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Canada

Ministère de la Justice  
Canada

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Our File: 2-73864  
Your File: NWB1LUP0008

November 26, 2001

Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, Nunavut  
X0E 1J0

Attention: Mr. Philippe di Pizzo,  
Executive Director

**BY FAX** to 867-360-6369

**and**

**BY E-MAIL** to  
nunavutwaterboard@nt.sympatico.ca  
and  
rbecker@polarnet.ca

Dear Mr. di Pizzo:

**Re: Application by Echo Bay Mines Ltd. (“Echo Bay”) for adjustment of security  
requirement in water licence NWB1LUP0008;  
Guidelines document cited by Echo Bay**

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In his Opening Remarks on November 15th, Mr. Danyluk of Echo Bay cited a “RECLAIM generic guidelines document”: see page 4 of the written version of the Remarks. The citing of the document was a part of Mr. Danyluk’s comments on the Brodie report (report from Brodie Consulting Ltd. per M.J. Brodie, to P. di Pizzo, re “Lupin Mine – Review of A & R Plan and Reclamation Cost Estimate”, March 20, 1999).

DIAND’s position continues to be that the criticisms of the Brodie report, being backward-looking and being either repetitive or belated, constitute material which should not be considered by the Board on the current amendment application, and which, if admitted at all, should be given no weight.

The Board’s rulings in the course of the November 15th proceeding approved this position. However, I am not certain that the Board explicitly excluded from consideration all of Mr. Danyluk’s comments on the Brodie report.

While Echo Bay presented the Board with those particular selections from the guidelines document which Echo Bay regarded as useful, the Board was not presented with the full document. The full document, though, may well provide important context. It is my understanding that the public registry for the Lupin licence does not include a copy of the document cited.

If the Board will not be using Echo Bay's treatment of the guidelines document, I do not think it is necessary for the Board to receive the full document, or to consider it. However, if the Board is contemplating any use of Echo Bay's selections from the guidelines document or Echo Bay's comments on the guidelines document, I request that the Board first call upon Echo Bay to submit to the Board a full copy of the document quoted from.

Thank you.

Yours very truly

"Lee F. Webber"

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Lee F. Webber

Legal Counsel to DIAND

cc.: Paul Smith, DIAND

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at [martin.ignasiak@fmc-law.com](mailto:martin.ignasiak@fmc-law.com)

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