

YUKON WATER BOARD
REASONS FOR DECISION
Water Use Application PM08-599, TD Oilfields Services Ltd.
and Mining Land Use Approval AP08599

The Yukon Water Board (“the Board”) has made licensing decisions with respect to water use application PM08-599 for a type B licence for a placer mining undertaking and mining land use approval AP08599.

The purpose of the application is to obtain a water use licence to obtain and store water, deposit a waste and to obtain an approved placer mining land use operating plan.

Notice of the application was provided in accordance with the requirements of the *Waters Act* and the *Placer Mining Land Use Regulation*. In response, the Board received an intervention from Government of Yukon, Energy, Mines and Resources, Mineral Resources (“GY”);

GY did not requested a public hearing. The applicant did not respond to the intervention.

This application required an environmental assessment under the *Yukon Environmental and Socio-economic Assessment Act* (“YESAA”).

Prior to making licensing decisions, the Board reviewed the YESAA Decision Document that is included in the water use register. The Board is satisfied that the licence and approval are not contrary to the YESAA Decision Document, as per section 86 of YESAA.

Neither the applicant or the YESAA Decision Document proposed any alternative approaches to the operating conditions in the *Placer Mining Land Use Regulation*. These operating conditions have been incorporated into the Placer Land Use Approval For a Class 4 Operating Plan.

In making licensing decisions pertaining to this application, the Board took into account the *Waters Act*, *Waters Regulation*, the application, the YESAA Decision Document, recommendations from the interveners, the Board's standard licence requirements, Claims Maps 1150/10g and 1150/10h, Chapter 14 of the Umbrella Final Agreement (“UFA”) and Board policies.

GY:

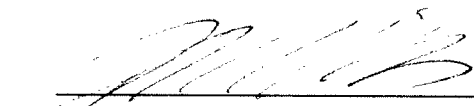
GY recommended that all Fuel tanks that exceed 4000 L should be registered with Minerals Management. The Board determined that the standard condition in the Placer Land Use Approval for a Class 4 Operating Plan requiring all fuel tanks that exceed 4,000 litres to be registered according to the *Canadian Environmental Protection Act* would satisfy this concern.

Chapter 14 of the UFA

The Board examined Claims Maps 1150/15 and 1150/10, as referenced in the Tr'ondëk Hwëch'in Final Agreement and noted that there is no Settlement Land within the Dominion Creek watershed or on Gold Run Creek. Therefore, the Board determined that there will be no substantial alteration to the quantity, quality, or rate of flow of water flowing on, through or adjacent to Settlement Land, including seasonal rate of flow.

Conclusion:

The Board has approved the issuance of Water Use Licence PM08-599 and the Placer Mining Land Use Approval AP08-599.



Chairperson
Yukon Water Board

November 21, 2008

Date