) the amount of taxes paid;
 - (iv) a detailed description of the expenditure; and
 - (v) information that identifies the applicant and the approved project;
- (c) proof satisfactory to the minister that the eligible applicant's approved project meets or will meet the requirements of the Saskatchewan Watershed Authority and the Ministry of Environment for water development projects;
- (d) a declaration satisfactory to the minister setting out any other governmental assistance received by the eligible applicant with respect to the approved project.

(4) The minister may require an eligible applicant to supply the minister with any additional information that the minister may reasonably require to evaluate the claim or to ensure compliance with these regulations, including original receipts or proof of payment for costs claimed.

(5) An eligible applicant shall provide the minister with any changes to the information on any claim form as soon as possible after that information changes.

(6) An eligible applicant shall allow the minister or any person designated by the minister to inspect:

- (a) the approved project that is the subject of the application; and
- (b) any records, whether or not at the same location as the approved project mentioned in clause (a), that the minister considers necessary or relevant to evaluate the claim or ensure compliance with these regulations.

13 May 2013 cF-8001 Reg 47 s13.

Program payments

14(1) For the purposes of this section, "**related to**" means, with respect to an eligible applicant, to be:

- (a) an affiliate or a subsidiary, within the meaning of *The Business Corporations Act*, of the eligible applicant;
- (b) another person who, within the meaning of *The Business Corporations Act*, controls the eligible applicant;
- (c) a partner of the eligible applicant;

- (d) a trust or estate in which the eligible applicant has a substantial beneficial interest or in respect of which the eligible applicant serves as a trustee or in a similar capacity;
 - (e) a spouse of the eligible applicant; or
 - (f) a relative of the eligible applicant or of the spouse of the eligible applicant if that relative has the same residence as the eligible applicant.
- (2) Subject to subsections (3) to (13), if the minister is satisfied that an eligible applicant has complied with these regulations and has provided the minister with any information that the minister may reasonably require, the minister may make a program payment to the eligible applicant respecting the approved project that is the subject of the application.
- (3) Subject to subsections (4) and (5), the amount of a program payment to an eligible applicant for an on-farm project that is an approved project is not to exceed 50% of the eligible expenditures for the approved project less any other governmental assistance.
- (4) In the case of eligible expenditures associated with well decommissioning, the amount of program payments is not to exceed 90%, less any other governmental assistance, to a maximum payment of \$10,000 per approved project.
- (5) The maximum amount of program payments that may be paid to an eligible applicant and to persons related to the eligible applicant for an on-farm project that is an approved project and for which the eligible applicant or persons related to the eligible applicant have submitted applications pursuant to these regulations is:
- (a) in the case of costs related to the development of a multi-user pipeline, \$15,000;
 - (b) in the case of costs related to a water appliance and pad, one water appliance and pad per approved project to a maximum program payment of \$1,000, subject to the amount set out in clause (h);
 - (c) in the case of costs related to a solar powered watering system for livestock, one solar powered watering system for livestock per approved project to a maximum program payment of \$5,000 and a maximum of four solar powered watering systems for livestock per eligible applicant, subject to the amount set out in clause (h);
 - (d) in the case of costs related to water storage tanks, \$2,500 per approved project, subject to the amount set out in clause (h);
 - (e) in the case of costs related to fencing to exclude livestock, \$750 per approved project, subject to the amount set out in clause (h);
 - (f) in the case of costs related to wellhead protection, \$6,000 per approved project, subject to the amount set out in clause (h);
 - (g) in the case of costs related to the installation of power to remote livestock watering sites, \$15,000 per approved project, subject to the amount set out in clause (h); and
 - (h) \$60,000, excluding program payments issued pursuant to subsection (4), which sum includes the amounts mentioned in clauses (a) to (g).

(6) Subject to subsections (4) and (7), the amount of a program payment for a community well project that is an approved project is not to exceed two-thirds of the eligible expenditures for the approved project less any other governmental assistance.

(7) The maximum amount of program payments that may be paid to an eligible applicant and to persons related to the eligible applicant is \$150,000 for all community well projects:

- (a) that are approved projects; and
- (b) for which the eligible applicant or persons related to the eligible applicant have submitted applications pursuant to these regulations.

(8) Subject to subsection (9), the amount of a program payment for an irrigation district project that is an approved project is not to exceed 90% of the eligible expenditures for the approved project less any other governmental assistance.

