

March 19/96

KEITH DYE  
BOX 5395, WHITEHORSE, Y.T.  
PH. 668-2600

SURFACE RIGHTS BOARD  
BOX 31201,  
WHSE. Y1A-5P7

Dear sirs:

Find enclosed our correspondence to the NA-CHO NYAK DUN band at Mayo Yukon. Requesting access onto our legally staked leases and claims on class B Land Claims at McQuesten River Yukon.

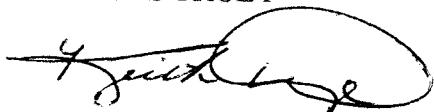
Our letter to them, of Feb. 10/96, was double registered. At this date we have had no response from the band at Mayo.

Because of the long delay in a response from them and their repeated promises to give us access in writing, we are concerned that we will again loose the entire upcoming mining season. In view of the late date we must request a hearing before your board.

It is not our wish to sit idly by for another season and wait for a reply from Mayo. We can easily show a loss of over \$30,000 while this was happening to us last year.

Please reply as soon as is possible with a date for our hearing with your organization.

YOURS TRULY



KEITH DYE.

# YUKON SURFACE RIGHTS BOARD

P.O. Box 31201  
Whitehorse, Yukon  
Y1A 5P7  
Tel: (403) 667-7695

May 9, 1996

Keith Dye  
Box 5395  
Whitehorse, Yukon  
Y0B 4Z2

Dear Mr. Dye:

Re: SRB File 96-1003

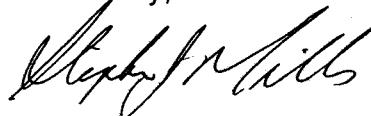
The Yukon Surface Rights Board (the "Board") acknowledges receipt of your letter dated March 19, 1996. The Board has approved its Rules and have enclosed them to assist you in your application to the Board.

The Yukon Surface Rights Board Act states that a person cannot apply to the Board for an order unless the person has attempted to resolve the matter in dispute by negotiation in accordance with the Rules. Under the Rules, if a person has made negotiation efforts in good faith to resolve the dispute, then the Board will accept the application for an access order.

Sections 3 and 4 of the Rules identify what is required in order to apply to the Board for an access order and the requirements to prove that you attempted to negotiate with the First Nation of Na-Cho Nyak Dun. Once you have met these requirements, the Board will be able to proceed with the necessary processes within its rules in order to ensure that your application can be dealt with in a timely manner.

If you have any questions, please contact me at the above number.

Sincerely,



Stephen J. Mills  
Chair

mailed  
May 10, 96

# YUKON SURFACE RIGHTS APPLICATION

This application is being made on behalf of Keith Dye of 114 178 Range Rd. Whitehorse Y.T. Telephone no. 633 3263 and Mr Bill Wasylenko of 21 Pelly Road Whitehorse Ph. 633 3263 Contact person Keith Dye as above.

The leases and claims under this application are as follows.

lease # pl 9579 and pl 9580 and claims # p 16888 p16889 p1690 p1691.

During the first week of May 1995 we were told by a mining acquaintance that our claims and our water licence issued by the Territorial Water Board , may not be all that was required in order to mine these claims on the McQueston river. This was the first time we had any indication that we may need the bands approval to enter upon these claims.

We had already spent much time and money moving our equipment and camp to the site and were very disturbed by this information.

Keith Dye and his son Darryl went to the mining recorder in Mayo to ask what we needed to do in order to gain access to the properties. They told us to go to the N.N.D. band office and ask for this permission.

We went to their office and were told that we would have to talk to Billy Germain as he was in charge of land access. They told us he was not in and we would have to come back to see him. Mr Robert Hagar was outside when we came out. We explained our predicament to him and he assured us that there should be no problem getting band approval for access.

On the strength of this verbal encouragement we went back to the claims on the McQueston and continued our setup of camp and equipment.

