Further amended pursuant to Consent Order filed 30/JUN/2020
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Original filed 21/SEP/2015

NO. 051952
KAMLOOPS REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN

CHIEF RON IGNACE and CHIEF ~~SHANE GOTTFRIEDSON~~ ROSANNE CASIMIR, on their own behalf and on behalf of all other members of the Stk'emlupsemc te Secwepemc of the SECWEPEMC NATION

PLAINTIFFS

AND

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, KGHM AJAX MINING INC., and THE ATTORNEY GENERAL OF CANADA

DEFENDANTS

FURTHER AMENDED NOTICE OF CIVIL CLAIM

Name and address of each Plaintiff:

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c/o Stk'emlupsemc te Secwepemc
PO Box 1888 Savona, B.C.

Kukpi7 ~~Mr. Shane Gottfriedson~~ Ms. Rosanne Casimir
c/o Stk'emlupsemc te Secwepemc
PO Box 1888 Savona, B.C.

Name and Address of each Defendant:

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Ministry of the Attorney General
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The Attorney General of Canada
British Columbia Regional Office
Department of Justice Canada
900 - 840 Howe Street
Vancouver, British Columbia
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This action has been started by the Plaintiffs for the relief set out in Part 2 below.

If you intend to respond to this action, you or your lawyer must:

(a) file a Response to Civil Claim in Form 2 in the above-named registry of this court within the time for response to civil claim described below, and

(b) send a copy of the filed Response to Civil Claim on the Plaintiffs.

If you intend to make a counterclaim, you or your lawyer must:

(a) file a Response to Civil Claim in Form 2 and a Counterclaim in Form 3 in the above-named registry of this court within the time for response to civil claim described below, and

(c) serve a copy of the filed Response to Civil Claim and Counterclaim on the Plaintiffs and on any new parties named in the Counterclaim.

JUDGMENT MAY BE PRONOUNCED AGAINST YOU IF YOU FAIL to file the Response to Civil Claim within the time for response to civil claim described below.

Time for Response to Civil Claim

A response to civil claim must be filed and served on the Plaintiffs:

(a) if you reside anywhere in Canada, within 21 days after the date on which a copy of the filed Notice of Civil Claim was served on you;

(b) if you reside in the United States of America, within 35 days after the date on which a copy of the filed Notice of Civil Claim was served on you;

(c) if you reside elsewhere, within 49 days after the date on which a copy of the filed Notice of Civil Claim was served on you; or

(d) if the time for response to civil claim has been set by order of the court, within that time.

CLAIM OF THE PLAINTIFFS

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PART 1: STATEMENT OF FACTS

Introduction

Overview of claim

1. The Secwepemc Nation seeks declarations of aboriginal rights and title in relation to part of its traditional territory, damages in respect of unjust infringements of those aboriginal rights and title, and interim and permanent injunctions preventing activities in relation to a project known as the Ajax Mine.

The plaintiffs

2. The Xwexweyul'ecwem Secwepemc otherwise known as Secwepemc Nation is an aboriginal group that occupies and has occupied the lands comprising the Secwepemc's Traditional Territory (described below) at and since the time of contact with Europeans, and at the date British Sovereignty was asserted over British Columbia.

3. Stsmel7qen also known as Kukpi7 (Chief) Ron Ignace is a member of the Secwepemc Nation. He is the elected Chief of the Skeetchestn Indian Band (one of the Indian bands which is part of the Secwepemc Nation). He is an aboriginal person within the meaning of section 35 of the ***Constitution Act, 1982*** and an Indian within the meaning of section 91(24) of the ***Constitution Act, 1867***.

4. Kukpi7 (Chief) ~~Shane Gottfriedson~~ Rosanne Casimir is a member of the Secwepemc Nation. ~~He~~ She is the elected Chief of the Tk'emlups Indian Band, also known as the Kamloops Indian Band, (one of the Indian bands which is part of the Secwepemc Nation). ~~He~~ She is an aboriginal person within the meaning of section 35 of the ***Constitution Act, 1982*** and an Indian within the meaning of section 91(24) of the ***Constitution Act, 1867***.

5. The Stk'emlupsemc te Secwepemc or "Kamloops Division" is a governance region of the Secwepemc Nation, situated in the Secwepemc Traditional Territory around Kamloops Lake. The Stk'emlupsemc te Secwepemc includes and is principally comprised of Secwepemc persons who are members of the Skeetchestn Indian Band and the Tk'emlups Indian Band and are referred to as "Stk'emlupsemc te Secwepemc" or "SSN". In accordance with Secwepemc laws, customs, and traditions, members of the Stk'emlupsemc te Secwepemc own, care for, and are responsible for the protection and management of that part of Secwepemc Traditional Territory known as Stk'emlupsemc

te Secwepemcucl'ecw and whose approximate boundaries are identified as "SSN Boundary" on the map attached as Schedule "**A**" to this claim (the "**Stk'emlupsemc te Secwepemc Territory**").

