



## Application for Assignment including:

1. Application for Assignment Form and Declaration of Licensee (Assignor)
2. Guide to Completing an Undertaking of Proposed Assignee
3. Undertaking of Proposed Assignee
4. Affidavit of Execution – Undertaking of Proposed Assignee

Document date: April 2013

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Month/Day/Year

P.O. BOX 119  
GJOA HAVEN, NUNAVUT  
XOB 1J0  
TEL: (867) 360-6338  
FAX: (867) 360-6369

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NUNAVUT IMALIRIYIN KATIMAYIT  
NUNAVUT WATER BOARD  
OFFICE DES EAUX DU NUNAVUT



## DOCUMENT MANAGEMENT

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### DOCUMENT AMENDMENTS

	Description	Date
(1)	Updated for public distribution as separate document from NWB Guide 7	June 2010
(2)	Updated NWB logos and reformatted table to allow rows to break across page	May 2011
(3)	New NWB logo	April 2013
(4)		
(5)		
(6)		
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OFFICE DES EAUX DU NUNAVUT

### APPLICATION FOR ASSIGNMENT AND DECLARATION OF LICENSEE (ASSIGNOR)

<b>1. LICENCE NO:</b> <i>1BR-CAP1623 (PIN-2)</i> <i>1BR-BYR1320 (PIN-4)</i> <i>NWB5CAM0520 (CAM-M)</i> <i>1BR-JEN1323 (CAM-1)</i> <i>1BR-GLA1531 (CAM-2)</i> <i>1BR-MAC1323 (CAM-5)</i> <i>1BR-HAL1533 (FOX-M)</i> <i>1BR-LON1422 (FOX-2)</i> <i>1BR-FOD1320 (FOX-3)</i> <i>1BR-FOX1523 (FOX-4)</i> <i>1BR-QIK1320 (FOX-5)</i> <i>1BR-DYE1623 (DYE-M)</i>	<b>2. WATER SOURCE:</b> <i>Various Unnamed Water Supply Lakes</i>
<b>3. LICENSEE INFORMATION:</b>  Name: <i>Tamara Van Dyck</i>  Address: <i>101 Colonel By Drive, Ottawa, ON K1A 0K2</i>  Phone: <i>613-838-4756</i> Fax: <i>613-996-9847</i> e-mail: <a href="mailto:Tamara.VanDyck@dcc-cdc.gc.ca">Tamara.VanDyck@dcc-cdc.gc.ca</a>	
<b>4. Water use fees pertaining to this licence must be paid in full.</b>	

**5. DECLARATION OF LICENSEE:**

I, **Tamara Van Dyck**, representing **Defence Construction Canada**,

hereby declare that the sale or other disposition of any right, title or interest in the appurtenant undertaking will not result in any contravention of any provision of condition of water use licence

numbers    **1BR-CAP1623 (PIN-2)**  
              **1BR-BYR1320 (PIN-4)**  
              **NWB5CAM0520 (CAM-M)**  
              **1BR-JEN1323 (CAM-1)**  
              **1BR-GLA1531 (CAM-2)**  
              **1BR-MAC1323 (CAM-5)**  
              **1BR-HAL1533 (FOX-M)**  
              **1BR-LON1422 (FOX-2)**  
              **1BR-FOD1320 (FOX-3)**  
              **1BR-FOX1523 (FOX-4)**  
              **1BR-QIK1320 (FOX-5)**  
              **1BR-DYE1623 (DYE-M)**

or of any provision of the Nunavut Waters and Nunavut Surface Rights Tribunal Act or the applicable Regulations, and hereby request the assignment of the water use licences to:

Proposed Assignee: **Department of National Defence**

Address: **60 Moodie Drive, Ottawa, ON K1A 0K2**

Phone and email: **DEW Line Senior Project Manager / Project Engineer**  
**Positions currently held by:**  
**Laura D'Costa, P.Eng., M.Sc.: 613-943-7852 / [laura.dcosta@forces.gc.ca](mailto:laura.dcosta@forces.gc.ca)**  
**Alison Street, P.Eng.: 613-995-8603 / [alison.street@forces.gc.ca](mailto:alison.street@forces.gc.ca)**

