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June 13, 2019

File: W2018L2-0002/W2018L2-0003

Michael Byron
Nighthawk Gold Corp.
141 Adelaide St. W, Suite 301
Toronto, Ontario
M5H 3L5

Dear Michael Byron,

Re: Water Use Plan, Version 2.0

The Wek'èezhìi Land and Water Board (WLWB or the Board) met on June 13, 2019 and considered Nighthawk Gold Corp.'s (Nighthawk) Water Use Plan, Version 2.0.¹

As described in the attached Reasons for Decision, the Board has not approved Version 2.0 of the Water Use Plan and is providing direction for Version 2.1. The Reasons for Decision also includes a discussion regarding the reporting of water usage for proposed Water Sources that span federal and non-federal lands

Sincerely,

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

Joe Mackenzie
Chair, Wek'èezhìi Land and Water Board

Copied: Wek'èezhìi East Distribution List

¹ See Online Registry for [Nighthawk – Water Use Plan – Version 2.0 – Apr 17_19.pdf](#)



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Reasons Decision

Reference/File Number:	W2018L2-0002 and W2018L2-0003
Licensee:	Nighthawk Gold Corp
Subject:	Water Use Plan, Version 2.0

Decision from the Wek'èezhì Land and Water Board Meeting of June 13, 2019

1.0 Decision

On June 13, 2019, the Wek'èezhì Land and Water Board (the Board) met and considered Nighthawk Gold Corp.'s (Nighthawk) Water Use Plan, Version 2.0.² In review of this submission, reviewer comments, and proponent responses, the Board has decided the following:

1. Not to approve Version 2.0 of the Water Use Plan;
2. Nighthawk is to submit Version 2.1 of the Water Use Plan to include the revised estimated available water volumes and the revised withdrawal limits as presented in Nighthawk's response to the public review comments;
3. Nighthawk is to clarify that 10% of the lake volume represents the maximum amount of water that would be withdrawn from any one lake in Version 2.1 of the Water Use Plan;
4. Nighthawk is to revise Section 3.2 of the Water Use Plan to state the following:
"Where no historic bathymetric information is available, or if lake depth is 3 metres or less at the withdrawal location, a minimum of three depth measurements within 500 metres of the proposed withdrawal sites will confirm that lakes have a depth of at least 3 metres. The results

² See Online Registry for [Nighthawk – Water Use Plan – Version 2.0 – Apr 17_19.pdf](#)

will be communicated to the Inspector, and withdrawal will not proceed without the Inspectors' verification.”

5. No water withdrawal will take place for Water Sources with a maximum depth less than 3 metres, unless approved by the Board;
6. To clarify that water use for lakes spanning federal and non-federal land should be reported under both licences (i.e., W2018L2-0002 and W2018L2-0003); and
7. Nighthawk is to include the following revisions in Version 2.1 of the Water Use Plan:
 - a. Include a reference to the protocol that provides the rationale for the assumption of an ice thickness equal to 1.5 m; and
 - b. Clarify that it is possible that more than one drill would be withdrawing from any one source at a given time, but that daily and yearly withdrawal limits will remain within the limits of the Water Licences and the Water Use Plan.

2.0 Background

Nighthawk is a junior gold exploration company in the preliminary stages of mineral exploration. Its primary exploration property is the Indin Lake Gold Project, located in the Wek'èezhii area. Nighthawk's Indin Lake Gold Project consists of mineral leases and staked claims in an 899 km² area, containing the former Colomac Mine (222 km north-northwest of Yellowknife), the Damoti Lake exploration area (200 km north-northwest of Yellowknife), and several other former exploration sites (Attachment 1). In December 2011, Nighthawk negotiated an agreement with Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) to remediate the Diversified/Indigo Mine (205km north-northwest of Yellowknife), Spider Lake exploration site (233 km north-northwest of Yellowknife), and Chalco Lake exploration (210 km north-northwest of Yellowknife) site in exchange for mineral claims and leases at the Colomac site.

On January 24, 2019, the Board issued the Type B Water Licences W2018L2-0002 and W2018L2-0003 for Nighthawk's respective activities on federal and non-federal land.³ The Licences include the following condition with respect to Water Sources:⁴

A minimum of 60 days prior to the use of Water, the Licensee shall submit a Water Use Plan to the Board, for approval. The Water Use Plan shall contain the following information:

- a. Name and location of the lake(s) to be used as a Water Source(s);
- b. Anticipated daily withdrawal volumes and duration of use, including a comparison of the total water volume requested for use against the total water volume available;
- c. Any available bathymetric information, including maximum depths;
- d. Any available information on other water uses from the source(s).

