



OCT 16 2019

Claim Form for Water Compensation

This Form identifies the information the Mackenzie Valley Land and Water Board (Board) requires in the event that a Claim for Compensation must be decided upon by the Board. The Board expects Claimants to attempt in good faith to negotiate a compensation agreement with a Water Licence Applicant. A Claimant must provide evidence of any attempt made to reach a compensation agreement with the Water Licence Applicant.

All submissions in water licensing proceedings are posted on the Public Registry.

The adjudication of a water compensation claim is part of a licensing proceeding. If information required for a decision on such a claim is personal, proprietary, or in some way sensitive in nature, a request for ruling to ensure confidential treatment of this information must be submitted to the Board at the same time as a completed Claim which includes this information.

Please note that Claims for Compensation must relate to the proposed licence activities and cannot include claims for past losses or damages.¹ Claimants must provide detailed information and evidence to support each element of the Claim. Please attach additional pages, supporting information, and references to your claim where necessary.

For the Giant Mine Remediation Project proceeding, Claims must be received by the Board no later than September 26, 2019.

INFORMATION REQUIRED

1 Information about the Application or File

Identify the Water Licence application or file number(s) associated with this claim:	MV2007LB-0031 GIANT MINE REMEDIATION PROJECT.
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2 Information about the Claimant

Claimant's Name:	TERRANCE + JOANNA PAMPLIN		
Community:	YELLOW KNIFE		
Prov/Terr:	N.T.	Email:	terry.pamplin@outlook.com

¹ Such claims can be advanced but only through the Courts. See Carter 2014 NWTSC 72.

3 Information about Eligibility

Please identify the category or categories of use(s) that best describes your relationship with the land and/or waters potentially affected by the subject Licence:

Subsection 72.03(5) of the <i>Mackenzie Valley Resource Management Act</i> (MVRMA) or 26(5) of the <i>Waters Act</i>		
(b)(ii)	Domestic users	YES
(b)(iii)	In-stream users	YES
(b)(iv)	Authorized users	
(b)(v)	Authorized waste depositors	
(b)(vi)	Persons who use waters or deposit waste (without a licence) under the territorial law	
(b)(vii)	Persons referred to in paragraph 61(d) of the <i>Nunavut Waters and Nunavut Surface Rights Tribunal Act</i>	
(b)(viii)	Owners of property	
(b)(ix)	Occupiers of property	
(b)(x)	Holders of outfitting concessions, registered trapline holders, and holders of other rights of a similar nature	

Please explain (for example, please provide information regarding the nature of use, the duration of use, and extent of use of the lands and waters in question):

Part 3- Occupiers

We are occupiers of the Great Slave Sailing Club(GSSC) property as we are members of the club and it's location for 35 years.

We launch and store and maintain our 30 foot sailboat at the club property. We participate in cruising, racing and other activities such open houses and sailing school lessons. Our boat is stored on land on an immovable cradle during the winter/off season.

We make use of the property from May until September to upkeep and maintain our boat and sail from the wharf to enjoy the waters of Back Bay, Yellowknife Bay and on further trips to the main body of the Great Slave Lake . The winter season from September to May our vessel relies on the property and club surveillance to safely store our boat over the winter.

Our boat is a Fortune 30 Cutter, displacing 16,000 pounds, length 34 feet, beam 11.5 feet, mast height is 40 feet.

*Attach to this Form any documentation to support the claims above (i.e. leases, licences, land titles, etc.).