**6. PROPOSED DATE OF ASSIGNMENT:**

☐ 45 days after date of application

☒ Other: As soon as possible to allow for the submission of licence renewal/amendment

**7. APPLICATION FEE:**

Application fee for assignment of water licence is \$30.00 CDN (payable to the Receiver General for Canada). **N/A – DND is a department of the Federal Government.**

## 8. CHECKLIST:

The following documents **must** be included with the Application for Assignment where applicable:

- ☒ Completed Application for Assignment and Executed Declaration of Licensee (Assignor).
- ☒ Executed Undertaking of Proposed Assignee and Affidavit of Execution – Undertaking of Proposed Assignee. *Affidavit of Execution N/A – DCC and DND are corporate entities*
- ☐ Copies of all documents pertaining to the lease, sale, rental or other disposition of the property or the licence from one party to another. *N/A*
- ☐ Statement of financial responsibility of the assignee. *N/A*
- ☐ For licences which require the provision of security, a letter to the NWB from the Manager of Water Resources, Indian and Northern Affairs Canada (INAC). *N/A*
- ☐ An updated financial security assessment. *N/A*
- ☐ A letter from each Designated Inuit Organization (DIO) and existing or other water users confirming that the proposed assignment does not negatively impact any existing water compensation agreement(s). *N/A*
- ☐ Statement of assignee's capacity to implement the conditions of the water licence and a schedule for the implementation of all plans, manuals and reports. *N/A*
- ☐ \$30.00 CDN application fee payable to the Receiver General for Canada *N/A*

## 9. SIGNATURE

*Tamara VanDyck*

*Technical Specialist*

29 April 2020

Name (Print)

Title (Print)

Signature

Date

## **GUIDE TO COMPLETING AN UNDERTAKING OF PROPOSED ASSIGNEE**

Individuals and corporate entities must execute and complete the Undertaking in accordance with the rules located below.

### **INDIVIDUAL**

Please execute the Undertaking in the following manner:

- (1) Print your full legal name on the blank line beginning with (a) in the “AND WHEREAS” section;
- (2) At the end of the “IN WITNESS WHEREOF” sentence, write the day, month and year you signed this document before a witness;
- (3) On the second page, sign on the line located above the “Signature of Individual” phrase before a witness. The witness must sign on the line located to the left of your signature. You and the witness must print your names under your respective signature lines;
- (4) The witness must complete the Affidavit of Execution before either:
  - (a) a Commissioner of Oaths for Nunavut if you and your witness both live in Nunavut and both of you have signed the Undertaking in Nunavut; or
  - (b) a Notary Public for the Province or Territory in which the Affidavit was signed.
- (5) Please ensure the Commissioner or the Notary Public completes the jurat and affixes his or her commissioner or notarial seal;
- (6) Please ensure you attach a copy of the signed Undertaking to the Affidavit of Execution.

### **CORPORATE ENTITY**

Please execute the Undertaking in the following manner:

- (1) Print the full legal name of the corporation on the blank line beginning with (b) in the “AND WHEREAS” section;
- (2) At the end of the “IN WITNESS WHEREOF” sentence, write the day, month and year you signed this document;
- (3) On the second page, sign your name on the line located next to the phrase “Per:” and then print your name and your position in the corporation under this signature line;
- (4) Affix the corporation’s corporate seal where indicated.
- (5) You must attach to the Undertaking a copy of the corporation’s Certificate of Incorporation.
- (6) You are required to sign the Undertaking before a witness. You are required to complete the Affidavit of Execution.

## UNDERTAKING OF PROPOSED ASSIGNEE

(section 44 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*)

### WHEREAS

The Nunavut Water Board (“NWB”) issued Licence No. see table dated see table (“the Licence”) to Defence Construction Canada (the “Assignor”), for a term of see table years starting on see table and expiring on see table, subject to the terms and conditions set out in the Licence.

