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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYIT
OFFICE DES EAUX DU NUNAVUT

File: 2BB-MEL0914

August 20, 2012

Mr. John Witteman/Mr. Denis Vaillancourt
Agnico-Eagle Mines Ltd.
C.P 87
765, Chemin de la mine Goldex
Val d'Or, QC J9P 4N9
Email: denis.vaillancourt@agnico-eagle.com
c/o John Witteman
601-2 Street
Canmore, AB T1W 2K2
Email: jwitteman@agnico-eagle.com

RE: 2BB-MEL0914 Type "B" –Amendment No. 5: Re-allocation of Water Use

Dear Mr. Witteman and Mr. Valliantcourt,

Please find attached, Amendment No. 5 to Licence No. 2BB-MEL0914 Type "B" issued to Agnico-Eagle Mines Ltd. (AEM or Licensee) by the Nunavut Water Board (NWB) (**Motion 2012-05-L02**) pursuant to its authority under Article 13 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*. The terms and conditions of the original Licence related to water use and waste disposal remain an integral part of this approval.

The NWB notes that, among others, there is the Nunavut Impact Review Board's (NIRB) original Screening Decision on file for the project as well as an Exemption from the requirements for Screening¹ for this amendment, File No.10EA018. In addition, there is the Nunavut Planning Commission (NPC) Conformity decision, which indicated that project and scope of amendment No 5 conform to the Keewatin Regional Land Use Plan (KRLUP)².

The NWB recommends that the Licensee consult the comments received by interested persons³. This information is attached for your consideration.

¹ NIRB Exemption Decision dated June 6, 2012.

² NPC Conformity Determinations dated June 7, 2012.

³ Aboriginal Affairs and Northern Development Canada (AANDC), June 29, 2012; Environment Canada (EC), June 29, 2012; and Fisheries and Oceans Canada (DFO), June 22, 2012.

Sincerely,



Thomas Kabloona
Nunavut Water Board
Chair

TK/kk/pb

Enclosure: Licence No. **2BB-MEL0914 - Amendment No. 5**
Comments – AANDC, EC and DFO

Cc: Distribution – Kivalliq

LICENCE AMENDMENT No. 5

Licensee:	AGNICO-EAGLE MINES LTD.
Licence No:	2BB-MEL0914 Type "B"
Licence Issued:	July 31, 2009
Amendment No. 1 Issued	June 28, 2010
Amendment No. 2 Issued	July 8, 2010
Amendment No. 3 Issued:	January 6, 2011
Amendment No. 4:	Pending
Effective Date:	August 17, 2012
Licence Expiry:	July 31, 2014

Pursuant to its authority under Article 13 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, with respect to an application for amendment dated April 5, 2012, made by Agnico-Eagle Mines Ltd. (AEM or Licensee), the Nunavut Water Board (NWB) hereby grants the following Licence amendment.

The Licence issued July 31, 2009 with an expiry date of July 31, 2014 shall be amended to include the following terms and conditions, with respect to the use of water and deposit of waste, to allow for an increase in volume of water from 25 to 45 cubic metres *per day* for domestic purposes, and a decrease in volume of water from 265 to 245 cubic metres *per day* for drilling purposes.

Procedural History

On May 30, 2012 AEM submitted to the Board an amendment application (No. 5) requesting that the quantity of water for camp purposes be increased by 20 cubic meters *per day* and that water for all other purposes be equivalently reduced. The total quantity of water allocated for all purposes under the licence shall remain unchanged.

On May 31, 2012, the Board distributed the application for a thirty (30) day comment period. Comments were received from AANDC, EC and DFO. **AANDC** recommended that the waste management, monitoring, spill contingency and abandonment and restoration plans be updated to reflect the associated changes at the mine site (i.e., camp size, a second biodisk reactor, etc). **EC** stated that it does not have any comments at that time. **DFO** indicated that it had no concerns with the proposal provided DFO's Protocol for Winter Withdrawal from Ice-Covered Waterbodies in NWT and Nunavut is followed.

LICENCE AMENDMENT No. 5

The Licence shall be amended for the following:

PART C: CONDITIONS APPLYING TO WATER USE

Amend Item 1

The Licensee shall obtain all water for camp or domestic uses, up to a maximum of forty-five (45) cubic metres *per day*, from the Meliadine Lake at Monitoring Program Station MEL-1. Drill water shall be obtained from Meliadine Lake and small ponds proximal to the drilling targets as outlined in the Application, and shall not exceed two hundred and forty-five (245) cubic metres *per day*. Total water use for all purposes shall not exceed two hundred and ninety (290) cubic metres per day.

All remaining terms and conditions of the Licence 2BB-MEL0914 Type ‘B’ dated July 31, 2009, subsequent amendments dated June 28, 2010, July 8, 2010 and January 6, 2011 still apply.

This Licence Amendment No. 5 is issued and recorded at Gjoa Haven, NU on August 17, 2012.

Approved by,



Thomas Kabloona
Nunavut Water Board
Chair