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March 10, 2025

File: W2021L2-0004, and W2021L2-0005

John McBride
Nighthawk Gold Corp.
Suite 4260 – 181 Bay St.
Toronto, ON M5J 2V1

Sent by e-mail

Dear John McBride,

Re: Indin Lake Project – Water Management Plan Version 1.1 – Information Request

On October 29, 2024, Nighthawk Gold Corp. (Nighthawk) submitted the Water Management Plan, Version 1.1 (the Plan),¹ to the Wek'èezhì Land and Water (Board) for approval as required by Part F, Condition 4, and Schedule 4, Condition 1 of Water Licences (the Licences) W2021L2-0004 and W2021L2-0005. Version 1.1 was required by the Board on March 1, 2024, as per the Board's Reasons for Decision for Version 1.0.²

Board staff have determined that additional information is required as follow-up to a specific comment from the public review for Version 1.1 related to the triggers to initiate permanent closure of the waste rock piles.

Background

In the Board's Reasons for Decision on Version 3.3 of the Interim Closure and Reclamation Plan (CRP), the Board required Nighthawk to engage with Parties to revise and refine proposed triggers for initiating permanent reclamation of the waste rock piles at the Damoti site and incorporate the proposed triggers in the next version of the CRP.³ In Version 4.0 of the CRP, the triggers were not included, but in response to comments from the Public Review, Nighthawk indicated that a tiered approach for developing triggers and responses would be described in

¹ See WLWB Online Registry www.wlwb.ca/ for [Indin Lake - Water Management Plan - Version 1.1 - Oct 29 24.pdf](#).

² See WLWB Online Registry for [Indin Lake - Water Management Plan - Version 1.0 - Reasons for Decision - Mar 1 24](#)

³ See WLWB Online Registry for [W2018L2-0003 - Nighthawk - ICRP Version 3.3 - Reasons for Decision - May 21 21](#).
Decision 19.

the Water Management Plan Version 1.0. The response framework provided in Version 1.0 of the Water Management Plan included a response associated with the High actions level as “Refer to ICRP for guidance on final closure options”. Version 1.0 was not approved mainly because a different approach to the response framework was needed.

Version 1.1 of the Water Management Plan indicated that if an exceedance of effluent quality criteria (EQC) occurred, response actions could include “considering corrective actions and engineered solutions, in consultation with the Inspector and WLWB, including closure of the rock piles” and referenced the “Interim Closure and Reclamation Plan for guidance on final closure options”. During the public review, Board staff indicated that it was not clear what would specifically trigger Nighthawk to begin permanent reclamation of the rock piles (Board staff comment 3).⁴ In response, Nighthawk proposed that a revised Water Management Plan (i.e., Version 1.2) be submitted to “include more detail on the types of triggers that would initiate closure of the rock piles” (response to Board staff comment 3). Nighthawk indicated this would include “Previous mitigation and engineered solutions initiated in response to a High Action Level exceedance have not stopped or reversed the trend towards higher water quality concentrations (or lower pH) within an appropriate timeframe; Water quality predictions (using the monitoring dataset) indicate that concentrations will continue to increase; EQC exceedances are confirmed to be linked to runoff from the rock piles and have occurred over more than one sampling event, and the magnitude of the exceedances has increased; and consultation with the Inspector and WLWB has determined that closure of the rock piles is the most appropriate mitigation available”.

In an effort to avoid a full review of Version 1.2 of the Plan, Board staff are asking Nighthawk to provide the proposed triggers now, to help inform the Board’s decision on Version 1.1 of the Plan. This additional information is set out below as an Information Request (IR), and, in accordance with the Land and Water Board (LWB) [Rules of Procedure](#),^[1] the Board requests that Nighthawk submit the information by **March 31, 2025, 5:00pm MST**. Following receipt, Board staff will circulate Nighthawk’s response to all Parties for public review and Nighthawk will be provided an opportunity to respond. Timelines for comments and responses will be determined once the information is received.

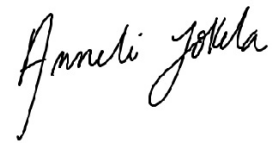
Information Request (IR): Nighthawk to provide the specific triggers to initiate permanent closure of the waste rock piles.

Please contact Cassandra DeFrancis via [email](#) or at (867) 765-4581 with any questions or concerns regarding this letter.

⁴ See the WLWB Online Review System for [Indin Lake Project - Water Management Plan Version 1.1](#)

^[1] See the WLWB Rules of Procedure page to access the LWB [Rules of Procedure](#). Rules 61 and 63.

Yours sincerely,

A handwritten signature in black ink that reads "Anneli Jokela". The signature is written in a cursive, flowing style.

Dr. Anneli Jokela
Acting Executive Director

BCC'd to: Wek'èezhì Distribution List
 Nahum Lee, North Slave Region, Water Resource Officer
 Scott Stewart, North Slave Regional Superintendent, Government of Northwest
 Territories
 Megan Larose, Environmental Specialist, Crown-Indigenous Relations and
 Northern Affairs Canada
 Erica Nissen, Resource Management Officer, Crown Indigenous Relations and
 Northern Affairs Canada