

P.O. Box 119 GJOA HAVEN, NU X0B 1J0 TEL: (867) 360-6338 FAX: (867) 360-6369 ຼວວ ΔL ← ሲ Ի C b∩ L ት Υ
NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No.: 2BB-MEL0914

May 10, 2010

Mark Balog Comaplex Minerals Corp. 901, 1015-4<sup>th</sup> St. SW, Calgary, AB T2R 1J4

Email: <a href="mailto:mbalog@comaplex.com">mbalog@comaplex.com</a>

RE: NWB Licence No. 2BB-MEL0914, Meliadine Lake Gold Project: Amendment

**Applications on Hold** 

Dear Mr. Balog:

On April 7, 2010 the Nunavut Water Board (NWB or Board) distributed the Amendment No.2 application for Licence No. 2BB-MEL0914 (Licence) for comments with a thirty (30) day public review period. On May 6, 2010, the NWB received a submission from Indian and Northern Affairs Canada (INAC) identifying concerns in relation to non-compliance with Part B, Item 2 of the Licence (copy attached). This item requires security to be furnished and maintained in the form, of the nature, subject to such terms and conditions, in accordance with the Regulations, or that is satisfactory to the Minister. Specifically, in its submission, INAC states:

"Until such a time that the Licensee provides the required security, or a detailed written explanation of what steps the Licensee intends to take to correct this matter, INAC cannot support any amendments to the existing water licence."

As you might be aware, the issuance of a licence or an amendment is contingent on a number of factors to be considered by the Board including, but not limited to: the application; the results of INAC site inspections and the corresponding compliance record of the Applicant; as well as intervener comments provided during the application review process.

As such, prior to the NWB completing its technical review of the applications and presenting the three amendment applications (increased water use, geotechnical drilling, and a bulk sample program) to the Board for their consideration, the NWB will require evidence of the security having been provided, or the submission of an agreed upon framework that will work towards a timely solution to the issue of Non-Compliance with Part B, Item 2 of the Licence. Until this issue has been resolved or as otherwise directed by the Board in writing, the NWB will not undertake further technical review of the three 2BB-MEL0914 Amendments.

At this time, the Board invites Comaplex Minerals Corp. to respond to the INAC comments and the above letter. Upon receiving information regarding how Comaplex intends to proceed to achieve compliance with the Licence, the NWB will consider the information, solicit comments from interested parties (if necessary) and review the responses of interested parties to determine whether the compliance issue has been addressed and the technical review of the three 2BB-MEL0914 Amendments can continue.

Should you have any questions with regard to the above, please contact the undersigned at (876) 360-6338 (email <u>licensing@nunavutwaterboard.org</u>) or David Hohnstein, Director of Technical Services at (780) 443-4406 (email dts@nunavutwaterboard.org).

Regards,

*Original signed by:* 

Phyllis Beaulieu Manager of Licensing Nunavut Water Board

Cc: John Witteman

**Kivalliq Distribution List**