<u>Licence</u>	<u>Term (Years)</u>	<u>Start Date</u>	<u>End Date</u>
<u>1BR-CAP1623 (PIN-2)</u>	<u>7</u>	<u>25-Oct-2016</u>	<u>24-Oct-2023</u>
<u>1BR-BYR1320 (PIN-4)</u>	<u>7</u>	<u>20-Aug-2013</u>	<u>19-Aug-2020</u>
<u>NWB5CAM0520 (CAM-M)</u>	<u>15</u>	<u>05-Jul-2005</u>	<u>01-Oct-2020</u>
<u>1BR-JEN1323 (CAM-1)</u>	<u>10</u>	<u>10-Oct-2013</u>	<u>09-Oct-2023</u>
<u>1BR-GLA1531 (CAM-2)</u>	<u>16</u>	<u>13-Oct-2015</u>	<u>12-Oct-2031</u>
<u>1BR-MAC1323 (CAM-5)</u>	<u>10</u>	<u>14-Aug-2013</u>	<u>13-Aug-2023</u>
<u>1BR-HAL1533 (FOX-M)</u>	<u>18</u>	<u>02-Jun-2015</u>	<u>01-Jun-2033</u>
<u>1BR-LON1422 (FOX-2)</u>	<u>8</u>	<u>17-Mar-2014</u>	<u>16-Mar-2022</u>
<u>1BR-FOD1320 (FOX-3)</u>	<u>7</u>	<u>15-Oct-2013</u>	<u>14-Oct-2020</u>
<u>1BR-FOX1523 (FOX-4)</u>	<u>7</u>	<u>21-Oct-2016</u>	<u>20-Oct-2023</u>
<u>1BR-QIK1320 (FOX-5)</u>	<u>7</u>	<u>23-Aug-2013</u>	<u>22-Aug-2020</u>
<u>1BR-DYE1623 (DYE-M)</u>	<u>7</u>	<u>27-Oct-2016</u>	<u>26-Oct-2023</u>

### AND WHEREAS (the Proposed “Assignee”)

(a) \_\_\_\_\_ (individual)

OR

(b) Department of National Defence,  
(a corporate entity incorporated pursuant to the laws of Canada)

requests that the NWB approve the Assignment of the Licence from the Assignor to the Proposed Assignee pursuant to section 44 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (“Act”).

### NOW THEREFORE

Effective on the date that the NWB approves the assignment of the Licence, the Proposed Assignee undertakes and accepts responsibility for the performance of all of the terms and conditions of the Licence including the performance of all liabilities arising pursuant to any Licence term or condition, whether arising before or after the effective date of the assignment, **AND** undertakes to pay any security required of the Assignor when the Licence was granted.

**IN WITNESS WHEREOF** the Proposed Assignee executed this Undertaking on

April 27, 2020.



SIGNED. SEALED AND DELIVERED  
in the presence of:



\_\_\_\_\_  
Signature of Witness

)  
)  
)

\_\_\_\_\_  
(Signature of Individual)

**Alison Street** )  
Print name of Witness )

**Laura D'Costa**  
(Print name of Individual)

On behalf of

**Department of National Defence**  
(Corporation Name)

Per: **Senior Project Manager,**  
**DEW Line Clean-Up**  
Position

(corporate seal)



National  
Defence

Défense  
nationale



CANADIAN  
ARMED FORCES

**AFFIDAVIT OF EXECUTION  
UNDERTAKING OF PROPOSED ASSIGNEE**

I, \_\_\_\_\_ (name of witness), of the city/town/village of \_\_\_\_\_ in the province or territory of \_\_\_\_\_.

**MAKE OATH AND SAY:**

1. **THAT** I know \_\_\_\_\_

(individual who signed Undertaking), of the \_\_\_\_\_  
city/town/village of \_\_\_\_\_ in the  
province/territory of \_\_\_\_\_.

2. **THAT** on or about the \_\_\_\_\_ day of \_\_\_\_\_ (month and year), I was personally present and did see the Undertaking annexed as Exhibit "A", executed by \_\_\_\_\_ (individual who signed Undertaking) by signing the second page of the Undertaking.

3. **THAT** at the time of execution of the Undertaking, \_\_\_\_\_ (individual who signed Undertaking) had attained the age of 19 years and, in my opinion, was of sound mind, memory and understanding at the time of execution of the Undertaking.

**SWORN BEFORE ME** at the city/town/village )  
of \_\_\_\_\_ in the province or )  
territory of \_\_\_\_\_ )  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ )

\_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ ) (name of witness)