Over the next two weeks we called at least four times trying to get in touch with Billy Germain each time we called we were told he was not available or in a meeting. When we asked when we could contact him we were told that he might be in next Tuesday morning or some similar evasive answer.

Finally during the last part of May we caught up with Mr. Germain at the N.N.D. office in Mayo. He again was in a meeting, but met with us briefly ,and instructed us to send a written request to the office, and he would be able to get us our written authority to enter the property after he had brought it to the band at their regular meeting. We sent this request by mail to the band on June 14/95. Included in the request was a map of the claims and leases in question and a brief explanation of our small mining operation.

We followed up on this letter by going to the N.N.D. office the following week to find out if we in fact had their permission. We were told at that time that, the matter had not been brought up at their regular weekly meeting.

We phoned for the next two weeks and were unable to contact Mr. Germain. We then went back to the Mayo band office and were able to contact Mr. Albert Peters and Mr Stuart Moses who agreed to inspect the site of our proposed mining operation.

We had not moved any equipment to the claims in question at this time but were in fact doing our setup on an existing claim next to the ones in question.

After looking over our proposed mining operation they both agreed they could see no reason why we should not be allowed to move our equipment onto the claims. They assured us that we would soon receive our written permission to mine on this property.

During the time Mr. Peters and Mr. Moses visited with us at the site, they also looked at the quantity of good trees which they said they needed for their log home building efforts. We assured them that we would have no difficulty in saving any of these logs that were suitable for them. We also showed them the many old test holes that have been dug in the past by former claims holders and left open and water filled. These holes pose a potential hazard to both man and animals in the area as they would be very difficult to climb out of should anything fall into one of them. We assured them that if we were allowed to mine the property we would fill in any of these dangerous pits on the property.

We also showed them that there is in fact an existing road through the property, which has been there for the past thirty years. There is no need to rebuild this access or remove any vegetation in order to gain access.

We again patiently awaited the promised permission to mine on the property, that we now had moved our equipment onto. After waiting another two weeks and with the end of the season approaching, Keith and Darryl Dye visited the fish camp of Mr. Robert Hagar to tell him about our dilemma. He was very surprised to hear that we were still having this problem and told us to go ahead and begin to mine. He assured us he would settle this matter for us.

On the strength of his assurances to us, we began immediately to test this property with our mining equipment.

After about two weeks of mining activity we were very surprised to hear a member of the N.N.D. band on C.B.C. Radio saying that there was a moratorium on mining on these lands and that should they find anyone mining without written permission they were prepared to take legal action against them.

At this time we halted our operation and gave up on trying to negotiate with the N.N.D. Band. We are still awaiting this permission. We have lost two years of mining operation, the cost of numerous trips to Mayo, phone calls, camp costs for 1995, moving costs, which all amount to many thousands of dollars.

We have been forced to the brink of personal bankruptcy by the indecision, and inconsiderate attitude of the powers that be in this case. We ask that the uncertainty of the past two years be resolved immediately.

signed





**YUKON SURFACE RIGHTS BOARD**  
Box 31201  
WHITEHORSE, YUKON  
Y1A 5P7

February 26, 1997

*Delivered by hand*  
*February 26, 1997*

Our File: 96-1003

Keith Dye  
Box 5395  
Whitehorse, Yukon  
Y0B 4Z2

Dear Mr. Dye:

**RE: APPLICATION TO YUKON SURFACE RIGHTS BOARD**

This is to confirm that the Yukon Surface Rights Board (the 'Board') has accepted your application to the Board for an access order relating to the following matter:

access to placer mining leases PL 9579 PL 9580 and placer mining claims P 16888, P 16889, P 16890 and P 16891 located within Category B, block R-28B, First Nation of Nacho Nyak Dun Settlement Lands, for the purposes of exercising a New Mineral Right on Category B Settlement Land.