4 Information regarding your Claim for Losses and Damages

Please identify and provide information about the relevant factors that apply to your claim for compensation (as identified in subsection 72.03(6) of the MVRMA or 26(6) of the Waters Act):

Provable Losses or Damages²

Describe the immediate losses or damages that will be caused by the proposed licensed activities.	What is the monetary value? ³
IT WOULD REQUIRE THE DESIGN, MANUFACTURE AND DELIVERY OF A BOAT TRAILER SUITABLE TO SAFELY MOVE OUR BOAT. See Attached* <u>ONETIME COST</u>	\$ 18,768.
DELIVERY OF SUITABLE TRAILER (SOUTHERN MANUFACTURE)	\$ 8000.
LIFT IN AND LIFT OUT FEES. SERVICE PROVIDED BY CRANE. YEARLY (SPRING IN FALL OUT.	\$ 400. \$ 400
STORAGE: SHOULD IT BECOME NECESSARY TO STORE OUR VESSEL ELSEWHERE, FROM SAIL CLUB AREA.	\$ 1600.
VESSEL INSURANCE PER YEAR.	\$ 650.
REMOVING OF MAST FOR TRANSPORT RE-INSTALLING MAST.	\$ 500. \$ 500

*Attach to this Form any documentation to support the claims above (i.e. estimates, receipts, technical reports, etc.).

² Provable loss or damage refers to those losses and damages that, more likely than not, will occur as a result of the proposed licensed activities.

³ Compensation required to place the claimant in a position they would be in without the damages caused by the proposed licensed activities.

Potential Losses or Damages⁴

Describe the potential future losses or damages that may be caused by the proposed licensed activities. Is there increased risk that would not exist but for the proposed licensed activities?	What is the monetary value? ⁵
<p>The value of the many boats in our club has been reduced to less than zero due to the uncertainty of whether there will ever be a suitable facility at which we could launch, retrieve and store, maintain our vessel. No one will purchase our boat if there exist NO suitable place to use it and enjoy it. It is likely that boats such as ours will become un-sailable and un-saleable.</p>	
<p>FUTURE LOSS OF VESSEL VALUE .</p> <p>Current insured value .</p> <p>REPLACEMENT VALUE</p>	<p>\$ 65,000.</p> <p>\$ 197,000.</p>

*Attach to this Form any documentation to support the claims above (i.e. estimates, receipts, technical reports, etc.).

⁴ Potential loss or damage refers to those losses and damages that may occur as indicated through evidence or argument.

⁵ Ibid.

Extent and duration of the adverse effect, including the incremental adverse effect

How widely (over what area) will potential effects of the proposed licensed activities extend?

OVER THE ENTIRE EXISTING AREA, WHERE, STORAGE AND MAINTENANCE ARE CARRIED OUT.
DEPENDING ON CONSTRUCTION SCHEDULES, DELAYS ETC.
FROM TWO - FIVE YEARS.

How long (over part or all of the term of the Licence) will potential effects of the proposed licensed activities last?

ACCORDING TO CURRENT AVAILABLE INFORMATION
TWO - FIVE YEARS.

What are the incremental, gradual or accumulative effects of the proposed licensed activities?

*Attach to this Form any documentation to support the claims above (i.e. estimates, receipts, technical reports, etc.).

Extent of the use of waters by the Claimant

How do the proposed licensed activities affect your water use? Please outline the nature of your water use, and how your activity depends on water.

PLEASE READ ATTACHED.

***Attach to this Form any documentation to support the claims above (i.e. photos, receipts, technical reports, etc.).**

What Great Slave Lake means to me

I first discovered the lake on a map pinned to my bedroom wall. At age seven I gloried in imaginative treks throughout Rupert's Land. Hudson's Bay appeared as a large fat duck, Great Bear as a butterfly pinned out in an entomologist's collection, Great Slave Lake a majestic long necked swan winging it's way eastward.

In 1981 I was hired out of Toronto to work in the graphic arts business in Yellowknife. Library research revealed scant contemporary information other than a gold mining, exploration town of some 9,000 people, teachers, nurses, float planes and fishing lodges.

My eyes were opened fully to the north that first summer as I explored a very small portion of the lake's 10,000 mile long shoreline. A lake with no visible southern shore, how large is that?How GREAT is that?

The land, the lake, the people welcomed me home. On the lake... in the lake.....I found the inspiration to feed my muse..... my soul..... my art. Mere minutes outside of the city and I was alone, and in my glory.

