



Energy, Mines and Resources
Box 2703, Whitehorse, Yukon Y1A 2C6

YUKON WATER BOARD

2007 SEP -6 PM 1:21

APPL. NO. QZ06-074

September 6, 2007

Mr. Bruce Willis, Chair
Yukon Water Board
Suite 106-419 Range Road
Whitehorse, YT Y1A 3V1

Dear Mr. Willis:

**Re: Consultation with the First Nation of Nacho Nyäk Dun on Water Use
Application QZ06-074, Elsa Reclamation and Development Co. Ltd., United
Keno Hill Mines**

Further to the attached letter, we recognize that if there is no public hearing for United Keno Hill Mines' Type B Water Use Application that the Minister will not be signing the Water Licence. We will of course continue to address consultation issues on all matters related to United Keno Hill Mines.

Sincerely,

A handwritten signature in black ink, appearing to read "Angus Robertson".

Angus Robertson
Deputy Minister of Energy, Mines and Resources

/Attachment

QZ06-074

EXHIBIT 5.1.4



Energy, Mines and Resources
Box 2703, Whitehorse, Yukon Y1A 2C6
September 5, 2007

Mr. Bruce Willis, Chair
Yukon Water Board
Suite 106 – 419 Range Road
Whitehorse, YT Y1A 3V1

Dear Mr. Willis:

**Re: Consultation with the First Nation of Nacho Nyäk Dun on Water Use
Application QZ06-074, Elsa Reclamation and Development Co. Ltd., United
Keno Hill Mines**

In recent correspondence to government and government agencies including my Department (EMR) and the Yukon Water Board (YWB), the First Nation of Nacho Nyäk Dun (NND) asserts that it has not been consulted in respect of the above captioned Water Use Application, or in respect of other matters concerning United Keno Hill Mines (UKHM).

I wanted to assure you and the Board that consultation has in fact occurred between Yukon government and NND in respect of UKHM. I attach for your reference a table summarizing some of those consultations. I understand the proponent has also provided a similar summary.

In accordance with past practice, once government receives a draft licence from the Yukon Water Board on the application for the Minister's consideration, the Yukon government will ensure that its' consultation obligations have been met before the Minister signs and authorizes the licence.

I trust this provides some clarification on the issue of consultation raised in the recent NND letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Angus Robertson".

Angus Robertson
Deputy Minister of Energy, Mines and Resources

/Attachment

QZ06-074

EXHIBIT 5 1.4

Chronology of YG Meetings with NND April 04 to Present

Date	Communication	Participants	Discussion
21-Apr-04	Meeting: NND Chief & Council	GY, INAC, PwC	Introduction of receiver & process discussion
23-Jun-04	Mine site Tour	GY, Access Consulting	Tour of Mine site with FN Environment Officers
21-Jul-04	Public meeting @ Band Office	GY, INAC	Update on mine activities
22-Jul-04	Meeting: NND Lands & Resource Officer	GY, INAC	Update on mine
31-Aug-04	Meeting: NNDDC President	GY	Care & Maintenance discussion
1-Sep-04	Meeting: NND Lands Director	GY	Mine update
23-Sep-04	Meeting: NND Elders	GY, Access Consulting	Presentation on mine site followed by site tour for NND citizens
5-Feb-05	Letter NND Chief to Minister EMR		Issues with Keno Hill mine sale & care & Maintenance issues
3-Mar-05	Meeting: NND Chief, EMR Minister		Keno Issues
8-Mar-05	Follow-up letter to EMR Minister, NND Chief		Receivership, sales process, care & maintenance contract, contribution agreement offered for assistance in dealing with sales issues
11-Mar-05	Received Letter from NND Chief to Minister	Response to Mar 8 letter	Favourable to having contribution agreement but issues with NNDDC
3-May-05	Meeting: NND Chief & Council	GY, PwC	Update on sales process, NND participation raised
8-Jun-05	Meeting: NND Chief & Council	GY, INAC, PwC	Preferred Purchaser
20-Jan-06	Fax to NND Lands & Resources, Director		Sales process briefing
7-Feb-06	Meeting: NND Chief & Council	GY, Alexco, INAC, PwC	Preferred Purchaser
16-Mar-06			Care & Maintenance contract extension to NNDDC
12-Dec-06	Meeting: NND Lands & Resource Officer	GY	Water Licence, YESAA

Key

GY = Government of Yukon

INAC = Indian and Northern Affairs Canada

PwC = PriceWaterhouseCoopers

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EXHIBIT 5.1.4

**Chronology of YG Meetings with NND
April 04 to Present**

Date	Communication	Participants	Discussion
3-May-07	Meeting at NND Lands Office: NND Lands & Resources Officer	GY, INAC, ERDC	Closure Planning Scoping Document. Closure process, along with roles and responsibilities. NND to have a seat at table for closure planning. NND to be a partner and decisions must achieve consensus to move forward. S. Buyck to be contact for NND. Steve advised that if NND wanted technical advisory support that YG could provide as had been done with other FNs (Ross River Kaska, Selkirk, Little Salmon Carmacks). Steve was asked to submit any comments or edits to Closure Scoping Document but has not done so.
22-May-07	Phone call: NND Lands Officer	GY	Assistance possibilities from YG, possible meeting with Chief & Council, possible site visit; possible meet with RRC
22-May-07	Note to NND Lands & Resourced Officer	GY	Possible meeting with Chief & Council
25-May-07	Phone Call: NND Executive Secretary	GY	Possible date & reasons for meet with Chief & Council
1-Jun-07	Letter from YG-EMR offering to discuss capacity, resourcing and other issues with NND in respect of UKHM.	GY	Letter unanswered.
12-Jun-07	Phone Call: NND Lands & Resources Officer	GY	Possible meeting with Chief & Council to discuss offer of assistance, introductions, water sampling
25-Jul-07	Meeting in Elsa: NND Lands & Resources Officer	GY, INAC, ERDC, SRK	Closure planning studies.
25-Jul-07	Meeting: NND Council & Lands & Resources Officer	GY	Water licencing process; interventions to be submitted to the Water Board; short response time. NND ability to request an extension and a public hearing. YG could provide a contribution agreement to fund tech. advisors, travel, etc.
25-Jul-07	Mine site Tour with Lands & Resource Officer	GY	Treatment site improvements.
9-Aug-07	Note to NND Lands & Resourced Officer	GY	Tour of Mine site with FN Environment Officers

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**Chronology of YG Meetings with NND
April 04 to Present**

Date	Communication	Participants	Discussion
9-Aug-07	Letter from Environment to NND	GY	Environment inviting First Nation of Nacho Nyäk Dun to meet and discuss concerns or questions on the regulatory process or project in general.
14-Aug-07	Letter from NND to Environment declining invitation to meet.	NND	
22-Aug-07	Yukon Water Board responding to a request from NND for a public hearing on UKHM application.	YWB	

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