Your application has been accepted for the following reasons:

- a) The First Nation of Nacho Nyak Dun Final Agreement came into effect on February 14, 1995;
- b) PL 9579, PL 9580, P 16888, P 16889, P 16890, P 16891 located within R-28B of Category B Settlement Land in the Traditional Territory of the First Nation of the Nacho Nyak Dun, were recorded by the Mayo Mining District Mining Recorder on March 3, 1995; and,
- c) you have been unable to obtain the consent of the First Nation of Nacho Nyak Dun for a right of access for the purposes of exercising a New Mineral Right to use, cross and make necessary stops on the Settlement Land in question.

Further, in accordance with Rule 4(2) of the *Yukon Surface Rights Board Rules of Procedure* (the 'Rules'), I have reviewed your submitted record of negotiation efforts and have determined that you have attempted, without success, to resolve the matter in dispute by negotiation in accordance with the *Rules*.

In accordance with Rule 5(1), the Board is required to offer you the option of mediation of this dispute. Please accept this as our offer of mediation. If mediation is acceptable to you and the First Nation of Nacho Nyak Dun, the Board will appoint a mediator acceptable to both parties and will pay up to \$400.00 for mediation. Although you are encouraged to proceed with mediation if it appears that both parties may be able to come to agreement, any costs of mediation that exceed \$400.00 are the responsibility of the parties.

Should you wish to participate in a mediation session, please complete the attached form and return it personally, by registered mail or by facsimile to the above-noted address of the Board. The same offer of mediation will be extended to the First Nation of Nacho Nyak Dun.

Please be advised that in accordance with Rule 10, the matter may proceed to a hearing of the Board in the future if:

- a) either party notifies the Board of their intent to proceed to a hearing;
- b) both parties do not respond to confirm their attendance no later than seven days before the date fixed for the first mediation session; or
- c) if the parties fail to reach a mediated settlement.

If you have any questions on the above, please contact my office at 667-7695. You are reminded once again that if you elect to participate in a mediation session, we must have the attached form completed and returned to our office by March 10, 1997.

Yours truly,



Stephen J. Mills  
Chairperson



**YUKON SURFACE RIGHTS BOARD**  
Box 31201  
WHITEHORSE, YUKON  
Y1A 5P7

February 26, 1997

Billy Germaine  
Deputy Chief, First Nation of Nacho Nyak Dun  
P.O. Box 220  
Mayo, Yukon  
Y0B 1M0

Dear Mr. Germaine:

This is to advise you that on today's date the Yukon Surface Rights Board accepted the application of Keith Dye respecting

access to placer mining leases PL 9579 PL 9580 and placer mining claims P 16888, P 16889, P 16890 and P 16891 located within Category B, block R-28B, First Nation of Nacho Nyak Dun Settlement Lands, for the purposes of exercising a New Mineral Right on Category B Settlement Land.

A copy of the Board's letter of acceptance is attached for your information.

In accordance with Rule 5(1), the Board is required to offer the parties the option of mediation of this dispute. Please accept this as our offer of mediation. If mediation is acceptable to the First Nation of Nacho Nyak Dun and Mr. Dye, the Board will appoint a mediator acceptable to both parties and will pay up to \$400.00 for mediation. Although you are encouraged to proceed with mediation if it appears that both parties may be able to come to agreement, any costs of mediation that exceed \$400.00 are the responsibility of the parties.

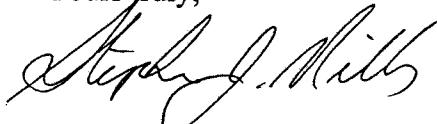
Should you wish to participate in a mediation session, please complete the attached form and return it personally, by registered mail or by facsimile to the above-noted address of the Board. As the attached letter indicates, the same offer of mediation has been made to Mr. Dye.

Please be advised that in accordance with Rule 10, the matter may proceed to a hearing of the Board in the future if:

- a) either party notifies the Board of their intent to proceed to a hearing;
- b) both parties do not respond to confirm their attendance no later than seven days before the date fixed for the first mediation session; or
- c) if the parties fail to reach a mediated settlement.

