



Describe briefly your planned construction methods and materials:	
EXCAVATION OF ROCK FOR DOCK & ROADS.	
Outline your time schedule for your construction program. Indicate approximate starting, construction stage and completion times:	
AUGUST 2005 TO DECEMBER 2006	
Describe existing and proposed methods of access, and transportation for your project:	
EXISTING: BOAT & HELICOPTER PROPOSED: BOAT, ROAD & AIRSTRIP	
E. WATER:	
Do you plan to use water at your facility(s)? If so, estimate the volume to be used per day:	
N/A	
Does your plan involve the diversion of any water course? (e.g. construction of dam or diverting natural water flows) If so, describe the proposed changes:	
No.	
How do you plan to dispose of:	
Liquid Waste:	N/A
Solid Waste:	N/A
If you have specific waste treatment equipment in mind, please describe it:	
F. OPERATIONS:	
Is your use: Year-round ☒ Or: Seasonal ☐	
If seasonal, give details:	
How many year round residents will be living at the site: NONE	
G. RESOURCE CAPABILITY	
What other general resource activities are taking place on or near your proposed project area, e.g., does the area involve a trapping or any mining activity? Is it an access point for resident anglers, hunters, campers, etc. Is there a registered mineral claim on the project area?	
NONE KNOWN.	



Do you see any activity listed in your answer to the above affecting your operation, or is your operation a conflict to them? If so, how?	
No.	
Do you plan on using your facilities for other than the applied for purposes? If yes, briefly describe alternate use.	
No.	
H. FINANCIAL CONSIDERATIONS:	
Provide a brief description of the capital costs for your project: <i>APPROX \$/MILLION.</i>	
Site Preparation:	<i>INCLUDED IN COST OF DOCK.</i>
Materials for initial construction:	
Construction Costs:	<i>\$/MILLION.</i>
Provide a time framework within which these capital costs will be incurred, or estimate costs per phase on your construction schedule (section D)	
<i>SEE PROJECT DESCRIPTION</i>	
Is there any additional information you wish to include	
L. FEES	
Land Application Fee (\$150.00) (except Government Agencies):	\$
GST for #2 applications (\$10.50) (except "Residential"):	\$
TOTAL FEES SUBMITTED with this application:	\$
PLEASE MAKE CHEQUE/MONEY ORDER PAYABLE TO: "RECEIVER GENERAL FOR CANADA"	
I hereby acknowledge and confirm that the filing of this application does not grant me any rights to take, occupy or use the land for which I have applied.	
I certify that the information I have given in this application is correct to the best of my knowledge.	
Signature of Applicant:	<i>Alan</i>
Date:	<i>May 12/03.</i>
Signature of Joint Applicant:	
Date:	

AFFIX COMPANY SEAL, IF APPLICABLE:

REVISED MAY 12/03


 1000 and Northern
 Affairs Canada

 Affaires indiennes
 et du Nord Canada

②

Application for Crown Land		Once Use Only Application Number	
Size of the Acreage This form is the first step in your application for Federal Crown Land. All applications are reviewed by government and agencies responsible for the land and the regulation of activity in the NW. This form is intended to help both you and government understand a significant part of the process and to assist you in your application. Information is needed to decide on the application. Most importantly, in filling out the form you will better understand some of the steps that have to be taken in planning and carrying out a successful enterprise. You are required to read the entire application form before you begin to fill it out. The amount of space provided for each question suggests the level of detail required. However, you may be asked to supply further additional information. This is an application only and it is not a guarantee of the amount of land to be applied for.			
A. Information on Applicant			
Name of Applicant	ANTHONY J. KEEN		
Address	c/o SUITE 340, 666 BURNARD ST. VANCOUVER BC V6C 2X8		
Telephone Number (incl. area code)	604-682-4667	Occupation	PROJECT MANAGER
Telephone Number (incl. area code)	604-682-4667	Employer	BIPR PROJECT
Name of Spouse		Occupation	
		Employer	
Information on Company, Corporation or Association			
Name of Company or Association	BATHURST INLET PORT ROAD JOINT VENTURE LTD		
Address	9839 31 AVE EDMONTON AB T6N 1C5		
Are you registered with the Companies Registry?	Yes ☒ No ☐		
Telephone Number	604-682-4667	Type of Business	CONSTRUCTION PROJECT OPERATION
Date of Filing of Application	CANADA MAY 1, 2002		
Name and Address of person to whom inquiries related to this application should be addressed:			
Name	A.J. KEEN P.ENG.		Telephone Number
Address	SUITE 340, 666 BURNARD ST. VANCOUVER BC V6C 2X8		
I hereby make application to:		If two or more persons are applying for this land please specify the type of tenancy desired:	
Lease ☒ Purchase ☐		Joint Tenancy ☐ Tenancy in Common ☐	
Lease with Purchase Option ☐ Reserve (Govt. Only) ☐			
Transfer (Govt. Only) ☐			
Definition:			
Joint Tenancy - The primary purpose of joint tenancy is the right of survivorship. Upon the death of one joint tenant, their interest passes to the other joint tenant automatically and in equal share to the last survivor.			
Tenancy in Common - A form of ownership wherein each owner (owner or lessee) holds an undivided interest in property. Upon the death of one of the individuals the property interest passes to their heirs.			
Purpose the land is to be used for:			
Commercial ☐ Industrial ☒ Residential ☐ Other (Specify):			
B. COMMERCIAL/INDUSTRIAL APPLICATIONS			
Commercial applications may require approvals from the CAWT (Economic Development & Tourism), with the Department's reviewing and approving this application.			
Type of industrial or commercial use to be carried on:			
MAIN CAMP AREA, INCLUDING MAINTENANCE SHOP AND DIESEL POWER PLANT AND SEWAGE TREATMENT PLANT.			

