

BHP Billiton Diamonds Inc.
Operator of the EKATI Diamond Mine

**Wek'èezhii Land
& Water Board**

File _____



BHP Billiton Diamonds Inc.
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JAN 23 2007

Application # mv2001L2-0004 File: 4.6.6.1
Copied To SB Reg

January 23, 2007

Wek'èezhii Land and Water Board
c/o Mackenzie Valley Land and Water Board
7th Floor - 4910 50th Avenue
P.O. Box 2130
Yellowknife, NT
X1A 2P6

Attention: Sarah Baines, Technical Coordinator

Dear Ms Baines:

**Re: Regulation of Road Watering Activities at the EKATI Mine; MV2001L2-0004
and MV2001L2-0002**

Thank you for your letter and attached review comments dated December 19, 2006 in respect of the Board's ruling on three questions relating to the cancellation of BHP Billiton's two Type B water licenses in favour of regulating the activities undertaken in connection with these Type B water licenses under BHP Billiton's two Type A water licenses. Based on the Board's ruling that the scope and conditions of the Type A water licenses allow for the use and deposit of water for road watering activities, BHP Billiton has no objections to the Board proceeding with the water license amalgamation process, beginning with the cancellation of the two Type B water licenses.

It is our understanding, given the Board's ruling, that the Board does not intend to amend either of the Class A water licenses as part of this process as no amendments are required in order to regulate the activities currently undertaken under the Type B licenses.

We have reviewed the comments provided by the stakeholders (i.e. Environment Canada, Water Resources Division of Indian and Northern Affairs Canada, Department of Fisheries and Oceans and the Independent Environmental Monitoring Agency) and have no comments.

We appreciate that Board's interest and attention to streamlining and simplifying the regulatory framework at EKATI. Should you have any questions, please do not hesitate to contact me at 867-669-6116. As you know, I will be leaving EKATI on January 31, 2007 at which time please forward any questions on this matter to Charity Clarkin (867) 669-6145 or charity.h.clarkin@bhpbilliton.com

Sincerely yours,
BHP BILLITON DIAMONDS INC.



Jane M. Howe
Chief Environment Officer
Permitting and Traditional Knowledge