

[Translation]

## MINISTRE DE L'ENERGIE ET DES RESSOURCES NATURELLES

**NO: 32-22185**

**IN RE:** Copper One Inc.  
65 Queen St West, suite 800  
Toronto (Ontario) M5H 2M5

**-AND-**

Mtre. Kateri-Anne Grenier  
Norton Rose Fulbright Canada LLP  
Complexe Jules-Dallaire  
Tour Norton Rose Fulbright  
2828, boulevard Laurier, bureau 1500  
Québec, Quebec G1V 0B9

### DECISION

#### THE FACTS

On June 28, 2016, by ministerial decision 32-21016, the Ministère de l'Énergie et des Ressources naturelles (MERN) lifted the suspension of the term of the claims designated CDC 2192354 to 2192356, 2192758 to 2192784, 2194895 to 2194938, 2195342 to 2195357, 2195360 to 2195382, 2198920 to 2198941, 2198943 to 2198965, 2199101 to 2199148, 2199230 to 2199374, 2199471 to 2199510, 2200321 to 2200360, 2200362 to 2200441, 2200457 to 2200496, 2200525 to 2200557, 2201002 to 2201041, 2201312 to 2201391, 2202153 to 2202164, 2202969 to 2202973, 2203017, 2203166 to 2203181, 2204410 to 2204432, 2209733 to 2209740, 2213512, 2213513, 2226309 to 2226326, 2241411, 2241412, 2243328 to 2243331, 2244405, 2258829 to 2258861, 2258903 to 2258939, 2260904 to 2260922, 2261192 to 2261210, 2273181 to 2273249, 2279065 to 2279081, 2285969 to 2286003, 2286776 and 2291840 to 2291865, located in the Barriere Lake area and held by Copper One Inc. The information obtained on the evolving situation in that area showed that there was no longer, in particular, public safety issues warranting the suspension of the term of these claims.

In January 2017, the MERN was informed of the likelihood that physical impediments preventing the carrying out of exploration work on the above-stated claims would be set up by third parties if representatives of Copper One Inc. went to the Barriere Lake area. As a result, Copper One Inc. could not meet its obligations under the Mining Act.

In an article published on January 26, 2017, the newspaper "L'Echo Abitibien" quotes Tony Wawatie, Director General of the Barriere Lake Band Council, who states: "[translation] Barriere Lake is known for its demonstrations and blockades. Quebec knows we have carried out many acts of resistance."

In an article published on January 27, 2017, the newspaper "Le Devoir" states that the Algonquins of Barriere Lake set up camp on the outskirts of the site where the initial exploration work of the company Copper One Inc. was being carrying out. In its letter of December 16, 2016 sent to the Minister of Energy and Natural Resources and the Minister responsible for Aboriginal Affairs, the chief of the Algonquins of Barriere Lake, Casey Ratt, stated that his community had set up a land protection camp near Copper One Inc.'s planned drill sites "to ensure no mining exploration activities take place." Winterizing of the camp was carried out, as the group Barriere Lake Solidarity reported on its website on that same day.

An article published on January 30, 2017 by the newspaper “La Frontière” states that the members of the Algonquin community of Barriere Lake held a press conference on January 26 and they reaffirmed that blockades would be considered if the company Copper One Inc. carried out work.

On January 20, 2017, the MERN notified Copper One Inc. of its intention to suspend the term of the claims of that mining company in the Barriere Lake area. It was given 15 days to provide its comments on the draft decision. Legal counsel for Copper One Inc. responded by letter on February 3. They conclude that the draft decision is erroneous, has no basis in fact and constitutes an excess of jurisdiction. However, no new facts were presented to the MERN.

## **THE LAW**

IN VIEW OF the facts set out hereinabove;

IN VIEW OF Division III of Chapter III of the Mining Act (c M-13.1) regarding claim rights and obligations;

WHEREAS section 17 of the Mining Act reads:

“The purpose of this Act is to promote mineral prospecting, exploration and development in keeping with the principle of sustainable development, while ensuring that Quebecers get a fair share of the wealth generated by mineral resources and taking into account other possible uses of the territory.

Another purpose of this Act is to ensure that non-renewable resources are used for the benefit of future generations.

A further purpose of this Act is to develop homegrown expertise in mineral resource exploration, development and processing in Québec.”

WHEREAS the first paragraph of section 65 of the Mining Act states that:

“Every claim holder has access to the parcel of land subject to his claim and may perform any exploration work thereon.”