If you have any questions on the above, please contact my office at 667-7695. You are reminded once again that if you elect to participate in a mediation session, we must have the attached form completed and returned to our office by March 10, 1997.

Yours truly,



Stephen J. Mills  
Chairperson

cc. Keith Dye

INFORMATION TO PARTIES:

1. Any party that wishes to make representations to the Board at the hearing must file a **Notice of Response** as indicated in the Notice of Hearing (above).
2. The following information must be included in the Notice of Response:
  - complete name, address for service, and, if available, telephone/fax numbers
  - if applicable, name of person designated as contact person or agent, address for service and telephone/fax numbers
  - clear statement of the party's interest in the matter to be discussed at the hearing
  - clear statement of party's position on the matter to be discussed at the hearing
  - the intention of the party as to whether or not it will appear at the hearing
  - a copy of all information and supporting documents as may be useful in explaining the party's position on the matter to be discussed at the hearing
  - a copy of any authorization appointing a representative to act on behalf of the party
3. Be advised that all Notice of Responses received will be provided to the other party or parties.
4. All documents filed with the Board in relation to the matter to be discussed at the hearing will be made available to the parties during regular business hours at the office of the Board.
5. If you wish any material that you submit to the Board to be kept confidential, you must request, in writing at the time of submission, that you wish a document to be kept confidential and provide the reasons for this request. The Board will consider all requests and may order any documents or materials to be kept confidential. If appropriate, the Board may order a hearing or a portion of a hearing to be in camera.
6. If you wish an interpreter to be present for the hearing, you must make your request for a hearing to the Board in writing, not later than 7 calendar days before the date fixed for the hearing.



**YUKON SURFACE RIGHTS BOARD**  
**Box 31201**  
**WHITEHORSE, YUKON**  
**Y1A 5P7**

---

April 1, 1997

SRB File: 96-1003

Keith Dye  
Box 5395  
Whitehorse, Yukon  
Y0B 4Z2

Dear Mr. Dye

---

**RE: NOTICE OF HEARING**

---

Please be advised that the Yukon Surface Rights Board has scheduled a hearing with respect to your application as described in the attached Notice of Hearing.

Regarding the attached Notice of Hearing, I would like to draw your attention to the Notice of Response required and urge you to consider forwarding this Notice as soon as practicable to expedite the hearing and resolution of this matter. Please note the deadline date for filing your Notice of Response.

Should you have any questions about the hearing, please contact the Board's office as soon as possible.

Yours truly,



Stephen J. Mills  
Chairperson

CC. Nacho Nyak Dun



**YUKON SURFACE RIGHTS BOARD**  
Box 31201  
WHITEHORSE, YUKON  
Y1A 5P7

---

April 1, 1997

SRB File: 96-1003

Billy Germaine  
Deputy Chief, First Nation of Nacho Nyak Dun  
P.O. Box 220  
Mayo, Yukon  
Y0B 1M0

Dear Mr. Germaine:

---

**RE: NOTICE OF HEARING**

---

Please be advised that the Yukon Surface Rights Board has scheduled a hearing with respect to your application as described in the attached Notice of Hearing.

Regarding the attached Notice of Hearing, I would like to draw your attention to the Notice of Response required and urge you to consider forwarding this Notice as soon as practicable to expedite the hearing and resolution of this matter. Please note the deadline date for filing your Notice of Response.

Should you have any questions about the hearing, please contact the Board's office as soon as possible.

Yours truly,



Stephen J. Mills  
Chairperson

CC. Keith Dye

**YUKON SURFACE RIGHTS BOARD  
NOTICE OF HEARING**

This is to confirm that a hearing of the Yukon Surface Rights Board will be held on the following matter (description of reason for hearing):

Pursuant to s.42(1) of the *Yukon Surface Rights Board Act* respecting an access order

The parties to the hearing are (applicant, other parties as defined by s.29 of the Act):

Keith Dye,

First Nation of Na-cho Nyak Dun

The hearing shall be heard at (time, date and place of hearing):

Mayo, Yukon Territory on April 25, 1997, starting at 10:00am  
Yukon Government Building

All notice of responses shall be filed with the Board no later than (no later than 7 calendar days before hearing date):

Friday, April 18, 1997 at 5:00p.m.