Are there any waste products produced by this use? YES: ☒ NO: ☐	
If YES describe the type of waste, the volume of waste and the disposal method(s) to be used:	
1. SEWAGE FROM CAMP - TO BE TREATED PRIOR TO DISPOSAL	
2. WASTE OIL - TO BE CONSUMED IN WASTE OIL BURNER.	
3. GARBAGE - TO BE INCINERATED & LANDFILLED.	
Are there any hazardous materials to be stored other than consumer goods? (Fuel, etc.) YES: ☒ NO: ☐	
If YES please list the type, estimated quantities and storage method(s):	
FUEL & LUBRICANTS - SMALL QUANTITIES (DAY TANKS)	
Hazardous materials as defined in the Transportation of Dangerous Goods Act and Regulations of the Workplace Hazardous Materials Information System).	
C. PARCEL DESCRIPTIONS:	
General Description of Parcel (Hilly or Flat, Tree Cover, Soil Type) if surveyed state lot and block or group number. If unsurveyed state size of parcel and general area:	
FLAT TUNDRA, SLOPING TO WEST. UNSURVEYED	
PARCEL SIZE 7HA.	
Project Description:	
Briefly describe your general purpose and goals. This is your chance to explain in your own words, your plans and objectives.	
CAMP ACCOMMODATION FOR 150 SEASONAL WORKERS.	
EQUIPMENT REPAIR SHOP	
DIESEL POWER PLANT.	
Project Location:	
Provide an NTS map on a 1:50,000 scale indicating:	
- Approximate boundaries of land area under application in metres/feet or in degrees/minutes, as applicable	- Existing access if any
- Nearby water bodies	- Proposed new access routes
- Distance to nearest community	- Use of adjacent land
	- Coordinates
Indicate approximate area of land under application in hectares: 7HA	
Standard NTS Map Co-ordinates:	Approx. Latitude: 66° 33'
Map Sheet Number: 76J	Longitude: 107° 32'
D. CONSTRUCTION PLANS:	
Briefly describe any existing building and/or construction of facilities that you plan. Use your sketch for illustration.	
NONE EXISTING	
CAMP, MAINTENANCE SHOP, POWER PLANT, SEWAGE PLANT.	
Value of improvements already on the land:	NONE
Name of owner of improvements:	N/A



Describe briefly your planned construction methods and materials:

STANDARD MODULAR CONSTRUCTION FOR CAMP.
SHOP PRE-FAB, STEEL BUILDING, CONTAINERIZED POWER
PLANT.

Outline your time schedule for your construction program. Indicate approximate starting, construction stage and completion times:

AUGUST 2005 TO DECEMBER 2006.

Describe existing and proposed methods of access, and transportation for your project:

EXISTING: BOAT & HELICOPTER
PROPOSED: BOAT, ROAD & AIRSTRIP.

E. WATER:

Do you plan to use water at your facility(ies)? If so, estimate the volume to be used per day:

WATER WILL BE PROVIDED BY A DE-SALINATION PLANT

Does your plan involve the alteration of any water course? (i.e. construction of dams or diverting natural water flows) If so, describe the proposed changes.

No.

How do you plan to dispose of:

Liquid Waste: SEWAGE TREATMENT PLANT

Solid Waste: COMBUSTIBLE BY INCINERATION, BALANCE EXPORTED.

If you have specific waste treatment equipment in mind, please describe it:

INDUSTRIAL INCINERATOR FOR GARBAGE; WASTE OIL BURNER
FOR USED ENGINE OIL & LUBRICANTS.

