



Water Resources Division  
Resource Management Directorate  
Nunavut Regional Office  
918 Nunavut Drive  
Iqaluit, NU, X0A 3H0

Your file - Votre référence  
8BW-LUP1924  
Our file - Notre référence  
GCDOCS# 130210095

October 18, 2024

Richard Dwyer  
Manager of Licensing  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU, X0B 1J0  
E-mail: [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca)

**Re: Crown-Indigenous Relations and Northern Affairs Canada's Review of the Assignment of the Licence Winter Access Road for the Lupin Mine Project, Type B Water Licence No. 8BW-LUP1924**

Dear Richard,

Thank you for the October 10, 2024 invitation to review the referenced licence assignment application, submitted by Nahanni Construction Ltd for Lupin Mines Incorporated (Lupin), for Type B Water Licence No. 8BW-LUP1924.

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) examined the application pursuant to its mandated responsibilities under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Department of Crown-Indigenous Relations and Northern Affairs Act*. Please find CIRNAC comments and recommendations in the attached Technical Memorandum.

The applicant shall provide confirmation from the Nunavut Water Board that all outstanding water license fees have been paid in full prior to approval of this application.

If there are any questions or concerns, please contact me at (867) 975-3877 or [Joyce.Demers@rcaanc-cirnac.gc.ca](mailto:Joyce.Demers@rcaanc-cirnac.gc.ca) or Andrew Keim at (867) 975-4550 or [Andrew.Keim@rcaanc-cirnac.gc.ca](mailto:Andrew.Keim@rcaanc-cirnac.gc.ca).

Sincerely,

Joyce Demers, B.Sc.,  
Industrial Coordinator

Canada 



## **Technical Review Memorandum**

**Date:** October 18, 2024

**To:** Richard Dwyer – Manager of Licensing, Nunavut Water Board

**From:** Joyce Demers – Industrial Coordinator, CIRNAC

**Subject:** Crown-Indigenous Relations and Northern Affairs Canada's Review of the Assignment of the Licence Winter Access Road for the Lupin Mine Project, Type B Water Licence No. 8BW-LUP1924

**Region:** ☒ Kitikmeot ☐ Kivalliq ☐ Qikiqtani

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### **A. BACKGROUND**

Nahanni Construction Ltd. (NCL) has submitted an assignment application for the Winter Access Road application. NCL was originally been contracted by Lupin Mines which is a wholly owned subsidiary of Mandalay Resources. This assignment application would turn the construction and operation any future Type B Water Licence renewals for No. 8WL-LUP1924 to Mandalay Resources.

The water licence allows for a winter access road to be built. The water used from the licence would be used to construct and maintain a portion of the Tibbitt to Contwoyto Winter Road. The road is to be used to aid in the mobilization and demobilization of equipment and supplies for the ongoing reclamation of Lupin Mine. Lupin Mine is located in the Kitikmeot region of Nunavut, geographical coordinates 65° 46' N and 111° 14' W, approximately 285 kilometres southeast of Kugluktuk on the west shore of Contwoyto Lake.

CIRNAC provides the following comments and recommendations pertaining to the application package. A summary of the subjects of recommendations can be found in Table 1. Documents reviewed as part of this submission can be found in Table 2 of Section B. Detailed technical review comments can be found in Section C.



**Table 1: Summary of Recommendations**

Recommendation Number	Subject
R1	Expiry of Water Licence

## **B. DOCUMENTS REVIEWED AND REFERENCED**

The following table (Table 2) provides a list of the documents reviewed under the submission and reference during the review.

**Table 2: Documents Reviewed and Referenced**

Document Title	Author, File No., Rev., Date
240826 8BW-LUP1924 AppA_MND_Lupin Winter Road_Articles of Incorporation-IMLE	Ministry of Consumer and Business Services, April 28, 2006
240826 8BW-LUP1924 AppA_MND_Lupin Winter Road_Legal Structure Chart_Jun 14 2024-IMLE	Mandalay Resources, June 14, 2024
240826 8BW-LUP1924 AppD_MND_Lupin Winter Road_Financial Statements_Q1 2024_Final-IMLE	Mandalay Resources, March 31, 2024
240826 8BW-LUP1924 AppD_MND_Lupin Winter Road_Financial Statements_Q4 2023_Final-IMLE	KPMG LLP, February 22, 2024
240826 8BW-LUP1924 AppE_MND_Lupin Winter Road_Directors and Officers_202040808-IMLE	Mandalay Resources, August 8, 2024
240909 8BW-LUP1924 Summary English_Inuinnaqtun-IMLE	Mandalay Resources, September 9, 2024
241004 8BW-LUP1924 Application for Assignment of Water Licence-IMLE_Signed	Nahanni Construction Ltd., September 4, 2024
241010 8BW-LUP1924 Application for Assignment Dist-OMLE	Nunavut Water Board, October 8, 2024
241010 8BW-LUP1924 Letter of Authorizaiton-IMLE	Mandalay Resources, October 9, 2024
241010 8BW-LUP1924 Notice of Assignment Application-OMLE	Nunavut Water Board, October 10, 2024
191204 8BW-LUP1924 Water Licence-ODDE	Nunavut Water Board, December 4, 2019
200228 2AM-LUP2032 Water Licence Renewal-ODDE	Nunavut Water Board, April 9, 2020



## **C. RESULTS OF REVIEW**

### **1. Expiry of Water Licence**

#### **Comment:**

The water licence is set to expire December 3, 2024. The current application is for the assignment of the water licence in order to construct a winter road. The concern is that this licence will expire before the completion and remediation of the road. The expiration of the licence will not relieve the applicant from its responsibilities within the water licence a renewal application must still be submitted to the Nunavut Water Board (NWB).

The water licence states that “Note that if the Licence expires before the NWB issues a new one, then the use of Water and the deposit of Waste must cease, or the Licensee may be in contravention of the Nunavut Agreement and the Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA)”.

#### **Recommendation:**

(R-01) CIRNAC recommends that, if possible, this application for assignment be processed prior to the expiry date so that a renewal application may be submitted by Mandalay prior to the expiry of the current license.