



JUN 12 2019

Mr. Ryan Fequet, Executive Director
Wek'èezhì Land and Water Board
#1-4905 48 STREET
Yellowknife NT X1A 3S3

Nighthawks' Water Use Plan Version 2.0 – Water Sources that Span Federal and Non-Federal Areas

The Government of the Northwest Territories (GNWT) received your letter dated June 5, 2019 in which the Wek'èezhì Land and Water Board is seeking a response to the following question in relation to Nighthawk's Type B Water Licences W2018L2-0002 and W2018L2-0003. The specific question was:

The WLWB is seeking input from the Inspectors regarding how water use allocation should be reported and inspected for water bodies that span both federal and non-federal lands. This includes 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 GNWT provides the following response:

Water sources that span federal and non-federal areas should be specified in the table and provided in the Water Use Plan. If water is drawn from any one of these water sources, the location (GPS coordinates) of the intake should be provided to both the federal and territorial inspector. The daily volume of water withdrawn from the said water source should be reported to both inspectors. The combined water used in any day, from any source, for water licence W2018L2-0002 and W2018L2-0003 cannot be greater than 179 m³ and 120 m³, respectively.

Regarding the average estimate of water in the water source, the GNWT would prefer that estimates be based on the assumption that the average water depth is 1 m (unless bathymetry information is available). Additionally, the DFO winter withdrawal protocol suggests a withdrawal of only 10% of withdrawal for water sources with a maximum depth greater than 3 m in this area. This would ensure that ice thickness is accounted for and prevent impacts to overwintering fish. Approval of the water intake location will be provided to the operator by the inspector, a copy of this approval will be provided to the Board prior to any withdrawals.

.../2

Thank you for the opportunity to provide clarity on this question. If you have any questions regarding the responses, please contact Mr. Nahum Lee at Nahum.Lee@gov.nt.ca or by phone at (867) 767-9238 ext. 53244.

Sincerely,



Mr. Bruno Croft
Regional Superintendent
North Slave Region
Environment and Natural Resources

c. Mr. Matthew Spence
Regional Director General, Executive Office, Northwest Territories Region
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)

Mr. Glen Stephens
Manager, Land and Water Resources, Land and Water Management
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)

Mr. Michael Roesch
Sr. Program Manager, Resource and Land Management
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)

Mr. Tim Morton
Resource Management Officer III, Resources and Land Management
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)

Dr. Michael Byron
President and Chief Executive Officer, Director
Nighthawk Gold Corp

Ms. Anneli Jokela
Regulatory Manager
Wek'èezhii Land and Water Board

Ms. Rita Mueller
Assistant Deputy Minister, Operations
Environment and Natural Resources

Dr. Erin Kelly
Assistant Deputy Minister, Environment and Climate Change
Environment and Natural Resources

Mr. Nathen Richea
Director, Water Management and Monitoring
Environment and Natural Resources

Ms. Heather Beck
Water Resource Officer, North Slave Region
Environment and Natural Resources

Mr. Nahum Lee
Water Resource Officer, North Slave Region
Environment and Climate Change

Contact List

Mr. Tim Morton

Resource Management Officer III, Resources and Land Management
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)

Phone: 867-669-2442

Email: tim.morton@canada.ca

Mr. Matthew Spence

Regional Director General, Executive Office, Northwest Territories Region
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)

Phone: 867-669-2501

Email: matthew.spence@canada.ca

Dr. Michael Byron

President and Chief Executive Officer, Director
Nighthawk Gold Corp

Email: mbyron@nighthawkgold.com

Mr. Glen Stephens

Manager, Land and Water Resources, Land and Water Management
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)

Phone: 819-994-7483

Email: glen.stephens@canada.ca

Mr. Michael Roesch

Sr. Program Manager, Resource and Land Management
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)

Phone: 867-669-2710

Email: michael.roesch@canada.ca

Ms. Anneli Jokela

Regulatory Manager

Wek'èezhìi Land and Water Board

Phone: 867-765-4588

Email: ajokela@wlwb.ca