



P.O. Box 119
GJOA HAVEN, NU X0B 1J0
TEL: (867) 360-6338
FAX: (867) 360-6369

ᓄᓇᓂᓪ ᐃᓕᓕᓂᓪ ᓅᓂᓕᓂᓪ
NUNAVUT IMALIRIYIN KATIMAYINGI
NUNAVUT WATER BOARD
OFFICE DES EAUX DU NUNAVUT

June 15, 2006

File No.: 2BE-PCD

Mr. Matthew Pickard
Safety, Health & Environmental Manager
De Beers Canada Inc. – Exploration Division
One William Morgan Drive
Toronto, ON M4H 1N6

Email: matthew.pickard@ca.debeersgroup.com

Dear Mr. Pickard:

The Nunavut Water Board (“NWB”) hereby acknowledges receipt of your letter dated June 8, 2006 in which you request that the consultation time for review of your application be shortened from the usual 30 days to 15 days.

Pursuant to Section 55(4) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (“Act”), the NWB is not authorized to act upon an application until at least 30 days after notice of the application has been published. Section 55(4) of the Act reads as follows:

55(4) Where a public hearing is not held in relation to an application, the Board shall not act on the application until at least thirty days after notice of the application has been published under subsection (1) unless, in the opinion of the Board, there are urgent circumstances that justify the Board acting on that application in a shorter period, but that shorter period shall not be less than ten days.

While the NWB appreciates the situation faced by De Beers, we conclude that the circumstances described in your letter do not appear to constitute “urgent circumstances” as referred to in that section. Additionally, as you can see from section 55(4), the NWB does not have any legal authority to vary from the dispositions of this law.

However, we are forwarding this letter and a copy of yours to the Nunavut District Office of Indian and Northern Affairs Canada for their consideration and any direction they deem appropriate in the circumstances.

In any case, and unless we hear differently from INAC, we will treat your application with the utmost urgency and will endeavour to process it in the best possible delays as soon as the 30-day period is over.

If you have any questions in this regard, please do not hesitate to contact our office.

Regards,

Original signed by:

Philippe di Pizzo
Executive Director

PDP/pb