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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

**NWB File No.:** 2AM-MRY1325  
Amendment No. 1

May 11, 2015

**Distributed By Email**

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**Subject: Licence 2AM-MRY1325, Type “A” Water Licence; Baffinland Iron Mines Corporation Amendment No. 1 Application, Mary River Iron Mine – Nunavut; Water Board Written Direction Regarding Public Hearing Record Remaining Open**

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As indicated by the Nunavut Water Board (NWB or Board) on Thursday, May 7, 2015 during the Public Hearing in respect of the Application for Amendment No. 1 to Water Licence 2AM-MRY1325, filed with the NWB by Baffinland Iron Mines Corporation (BIMC), by Motion #2015-07-P4-09, the Panel of the Board (P4), duly appointed to consider the Amendment Application has moved to keep the Hearing Record open until **3:00 pm (MDT) Monday, May 25, 2015** solely for the purposes of receiving the reply submissions of the Applicant, BIMC and the Qikiqtani Inuit Association (QIA) with respect to the quantum of security that should be secured under the Licence.

Please note that the Panel motion to keep the record open only allows for the filing of additional submissions by BIMC and the QIA on the narrow issue of the security to be held under an amended Licence, and for all other issues the Hearing Record is closed. Consequently, the Board will **not** accept additional written materials from any other party and on any other issue during this time.

In addition, as indicated by the QIA on May 7, 2015 during the disposition of the motion to keep the Hearing Record open, on May 8, 2015, the QIA filed the Letter of Credit from BIMC to the benefit of the QIA as required under the provisions of the Land Lease, with the NWB. The

Board circulated this document in electronic form on Friday, May 8, 2015 and has accepted this submission as Exhibit #9 to be added to the final List of Exhibits from the Public Hearing.

Further, as indicated by the Board's legal counsel on May 7, 2015, as the oral testimony provided by Aboriginal Affairs and Northern Development (AANDC) on May 6, 2015 at the Public Hearing was a change to their written presentation materials previously filed with the Board in advance of the Public Hearing and that AANDC indicated at the Public Hearing that they would not be filing any further written submissions outlining this change to their submissions on this point, the Board has expedited the preparation and release of the portion of the Public Hearing transcript providing AANDC's testimony. For the convenience of the parties, and in particular BIMC and the QIA, the Board has included with this letter, the excerpt of the final transcript. Please note that no further excerpts of the transcript will be provided until the transcript has been finalized in its entirety in approximately two weeks' time.

Once the Board has received and had an opportunity to review the additional reply submissions from the Applicant, BIMC and the QIA, the Board will provide further written direction to the parties regarding whether the Public Hearing Record is closed and the Amendment Application may then be remitted to the Panel for decision-making, or whether additional submissions (oral and/or written) are warranted in the circumstances prior to the close of the Public Hearing Record. Please note that until the Public Hearing Record is closed, this matter will not be remitted to the Panel for decision-making.

If you have any questions regarding this matter please contact David Hohnstein, the Board's Acting Executive Director and Director of Technical Services. David can be reached at his direct line: (780) 443-4406 or via e-mail [david.hohnstein@nwb-oen.ca](mailto:david.hohnstein@nwb-oen.ca).

Sincerely,



Thomas Kabloona  
Chairperson  
Nunavut Water Board

Encl. Excerpt of Final Transcript from Public Hearing on May 6, 2015 (47 pages)

cc: Hamlet of Pond Inlet  
Mitimataalik HTO Committee  
Mark Dahl, Environment Canada  
Mike Osland, Dubuc Osland (Legal Counsel to QIA)  
Christine Kowbel, Lawson Lundell (Legal Counsel to BIMC)  
Sina Muscati, Department of Justice (Legal Counsel to AANDC)  
Mary River Distribution List