F. OPERATIONS:

Is your use: Year-round ☒ Or: Seasonal ☐

If seasonal, give details:

How many year round residents will be living at the site: 17-150

G. RESOURCE CAPABILITY:

What other potential resource activities are taking place on or near your proposed project area, e.g., does the area involve a pipeline or any mining activity? Is it an access point for resident anglers, hunters, campers, etc. Is there a registered mineral claim on the project area?

NONE KNOWN



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

Do you see any activity listed in your answer to the above affecting your operation, or is your operation a conflict to them? If so, how?

NO.

Do you plan on using your facilities for other than the applied for purposes? If yes, briefly describe alternate use.

NO.

H. FINANCIAL CONSIDERATIONS:

Provide a brief description of the capital costs for your project: * 25 MILLION

Site Preparation: * 1 MILLION

Materials for initial construction: * 20 MILLION

Construction Costs: * 5 MILLION

Provide a time framework within which these capital costs will be incurred, re: estimate costs per phase on your construction schedule (section D)

AUGUST 2005 TO DECEMBER 2006.

Is there any additional information you wish to include:

SEE PROJECT DESCRIPTION.

L. FEES:

Land Application Fee (\$150.00) (except Government Agencies):

\$

GST for all applications (\$10.50) (except "Residential")

\$

TOTAL FEES SUBMITTED with this application:

\$

PLEASE MAKE CHEQUE/MONEY ORDER PAYABLE TO: "RECEIVER GENERAL FOR CANADA"

I hereby acknowledge and confirm that the filing of this application does not grant me any rights to take, occupy or use the land for which I have applied.

I certify that the information I have given in this application is correct, to the best of my knowledge.

Signature of Applicant:

Athen.

Date:

May 12/03.

Signature of Joint Applicant:

Date:

AFFIX COMPANY SEAL IF APPLICABLE

REVISED MAY 12/03


 Indian and Northern Affairs Canada
 Affaires indiennes et du Nord Canada

⑤

Application for Crown Land:		Office Use Only: Application Number:	
Note to the Applicant: This form is the first step in your application for Federal Crown Lands. Applications are reviewed by government agencies responsible for land use, and the regulation of activity in the NWT. This form is intended to help both you and government. It is not a legal document, but a means of providing the people who have to deal with your application information needed to decide on the application's merit. Most importantly, in filling out the form you will better understand some of the steps that have to be taken in planning and carrying out a successful enterprise. You are advised to read the entire application form before you begin to fill it out. The amount of space provided for each question suggests the level of detail expected. However, you may be asked to supply further additional information. This is an application only, and in no way implies the granting of an approval to the applicant.			
A. Information on Applicant:			
Name in Full:	ANTHONY J. KEEN		Legal Age:
Address:	96 SUITE 340, 666 BURNARD ST. VANCOUVER BC V6C 2X8		
Telephone Number (H):	604-682-4667	Occupation:	PROJECT MANAGER
Telephone Number (D):		Employer:	BIPR PROJECT
Name of Spouse:		Occupation:	
		Employer:	
Information on Company, Corporation or Association:			
Name of Company or Association:	BATHURST INLET PORT ROAD JOINT VENTURE LTD.		
Address:	19839 31 AVE EDMONTON AB T6N 1C5		
Are you registered at the NWAT Companies Registry:	Yes: ☒	No: ☐	
Telephone Number:	604-682-4667	Type of Business:	CONSTRUCTION *PROJECT OPERATION
Use & Place of Incorporation:	CANADA MAY 1, 2002		
Name and Address of person to whom inquiries related to this application should be addressed:			
Name:	A.J. KEEN P. ENG.		Telephone Number:
Address:	SUITE 340, 666 BURNARD ST, VANCOUVER BC V6C 2X8		
I hereby make application to: Lease: ☒ Purchase: ☐		If two or more persons are applying for this land please signify the type of Tenancy desired:	
Lease with Purchase Option: ☐ Reverts (Govt. Only): ☐		Joint Tenancy: ☐ Tenancy in Common: ☐	
Transfer (Govt. Only): ☐			
Definition:			
Joint Tenancy - The primary purpose of Joint Tenancy is the right of survivorship. Upon the death of one joint tenant, their interest passes to the other joint tenant automatically, and at length to the last survivor. Tenancy in Common - A form of ownership whereby each tenant (Owner or Lessee) holds an undivided interest in property. Upon the death of one of the individuals their property interest passes to their heirs.			
Purpose the land is to be used for:			
Commercial: ☐ Industrial: ☒ Residential: ☐ Other (specify): ☐			
B. COMMERCIAL/INDUSTRIAL APPLICATIONS:			
Commercial applications may require approvals from the GNWT (Economic Development & Tourism), prior to this Department's issuing any approvals of this application.			
Type of industrial or commercial use (describe in detail):			
FUEL STORAGE TANK FARM			
FUEL TRANSPORT TRUCK LOADING SYSTEM			



