

APPENDIX A -

Ekati Water Licence Term Renewal Engagement Log

Engagement Record - Ekati Mine Water Licence Request for Renewal to Term Pre Application

| Date | Stakeholder/ Affected Party | Stakeholder/ Affected Party Participants | Dominion Participants | Contact Method/ Location | Objective/Comments |
|-------------|------------------------------------|---|-------------------------------|---------------------------------|--|
| 11/6/2020 | NSMA | Adelaide Mufandaedza | Rebecca Plotner | Voicemail | Unable to reach Adelaide, but left a voicemail mentioning the Water License Request for Renewal letter will be sent out. If he had questions to reach out. |
| 11/6/2020 | KIA | Geoff Clarke | Rebecca Plotner | Voicemail | Unable to reach Geoff Clarke, but left a voicemail mentioning the Water License Request for Renewal letter will be sent out. If he had questions to reach out. |
| 11/6/2020 | YKDFN | Sarah Gillis | Rebecca Plotner | Phone Call | Discussed that a letter will be sent within the next week regarding the Water license Request for Renewal for Ekati. Sarah said she will wait for the letter. |
| 11/9/2020 | WLWB | Ryan Fequet, Rhiana Bams, Meghan Schnurr | Claudine Lee Lynn Boettger | Teleconference | Discuss plan for Ekati Water Licence renewal to term request. |

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|-------------|--|--|------------------------------|---------------------------------|--|
| 11/10/2020 | YKDFN, LKDFN, Hamlet of Kugluktuk, KIA, NSMA, DKFN, FRMC, WRRB, PWNHC,GNWT | Johanne Black, Hanna Catholique, Stephanie Poole, Kimberly Young, Geoff Clark, Jessica Hurtubise, Richard Simon, Shawn McKay, Jody Pellissey, Glen Mackay, Scott Stewart, James Hodson | Claudine Lee | Email/Letter | Sent letter to outline Dominion's intention to file a Water Licence Request for Renewal to Term for the Ekati Mine. |
| 11/10/2020 | Tlicho | Violet Camsell Blondin, Grace MacKenzie, Longinus Ekwe, Ginger Gibson, Brett Wheeler | Claudine Lee | Email/Letter | Sent letter to outline Dominion's intention to file a Water Licence Request for Renewal to Term for the Ekati Mine. The letter also requested a meeting to discuss chapter 23.4 of the Tlicho Land Claims and Self-Government Agreement. |
| 11/10/2020 | GNWT | Scott Stewart | Nick Ballantyne | Email | Scott Stewart confirmed that he had received the Pre-Application Engagement Letter. |
| 11/10/2020 | WRRB | Jody Pellissey | Nick Ballantyne | Email | Jody Pellissey confirmed that she had received the Pre-Application Engagement Letter. |

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| 11/13/2020 | YKDFN | Sarah Gillis | Rebecca Plotner | Phone Call | Asked Sarah if she received the letter on November 10th and followed up to see if she had any questions. YKDFN didn't have any questions or comments at the time |
| 11/13/2020 | NSMA | Bill Enge | Rebecca Plotner | Phone call | Informed Bill that the letter was sent on November 10th. Asked if he had an questions regarding the Water license Request for Renewal Term, he had no concerns and offered to write a letter of support for the application. He believed the Water License is important for the longevity of Ekati Diamond Mine and is in support of the new term. |
| 11/13/2020 | Kugluktuk | Kimberley - SAO | Rebecca Plotner | Voicemail | Left a voicemail for Kimberley. Gave her a quick update on the Water License letter that was sent out and to contact me if she had any questions. |

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|-------------|------------------------------------|--|-------------------------------|---------------------------------|---|
| 11/13/2020 | Tlichó | Ginger Gibson, Grace Mackenzie | Claudine Lee, Nick Ballantyne | Teleconference | Call included discussion on the Water Licence Application. Claudine explained the rationale for the length of request and Tlichó suggested setting up a meeting the their Environment team to further discuss chapter 23.4 of the Tlichó Land Claims and Self Government Agreement. |
| 11/13/2020 | Tlichó | Violet Camsell Blondin, Grace MacKenzie, Longinus Ekwe, Ginger Gibson, Brett Wheeler | Nick Ballantyne | Email | Emailed to request meeting to discuss chapter 23.4 of the Tlichó Land Claims and Self Government Agreement. Meeting was set for 11/23/2020. |
| 11/13/2020 | LKDFN | Hanna Catholique, Glen Guthrie, Stephanie Poole | Nick Ballantyne | Voicemail | Called and left message asking for confirmation that the Pre-Application Letter had been received and that Dominion was available to discuss any questions or concerns that the LKDFN might have. |
| 11/17/2020 | LKDFN | Hanna Catholique, Glen Guthrie, Stephanie Poole | Nick Ballantyne | Voicemail | Follow up call, left message. |

