

Application to the Yukon Surface Rights Board

(Type or print clearly, complete in ink, and attach extra space if necessary)

Received
JUN 19 2002
YUKON SURFACE
RIGHTS BOARD

Applicant's Name MICHEL VINCENT Company RAVEN EXPLOR. & Construction

Co-applicant(s) (if any)

Street Address/ Post Box Number Box 548

City/Town DAWSON city

Telephone _____

Facsimile _____

Email _____

Designated Contact Person _____

Company _____

Street Address/ Post Box Number _____

City/Town _____

Telephone _____

Facsimile _____

Email _____

Other Party(s) Involved

DAWSON FIRST NATION ED KORMANDY

Street Address/ Post Box Number

Box 599

City/Town DAWSON

Telephone 993-6937

Facsimile _____

Email FAX 993-6886

Dispute is on: Settlement Land Category "A" Category "B" Non-settlement Land

Briefly explain the issue(s) in this dispute:

My partner and I have been holding 8 claims where the Dawson first nation have started 1st phase of a new development. The compensation offer by the band is not acceptable. They have offer \$3,000.00 for those 8 claims we want ~~\$10,000.00~~ per claim.

Describe your preferred solution to the dispute (What do you want in the Board order?):

I'd like the board to order a settlement of \$10,000.00 per claim. Because the development can not coexist with mining. Those particular claims are very rich. Any future mining they haven't been mechanically mine except by the dredge and the dredge never hit bottom.

Date 10/4/02 Time 1631 Contact Initiated By ED KORMANDY Duration of meeting 16

Method of Contact (check one): In Person Location DAWSON Phone Fax Mail

Persons present at meeting/telephone call ED KORMANDY, Steve Caram, myself

Brief summary of discussion my relation with Bernard Cugnon
and the claim status.

Date 3/22 Time 1430 Contact Initiated By ED KORMANDY Duration of meeting 16

Method of Contact (check one): In Person Location DAWSON Phone Fax Mail

Persons present at meeting/telephone call Steve Caram and myself

Brief summary of discussion Brought the power of attorney that prove
ownership of the claims. Told Steve that we
wanted 20,000/ per claim.

Date 4/12 Time 1630 Contact Initiated By myself Duration of meeting 16

Method of Contact (check one): In Person Location DAWSON Phone Fax Mail

Persons present at meeting/telephone call Steve Caram, myself

Brief summary of discussion TALK about a dollar figure
for the claims.

*Please include any other information related to the efforts of the parties to negotiate a
settlement to the outstanding matters.*

Meeting 4/19/02 time 1630 contact initiated by myself
 in person in Dawson Stu Carew, Ed Romandy
 myself. Talk again about the ED you offered
 for 8 claims not acceptable.

Required Attachments

1. A copy of the written notice and proof of service of this application to the "Other Party(s)" listed on page one of this application.
2. Any other information or material which may assist with this application, such as: maps, sketches, photos, letters of correspondence, copies of mining claims, proof of land tenure, etc.

Signed this 8 day of May 2002 at Dawson city

Michael Vincent

Signature of applicant

Michael Vincent
 print applicant's name

This application must be filed at the head office of the Board by personal delivery, by registered mail, by facsimile, or as otherwise directed by the Board.

Address to: Yukon Surface Rights Board
 Box 31201
 Whitehorse, Yukon Y1A 5P7

Deliver to: Yukon Surface Rights Board
 206-100 Main Street
 Whitehorse, Yukon

Fax (867) 668-5892 Tel: (867) 667-7695 Email: surfacerightsboard@hypertech.yk.ca

NOTE: The Yukon Surface Rights Board will not file incomplete applications nor will they consider accepting any application without significant documented negotiation attempts.

Orders of the Board are based on the best available information. It is the applicant's responsibility to supply the supporting documentation for their application, hence it is in the applicant's best interest to supply the most relevant information possible.

This application is based on the Yukon Surface Rights Board Act and the Rules of Practice and Procedure for the Board. Any information not supplied with your application kit is available from the Board office at the above address.

PLACER

CLAIMS.