Are there any waste products produced by this use? YES: ☒ NO: ☐	
If YES describe the type of waste, the volume of waste and the disposal method(s) to be used:	
FUEL OIL DRIPE/SPILLS INSIDE BERM INCINERATOR / WASTE OIL BURNER	
Are there any hazardous materials to be stored other than consumer goods? (Fuel, etc.): YES: ☒ NO: ☐	
If YES please list the type, estimated quantities and storage method(s):	
DIESEL FUEL - APPROX. 180 MILLION LITRES MAX.	
Hazardous materials as defined in the Transportation of Dangerous Goods Act and Regulations or the Workplace Hazardous Material Information System(s):	
C. PARCEL DESCRIPTIONS:	
General Description of Parcel (Hilly or Flat, Tree Cover, Soil Type) if surveyed, state lot and block or group number, if unsurveyed. Note size of parcel and general area(s):	
FLAT TUNDRA - TOP OF HILL PARCEL SIZE - 53 HA. UNSURVEYED.	
Project Description:	
Briefly describe your general purpose and goals. This is your chance to explain in your own words, your plans and objectives.	
FUEL STORAGE FOR DELIVERY BY TRUCKS TO MINES & BARGES TO COMMUNITIES.	
Project Location:	
Provide an NTS map on a 1:50,000 scale indicating:	
- Approximate boundaries of land area under application in metres/feet - Existing access if any - Proposed new access routes - Nearby water bodies - Use of adjacent land - Distances to nearest community - Co-ordinates	
Indicate approximate area of land under application in hectares:	
Standard NTS Map Co-ordinates	Latitude: 66° 32'
Map Sheet Number: 76J	Longitude: 107° 31'
D. CONSTRUCTION PLANS:	
Briefly describe any existing building and/or construction of facilities that you plan. Use your sketch for illustration.	
NONE EXISTING 10 FUEL TANKS, PIPING & BERMS.	
Value of improvements already on the land:	NONE
Name of owner of improvements:	N/A



Describe briefly your planned construction methods and materials.

FUEL TANKS WILL BE STEEL WELDED CONSTRUCTION
ERECTED ON SITE.

Outline your time schedule for your construction program, indicate approximate starting, construction stage and completion times:

SEPTEMBER 2005 TO DECEMBER 2006

Describe existing and proposed methods of access, and transportation for your project:

EXISTING: BOAT & HELICOPTER
PROPOSED: SEA, ROAD & AIRSTRIP.

E. WATER:

Do you plan to use water at your facility(s)? If so, estimate the volume to be used per day:

NO.

Does your plan involve the alteration of any water course? (ie. construction of dams or diverting natural water flows) If so, describe the proposed changes:

NO.

How do you plan to dispose of:

Liquid Waste:

Solid Waste:

If you have specific waste treatment equipment in mind, please describe it:

OIL SPILLS OR CONTAMINATED SOILS WILL BE BURNED IN A
WASTE OIL BURNER. LARGE SPILLS MUST BE CONTAINED AND
REMOVED FROM SITE.

F. OPERATIONS:

Is your use: Year-round ☒ Or: Seasonal ☐

If seasonal, give details:

How many year round residents will be living at the site:

NONE.

G. RESOURCE CAPABILITY:

What other general resource activities are taking place on or near your proposed project area, e.g., does the area involve a trapping or any mining activity? Is it an access point for resident anglers, hunters, campers, etc. Is there a registered mineral claim on the project area?

NONE KNOWN.



(3) Do you see any policies stated in your answer to the above preceding what you intend to do, or what you intend to do to the best of your knowledge?

NO.

Do you plan on having your facilities for other than the approved for purposes? If yes, please describe alternate use.

NO.

H. FINANCIAL CONSIDERATIONS:

Provide a brief description of the capital costs for your project. **\$42 MILLION**

Site Preparation: **\$0.5 MILLION**

Materials for initial construction: **\$33 MILLION**

Construction Costs: **\$8.5 MILLION**

Provide a time frame/work schedule in which these capital costs will be incurred. An estimate costs per phase in your construction schedule (section D):

SEPTEMBER 2005 TO DECEMBER 2006

Is there any additional information you wish to include:

SEE PROJECT DESCRIPTION.