(9) The maximum amount of program payments that may be paid to an eligible applicant and to persons related to the eligible applicant is \$7,000,000 for all irrigation district projects:

- (a) that are approved projects; and
- (b) for which the eligible applicant or persons related to the eligible applicant have submitted applications pursuant to these regulations.

(10) Subject to subsections (4) and (11), the amount of a program payment to an eligible applicant for an agricultural business development project that is an approved project is not to exceed 50% of the eligible expenditures for the approved project less any other governmental assistance.

(11) The maximum amount of program payments that may be paid to an eligible applicant and to persons related to the eligible applicant for an agricultural business development project that is an approved project and for which the eligible applicant or persons related to the eligible applicant have submitted applications pursuant to these regulations is:

- (a) in the case of costs related to the development of a multi-user pipeline, \$15,000;
- (b) in the case of costs related to a water appliance and pad, one water appliance and pad per approved project to a maximum program payment of \$1,000, subject to the amount set out in clause (i);
- (c) in the case of costs related to a solar powered watering system for livestock, one solar powered watering system for livestock per approved project to a maximum program payment of \$5,000 and a maximum of four solar powered watering systems for livestock per eligible applicant, subject to the amount set out in clause (i);
- (d) in the case of costs related to water storage tanks, \$2,500 per approved project, subject to the amount set out in clause (i);
- (e) in the case of costs related to fencing to exclude livestock, \$750 per approved project, subject to the amount set out in clause (i);
- (f) in the case of costs related to wellhead protection, \$6,000 per approved project, subject to the amount set out in clause (i);

- (g) in the case of costs related to non-district irrigation projects, 50% of eligible costs to a maximum of \$1,000 per irrigable acre developed, subject to the amount set out in clause (i);
 - (h) in the case of costs related to the installation of power to remote livestock watering sites, \$15,000 per approved project, subject to the amount set out in clause (i);
 - (i) subject to the limits set out in clauses (a) to (h), excluding program payments issued pursuant to subsection (4):
 - (i) \$150,000 if the eligible applicant or person related to the eligible applicant is an intensive horticultural operation, an intensive livestock operation, or a value-added agricultural business; or
 - (ii) \$300,000 if the eligible applicant or person related to the eligible applicant is a non-district irrigator; and
 - (j) notwithstanding clause (i), the payments from the eligible expenditures set out in clause 12(2)(a) shall not exceed \$60,000 if the eligible applicant or persons related to the eligible applicant is a non-district irrigator.
- (12) With the exception of Indian bands, each eligible applicant is only eligible to receive program payments under one of the following project categories:
- (a) an on-farm project;
 - (b) a community well project;
 - (c) an irrigation district project;
 - (d) an agricultural business development project.
- (13) If an eligible applicant fails to comply with these regulations, the minister may deny the claim for a program payment.
- (14) If the minister denies a claim for a program payment, the minister shall notify the applicant in writing.

13 May 2013 cF-8001 Reg 47 s14; 15 May 2015
SR 48/2015 s2.

Overpayments

- 15(1)** The minister may declare any program payment made to an eligible applicant to be an overpayment if the minister is satisfied that:
- (a) the applicant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or document provided to the minister pursuant to these regulations;
 - (b) the applicant has knowingly omitted to make a statement or to provide any information or document if the omission results in a statement with respect to a material fact being misleading; or
 - (c) the applicant has failed to comply with these regulations.

(2) If the minister declares a program payment to be an overpayment, the amount of the overpayment is deemed to be a debt due and owing to the Government of Saskatchewan and may be recovered from the eligible applicant in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

13 May 2013 cF-8001 Reg 47 s15.

Termination of approvals

16(1) Notwithstanding any other provision of these regulations, if the minister determines that moneys in the account have been fully allocated to approved projects:

- (a) the minister may refuse to approve any application of an eligible applicant that is received by the minister after the date of that determination; and
 - (b) an eligible applicant mentioned in clause (a) is not eligible to receive any program payment in that program year with respect to that application.
- (2) If the minister makes a determination pursuant to subsection (1), the minister may cause the effective date of the determination:
- (a) to be posted on the Internet website of the ministry over which the minister presides; and
 - (b) to be made public in any other manner that the minister considers appropriate.
- (3) The effective date of the determination may be an earlier date than the date on which the minister makes public the effective date of the determination.

13 May 2013 cF-8001 Reg 47 s16.

Coming into force and expiry

17(1) These regulations come into force on the day on which they are filed with the Registrar of Regulations.

(2) These regulations expire on March 31, 2020.

13 May 2013 cF-8001 Reg 47 s17.