DAWSON CITY BOUND

TRANSIENT BOUNDARY BILTPRC.1988-2881

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Map showing land parcels and property boundaries. Key features include:

- Shaded area with diagonal lines: ECHO, SONJA, KRIS, BELL, PROTECTION, SIT, BEN, JACINTHE, HPP/501, LIN, P34309, P34308, P34423, P34485, P34486, P29759, D&R, P29645, GOONEY, VICBIII, P35188.
- Large black boundary line and rectangle.
- Grid pattern in the lower right corner.
- Labels: ECHO, SONJA, KRIS, BELL, PROTECTION, SIT, BEN, JACINTHE, HPP/501, LIN, P34309, P34308, P34423, P34485, P34486, P29759, D&R, P29645, GOONEY, VICBIII, P35188, ECHO, SONJA, KRIS, BELL, PROTECTION, SIT, BEN, JACINTHE, HPP/501, LIN, P34309, P34308, P34423, P34485, P34486, P29759, D&R, P29645, GOONEY, VICBIII, P35188.



Lands Department

Box 599, Dawson City, Yukon, Y0B 1G0

Phone (867) 993-6937
Fax (867) 993-6846

September 20, 2001

Bernard Gagnon
Box 262
Matane, Quebec
G4W 3N2

Re: Development on C-4B/D

This letter is to inform you that we are currently underway with plans to develop C-4B/D. This is an 18.4 hectare parcel of land owned by the Tr'ondëk Hwëch'in that is located just south of Dawson City. Our records indicate that you own 8 claims in the C-4B/D area, shown on the accompanying map and listed below:

Bern	P24076	Sit	P22208
Al	P22209	Ben	P21500
Bell	P36401	Jacinthe	P21501
Bit	P36402	Protection	P00410

Our development intentions for C-4B/D are to landscape the area for the placement of 30+ residential lots, at least 7 commercial lots and related green space and buffers. This will require the placement of a road network, access routes and water, sewer, electrical and telecommunication infrastructure.

The development plan consists of 3 phases and for the next year we will be focusing on phase 2. The area of this phase is indicated on the accompanying map and you will note that it overlaps a large portion of your claims. Preliminary work this year will be to sketch out the road and residential lots through landscaping efforts. This will entail the clearing of vegetation and a great volume of earthmoving. We are scheduled to start in early October and continue while conditions remain favourable.

We welcome any comments or concerns you may have about this development. Please forward them by fax, mail or email (steve.caram@gov.trondek.com) as soon as possible so that we can take them into consideration.

Sincerely,

Steve Caram
Lands & Resource Officer



October 16, 2001

Bernard Gagnon
Box 262
Matane, Quebec
G4W 3N2

Lands Department

Box 599, Dawson City, Yukon, Y0B 1G0.

Phone (867) 993-6937
Fax (867) 993-6846

Re: Development on C-4B/D

This registered letter is to inform you that we are currently underway with plans to develop C-4B/D. This is an 18.4 hectare parcel of land owned by the Tr'ondëk Hwëch'in that is located just south of Dawson City. Our records indicate that you own 8 claims in the C-4B/D area as listed below:

Bern	P24076	Sit	P22208
Al	P22209	Ben	P21500
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Our development intentions for C-4B/D are to landscape the area for the placement of 30+ residential lots, at least 7 commercial lots and related green space and buffers. This will require the placement of a road network, access routes and water, sewer, electrical and telecommunication infrastructure.

The development plan consists of 3 phases and for the next year we will be focusing on phase 2. The area of this phase is indicated on the accompanying map and you will note that it overlaps a large portion of your claims. Preliminary work this year will be to sketch out the road and residential lots through landscaping efforts. This will entail the clearing of vegetation and a great volume of earthmoving.

We still welcome any comments or concerns you may have about this development. Please forward them by fax, mail or email (steve.caram@gov.trondek.com) as soon as possible so that we can take them into consideration.

Sincerely,

Steve Caram
Lands & Resource Officer

I, THE UNDERSIGNED, MATHIEU BERNARD GAGNON, HEREBY,
GIVE FULL POWER OF ATTORNEY TO MICHEL VINCENT FOR ALL
MY CLAIMS LOCATED ON THE KLONDIKE RIVER.