³ See WLWB Online Registry (www.wlwb.ca) for [Nighthawk - LUP and WL applications - Reasons for Decision - Jan 24_19.pdf](#)

⁴ See WLWB Online Registry for [W2018L2-0002 - Nighthawk - Water Licence \(federal\) - Feb 15_19.pdf](#) and [W2018L2-0003 - Nighthawk - Water Licence \(non-federal\) - Feb 15_19.pdf](#); see Part D, Condition 2

Nighthawk submitted Version 1.0 of the Water Use Plan on February 18, 2019.⁵ The Board approved Version 1.0 on March 1, 2019 and directed Nighthawk to submit Version 1.1 within 30 days.⁶ The Board received Version 1.1 of the Water Use Plan on March 7, 2019.⁷ The Board approved Version 1.1 on April 17, 2019.⁸

On April 17, 2019, Nighthawk submitted Version 2.0 of the Water Use Plan (the Plan). This version of the Plan includes 80 new water bodies which Nighthawk proposes to potentially withdraw water from during their ongoing mineral exploration. The Plan was distributed for public review on April 18, 2019. Reviewers were asked to provide comments by May 16, 2019. Comments were received from Fisheries and Oceans Canada (DFO) and the Government of Northwest Territories – Environment and Natural Resources (GNWT-ENR); Board staff also submitted questions on the submission. Proponent responses were submitted by the deadline of May 19, 2019. Reviewer comments and recommendations, as well as proponent responses are available on the WLWB Online Registry.⁹

3.0 Reasons for Decision

Version 2.0 of the Water Use Plan was reviewed for conformity to the requirements set out in Part D, Condition 2 of Nighthawk’s federal and non-federal Water Licences (i.e., W2018L2-0002 and W2018L2-0003, respectively). All reviewer comments and proponent responses submitted during the public review period were also reviewed. As discussed below, concerns were raised with the Water Use Plan, primarily because of the assumption made by Nighthawk regarding the depth of proposed Water Sources for which no bathymetric information is available. Because of these concerns, the Board is of the opinion that Version 2.0 of the Water Use Plan can not be approved as submitted (see Decision #1). However, as discussed in this Reasons for Decision, Nighthawk submitted revised water volume estimates and water withdrawal limits, which address the concerns originally raised by Parties. Thus, the Board is directing Nighthawk to submit Version 2.1 of the Water Use Plan to reflect the revised information (see Decision #2). Additional direction for Version 2.1 of the Water Use Plan is outlined below, along with a discussion regarding the reporting of water usage for proposed Water Sources that span federal and non-federal lands. Provided these revisions are included as directed and no other changes are made to Version 2.1, the Board anticipates that the Plan could be approved following a conformity check.

3.1 Water Withdrawal Limits

Version 2.0 of the Water Use Plan proposes water withdrawal limits for 80 new potential Water Sources. Nighthawk indicated that these 80 new sources do not have available bathymetric data (i.e., mean and max depth); therefore, the available water volume for each potential Water Source was estimated based on the assumption that mean water depth is equal to 3 m. This estimated water volume was used to determine the maximum potential drill days for each Water Source that would result in a water

⁵ See Online Registry for [Nighthawk - Water Use Plan - Feb 18_19.pdf](#)

⁶ See Online Registry for [Nighthawk - Water Use Plan - Reasons for Decision - Mar 1_19.pdf](#)

⁷ See Online Registry for [Nighthawk - Water Use Plan - Version 1.1 - Mar 7_19.pdf](#)

⁸ See Online Registry for [Nighthawk – Water Use Plan – Version 1.1 – Board Decision Letter – Apr 17_19.pdf](#)

⁹ See Online Registry for [Nighthawk – Water Use Plan – Version 2.0 – Review Summary and Attachments - Jun 3_19.pdf](#)

withdrawal of 10% of the estimated lake volume. Water withdrawal of 10% of the lake volume represents the maximum amount of water that would be withdrawn from any one lake by Nighthawk (see response to WLWB staff comment 7).