I have swam, canoed, kayaked, motored, sailed, skied, snow-shoed and snow-mobiled the Great Slave Lake for 39 years. I have been inspired to create hundreds of works of art depicting the lakes never ending/changing moods. When I first sailed her.....WOW! The silence and the quality of sound allowed your hearing as you move across her surface, powered by wind and wave alone. Her turbulence bringing to the surface her many subtle perfumes form the depths.

Becalmed on her placid mirror like face, caressed as she sensuously rolls along beneath your keel, handled roughly and tossed about, bruised when she is stormily angered.

Adventuring to her furthest shores and bays to commune with my muse, with the immense solitude that she shares with her lovers is the only reason I have chosen to live next to her for my whole life.

And if this access is denied? By the closure of the launch and sail club then I will have to move elsewhere.

Is there any compensation adequate for the disruption of this relation ship to the water that is Great Slave Lake ?

Imanee E. Pamplin

Nuisance, Inconvenience and Noise Caused by the Proposed Licensed Activities

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Will there be substantial nuisance, inconvenience and/or noise that would not exist but for proposed licensed activities?	What is the monetary value? ⁶
<p>NOISE, INCONVENIENCE WILL GREATLY INCREASE DUE TO THIS PROJECT.</p> <p>SINCE THE MINE CLOSED, THE AREA HAS TAKEN ON A QUIET, RECREATIONAL FEELING.</p>	

*Attach to this Form any documentation to support the claims above (i.e. estimates, receipts, technical reports, etc.).

⁶ Compensation required to place the claimant in a position they would be in without the future nuisance caused by the proposed licensed activities or costs for avoiding or mitigating nuisance, inconvenience, and/or noise.

5 Additional Questions

Mitigation

Please describe any steps you have taken or can take to avoid or mitigate the effects described in section 4 above.

I have attended all public meetings, I have toured the mine site to keep myself and others informed and involved.

In your opinion, is there more that can be done by the Licence Applicant to avoid or mitigate the effects described above? If so, please describe the mitigation steps.

IF THE GMR TEAM CAN CONTINUE TO BE OPEN AND FLEXIBLE

*Attach to this Form any documentation to support the claims above (i.e. estimates, receipts, technical reports, etc.).

Compensation

Have you applied for or are you collecting compensation from any other source related to the damages and costs you have claimed above? If so, please describe in detail, including payment amounts.

NO OTHER COMPENSATION IS BEING SOUGHT

If monetary compensation is awarded by the Board, do you have a preference for the form of payment? (i.e. lump sum, periodic payment, other).

LUMP SUM WOULD BE EXPEDIENT AS TRAILER MANUFACTURE COULD REQUIRE UP TO ONE YEAR IN DESIGN, MANUFACTURE, DELIVERY.

Would you prefer to receive compensation in another form? If so, please explain.

***Attach to this Form any documentation to support the claims above (i.e. estimates, receipts, technical reports, etc.).**

△

Engagement

Have you engaged with the Applicant in an attempt to resolve the compensation issues identified above? If so, please provide a detailed report on those discussions, including reasons why an agreement could not be reached. Indicate whether any offers of compensation have been made and refused and if so, why.

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NOT AS YET, AS IT APPEARS, FINAL PLANS, SCOPE AND SCHEDULE OF WORK IS STILL BEING FINALIZED.

*Attach to this Form any documentation to support the claims above (i.e. communication records, etc.).

Any Other Information

Is there any other information that you can provide to assist the Board in making a decision on your claim? If so, please provide it.

[Empty text box for providing additional information]

*Attach to this Form any documentation to support the claims above.

2016-2017 Policy

MARINE INSURANCE

Policy Declarations Page

Name of Insured and Postal Address:
PAMPLIN, TERRANCE E.
P.O. BOX 2935
YELLOWKNIFE, NT X1A 2R2

Policy Number: 9019937-03

Policy Type: RENEWAL BUSINESS

Broker:
CO-10278 THE CO-OPERATORS
321 D OLD AIRPORT RD
YELLOWKNIFE, NT X1A 3T3

Policy Period: (mm/dd/yy)

From: 7/6/2016 To: 7/6/2017

12:01 a.m. Standard Time at the Postal Address of the named insured as stated herein.