WHEREAS section 72 of the Mining Act states that:

“Subject to sections 73 and 75 to 81, the claim holder shall, 60 days or more before the expiry of his claim, perform on the land that is subject to his claim work of the nature and for the minimum cost determined by regulation. However, the amounts spent on property examination and technical assessment work shall not be accepted unless the work is performed within 48 months following the date on which the claim was registered.

The claim holder must, not later than that day, report to the Minister on all the work performed, including work for which an exploration allowance or a pre-production development allowance may be claimed under the Mining Tax Act ([chapter I-0.4](#)), whether or not it actually is. He may, however, for an additional amount prescribed by regulation, send his report after that date provided he does so before the date of expiry of his claim. The report shall be in the form and accompanied with the documents prescribed by regulation.”

WHEREAS it is likely that the holder of the claims will be prevented from carrying out exploration work on the lands of the claims designated CDC 2192354 to 2192356, 2192758 to 2192784, 2194895 to 2194938, 2195342 to 2195357, 2195360 to 2195382, 2198920 to 2198941, 2198943 to 2198965, 2199101 to 2199148, 2199230 to 2199374, 2199471 to 2199510, 2200321 to 2200360, 2200362 to 2200441, 2200457 to 2200496, 2200525 to 2200557, 2201002 to 2201041, 2201312 to 2201391, 2202153 to 2202164, 2202969 to 2202973, 2203017, 2203166 to 2203181, 2204410 to 2204432, 2209733 to 2209740, 2213512, 2213513, 2226309 to 2226326, 2241411, 2241412, 2243328 to 2243331, 2244405, 2258829 to 2258861, 2258903 to 2258939, 2260904 to 2260922, 2261192 to 2261210, 2273181 to 2273249, 2279065 to 2279081, 2285969 to 2286003, 2286776 and 2291840 to 2291865;

WHEREAS section 63 of the Mining Act reads:

“Subject to the conditions determined by the Minister, the Minister may, on his own initiative or at the request of any interested person, suspend the term of the claim,

- (1) during such time as the validity of the claim is contested;
- (2) for the period he determines, where the claim holder is prevented from performing the work prescribed by section 72;
- (3) until he has rendered a decision on an application for a mining lease, where the application concerns the land that is the subject of the claim.”

WHEREAS the suspension of the term of the claims will allow the holder to retain its mining titles despite the potential conflict situation;

WHEREAS section 291 stipulates that every decision rendered pursuant to section 63 must be in writing and give the reasons on which it is based.

### **THEREFORE**

For these reasons, the Directrice générale de la gestion du milieu minier, by the powers delegated to her by ministerial order 2009-006 dated February 20, 2009, *Arrêté ministériel concernant la délégation de l'exercice des pouvoirs attribués au ministre des Ressources naturelles par la Loi sur les mines, à l'exception de ceux relatifs au pétrole, au gaz naturel, à la saumure et aux réservoirs souterrains*, published in the *Gazette Officielle du Québec* of March 11, 2009:

SUSPENDS the term of the claims designated CDC 2192354 to 2192356, 2192758 to 2192784, 2194895 to 2194938, 2195342 to 2195357, 2195360 to 2195382, 2198920 to 2198941, 2198943 to 2198965, 2199101 to 2199148, 2199230 to 2199374, 2199471 to 2199510, 2200321 to 2200360, 2200362 to 2200441, 2200457 to 2200496, 2200525 to 2200557, 2201002 to 2201041, 2201312 to 2201391, 2202153 to 2202164, 2202969 to 2202973, 2203017, 2203166 to 2203181, 2204410 to 2204432, 2209733 to 2209740, 2213512, 2213513, 2226309 to 2226326, 2241411, 2241412, 2243328 to 2243331, 2244405, 2258829 to 2258861, 2258903 to 2258939, 2260904 to 2260922, 2261192 to 2261210, 2273181 to 2273249, 2279065 to 2279081, 2285969 to 2286003, 2286776 and 2291840 to 2291865, the holder of which is Copper One Inc.

Quebec City, February 8, 2017

/S/Lucie Ste-Croix

By: Lucie Sainte-Croix  
Directrice générale de la  
gestion du milieu minier

## NOTICE

**NO: 32-22185**

**IN RE:** Copper One Inc.  
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2828, boulevard Laurier, bureau 1500  
Québec, Quebec G1V 0B9

Take note of this decision and know that under sections 295 and 298 of the Mining Act (c. M-13.1), you can appeal it within thirty (30) days to the Court of Québec as of receipt of this decision.

Quebec City, February 8, 2017

/S/Lucie Ste-Croix

By: Lucie Sainte-Croix  
Directrice générale de la  
gestion du milieu minier

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