



November 29, 2021

Sean Sinclair
Principle Advisor, Closure Readiness
Diavik Diamond Mines (2012) Inc.
P.O. Box 2498
Suite 300, 5201 - 50th AVENUE
YELLOWKNIFE NT X1A 2P8

Dear Mr. Sinclair:

Wek'èezhì Land and Water Board - Diavik Diamond Mines (2012) Inc. - Diavik Mine - Type A Water Licence W2015L2 - 0001 - Security Deposit Acceptance - Increased Amount

The Government of the Northwest Territories (GNWT) - Department of Environment and Natural Resources (ENR) formally acknowledges receipt and acceptance of the Bank of Nova Scotia Irrevocable Standby Letter of Credit (ILOC), dated November 22, 2021 for the amount of \$56,620,000.00 on behalf of Diavik Diamond. On November 26, 2021, my office received the original ILOC.

On August 24, 2021, the Wek'èezhì Land and Water Board approved Diavik Diamond's adjusted RECLAIM Estimate and set the revised security deposit amount at \$199,430,000.00 (or an increase of \$56,620,000.00).

Currently, GNWT - ENR holds \$199,430,000.00 in security deposits for the noted Type A Water Licence which are in the form of five ILOCs. The security deposits are further described in Attachment 1 – Summary Table.

The security deposit is required under Part C, Item 1, Conditions Applying to Security Deposits and Schedule 3, Security, Item 1. of the Water Licence (Schedule 3, Security Update, August 24, 2021). The security deposit is acceptable to the Government of the Northwest Territories as prescribed by Section 35. (1) of the *Waters Act* and Section 11. (3) of the *Waters Regulations*. The security deposit is held in safekeeping by our Department of Finance.

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If you have any further comments or questions, please contact Mr. Rick Walbourne, Manager, Water Regulatory and Assessment at (867) 767 - 9234, extension 53113 or [Rick Walbourne@gov.nt.ca](mailto:Rick.Walbourne@gov.nt.ca) or Mr. David Jessiman, Water Management Advisor, (867) 767 - 9234, extension 53114 or [David Jessiman@gov.nt.ca](mailto:David.Jessiman@gov.nt.ca).

Sincerely,



Nathen Richea
Director
Water Management and Monitoring
Environment and Natural Resources

c. Mr. Gord Macdonald
Principal Advisor, Sustainable Development
Diavik Diamond Mines (2012) Ltd.

Mr. Celestino Oh
Assistant Comptroller General and Superintendent of Insurance
Department of Finance

Mr. Scott Stewart
Regional Superintendent
Department of Lands

Mr. Ryan Fequet
Executive Director
Wek'èzhì Land and Water Board

Attachment 1 – Summary Table:

**Wek'èezhii Land and Water Board
Diavik Diamond Mines (2012) Inc. - Diavik Mine
Type A Water Licence W2015L2 - 0001
Acceptance of Security Deposit**

a).

	Water Licence	ILOC No.	Date	Amount
1.	W2015L2-0001	Bank of Nova Scotia ILOC No. OSB14988GWS	August 25, 2015	\$71,076,000.00

b).

	Water Licence	ILOC No.	Date	Amount
1.	W2015L2-0001	Bank of Nova Scotia ILOC No. OSB13328GWS	August 25, 2015	\$47,384,000.00

c).

	Water Licence	ILOC No.	Date	Amount
1.	W2015L2-0001	Bank of Nova Scotia ILOC No. OSB47360GWS	May 7, 2018	\$14,610,000.00

d).

	Water Licence	ILOC No.	Date	Amount
1.	W2015L2-0001	Bank of Nova Scotia BNS No. OSB45964GWS	May 7, 2018	\$9,740,000.00

e).

	Water Licence	ILOC No.	Date	Amount
1.	W2015L2-0001	Bank of Nova Scotia BNS No. OSB72783GWS	November 22, 2021	\$56,620,000.00

Total amount: \$199,430,000.00