Notice of responses must be filed by personal delivery, registered mail or facsimile to the office of the Yukon Surface Rights Board.

Yukon Surface Rights Board  
211 Main Street  
P.O. Box 31201  
Whitehorse, Yukon  
Y1A 5P7  
(403) 667-7695 (telephone)  
(403) 668-5892

Please review attached information to parties for supporting information

**YUKON SURFACE RIGHTS BOARD  
NOTICE OF HEARING**

This is to confirm that a hearing of the Yukon Surface Rights Board will be held on the following matter:

**Pursuant to s.42(1) of the *Yukon Surface Rights Board Act* respecting an order for access to placer mining leases PL 9579 PL 9580 and placer mining claims P 16888, P 16889, P 16890 and P 16891 located within Category B, block R-28B, First Nation of Nacho Nyak Dun Settlement Lands, for the purposes of exercising a New Mineral Right on Category B Settlement Land.**

The parties to the hearing are:

Keith Dye and Bill Wasylenko

First Nation of Nacho Nyak Dun

The hearing shall be heard at:

Mayo, Yukon Territory on May 2, 1997, starting at 10:00am  
Mayo Curling Club

All notice of responses shall be filed with the Board no later than:

Friday, April 25, 1997 at 5:00p.m.

Notice of responses must be filed by personal delivery, registered mail or facsimile to the office of the Yukon Surface Rights Board.

Yukon Surface Rights Board  
206-100 Main Street  
P.O. Box 31201  
Whitehorse, Yukon  
Y1A 5P7  
(403) 667-7695 (telephone)  
(403) 668-5892 (fax)

Please review attached information to parties for supporting information

## *Yukon Views*

To: J. Mills  
Attention: 668 - 5892  
No. of pages: \_\_\_\_\_  
From: Amy  
Date: Wed 29/97  
Time sent: 10 00  
Confirmation needed: no  
If we don't hear from you by  
30th October  
your ad will be printed as is  
Please check carefully for any errors.

Name of ad, date, PM2 am

**YUKON SURFACE RIGHTS BOARD**  
**Postponement**  
**of Hearing**

This is to notify of the postponement of the Yukon Surface Rights Board hearing, scheduled for May 2, 1997 in Mayo, Yukon, on the following matter:

Pursuant to s.42(1) of the *Yukon Surface Rights Board Act* respecting an order for access to placer mining leases PL 9579 PL 9580 and placer mining claims P 16888, P 16889, P 16890 and P 16891 located within Category B, block R-28B, First Nation of Nacho Nyak Dun Settlement Lands, for the purposes of exercising a New Mineral Right on Category B Settlement Land.

**Parties to the hearing:**

Keith Dye and Bill Wasylenko  
First Nation of Nacho Nyak Dung

Yukon Surface Rights Board  
206 - 100 Main Street  
P.O. Box 31201  
Whitehorse, YT Y1A 5P7  
(403) 667-7695 (telephone)  
(403) 668-5892 (fax)



Yukon Surface Rights Board  
206-100 Main Street  
P.O. Box 31201  
Whitehorse, Yukon  
Y1A 5P7  
Tel. (403) 667-7695 Fax (403) 668-5897



15 July 1997

SRB File: 96-1003

Keith Dye  
Box 5395  
Whitehorse, Yukon  
Y1A 4Z2

Dear Mr. Dye:

**RE: NOTICE OF HEARING**

Please be advised that the Yukon Surface Rights Board has scheduled a hearing with respect to your application as described in the attached Notice of Hearing.

Regarding the attached Notice of Hearing, I would like to draw your attention to the Notice of Response required and urge you to consider forwarding this Notice as soon as practicable to expedite the hearing and resolution to this matter. Please note the deadline for filing your Notice of Response.