MONTRÉAL DECEMBER 11 2001

SIGNED. MATHIEU BERNARD GAGNON

Mathieu Bernard Gagnon

Social security number:

WITNESSES: JEAN A. DESROSIERS

Jean A. Desrosiers

SAMUEL ABOUD, Engineer

Samuel Aboud



Yukon Surface Rights Board

C O P Y

August 10, 2002

Michel Vincent
Raven Exploration and Construction
P.O. Box 548
Dawson City, Yukon
Y0B 1G0

Dear Mr. Vincent

RE: YSRB 2002-001 Vincent v Tr'ondëk Hwëch'in First Nation

On August 7, 2002, the Yukon Surface Rights Board (the 'Board') met to review the application submitted by yourself. Specifically, the Board considered the following materials:

- a) the application form signed by Michel Vincent, dated May 8, 2002;
- b) letters dated September 20, 2001 and October 16, 2001 from Steven Caram, Tr'ondëk Hwëch'in First Nation (the 'First Nation') to Bernard Gagnon regarding development on block C-4B/D;
- c) Power of Attorney from Mathieu Bernard Gagnon to Michel Vincent, dated December 11, 2001;
- d) an undated handwritten letter (fax dated July 17, 2002) from Michel Vincent to Ian Pumphrey, Yukon Surface Rights Board, providing additional information for the application; and
- e) a handwritten letter, dated July 23, 2002, from Michel Vincent to Ian Pumphrey, Yukon Surface Rights Board, providing further information in support of the application.

When reviewing applications, the Board considers two main factors. First, have the requirements of the *Yukon Surface Rights Board Act* (the 'Act') and the Yukon Surface Rights Board Rules of Procedure (the 'Rules') been met with respect to the information provided about the dispute and the efforts made by the applicant to resolve the dispute by negotiation? Second, is the dispute between the parties the type of dispute over which the Board has the legal authority to issue an order?

With regards to the information submitted, the Board has determined that the information provided meets the requirements of the *Act* and the *Rules*. With respect to the type of dispute, the Board has determined that the dispute between yourself and the First Nation involves the potential inability of a placer claim holder (i.e. yourself

Mailing Address: Box 31201 Whitehorse, Yukon Y1A 5P7

Suite 206-100 Main Street Fax: (867) 668-5892 Phone: (867) 667-7695 info@yukonsurfacerights.com / www.yukonsurfacerights.com

and Mr. Gagnon) to access claims that are located on Category B Settlement Land of a First Nation due to the development plans of the First Nation. The Board has determined that it has the authority to proceed with your application based upon the nature of your dispute and thus we have accepted your application.

We must draw to your attention, however, an important limitation of the Board given the information you presented. In your application you indicated that you wanted the Board to issue "an order of settlement of 10,000/per claim". The Board has understood this to mean that you want the Board to order that the First Nation pay you \$10,000 per claim and then you will, effectively, abandon the claims. The Board does not have the authority to make such an order. Under the *Yukon Surface Rights Board Act*, the extent of the Board's jurisdiction in this regard is to determine what conditions would have to be put in place to enable you to access your mineral claims.

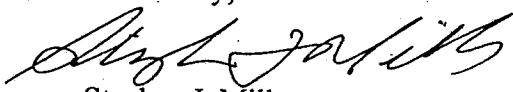
In light of the above, although the Board has accepted your application, we think that you may wish to further consider your next steps. To avoid unnecessary delays, however, we have decided that consistent with the Rules, the Board will offer mediation as a means of resolving the dispute between yourself and the First Nation. Mediation would involve yourself and a representative of the First Nation meeting and with the assistance of a third person attempting to resolve the dispute. This third person would be selected by the Board, following discussion with both parties to identify a person that is acceptable to both yourself and the First Nation.

Attached is the form that must be filled out and filed with the Board if you decide to participate in mediation. A copy of this form will also be provided to the First Nation.

If you wish to proceed with your application, but do not wish to participate in mediation and would rather proceed directly to a hearing, please advise our office of this decision. In either instance (i.e. the Board receives the form indicating that you will participate in mediation or that you want to proceed directly to a hearing), the Board will assume that you are aware, and accept, that the Board cannot make an order of the type you requested in your application, but can only make an order respecting access to the mineral claims. If you determine that the Board will not be able to assist you given your stated objectives, please let us know as soon as possible.

If you have any questions on the above, please do not hesitate to contact Ian Pumphrey at 667-7695.

Yours truly,



Stephen J. Mills
Chairperson

C O P Y

cc. Ed Kormendy, Tr'ondëk Hwëch'in First Nation