Loss, if any, payable:

DESCRIPTION OF PROPERTY COVERED

Section A - Hull Insurance	Manufacturer	Length	Hp	Year
Insured vessel including motor Tender	COOPER YACHTS ODYSSEY	33	30	1991 2008
Auxiliary Motor	NISSAN		5	2009
Section F - Trailer				

COVERAGES (Insurance is provided only for those coverages for which a limit plus a premium charge is shown below)

	Limits	Deductible	Premium
SECTION A Insured Vessel	\$65,000	\$650	\$649
Tender	\$1,545	\$250	INCL.
Auxiliary Motor	\$1,350	\$250	INCL.
Personal Property	\$2,500	\$250	INCL.
Emergency Towing	\$2,500	\$0	INCL.
SECTION B Protection & Indemnity (incl full limit for waterski liability)	\$1,000,000	\$0	INCL.
SECTION B-2 Pollution/Spill Liability	\$1,000,000	\$0	INCL.
SECTION C Medical payments	\$5,000	\$0	INCL.
SECTION D Accidental Death	\$10,000	\$0	INCL.
SECTION E Loss of Use	\$2,000	\$0	INCL.
SECTION F Trailer	\$0	\$0	\$0
SECTION G Uninsured Boater	\$1,000,000	\$0	INCL.
SECTION H Boathouse	\$0	\$0	\$0

LAYUP WARRANTY: INSURED VESSEL WILL BE LAID UP ASHORE AND OUT OF COMMISSION FOR STORAGE FROM DEC 1 UNTIL MARCH 31.

FORMS/COVERAGES:

Policy Form : FORM #YC-ONT (REV. SEPTEMBER 2, 2015) - MARINER'S CHOICE POLICY CONDITIONS (YC-ONT)

OTHER CONDITIONS/ENDORSEMENTS: NAVIGATIONAL LIMITS BC-4

THIS POLICY CONTAINS A CLAUSE(S) WHICH MAY LIMIT THE AMOUNT PAYABLE.

MARINE INSURANCE

EFFECTED WITH THE SOVEREIGN GENERAL INSURANCE COMPANY

Countersigned


Authorized Representative

PREMIUM: \$649.00

(Policy fee plus \$50 premium - Minimum Earned)

PREMIER MARINE - STATEMENT OF ACCOUNT

Premium: \$ 649.00
Policy Fee: 35.00
Total Due: \$ 684.00

Policy Number: 9019937-03
Insured: PAMPLIN, TERRANCE E.
Broker: CO-10278 THE CO-OPERATORS

Vess code: SA
JUL 06, 2016/PFERENCOVA

Small Vessel Condition and Safety Survey

Name of Vessel: Red Shift
Requested By: Terry Pamplin
Date of Survey: May 29,2009
Performed At: Great Slave Cruising Club-Out of Water
Registration: ON81444
Model:fortune 30
Year: Late 1980's
Market Value: Approx. \$65,000.00 CAN
Replacement Cost: Approx.\$197,000.00 CAN

Construction

Hull Material: Glass reinforced plastic
Condition: Very Good

Deck Material: Glass reinforced plastic
Condition: Very Good

Masts and Spars: Aluminium
Condition: Very Good

Sails: not fitted at time of inspection

Winches: Two Barlow sheet winches and Two Barlow mast winches
Condition: Good

Steering

Type: Pedestal mounted hydraulic
Condition: Very Good except as noted- the surface on the starboard side of the rudder has a large crack through the outer glass shell,sounding detects no delamination
see recommendation

Engine

Type: engine is a Yanmar 3GM Serial number 26231
Condition: Very Good- this motor has been recently fitted
Fuel: Diesel
H.P.: 17.7 KW cont. 20.1 Max
Cooling Type: Closed cooling system
Instruments: Full instrument panel