Should you have any questions about the hearing, please contact the Board's office as soon as possible.

Sincerely,

Mark D. Hoppe  
Executive Director  
Yukon Surface Rights Board

c.c. Jim Harper, Legal Counsel  
Nacho Nyak Dun



15 July 1997

SRB File: 96-1003

Jim Harper  
Legal Counsel, Nacho Nyak Dun  
P.O. Box 96  
Pelly Crossing, Yukon  
Y0B 1P0

Dear Mr. Harper:

**RE: NOTICE OF HEARING**

---

Please be advised that the Yukon Surface Rights Board has scheduled a hearing with respect to your client as described in the attached Notice of Hearing.

Regarding the attached Notice of Hearing, I would like to draw your attention to the Notice of Response required and urge you to consider forwarding this Notice as soon as practicable to expedite the hearing and resolution to this matter. Please note the deadline for filing your Notice of Response.

Should you have any questions about the hearing, please contact the Board's office as soon as possible.

Sincerely,

Mark D. Hoppe  
Executive Director  
Yukon Surface Rights Board

c.c. Keith Dye

**YUKON SURFACE RIGHTS BOARD  
NOTICE OF HEARING**

This is to confirm that a hearing of the Yukon Surface Rights Board will be held on the following matter:

Pursuant to s.42(1) of the *Yukon Surface Rights Board Act* respecting an order for access to placer mining leases PL 9579 PL 9580 and placer mining claims P 16888, P 16889, P 16890, and P 16891 located within category B, block R-28B, First Nation of Nacho Nyak Dun Settlement Lands, for the purpose of exercising a New Mineral Right on Category B Settlement Land.

The parties to the hearing are:

Keith Dye and Bill Wasylenko

First Nation of Nacho Nyak Dun

The hearing shall be heard at:

Mayo, Yukon Territory on August 20, 1997, starting at 10:00a.m.  
Mayo Community Hall

All notice of responses shall be filed with the Board no later than:

Wednesday August 13, 1997 at 5:00p.m.

Notice of responses must be filed by personal delivery, registered mail or facsimile to the office of the Yukon Surface Rights Board.

Yukon Surface Rights Board  
211 Main Street  
P.O. Box 31201  
Whitehorse, Yukon  
Y1A 5P7  
(403) 667-7695 (telephone)  
(403) 668-5892  
Email [Surfacerightsboard@hypertech.yk.ca](mailto:Surfacerightsboard@hypertech.yk.ca)

Please review attached information to parties for supporting information

# Yukon News

To: Mark House  
 Attention: 668-5892

No. of pages: 1

From: Amy

Date: July 21

Time sent: 4:15

Confirmation needed:  
 yes no

If we don't hear from you by  
July 21  
 your ad will be printed as is  
 Please check carefully for any errors

For your records only

Phone 607-6283 • Fax 668-3755

*Mark House*  
*Amy*

Name of ad, date, PM2 am

## YUKON SURFACE RIGHTS BOARD

### Notice of Hearing

This is to confirm that a hearing of the Yukon Surface Rights Board will be held on the following matter:

Pursuant to s.42(1) of the Yukon Surface Rights Board Act respecting an order for access to placer mining leases PL 9579 PL 9580 and placer mining claims P 16888, P 16889, P 16890 and P 16891 located within Category B, block R-28B, First Nation of Nacho Nyak Dun Settlement Lands, for the purpose of exercising a New Mineral Right on Category B Settlement Land.

The parties to the hearing are:

Keith Dye and Bill Wasylenko

First Nation of Nacho Nyak Dun

The hearing shall be heard at

Mayo, Yukon Territory on August 20, 1997, starting at 10:00 am  
 Mayo Community Hall

All notice of responses shall be filed with the Board no later than:

Wednesday August 13, 1997 at 5:00 pm.

Notice of responses must be filed by personal delivery, registered mail or facsimile to the office of the Yukon Surface Rights Board.