L. FEES

Land Application Fee (\$150.00) (except Government Agencies):

\$

GST for all applications (\$10.50) (except Residential):

\$

TOTAL FEES SUBMITTED with this application:

\$

PLEASE MAKE CHEQUE/MONEY ORDER PAYABLE TO "RECEIVER GENERAL FOR CANADA"

I hereby acknowledge and confirm that the filing of this application does not grant me any rights in land, occupancy or use thereof and that I am aware of the applicable provisions.

I certify that the information I have given in this application is correct, to the best of my knowledge.

Signature of Applicant:

[Signature]

Date:

May 14/03

Signature of Joint Applicant:

Date:

AFFIX COMPANY SEAL, IF APPLICABLE



REVISED MAY 12/03

(E)

Application for Crown Land		Office Use Only Application Number	
Note to the Applicant This form is the first step in your application for Crown Land. Applications are reviewed by government agencies responsible for land use and the regulation of activity in the forest. This form is intended to help you and government officials make a legal document, but it is not a guarantee that the people who have to deal with your application. Information is provided to help you understand the process. Most importantly, in filling out the form, you will be able to understand the steps that have to be taken in planning and carrying out a successful enterprise. You are advised to read the entire application form before you begin to fill it out. The amount of space provided for each question indicates the level of detail expected. However, you may be asked to supply further additional information. This is an application only and is not a guarantee of the granting of an approval to the applicant.			
A. Information on Applicant			
Name of F/L	ANTHONY J. KEEN		Land Age
Address	1/2 SUITE 340, 666 BURRARD ST. VANCOUVER BC V6C 2X8		
Telephone Number (in)	604-682-4667	Occupation	PROJECT MANAGER
Telephone Number (C)		Employer	BIPR PROJECT
Name of Spouse		Employer	
Information on Company, Corporation or Association			
Name of Company or Association: BATHURST INLET PORT ROAD JOINT VENTURE LTD			
Address: 9839 31 AVE EDMONTON AB T6N 1C5			
Are you registered at the Companies Registry? Yes ☒ No ☐			
Telephone Number	604-682-4667	Type of Business	CONSTRUCTION OPERATION
Date of Incorporation		Place of Incorporation	CANADA MAY 1, 2002
Name and Address of person to whom inquiries related to this application should be addressed:			
Name	A.J. KEEN P. ENG.		Telephone Number
Address	SUITE 340, 666 BURRARD ST. VANCOUVER BC V6C 2X8		
Here's how you can use the land: Lease ☒ Purchase ☐ If two or more persons are applying for this, and please signify the type of Tenancy desired. Lease with Purchase Option ☐ Reserve (Govt. Only) ☐ Joint Tenancy ☐ Tenancy in Common ☐ Transfer (Govt. Only) ☐			
Definition			
Joint Tenancy - The primary purpose of Joint Tenancy is the right of survivorship. Upon the death of one of the tenants, the interest passes to the other joint tenant automatically, and at length to the last survivor. Tenancy in Common - A form of ownership whereby each tenant (owner) holds an undivided interest in property. Upon the death of one of the individuals, their property interest passes to their heirs.			
Purpose the land is to be used for: Commercial ☐ Industrial ☒ Residential ☐ Other (specify) ☐			
B. COMMERCIAL/INDUSTRIAL APPLICATIONS			
Commercial applications may require approvals from the GBCVT (Economic Development & Tourism), prior to this Department's issuing any approvals of this application.			
Type of industrial or commercial use (describe in detail): AIRSTRIPE TO SERVICE INDUSTRIAL SITE.			



Are there any waste products produced by this use? YES ☐ NO ☒
If YES describe the type of waste, the vol, the of waste and the disposal method(s) to be used:

Are there any hazardous materials to be stored other than consumer goods (fuel, etc.)? YES ☐ NO ☒
If YES describe the type, estimated quantities and storage method(s):

Do activities involving as defined in the Transportation of Dangerous Goods Act and Regulations or the Management of Hazardous Materials Information System?

C. PARCEL DESCRIPTIONS:

General Description of Parcel (e.g. Flat Tundra, Taper Soil, Forest, etc.) and location of the parcel (e.g. location, community, etc.):

FLAT TUNDRA

PARCEL SIZE

28 HA

UNSURVEYED

Project Description

Briefly describe your general purpose and goals. This is your chance to explain in your own words your plans and objectives.

RESTRICTION FOR SMALL PLANTS, 1,200m LONG

Project Location

Provide an NTS map on a 1:50,000 scale indicating:

- Approximate boundaries of land area under application in (red lines)
- Milepost or road, if applicable
- Nearest water bodies
- Distance to nearest community

- Existing access if any
- Proposed new access routes
- Use of adjacent land
- Control notes

Indicate approximate area of land under application in red lines.

