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 NUNAVUT WATER BOARD  
 NUNAVUT IMALIRIYIN TIMAYINGI

**File No: NWB2PEL**

April 26, 2005

Mr. Jeremy Howe, Logistics Coordinator  
 BHP Billiton Diamonds Inc.  
 2300 – 1111 West Georgia Street  
 Vancouver, BC V6B 4M3  
 Email: [jeremy.j.howe@bhpbilliton.com](mailto:jeremy.j.howe@bhpbilliton.com)

Subject: BHP Billiton Diamonds Inc. – Pelly Bay Area Project - New – Type “B”

Dear Mr. Howe:

The Nunavut Water Board (“NWB”) acknowledges receipt of your new application for a Type “B” water license on April 19, 2005, for water use and waste disposal associated with exploration activities for the Pelly Bay Area Project, in the Kitikmeot region of Nunavut. All documents received, and pertaining to the application, can be obtained from our ftp site (<http://ftp.nunavut.ca>) in “nwb / NWB2 EXPLORATION/NWB2PEL. They include the following:

- cover email dated April 19, 2005
- water license application form
- supplementary questionnaire
- executive summary in English and iNUKTITUT
- area maps
- spill and general contingency plan
- general restoration outline

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.

This application is within an area where there is no land use plan approved in accordance with Part 5 of Article 11 of the NLCA, and is therefore not subject to the requirements of Section 38 (1) to 38 (5) of the Act.

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 representation directly to the NWB **within 30 days from the date of this letter.** Take note that included in the application is a General Restoration Outline as well as a Spill and General Contingency Plan which require review and comment. The NWB may provide additional procedural instructions once the application has been reviewed by interested parties.

Sincerely,

*Original signed by:*

Phyllis Beaulieu  
Manager of Licensing

Enclosure: Notice of Application

Cc: Distribution List

## Distribution List – (Kitikmeot)

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