Several comments were received from the GNWT-ENR regarding the proposed water withdrawal limits, which are linked to Nighthawk's assumption of a mean depth of 3 m for proposed Water Sources with no bathymetric information (GNWT-ENR comments 1, 2, 3, and 4). The GNWT-ENR noted that Nighthawk's interim Closure and Reclamation Plan (CRP) Version 3.2 includes a reference to a study concluding that one of the proposed Water Sources (i.e., Lardass Lake) has an average depth of 1.82 m (GNWT-ENR comment 1). The GNWT-ENR recommended that this information be included in the Water Use Plan and that a mean depth of 3 m not be used for lakes where no bathymetry data is available (GNWT-ENR comments 1 and 2). Given the issue noted for Lardass Lake and the uncertainty of the volume estimates based on a mean depth of 3 m, the GNWT-ENR further recommended that "the Board not approve the additional water sources proposed in the Water Use Plan Version 2.0 until more information is provided on these sources" (GNWT-ENR comment 3) and that more accurate estimates be provided for lakes in areas where future drilling may occur (GNWT-ENR comment 4).

During the public review, DFO also indicated concern with the Water Use Plan, noting that the large number of lakes listed made it difficult for them to properly assess impacts to fish and fish habitat. DFO recommended that Nighthawk submit a Request for Review in order for DFO to complete the review of the proposal (DFO comment 1).

Because of the above concerns from DFO and the GNWT-ENR, the Board has decided not to approve Version 2.0 of the Water Use Plan.

➤ ***Decision #1: Version 2.0 of the Water Use Plan is not approved.***

Following the public review, Nighthawk communicated with the GNWT-ENR and DFO to discuss alternative options for estimating available water volume.¹⁰ Based on these discussions, Nighthawk has revised the proposed water withdrawal limits using an estimated mean depth of 1 m (rather than 3 m). This revised assumption of a mean depth of 1 m reduces the estimated total volume of each proposed Water Source, which in turn reduces the maximum volume proposed for withdrawal from any one source. Nighthawk indicated that this is considered conservative and protective for several reasons, including the following:

- All available bathymetry indicates that lakes in the area have an average depth greater than 1 metre;
- Prior to any withdrawal, water depth checks will be completed, and the Inspector notified to confirm that average lake depth is greater than 1 metre; and
- Actual water use will be far below these limits in most instances.

¹⁰ See Online Registry for [Nighthawk – Water Use Plan – Version 2.0 – Review Summary and Attachments - Jun 3_19.pdf](#); see Nighthawk Letter

Following the submission of DFO's comment, Nighthawk also submitted a Request for Review to DFO on May 21, 2019 (see response to DFO comment 1).

As part of its responses to the public review, Nighthawk included correspondence it received from the GNWT-ENR.¹¹ This correspondence indicates the GNWT-ENR's understanding that Water Source volume estimates will be revised based on an average depth of 1 m for lakes with no available bathymetric information. This correspondence also indicates the GNWT-ENR's understanding that Nighthawk will confirm a maximum depth of 3 m prior to use (this issue is discussed further in Section 3.2 of the Reasons for Decision). Based on this additional information, the GNWT-ENR stated that it had no further concerns on this topic.

As part of its responses to the public review, Nighthawk also pointed out an additional comment that was provided by DFO on May 23, 2019. DFO's additional comment indicated that it had received Nighthawk's Request for Review (DFO comment 2). DFO also stated the following:

Based on the additional information provided by D. Panayi in a telephone conversation May 22, 2019, it is our understanding that water body volume calculations will be revised to reflect an assumed mean water depth of 1m and that total water withdrawal from a single waterbody will be significantly below the proposed maximum water taking volumes originally proposed. With this new information, the Program's concerns have been addressed (DFO comment 2).

DFO further indicated in its recommendation that a "*Fisheries Act* authorization is not required given that serious harm to fish can be avoided by following standard measures" (DFO comment 2). DFO also noted that "It remains the proponent's responsibility to meet the other requirements of federal, territorial and municipal agencies. Should the plans change or if the proponent omitted some information in the proposal such that the proposal meets the criteria for a site specific review, as described on our website ..., they should complete and submit the request for review form that is also available on the website." (DFO comment 2).

Given that Nighthawk is committing to revising estimates of available water volume based on an assumed mean depth of 1 m, and that this approach is acceptable to the GNWT-ENR and DFO (the two Parties that provided recommendations regarding Nighthawk's original approach), the Board is of the opinion that the concerns have been addressed and are directing Nighthawk to submit Version 2.1 of the Water Use Plan to reflect the revised volumes and withdrawal limits that were submitted by Nighthawk in its response to the public review comments. These revised withdrawal limits are based on revised estimated volumes: an assumed mean depth of 1.82 m for Lardass Lake and 1 m for all other proposed Water Sources with no historic bathymetric information.

