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Our File Reference: 111388

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PLEASE REPLY TO EDMONTON OFFICE

December 10, 2017

SENT BY EMAIL
(*EOlszewski@mltaikins.com*)

MLT Aikins LLP
10235 101 St NW #2200,
Edmonton, AB T5J 3G1

Attention: Eleanor Olszewski, QC

Dear Madame:

**Re: Carter Family v Northwest Territories Power Corporation (“NTPC”)
Board File No. MV 2011 L4-0002**

As you will recall, NTPC paid the Carter Family \$62,500.00 in October 2012, through NTPC Counsel. This payment was made pursuant to the Minister’s July 26, 2012 decision on compensation owing by NTPC to the Carter Family. The compensation funds were provided to your office on the trust conditions set out in Mr. Rossall’s letter of October 4, 2012. Although the matter of compensation proceeded to Judicial Review and the Minister’s July 26, 2012 decision on compensation was ultimately quashed, the \$62,500.00 payment has been retained by the Carter Family.

On November 9, 2017, NTPC received notice that the Minister had accepted the Board’s August 10, 2017 Reasons for Decision, including compensation payable to the Carter Family in the amount of \$100,000.00. Under the terms of the updated Water License, this payment is to be made to the Carter Family by no later than December 29, 2017.

Accordingly, it is NTPC’s understanding that the \$62,500.00 paid to the Carter Family in 2012 ought to be deducted from the \$100,000.00 award decided in 2017, on the basis that the \$62,500.00 paid in 2012 was made pursuant to a decision that was later quashed and accordingly, no compensation was

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payable under the Minister's July 26, 2012 decision. As a result, a balance of \$37,500.00 is owed to the Carter Family in order to satisfy the conditions of the updated Water License.

Therefore, NTPC proposes to pay the remaining \$37,500.00 through Carter Family counsel in a similar manner as in 2012, and on similar trust conditions.

We look forward to your earliest advice and confirmation that this approach is acceptable.

Yours truly,

A handwritten signature in black ink, appearing to read "D. I. Evanchuk", with a stylized flourish at the end.

DOUGLAS I. EVANCHUK

DIE/dd

Cc: Rebecca Chouinard, MacKenzie Valley Land and Water Board