

Sent by Email

December 5, 2023

Mackenzie Valley Land and Water Board
7th Floor – 4922 48th Street
PO Box 2130
Yellowknife, NT X1A 2P6

Attention: Kimberley Murray

Dear Ms. Murray,

Re: Water Licence MV2023L2-0006 Final Argument

North American Tungsten Corporation Ltd. (“NATC”) is providing this letter as its final written argument in respect of its application to renew the existing Type A Water licence (“Extension Licence Application”).

NATC is seeking a short-term renewal to the existing water licence terms and conditions to allow it to continue to be licenced while other related care and maintenance licence and permit proceedings continue to be underway. NATC has requested a two year water licence as this is considered to be an adequate duration to allow the related proceedings to continue, and is based on advice from staff of the Mackenzie Valley Land and Water Board (“MVLWB”).

NATC indicated in its Extension Licence Application that it would like to continue the existing terms and conditions, with the exception of water use volume: NATC has requested a reduced licenced water use volume to reduce its expenditures related to water use fees. NATC believes this is in the public interest given its activities are currently funded by the Government of Canada through the Northern Abandoned Mines Reclamation Program.

Through the public review of its Extension Licence Application, changes to some terms and conditions were recommended, largely to support clarity around the status of its security and in relation to programs that have been completed or submission requirements of plans that have historically been satisfied. NATC notes that its security arrangement has not changed, as supported by the evidence submitted by Crown-Indigenous Relations and Northern Affairs Canada (“CIRNAC”) in response to Information Request #1 from the MVLWB and feels that related existing conditions are adequate. It also supports appropriate revision of licence conditions in relation to programs that have been completed or plans that have been submitted.

The Cantung Mine is located within the Treaty 11 boundary, the traditional territory of the Dehcho First Nations, and the asserted territory of the Kaska Dena First Nation. Accordingly, NATC recognizes Indigenous water users, including Nahzà Dehé Dene Band and Liard First Nation, among others, affected by the Cantung Mine.

In closing, NATC understands that support for issuance of the Extension Licence has been indicated by various parties. NATC respectfully requests that the MVLWB recommend timely issuance of MV2023L2-0006 as applied for and discussed above. Should the Minister's review take an amount of time that results in issuance of MV2023L2-0006 following the expiry of MV2015L2-0003 on January 27, 2024, NATC commits to continue its activities, including monitoring and reporting, in accordance MV2015L2-0003 until MV2023L2-0006 is issued.

NATC continues to appreciate the participation of interested parties and MVLWB staff in its various proceedings and looks forward to continued constructive dialogue and collaborative progress on its proceedings.

Yours truly,
North American Tungsten Corporation Ltd.
by its Monitor, Alvarez & Marsal Canada Inc.
acting in its capacity as Monitor of NATC and not
in its personal capacity



Todd M. Martin
Senior Vice President

Cc: MVLWB: A. Love, K. Racher, K. Harris, C. Hotsen
CIRNAC: J. Mackey, M. Yetman, S. Kennedy
A&M: S. Hamm, D. Bynski