Standard NTS Map Coordinates

Latitude

66° 32'

Map Sheet Number

76J

Longitude

107° 29'

D. CONSTRUCTION PLANS

Briefly describe any existing building and/or construction of facilities that you plan. Use your sketch for illustration.

NONE EXISTING

NONE PROPOSED

Value of improvements already on the land

NONE

Name of owner of improvements

N/A



Describe briefly your planned construction methods and materials:

QUARRIED ROCK AND GRANULAR SURFACE

Outline your firm schedule for your construction program. Indicate approximate starting, construction stage and completion times.

SEPTEMBER 2005 TO DECEMBER 2006

Describe existing and proposed methods of access, and transportation for your project.

EXISTING: SEA & HELICOPTER

PROPOSED: SEA, ROAD & AIRSTRIP

E. WATER

Do you plan to use water at your facility(ies)? If so, estimate the volume to be used per day.

No.

Does your plan involve the alteration of any water course(s) i.e. construction of dams or diverting natural water flows? If so, describe the proposed changes.

No.

How do you plan to dispose of:

Liquid Waste:

Solid Waste:

If you have specific waste treatment equipment in mind, please describe it:

N/A.

F. OPERATIONS:

Is your use Year-round ☒ Seasonal ☐

If seasonal give details:

How many year-round residents will be living at the site:

NONE

G. RESOURCE CAPABILITY:

What other general resource activities are taking place on or near your proposed project area, e.g. does the area involve a trapline or any mining activity? Is there an access point for resource and/or timber, minerals, etc. Is there a registered mineral claim on the project area?

Not KNOWN.



Do you see any details listed in your answer to the above affecting your operation, or is your operation a continuation of them? If so, how?		
NO.		
Do you plan on using your facilities for other than the applied for purposes? If yes, briefly describe alternative use.		
NO.		
H. FINANCIAL CONSIDERATIONS:		
Provide a brief description of the capital costs for your project. \$ / MILLION.		
Site Preparation		
Materials for initial construction		
Construction Costs		
Provide a time framework within which these capital costs will be incurred, i.e. estimate costs per phase or your construction schedule (specify D):		
SEPTEMBER 2005 TO DECEMBER 2006		
Is there any additional information you wish to include.		
SEE PROJECT DESCRIPTION.		
L. FEES:		
Land Application Fee (\$150.00; (except Government Agencies):	\$	
GST for all applications (\$10.50) (except "Residential"):	\$	
TOTAL FEES SUBMITTED with this application:	\$	
PLEASE MAKE CHEQUE/MONEY ORDER PAYABLE TO "RECEIVER GENERAL FOR CANADA"		
I hereby acknowledge and confirm that the filing of this application does not prohibit any rights to take, occupy or use the land to which I have applied.		
I certify that the information I have given in this application is correct to the best of my knowledge.		
Signature of Applicant	<i>A. Heen</i>	Date: May 12/03.
Signature of Joint Applicant		Date:

AFFIX COMPANY SEAL IF APPLICABLE:

REVISED MAY 12/03



Trade and Northern
Affairs Canada
Anavasiirineerres
et du Nord Canada

(F)

Application for Crown Land:		Office Use Only: Application Number:	
Note to the Applicant: This form is the first step in your application for Federal Crown Land. Applications are reviewed by government agencies responsible for land use, and the regulation of activity in the NWT. This form is intended to help both you and government. It is not a legal document, but a means of providing the people who have to deal with your application information needed to decide on the application's merit. Most importantly, in filling out the form you will better understand some of the steps that have to be taken in planning and carrying out a successful enterprise. You are advised to read the entire application form before you begin to fill it out. The amount of space provided for each question suggests the level of detail expected. However, you may be asked to supply further additional information. This is an application only, and in no way implies the granting of an approval to the applicant.			
A. Information on Applicant:			
Name in Full:	ANTHONY J. KEEN		Legal Age:
Address:	96 SUITE 340, 666 BURNARD ST. VANCOUVER BC V6C 2X8		
Telephone Number: (h)	604-682-4667	Occupation:	PROJECT MANAGER
Telephone Number: (o)		Employer:	BIPR PROJECT
Name of Spouse:		Occupation:	
		Employer:	
Information on Company, Corporation or Association			
Name of Company or Association:	BATHURST INLET PORT ROAD JOINT VENTURE LTD		
Address:	9839 31 AVE EDMONTON AB T6N 1C5		
Are you registered at the NWT Companies Registry:	Yes ☒ No ☐		
Telephone Number:	604-682-4667	Type of Business:	CONSTRUCTION PROJECT ESTIMATION
Date & Place of Incorporation:	CANADA MAY 1, 2002		
Name and Address of person to whom inquiries related to this application should be addressed:			
Name:	A.J. KEEN P. ENG.		Telephone Number:
Address:	SUITE 340, 666 BURNARD ST. VANCOUVER BC V6C 2X8		
I hereby make application to:		If two or more persons are applying for this land please signify the type of Tenancy desired:	
Lease: ☒ Purchase: ☐		Joint Tenancy: ☐ Tenancy in Common: ☐	
Lease with Purchase Option: ☐ Reserve (Govt. Only): ☐			
Transfer (Govt. Only): ☐			
Definition:			
Joint Tenancy - The primary purpose of Joint Tenancy is the right of survivorship; upon the death of one joint tenant, their interest passes to the other joint tenant automatically, and at length to the last survivor. Tenancy in Common - A form of ownership whereby each tenant (Owner or Lessee) holds an undivided interest in property. Upon the death of one of the individuals their property interest passes to their heirs.			
Purpose the land is to be used for:			
Commercial: ☐ Industrial: ☒ Residential: ☐ Other (specify): ☐			
B. COMMERCIAL/INDUSTRIAL APPLICATIONS:			
Commercial applications may require approvals from the GNWT (Economic Development & Tourism), prior to this Department's issuing any approvals of this application.			
Type of industrial or commercial use (describe in detail):			
ALL-WEATHER ROAD - BATHURST INLET TO CONTWUYTO LAKE			