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| Date | Stakeholder/ Affected Party | Stakeholder/ Affected Party Participants | Dominion Participants | Contact Method/ Location | Objective/Comments |
|-------------|------------------------------------|---|--|--|---|
| 11/18/2020 | IEMA | Marc Casas, Shannon Moore, Bill Slater, Emery Paquin, Jaida Ohokannoak, Jesse Jasper, Kim Poole, Ron Allen, Tim Byers | Claudine Lee Lynn Boettger Harry O'Keefe | Video conference and in person meeting | Discussed the upcoming renewal to term request for the Ekati Water Licence. Comment that this option makes the most sense given the current situation. |
| 11/18/2020 | KIA | Geoff Clarke | Rebecca Plotner | Voicemail | Left a voicemail for Geoff to see if he had any questions of concerns with the Water License Renewal letter that was sent last week. |
| 11/18/2020 | NSMA | Adelaide Mufandaedza | Rebecca Plotner | Voicemail | Left a voicemail for Adelaide to see if she had a chance to speak with Bill Enge regarding the Water License Renewal letter that was sent last week. Asked if she had any questions to reach out. |

Engagement Record - Ekati Mine Water Licence Request for Renewal to Term Pre Application

| Date | Stakeholder/ Affected Party | Stakeholder/ Affected Party Participants | Dominion Participants | Contact Method/ Location | Objective/Comments |
|-------------|------------------------------------|---|--|--|---|
| 11/19/2020 | IEEMA and Society Members (AGM) | Marc Casas, Shannon Moore, Bill Slater, Emery Paquin, Jaida Ohokannoak, Jesse Jasper, Kim Poole, Ron Allen, Tim Byers, Glen Guthrie, Tannis Bolt, Adelaide Mufandaedza, Violet Camsell-Blondin, Ryan Miller, Stephanie Barry, Laurie McGregor | Claudine Lee Lynn Boettger Harry O'Keefe | Video conference and in person meeting | Presentation provided on Ekati year in review and discussed upcoming WL request for renewal for 26 months. No questions or concerns raised. |
| 11/20/2020 | DKFN | Richard Simon | Nick Ballantyne | Teleconference | Call to discuss upcoming application. DKFN have no objections to the application if there are no changes from the current Water Licence. |
| 11/20/2020 | LKDFN | Hanna Catholique, Glen Guthrie, Stephanie Poole | Nick Ballantyne | Voicemail | Follow up call, left message. |

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| 11/23/2020 | Tlichó | Brett Wheeler | Claudine Lee, Lynn Boetgger | Teleconference | Call to discuss upcoming application and explain rationale for the timing and length of the request. Tlichó raised no objections at this time. Included a discussion on how to proceed with Ch. 23.4 of the Tlichó Land Claims and Self-Government Agreement. It was agreed that additional meetings will be set up once the application is submitted. |
| 11/23/2020 | LKDFN | Hanna Catholique, Glen Guthrie, Stephanie Poole | Nick Ballantyne | Voicemail/Email | Follow up call and email, left message. No Response Received. |
| 11/24/2020 | YKDFN | Sarah Gillis | Rebecca Plotner | Email | Emailed Sarah following up to see if YKDFN had any questions or concerns with the letter sent out on November 10th. Did not receive a response. |

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| 11/24/2020 | FRMG | Shawn McKay | Nick Ballantyne | Phone Call/Email | Call to discuss upcoming application. FRMG have no objections to the application. Received email confirming support for the application on behalf of FRMG. |
| 11/25/2020 | LKDFN | Stephanie Poole | Nick Ballantyne | Email | Emailed requesting confirmation that the pre-application letter had been received and asked if the LKDFN had any questions or concerns about the upcoming application. |



November 10, 2020

Re: W2012L2-0001 – Ekati Diamond Mine Water Licence – Request for Renewal to Term of 26 Months

The Ekati Diamond Mine Water Licence W2012L2-0001 (Ekati WL) will expire on August 18, 2021. A renewal to term for the Ekati WL will be requested in an application to be submitted to the Wek'èezhii Land and Water Board (WLWB) in the upcoming weeks. An additional 26 months will be requested, and if approved, will change the expiration date of the Ekati WL to October 18, 2023. No other changes to the Ekati WL will be applied for at this time.