Yukon Surface Rights Board  
 211 Main Street  
 P.O. Box 31201  
 Whitehorse, Yukon Y1A 5P7  
 Tel. (403) 667-7695 Fax (403) 668-5892  
 Email [Surfacerightsboard@hypertech.yk.ca](mailto:Surfacerightsboard@hypertech.yk.ca)

*Please review attached information to parties for supporting information.*

AUGUST 3/97



14:55  
Mayo  
Hand delivered  
by Betty  
Dye.

KEITH DYE  
BOX 5395, WHITEHORSE Y.T.

YUKON SURFACE RIGHTS BOARD  
WHITERHORSE, Y.T.

Dear Sirs.

As per our conversation of last week, it would seem preferable at this time to make an attempt to sit down with Mr. Germaine and see if both parties can agree on an agreement for access to the McQueston River Properties held by myself and Bill Wasylenko.

I am unable to get in touch with Mr. Germaine as I am away in a wilderness camp for the next 14 days.

If Mr. Germaine will agree to talk to us before a hearing we would agree to another postponement of this hearing and will leave it up to you to talk to Mr. Germaine to arrange such a meeting. We would prefer a meeting of this kind to be held when he is in Whitehorse. It could also be held at your offices if this is agreeable to all parties.

Please accept this as my written permission to again cancel the upcoming hearing in Mayo.

Yours Truly



Keith Dye

**Yukon News**

To: Mark  
 Attention: 668-5892  
 No. of pages: 1  
 From: Chery  
 Date: Aug 7  
 Time sent: 300  
 Confirmation needed: no  
yes  
 If we don't hear from you by  
Aug 20  
 your ad will be printed as is  
 Please check carefully for any errors.

For your records only \_\_\_\_\_

Phone 667-6283 • Fax 668-3755

*Chery*  
*Chery*

Name of ad, date, PM2 am

**YUKON SURFACE RIGHTS BOARD**  
**Postponement**  
**of Hearing**

This is to notify of the postponement of the Yukon Surface Rights Board hearing, scheduled for August 20, 1997 in Mayo, Yukon, on the following matter:

Pursuant to s.42(1) of the Yukon Surface Rights Board Act respecting an order for access to placer mining leases PL 9579 PL 9580 and placer mining claims P 16883, P 16889, P 16890 and P 16891 located within Category B, block K-28B, First Nation of Nacho Nyak Dun Settlement Lands, for the purposes of exercising a New Mineral Right on Category B Settlement Land.

Parties to the hearing:

Keith Dye and Bill Wasylenko  
 First Nation of Nacho Nyak Dun

Yukon Surface Rights Board  
 206 - 100 Main Street  
 P.O. Box 31201, Whitehorse, YT Y1A 5P7  
 (403) 667-7695 (telephone)  
 (403) 668-5892 (fax)

Yukon Surface Rights Board

206-100 Main Street

P.O. Box 31201

Whitehorse, Yukon

Y1A 5P7

Tel. (403) 667-7695 Fax (403) 668-5892

15 April, 1998

SRB File: 96-1003

Keith Dye  
Bill Wasylenko  
Whitehorse, Yukon

Dear Keith:

**Re: Application Status**

---

This letter is to confirm that your application number 96-1003 is still before the Yukon Surface Rights Board (the 'Board'). We are yet to receive confirmation of your agreement with the Nacho Nyak Dun ('NND') and an accompanying request by yourself or Bill Wasylenko to close the file. The Board has also not received any notice from the Mining Recorder that your relief order has been extended. You may wish to pursue this with Chad Santo in Mayo.

The Board would like to receive instructions to close the file or proceed to a hearing by May 31 or they will consider the file closed. After that time you can reapply if you have not reached an acceptable resolution to your access dispute with NND.

Please call if you have any questions or further information on your file.

Sincerely,

Stephen J. Mills  
Chair  
Yukon Surface Rights Board

c.c. Simon Mervyn, NND  
Jim Harper, NND Legal Counsel  
Chad Santo, Mayo Mining Recorder