¹¹ See Online Registry for [Nighthawk – Water Use Plan – Version 2.0 – Review Summary and Attachments - Jun 3_19.pdf](#); see correspondence between GNWT-ENR and Golder Associates Ltd.

- ***Decision #2: Nighthawk is to submit Version 2.1 of the Water Use Plan to include the revised estimated available water volumes and the revised withdrawal limits as presented in Nighthawk's response to the public review comments.***

As indicated above, Nighthawk confirmed that water withdrawal of 10% of the lake volume represents the maximum amount of water that would be withdrawn from any one lake by Nighthawk (see response to WLWB staff comment 7). The Board requests that this be clearly reflected in Version 2.1 of the Water Use Plan.

- ***Decision #3. Nighthawk is to clarify that 10% of the lake volume represents the maximum amount of water that would be withdrawn from any one lake in Version 2.1 of the Water Use Plan.***

3.2 Field Confirmation

In Version 2.0 of the Water Use Plan, Nighthawk describes the method it intends to use to confirm that lakes with no historic bathymetric information (i.e., lakes for which no bathymetric information was provided in Version 2.0 of the Plan) have sufficient depth for water withdrawal. Nighthawk describes:

Where no historic bathymetric information is available, or if lake depth is 3.0 metres or less at the withdrawal location, a minimum of three depth measurements within 500 meters of the proposed withdrawal sites will confirm that lakes have sufficient depth for water withdrawal. The results will be communicated to the Inspector, and withdrawal will not proceed without the Inspector's verification.

The GNWT-ENR noted that this approach was carried forward from Version 1.0 of the Water Use Plan where it was proposed for Spider Lake and that Nighthawk is now proposing this method for all the new potential water sources that have no bathymetric data, many of which have smaller surface areas (GNWT-ENR comment 4). The GNWT-ENR noted that it "only supported this as an acceptable approach for Spider Lake in Version 1.0 based on the large surface area of the lake...and the limited volume proposed for removal within Version 1.0..." (GNWT-ENR comment 4). In its comment, the GNWT-ENR recommended that more accurate volume estimates be provided; however, this has in part been addressed by Nighthawk's revised water withdrawal limits (see Section 3.1 of the Reasons for Decision).

In its response to the public review comments, Nighthawk's revised proposed water withdrawal limits (using an estimated mean depth of 1 m rather than 3 m) included rationale that "prior to any withdrawal, water depth checks will be completed, and the Inspector notified to confirm that average lake depth is greater than 1m." However, in the GNWT-ENR correspondence provided by Nighthawk, the GNWT-ENR stated that it understands "Nighthawk will confirm a maximum depth of 3m prior to use to ensure water bodies with less than a 3m maximum depth are avoided as they may be especially sensitive to water withdrawal in this region (i.e. areas with estimated 1.5 m ice depth)."

Board staff also sought clarification on Nighthawk's proposed plan to confirm whether Water Sources would have sufficient depth for water withdrawal (WLWB staff comments 4 and 9). Nighthawk explained that the purpose of taking these depth measurements "is to confirm that the lake meets the maximum depth requirement of the DFO protocol, which states that 'Only waterbodies with maximum depths that are ≥ 1.5 m than their corresponding maximum expected ice thickness should be considered for water withdrawal'." Nighthawk has assumed a maximum expected ice thickness of 1.5 m (as defined in the DFO Protocol for regions 'Below the Tree Line - North of Fort Simpson'), resulting in a required maximum depth of ≥ 3 m.

In response to the questions of whether Nighthawk would be confirming water volume estimates prior to withdrawal and the feasibility of confirming the estimates, Nighthawk explained that it does not plan to confirm the water volume estimates. Nighthawk also stated the following:

It is not always feasible to complete bathymetry prior to drilling. Undertaking bathymetry requires specialized equipment (such as a boat with paired depth sounder/GPS in summer, or ground penetrating radar in winter) and techniques, in remote lakes often accessible only by helicopter. The field component is typically collected by experienced personnel. Once the data is collected, specialized software is required to access and process the data. Access to the lakes can be difficult and is weather dependent. It is however possible to collect confirmatory, isolated depth measurements prior to drilling, as is proposed in the Water Use Plan.

