

**YUKON TERRITORY WATER BOARD  
AMENDMENT OF LICENCE**

LICENSEE: ROSS MINING LTD.

LICENCE NUMBER: PM97-047

AMENDMENT NUMBER: ONE (1)

Application Number: PM99-037

Pursuant to the Yukon Waters Act, Water Use Licence PM97-047, is hereby amended as follows:

**1. Clause 1 a) is hereby withdrawn and replaced by:**

to obtain water from Jensen Creek, Rob Roy Creek and Burnham Creek, tributaries of Dominion Creek, and Dominion Creek at a maximum quantity of 22,730 cubic metres per day.

**2. Clause 1 d) is hereby added as follows:**

to use Rob Roy Creek as a source for camp water at a maximum quantity of 9 cubic metres per day.

**3. Clause 1 e) is hereby added as follows:**

If, subsequent to the issuing of this licence, the Licensee uses water and/or deposits waste which

- a) has no potential for significant adverse environmental effects; and
- b) does not interfere with existing rights of other water users or waste depositors; and
- c) satisfies the criteria set out in column II of Schedule VI of the Regulations,

no amendment to this licence will be required for this use of water and/or deposit of waste.

4. Part I, is hereby appended as follows:

CHANNEL RESTORATION

The Licensee shall adhere to the following conditions for Rob Roy Creek regarding construction of all diversions, redirection of the watercourse into the original channel and restoration:

48. The diversion channel width shall be no less than 3.0 metres.
49. The diversion channel depth shall be no less than 2.5 metres.
50. The diversion channel grade shall be between 0.0% and 1.0%.
51. The bed and banks of the diversion channel shall be left in a stable condition.
52. The bed and banks of any tributary (gulch or pup) of Rob Roy Creek shall be left in a stable condition.
53. Class I armouring shall be used, as directed in Schedule I.
54. Structures such as boulder groupings or rock islands shall be provided and spaced no further than 36 metres apart.
55. Topsoil and organic overburden or fines from washed tailings shall be spread on the graded areas on both sides of the restored channel.
56. Active revegetation measures are required on at least one side of the restored channel.
57. The streamside shall be left in such a manner so that erosion is controlled and revegetation is possible.

Dated this 23 day of

September, 1999

Lynda Hutchison  
Witness

Abel T. Hoda  
Chairperson  
YUKON TERRITORY WATER BOARD

YUKON TERRITORY WATER BOARD  
REASONS FOR DECISION

The Yukon Territory Water Board ("the Board") has made licensing decisions with respect to application PM99-037, Ross Mining Ltd., which is an application to amend PM97-047:

Notice of application was provided in accordance with the requirements of the Yukon Waters Act. In response, the Board received interventions from Fisheries and Oceans Canada ("DFO") and Canada Coast Guard.

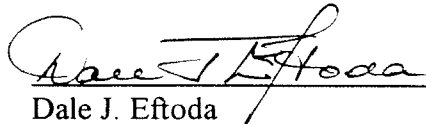
Prior to making licensing decisions, the Board undertook an environmental screening of this project pursuant to the Canadian Environmental Assessment Act ("CEAA"). The Board is satisfied that this project is not likely to cause significant adverse environmental effects.

In making licensing decisions pertaining to this application, the Board took into account the application itself, the Environmental Assessment, the recommendations of interveners, the Board's standard licence requirements and Board policies.

Fish Habitat Restoration Plans, when required and approved by DFO, have been incorporated into the Licences. Further guidelines have been provided by DFO whenever a diversion has been proposed. The Board expects Licensees to refer to the DFO intervention letter for instructions on fulfilling Licence requirements pertaining to channel restoration.

The applicant stated that Rob Roy Creek was used to supply their camp with water. The Board included a clause in the amendment allowing for this use.

No term of any Licence limits the application of any Federal, Territorial and First Nation Law.

  
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Dale J. Eftoda  
Chairperson  
Yukon Territory Water Board

SEPT 23/99