Are there any waste products produced by this use? YES: ☐ NO: ☒	
If YES describe the type of waste, the volume of waste and the disposal method(s) to be used.	
Are there any hazardous materials to be stored other than consumer goods? (Fuel, etc.) YES: ☐ NO: ☒	
If YES please list the type, estimated quantities and storage method(s).	
Hazardous materials as defined in the Transportation of Dangerous Goods Act and Regulations of the Workplace Hazardous Material Information System.	
C. PARCEL DESCRIPTIONS:	
General Description of Parcel (hillity or flat), Tree Cover, Soil Type (if surveyed, state lot and block or group number, if unsurveyed, state size of parcel and general area).	
MIXED ROLLING TUNDRA	
SIZE OF PARCEL 211.2 HA. UNSURVEYED	
Project Description	
Briefly describe your general purpose and goals. This is your chance to explain in your own words, your plans and objectives.	
CONSTRUCTION OF A ROCK/GRANULAR ALL-WEATHER ROAD FROM THE BATHURST INLET PORT SITE TO CONTWUYTO LAKE.	
Project Location:	
Provide an NTS map on a 1:50,000 scale indicating: - Approximate boundaries of land area under application in metres/feet or milepost or road, if applicable - Nearest water bodies - Distance to nearest community - Existing access if any - Proposed new access route: - Use of adjacent land - Coordinates	
Indicate approximate area of land under application in hectares: 211.2	
Standard NTS Map Co-ordinates:	Latitude: 66° 32' TO 65° 28'
Map Sheet Number: 76, E, F, G, I.	Longitude: 107° 31' TO 110° 10'
D. CONSTRUCTION PLANS:	
Briefly describe any existing building and/or construction of facilities that you plan. Use your sketch for illustration.	
NONE EXISTING.	
NONE PLANNED (ROAD & QUARRIES ONLY)	
Value of improvements already on the land NONE	
Name of owner of improvements: N/A	



Describe briefly your planned construction methods and materials:

QUARRY AND CRUSH ROCK
CONSTRUCT ROAD USING LARGE MINING EQUIPMENT
(SEE PROJECT DESCRIPTION)

Outline your time schedule for your construction program. Indicate approximate starting, construction stage and completion times:

SEPTEMBER 2005 TO DECEMBER 2006

Describe existing and proposed methods of access, and transportation for your project:

EXISTING: SEA, HELICOPTER, ICE ROAD
PROPOSED: SEA, AIRSTRIP, ICE ROAD.

E. WATER:

Do you plan to use water at your facility(s)? If so, estimate the volume to be used per day:

No.

Does your plan involve the alteration of any water course? (ie: construction of dams or diverting natural water flows) If so, describe the proposed changes:

No.

How do you plan to dispose of:

Liquid Waste:

Solid Waste:

If you have specific waste treatment equipment in mind, please describe it:

N/A.

F. OPERATIONS:

Is your use: Year-round ☐ Or Seasonal ☒

CONSTRUCTION: JANUARY - APRIL / AUGUST TO DECEMBER

If seasonal, give details:

OPERATIONS: JANUARY TO APRIL

MAINTENANCE: JULY - AUGUST.

