

YUKON TERRITORY WATER BOARD

Yukon Waters Act

Umbrella Final Agreement: Yukon First Nation Final Agreements

COMPENSATION CLAIM INFORMATION FORM¹

If you intend to make a claim for compensation under the *Yukon Waters Act* or a Yukon First Nation Final Agreement (Settlement Agreement) you **must** fill out this form. **Note:** Because of section 2.1 of the Umbrella Final Agreement (UFA) only Yukon Indian Persons or Yukon First Nations with a Settlement Agreement may claim compensation under a UFA/Settlement Agreement.

Persons intending to make compensation claims should also refer to the Yukon Territory Water Board's "*Guide to Claiming Compensation Under the Yukon Waters Act*" or the "*Guide to Claiming Compensation Under Chapter 14 of the Umbrella Final Agreement*". Copies are available from the Board Office, 419 Range Road, Whitehorse, YT Y1A 3V6, 867 667 3990, fax 867 668 3628, email: ytwb@polarcom.com.

Please attach additional pages where necessary.

I. Proposed Water Licence Resulting in the Compensation Claim:

1. Licence # resulting in compensation claim _____.
2. Location and description of the proposed water licence/undertaking

II. Information About the Claimant:

3. Name:

4. Permanent Address:

Phone:

Fax:

E-mail:

5. Seasonal (temporary) location if different from above:

¹ Note that the UFA grants some special rights to compensation or the right to seek a determination of eligibility for compensation to Yukon First Nations and Yukon Indian Persons. These can result in applications outside the context of a licensing hearing. See for example ss. 14.8.6, 14.11.1.5 and 14.11.5 of the UFA. Such applications cannot be accommodated by this form.

III. The Basis for the Compensation Claim:

6. Are you claiming compensation under section 14 of the *Yukon Waters Act*?

Yes _____ No _____

7. Are you claiming compensation on behalf of a Yukon First Nation which has a Settlement Agreement?

Yes _____ No _____

If yes, please specify the First Nation and your position with it.

8. Are you claiming compensation as Yukon Indian Person who is a member of a Yukon First Nation with a Settlement Agreement?

Yes _____ No _____

If yes, please specify the First Nation. If you have proof of your membership in the First Nation please provide it.

9. How will you be represented at the Water Board hearing when you make your compensation claim? Please indicate who will represent you and how they can be reached.

Name/Address:

Phone:

Fax:

E-mail:

IV. Information About the Compensation Claim:

(This part should be filled out by all claimants)

10. Are you a licensed water user or have you applied for but not yet been granted a licence?

Yes _____ No _____

If yes, give the licence # _____.

11. Describe in detail the nature of your water use or proposed water use.

12. Do you own or occupy property along a water course affected by the proposed licensed use? If yes, describe the nature of your holding and the use you make of it. Please indicate how long have you held this property interest. Give appropriate detail.

13. Do you hold an outfitting, trapping or other licence or interest in the area affected by the proposed licensed use? If yes, describe the nature of your interest and the use you make of the area. Please indicate how long you have held this interest. Give appropriate detail.

14. How will the proposed licensed use affect your water use? Give appropriate detail.

15. Explain in your words how the proposed licensed use will cause the above effects on your water use. If you have any technical reports or information to support your explanation please provide them as well.

16. Have you taken any steps to avoid or mitigate these effects. If so, describe them. Could you do anything more to avoid these effects? Please explain.

(Questions 17 to 20 should only be filled out by Yukon First Nation claimants making a claim under a Settlement Agreement)

17. Will the proposed licensed use affect Yukon First Nation water rights on or adjacent to Settlement Lands? If yes, describe the settlement lands affected, including their location. Please provide a map or plan identifying the location of the Settlement Lands affected.

18. What Yukon First Nation rights will be affected by the proposed licensed water use and how? Give appropriate detail indicating the specific right affected and the nature of the effect(s).

19. Explain in your words how the proposed licensed use will cause the effects on Settlement Lands or on Yukon First Nation water rights. If you have any technical reports or information to support your explanation, please provide them as well.

20. What steps has your Yukon First Nation taken to avoid or mitigate the effects on its Settlement Land or water rights? Could anything else be done to avoid these effects?

(Questions 21 to 24 should only be filled out by Yukon Indian Persons claiming compensation under a Settlement Agreement)

21. Is your use of water within your First Nation's Traditional Area? Please indicate where your Traditional Use takes place. Please provide a map or plan identifying the location of the Traditional Area and of your Traditional Use.

22. Please describe the effects of the proposed licensed use on your Traditional Use. Give appropriate detail.

23. What is the unlawful use of water or violation of a licence which has affected your Traditional Use? Give appropriate detail.

24. Explain in your own words how the proposed licensed use will cause the effects on your Traditional Use.

25. What steps have you taken to avoid or mitigate the effects of the proposed licensed use on your Traditional Use? Could anything else be done to avoid these effects?

V. Information about Damages or Loss

(This part should be filled out by all claimants)

26. What costs or damages have you suffered to date? Give details and indicate how you have come to any estimates of damages.

27. What damages or costs would you expect to suffer on an ongoing basis if the proposed licensed use is approved? Explain in detail how you have estimated these damages.

28. Have you applied for or are you collecting compensation from any other source? Give appropriate details.

29. If compensation is awarded by the Water Board do you have a preference in terms of the way it is paid? Lump sum? Periodic payment?

30. Would you prefer to receive compensation in another form? If so explain?

VI. Other Information:

31. Is there any other information that you can provide to assist the Water Board in making a decision on your claim? If so please provide it.

Date of Claim:

Made by: (please print)

Signature: _____