The Ekati Diamond Mine has been in care and maintenance since March 20, 2020 due to the COVID 19 pandemic¹. Efforts to get the mine up and running again are ongoing. Additional time by way of a longer term for the Ekati WL is necessary to get the Ekati Diamond Mine back into production, resume the Life of Mine Plan, and to secure the future of Ekati.

The additional time also purposefully moves the WL expiration date to a time of the year (October) that does not permit the allowable water usage under the Ekati WL to “refresh” in the middle of the water cycle or pumping season at Ekati.² An expiry date in October will provide a stronger and more environmentally protective WL as there will not be the allowance for water usage amounts to begin again mid-season as there is currently. Additionally, an October expiration date will avoid having a renewed Ekati WL come into effect mid-season which could make operations and reporting more difficult for all involved.

Please forward any comments or questions on this upcoming application to the undersigned at claudine.lee@ddcorp.ca, phone (867) 446-3719 or Nicholas Ballantyne, email Nicholas.Ballantyne@ddcorp.ca prior to **November 24, 2020**.

Sincerely,

Claudine Lee
Head of Health, Safety, Environment, Communities (HSEC) and Training

cc. Jamie Steele, North Slave Regional Office – GNWT – Department of Lands

¹ Additionally, on April 22, 2020 Dominion filed for insolvency protection under the *Companies' Creditors Arrangement Act* (CCAA).

² Recent direction received from the Government of the Northwest Territories – Environment and Natural Resources (GNWT-ENR) indicate “...that ENR's interpretation is that an annual cycle under a Water Licence related to water use is based on the initiation date of the Water Licence (not the calendar year).” For the Ekati WL this means that the annual water cycle or annual water usage amount would end in July and begin again in August. Thus, in theory, the annual quantity of fresh water withdrawn for any purpose could be allowed to occur twice in one season. Dominion understands this to be an administrative oddity that goes against the way water models are set up and the assumptions that were made during the original Environmental Assessment for the Ekati Diamond Mine regarding water usage. Also see comment ID 1 at [W2012L2-0001-Ekati-Two Rock Lake Drawdown Plan Version 1.0-Review Summary and Attachments-Sep 9 16.pdf](#)

November 10, 2020

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The additional time also purposefully moves the WL expiration date to a time of the year (October) that does not permit the allowable water usage under the Ekati WL to “refresh” in the middle of the water cycle or pumping season at Ekati. ² An expiry date in October will provide a stronger and more environmentally protective WL as there will not be the allowance for water usage amounts to begin again mid-season as there is currently. Additionally, an October expiration date will avoid having a renewed Ekati WL come into effect mid-season which could make operations and reporting more difficult for all involved.

Dominion is also requesting, as per chapter 23.4 of the *Tłı̄ch̄o Land Claims and Self-Government Agreement*³, that discussions begin on how to best proceed with this matter as soon as possible.

Please forward any comments or questions on this upcoming application to the undersigned at claudine.lee@ddcorp.ca, phone (867) 446-3719 or Nicholas Ballantyne, email Nicholas.Ballantyne@ddcorp.ca prior to **November 25, 2020**.

Sincerely,



Claudine Lee
Head of Health, Safety, Environment, Communities (HSEC) and Training

cc. Jamie Steele, North Slave Regional Office – GNWT – Department of Lands

¹ Additionally, on April 22, 2020 Dominion filed for insolvency protection under the *Companies' Creditors Arrangement Act* (CCAA).

² Recent direction received from the Government of the Northwest Territories – Environment and Natural Resources (GNWT-ENR) indicate “...that ENR’s interpretation is that an annual cycle under a Water Licence related to water use is based on the initiation date of the Water Licence (not the calendar year).” For the Ekati WL this means that the annual water cycle or annual water usage amount would end in July and begin again in August. Thus, in theory, the annual quantity of fresh water withdrawn for any purpose could be allowed to occur twice in one season. Dominion understands this to be an administrative oddity that goes against the way water models are set up and the assumptions that were made during the original Environmental Assessment for the Ekati Diamond Mine regarding water usage. Also see comment ID 1 at [W2012L2-0001-Ekati-Two Rock Lake Drawdown Plan Version 1.0-Review Summary and Attachments-Sep 9 16.pdf](#)

³ [Tłı̄ch̄o Land Claims and Self Government Agreement](#)