Based on Nighthawk's response, it appears not to be particularly feasible to conduct bathymetry surveys to confirm water volume estimates in the field prior to drilling. Nighthawk also suggests that this is not necessary if it confirms a maximum depth of at least 3 m prior to withdrawal (i.e., based on the DFO protocol). Based on the information provided by the GNWT-ENR in its correspondence with Nighthawk, it has no outstanding concerns provided that a maximum depth of ≥ 3 m is confirmed prior to withdrawal to ensure water bodies with less than a 3 m maximum depth are avoided. Thus, the Board is of the opinion that the Water Use Plan should include the requirement for a field confirmation for lakes with no historic bathymetric information, in which a maximum depth of at least 3 m must be confirmed prior to withdrawal (based on a minimum of three depth measurements as proposed by Nighthawk).

Board staff also asked Nighthawk how it planned to proceed if the water volume was found to be less than that estimated in the Water Use Plan (WLWB staff comment 4). Given that Nighthawk does not plan to confirm the water volume estimates of the proposed Water Sources, the remaining question is how Nighthawk would proceed if it was unable to confirm a maximum depth of at least 3 m. Nighthawk responded that "If the measured water depth was found to be less than assumed in the Plan, Nighthawk will defer to the Inspector to make a determination, depending on whether there is ice cover and the requested withdrawal volume." Part D, Condition 2 of the Water Licence requires Water Sources to be approved via the approval of the Water Use Plan and does not provide for authorization of a Water Source by the Inspector. As explained in the additional information provided by DFO and the GNWT-ENR, no outstanding concerns remained based on the revised water volume estimates provided by Nighthawk.

The GNWT-ENR further explained that it understood that a maximum depth of at least 3 m would be confirmed. The Board would like to clarify that the requirement to confirm a maximum mean depth of at least 3 m would apply to all lakes with no historic bathymetric information, including Lardass Lake. Lardass Lake was first proposed as a potential Water Source in Version 2.0 of the Water Use Plan. During the public review, the GNWT-ENR identified that the mean depth for Lardass Lake had previously been determined to be 1.82 m (GNWT-ENR comment 1). While the revised water withdrawal limits are based on an updated mean depth (i.e., 1.82 m), information on the maximum depth has not been confirmed.

The Board understands that confirming a depth of at least 3 m does not necessarily mean that the estimated available water volumes would be confirmed. However, the Board understands that the conservative assumption of a mean depth of 1 m (which was agreeable to the GNWT-ENR and DFO) and the requirement to confirm a depth of at least 3 m likely support the maximum withdrawal limits of 10% of the available volume and reduces the likelihood of potential impacts related to water withdrawal. The Board is of the opinion that the best way to reflect the above depth requirement is to revise the wording in Section 3.2 of the Water Use Plan to clarify what the Board understands to be “sufficient depth”.

➤ **Decision #4: Nighthawk is to revise Section 3.2 of the Water Use Plan to state the following:**

“Where no historic bathymetric information is available, or if lake depth is 3.0 metres or less at the withdrawal location, a minimum of three depth measurements within 500 metres of the proposed withdrawal sites will confirm that lakes have a depth of at least 3 metres. The results will be communicated to the Inspector, and withdrawal will not proceed without the Inspectors’ verification.”

The Board notes that to date, Nighthawk has not provided bathymetry for any lake with a maximum depth of less than 3 m. If Nighthawk wishes to withdraw from a lake for which it cannot confirm a maximum depth of at least 3 m, this must be requested through an update to the Water Use Plan in which available volumes are presented along with maximum anticipated withdrawal volumes so that Parties can consider the potential impacts of withdrawing from a Water Source with a maximum depth of less than 3 m.

➤ **Decision #5: No water withdrawal will take place for Water Sources with a maximum depth less than 3m, unless approved by the Board.**

3.3 Closure and Reclamation – Lardass Lake

The GNWT-ENR had a comment regarding the potential post-closure implications of water withdrawal from Lardass Lake (GNWT-ENR comment 5). The GNWT-ENR noted that Version 3.2 of the interim CRP identifies “that runoff from the waste rock piles and portal area enters Lardass Lake and that water quality predictions for Lardass Lake at closure are based on a water quality model that includes the volume of Lardass Lake” and that “it is unclear if Nighthawk has considered the potential implications of withdrawing water from Lardass Lake in these model predictions.” The GNWT-ENR recommended that “Nighthawk clarify if potential water withdrawals from Lardass Lake could impact the closure and reclamation of the Damoti Lake Site” (GNWT-ENR comment 5).

