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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN TIMAYINGI

File No: NWB2HEN

March 21, 2005

Dean Besserer, P. Geol.
Apex Geoscience Ltd.
Suite 200, 9797 – 45th Avenue
Edmonton, AB T6E 5V8
Email: dbesserer@apexgeoscience.com
Email: david.dehlin@newmont.com

Subject: Newmont Canada Ltd. – Henik Lake Project – New Application Type “B”

Dear Mr. Besserer:

The Nunavut Water Board (NWB) acknowledges receipt, on January 13, 2005 of your application, filed on behalf of Newmont Canada Ltd., for water use and waste disposal associated with exploratory drilling and camp operations for the Henik Lake Project, in the Kivalliq region. The application, a copy of which can be obtained from our ftp site (<http://ftp.nunavut.ca> in folder nwb / NWB2 Exploration and sub-folder NWB2HEN) or by contacting our office, consists of the following items:

- cover letter dated December 17, 2004
- application form
- supplementary questionnaire
- map
- summary in English and Inuktitut
- application fee

We undertook a preliminary review of your application and conclude that it meets the requirements of section 48(1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (“Act”). This said, I must inform you that the NWB reserves the right to request additional information and studies pursuant to sections 48(2) of the Act or, alternatively, issue guidelines for the provision of information pursuant to section 48(3) of the Act.

However, before your application can be processed further by the NWB, it is subject to sections 38(1) to 38(5) of the Act and therefore must first be reviewed by the **Nunavut Planning Commission (NPC)** to determine its conformity with an approved land use plan. **By copy of this letter to the NPC, we are formally asking our sister board to undertake this determination and inform the NWB of its decision.**

Pursuant to Section 13.7.3 of the Nunavut Land Claims Agreement this application is of a class that does not require a public hearing, and is therefore exempt from screening by the Nunavut Impact Review Board, as per Schedule 12-1 of the NLCA. We are consequently requesting **NPC to forward the application back to the NWB** when its determination is complete.

Finally, by copy of this letter to the distribution list and the enclosed notice of application sent to the council of the municipality or municipalities most affected by your application, we invite interested persons to make representations directly to the NWB within 30 days from the date of this letter. Please note that an A&R Plan and Spill Contingency Plan were also received with the application and require review. The NWB may provide additional procedural instructions once the application has been reviewed.

Sincerely,

Original signed by:

Phyllis Beaulieu
Manager of Licensing

Enclosure: Notice of Application

cc: Distribution List

KIVALLIQ DISTRIBUTION LIST

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