How many year round residents will be living at the site: NONE

G. RESOURCE CAPABILITY:

What other potential resource activities are taking place on or near your proposed project area, e.g., does the area involve a trapline or any mining activity? Is it an access point for resident anglers, hunters, campers, etc. Is there a registered mineral claim on the project area?

NONE KNOWN.



Do you see any activity listed in your answer to the above affecting your operation, or is your operation a conflict to them? If so, how?

No.

Do you plan on using your facilities for other than the applied for purposes? If yes, briefly describe alternate use.

No.

H. FINANCIAL CONSIDERATIONS:

Provide a brief description of the capital costs for your project **\$80 MILLION**

Site Preparation:

Materials for initial construction:

Construction Costs:

Provide a time framework within which these capital costs will be incurred, i.e. estimate costs per phase on your construction schedule (section D)

SEPTEMBER 2005 TO DECEMBER 2006

Is there any additional information you wish to include:

SEE PROJECT DESCRIPTION.

L. FEES:

Land Application Fee (\$150.00) (except Government Agencies):

\$

GST for all applications (\$10.50) (except "Residential"):

\$

TOTAL FEES SUBMITTED with the application:

\$

PLEASE MAKE CHEQUE/MONEY ORDER PAYABLE TO: "RECEIVER GENERAL FOR CANADA"

I hereby acknowledge and confirm that the filing of this application does not grant me any rights to take, occupy or use the land for which I have applied.

I certify that the information I have given in this application is correct, to the best of my knowledge.

Signature of Applicant:

[Signature]

Date:

May 12/03

Signature of Joint Applicant:

Date:

AFFIX COMPANY SEAL, IF APPLICABLE:

APPENDIX 5
LEGAL OPINION, PART 5 vs. PART 6

MEMORANDUM OF LAW

To: Tony Keen

Date: May 8, 2003

From: David H. Searle, C.M., Q.C.

File/Matter No.: BAT00114

Client: Bathurst Inlet Port and Road Project Proposal

You have forwarded to me, among other things, a letter dated April 10, 2003 from the Honourable Robert D. Nault, Minister of Indian Affairs and Northern Development, directed to Ms. Elizabeth Copland, Chair, Nunavut Impact Review Board ("NIRB") as well as a letter dated April 14, 2003, from Stephanie Briscoe, Executive Director, of NIRB direct to Mr. Charlie Lyall and Mr. Mervyn Hempenstall, on behalf of the Bathurst Inlet Port and Road Project. The letter from NIRB asks for your response on or before May 12, 2003 in respect of two matters. The information requested by NIRB is designed to assist them in re-screening the project by receiving from you a revised project proposal plus any new information that you might have that would fall within Article 12.5.2(i) to (j) and 12.5.5 of the Nunavut Land Claim Agreement ("NLCA").

The Minister's request for a re-screening is seemingly justified by the proponent having formally notified NIRB and various regulators in November, 2002 of changes to certain components of the project.

Legal Issue

The underlying legal issue, simply put, is whether NIRB's requested review should proceed under Part 5 or under Part 6 of the NLCA?

The issue arises in the following way. Pursuant to Article 12.4.4, upon receipt of a project proposal, NIRB is required to screen the proposal and to indicate to the Minister in writing whether the proposal should proceed without a review, or whether the proposal requires a review under Part 5 or 6. In this case, NIRB has decided that a review is required and so recommended to the Minister, stating as they are required to do, that the proposal requires review under Part 5 or 6.

This then takes us to Article 12.4.7 of the NCLA, which provides that where NIRB indicates to the Minister that a proposal requires review, the Minister shall "**where required, by law or otherwise, refer the proposal to the Minister of the environment for review by a federal environmental assessment panel...**". That is the review contemplated pursuant to Part 6.

Further, where a proposal is not to be reviewed by a federal environmental assessment panel, then the Minister is required to refer the proposal to NIRB for a review, which is a Part 5 review.

In our view, the keywords are “**where required, by law or otherwise**”. Simply put, we know of no law that requires the Minister, in these circumstances, to refer the proposal to the Minister of the environment for review by a federal environmental assessment panel. This position is ably stated in a letter dated March 18, 2003, directed to the Honourable Robert Nault from Kathy Towtongie, President, Nunavut Tunngavik Inc. In coming to this conclusion, we have reviewed the *Canadian Environmental Assessment Act* (“CEAA”) and we particularly considered the applicability of Section 48(1)(b) of CEAA. We have concluded, however, that Section 48(1)(b) does not apply because the reference there to the “Minister” is not to the Minister of Indian Affairs and Northern Development but rather to the Minister of the Environment. That distinction, in our opinion, is sufficient to make that section inapplicable. Hence the only appropriate review is a Part 5 review by NIRB.