In response, Nighthawk explained that water quality in Lardass Lake is proposed to be monitored as part of the interim CRP and that it is “important that the volume of the lake does not change significantly as a result of water withdrawal, since this volume was used in the mixing model to predict water quality after closure of the waste rock piles.” Nighthawk noted that the water balance developed for Lardass Lake assumes a net catchment inflow into the lake of 220,000 m³/year with an average outflow of 165,000 m³/year. Based on the revised water withdrawal limit of 27,270 m³/year provided for Lardass Lake, it appears that the water volume of the lake would not significantly decrease. Nighthawk further notes that “the impact on Lardass Lake will be negligible and within uncertainties associated with model error and interannual climate variability, if it is used as a source at all.” As a result, the Board is not aware of any reason not to allow water withdrawal from Lardass Lake.

3.4 Federal versus Non-federal Water Sources

Version 2.0 of the Water Use Plan submitted by Nighthawk includes proposed Water Sources that span federal and non-federal lands. The cover letter of the submission addresses this issue by stating the following:

Some of the lakes identified in this Water Use Plan span federal and territorial land (see Table 1 of the Plan), and so it is not clear if water use from these lakes will fall under W2018L2-0002 or W2018L2-0003. Nighthawk suggests that in these instances the withdrawal should be licenced and inspected as territorial waters under W2018L2-0003, as most water withdrawal will occur under this licence. We expect the Wek'èezhìi Land and Water Board to make a final determination on this matter.

During the public review, the GNWT-ENR stated it “believes water sources that span federal and territorial land should be licenced and inspected under both the federal and territorial water licence” to prevent situations that may result in over allocation (GNWT-ENR comment 6). Nighthawk responded that it “will defer to the decision of the WLWB, but would prefer that any water use discussions with Inspectors required by the Plan only involve one inspector in instances where a lake spans federal and territorial waters.” The Board agrees with the GNWT-ENR that Water Sources should be reported under both licences because if the Water Source exists under both licences, it would likely need to be inspected under both licences.

The GNWT-ENR also recommended that when reporting water use, Nighthawk should ensure it is clear which sources are being reported under both licences (GNWT-ENR comment 7). The Board agrees that water use from sources spanning both non-federal and federal land should be reported under both licences because both authorizations apply to the source.

- ***Decision #6: The Board is clarifying that water use for lakes spanning federal and non-federal land should be reported under both licences (i.e., W2018L2-0002 and W2018L2-0003).***

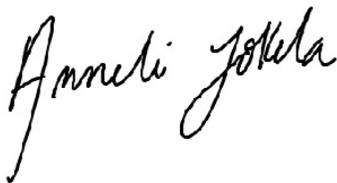
The question that remains is how to allocate water usage to each licence, given that they each have different daily withdrawal limits (179 m³/day for the federal licence and 120 m³/day for the non-federal licence). The responsibility of determining the allocation of water use under the different authorizations lies with the Inspectors. An Information Request to the Inspectors was issued on June 5, 2019.¹² The Information Request has asked for clarity and input regarding how water use allocation should be reported and inspected for water bodies that span both federal and non-federal lands, including a consideration of how the Inspectors would address Part D, Condition 4 (i.e., regarding authorization of the intake location in fish-bearing Watercourse) of the Licences. The responses have been received and posted to the Online Registry.¹³ A link to these responses will be circulated to the proponent and Parties along with this Reasons for Decision.

3.5 Other Revisions for Version 2.1 of the Water Use Plan

In addition to the required revisions included above (i.e., Decisions #2 to 4), the Board is of the opinion that two additional revisions to the plan would be beneficial in order to reflect clarifications that were provided during the public review (see responses to WLWB staff comments 2 and 6).

- **Decision #7: Nighthawk is to include the following revisions in Version 2.1 of the Water Use Plan:**
 - a. **Include a reference to the protocol that provides the rationale for the assumption of an ice thickness equal to 1.5 m; and**
 - b. **Clarify that it is possible that more than one drill would be withdrawing from any one source at a given time, but that daily and yearly withdrawal limits will remain within the limits of the Water Licences and the Water Use Plan.**

Signed the 13th day of June, 2019 on behalf of the Wek'èezhii Land and Water Board



Witness



Joe Mackenzie
Chair, Wek'èezhii Land and Water Board

¹² See Online Registry for [Nighthawk - Water Use Plan - Version 2.0 - Information Request to GNWT and CIRNAC - Jun 5_19.pdf](#)

¹³ See Online Registry for [Nighthawk - Water Use Plan - Version 2.0 - CIRNAC Response to WLWB Information Request - Jun 12_19.pdf](#) and [Nighthawk - Water Use Plan - Version 2.0 - GNWT Response to WLWB Information Request - Jun 12_19.pdf](#)