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January 28, 2021

Kristal Kaye
Dominion Diamond Mines ULC
900-606 4 Street SW
Calgary, AB
T2P 1T1

Patrick Evans
Arctic Canadian Diamond Company Ltd.
c/o Blakes, 595 Burrard Street, P.O. Box 49314, Suite 2600
Vancouver, BC
V7X 1L3

Sent by email

Dear Kristal Kaye and Patrick Evans,

ASSIGNMENT OF WLWB LAND USE PERMITS AND WATER LICENCES FOR THE EKATI MINE

On December 18, 2020, the Wek'èezhìi Land and Water Board (WLWB or the Board) received the Application (the Application)¹ from Dominion Diamond Mines ULC (Dominion) for assignment of the Land Use Permits W2013D0006, W2013D0007, W2014I0001, W2015D0005, W2016D0003, W2016D0005, W2016F0006, W2017D0004, W2017J0003, and W2018C0005 (collectively, the Permits), and Water Licences W2012L2-0001 and W2016L8-0003 (collectively, the Licences) for the Ekati Mine from Dominion to Arctic Canadian Diamond Company Ltd. (Arctic).

¹ See WLWB Online Registry at www.wlwb.ca for [Ekati Assignment Application](#)

The Board has considered the Applications and applicable material² on January 28, 2021. The Board notes that assignment applications for authorizations MV2019C0030 and MV2019C0031 are being considered separately by the Mackenzie Valley Land and Water Board.

The assignment is contingent on the completion of the sale; proof that the financial responsibility of the applicant is adequate for (i) the completion of the appurtenant undertaking, (ii) such mitigative measures as may be required, and (iii) the satisfactory maintenance and restoration of the site in the event of any future closing or abandonment of that undertaking (as per s.26(5)(d) *Waters Act*); and that required security has been posted (as per s.38(3) Mackenzie Valley Land Use Regulations (MVLUR)).

In accordance with section 72.14 of the *Mackenzie Valley Resource Management Act*, section 39 of the *Waters Act*, and applicable Regulations, the Board is satisfied that the application has met the conditions required for assignment and has therefore decided to assign the authorizations for the Ekati Mine from Dominion Diamond Mines ULC to Arctic Canadian Diamond Company Ltd. pending receipt of the documentation as detailed above and effective no sooner than 45 days from the date of application (in accordance with s.9(1) *Waters Regulations* and s.38(2) MVLUR). All obligations outlined within the terms and conditions of the Permits and Licences will be considered transferred to Arctic Canadian Diamond Company Ltd. following completion of the sale.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "J Mackenzie".

Mr. Joseph Mackenzie
Chair, Wek'èezhii Land and Water Board

BCC to: Ekati Distribution List

² [Certificate of Compliance and CROS, MRO Consent to Transfer Leases and Claims](#)