The defendants

6. Her Majesty the Queen in Right of British Columbia ("British Columbia" or the "Province") is that aspect of the Crown that:

   (a) is vested with legal title to the lands in issue in this action pursuant to s. 109 of the ***Constitution Act, 1867***, subject to the aboriginal rights and title of the Secwepemc;

   (b) has legal title to the mines and minerals at issue in this litigation under s. 109 of the ***Constitution Act, 1867***, subject to the aboriginal rights and title of the Secwepemc; and

   (c) is vested with legislative jurisdiction in respect of the non-aboriginal interests in the lands and the mines and minerals at issue in this action, pursuant to ss. 92 and 92A of the ***Constitution Act, 1867***.

7. The defendant KGHM Ajax Mining Inc. ("KGHM") is a body corporate registered to carry on business with a registered office located at Suite 2600, Three Bentall Centre, P.O. Box 49314, 595 Burrard Street, in the City of Vancouver, in the Province of British Columbia.

8. The defendant Attorney General of Canada is the representative of Her Majesty the Queen in Right of Canada and is named in these proceedings pursuant to s. 23(1) of the *Crown Liability and Proceedings Act*, R.S.C. 1985, c. C-50, as amended.

Secwepemc Traditional Territory and Stk'emlupsemc te Secwepemc Territory

9. Part of the Secwepemc traditional territory is known as "Secwepemcul'ecw" and is intimately linked to the identity of the Secwepemc people.

10. Secwepemc traditional territory covers an area of about 180,000 square kilometres. Its borders can be roughly traced from Ashcroft on the Thompson River and an area west of the Fraser River to Quesnel in the north, then east to Windemere, then along the northern part of the Arrow Lakes to the Salmon River and Enderby, and then to the

Logan Lake Plateau south of Kamloops and back to Ashcroft (the "Secwepemc Traditional Territory).

11. This claim applies to only part the Secwepemc Traditional Territory. Specifically, it applies to the "Stk'emlupsemc te Secwepemcucl'ecw" defined as "Stk'emlupsemc te Secwepemc Territory" which territory includes the area of the subject Authorizations (defined below). The Secwepemc reserve the right to claim aboriginal rights and title to the whole of Secwepemc Traditional Territory in the future.

The Ajax Mine Project

12. KGHM proposes to develop a new copper and gold mine with a production capacity of 21.9 million of ore per year and a life expectancy of 23 years (the "Project"). The Project is a joint venture between Vancouver-based Abacus Mining and Exploration Corporation and KGHM Polska Miedz S.A., a Polish copper and silver producer.

13. The Project is located in the South-Central Interior of British Columbia, southeast of the junction of the Trans-Canada Highway (No. 1) and the Coquihalla Highway (No. 5), within the Thompson Nicola Regional District.

14. British Columbia or his/her delegates have authorized mining and mining development activities to KGHM including, without limitation, mineral tenures, leases, crown grants grazing leases/licenses, water permits and licenses, private land holdings and all other approvals, licenses, grants, permits, and authorizations; and the Project (including future exploration and development work) will require various additional approvals, authorizations, licenses, and/or permits issued by various Provincial and Federal government ministries and departments including, without limitation, those issued by the BC Ministry of Energy and Mines under the *Mines Act,* the BC Ministry of Forests, Lands, and Natural Resource Operations ("MFLNRO") under the *Forests Act* and the *Land Act;* the BC Ministry of Environment under the *Water Act* and the *Environmental Management Act;* the Environmental Assessment Office ("EAO") under the *Environmental Assessment Act*; the Interior Health Authority relating to air quality and drinking water and sewage disposal; the federal Canadian Environmental Assessment Agency under the *Canadian Environmental Assessment Act,* the Department of Fisheries and Oceans under the federal *Fisheries Act,* and Natural Resources Canada (NRCan) under the *Explosives Act* (collectively, the "**Authorizations**").

15. The Authorizations, and activities carried out pursuant to the Authorizations, comprise several hectares of land within Stk'emlupsemc te Secwepemc Territory. The map attached as Schedule "**B**" to this Notice of Civil Claim overlays the Project area and some of the KGHM's mineral tenures, leases and Crown grants within Stk'emlupsemc te Secwepemc Territory.

16. In 2011, KGHM commenced the pre-application stage of the Environmental Assessment process under the *Environmental Assessment Act* and the *Canadian Environmental Assessment Act.* On February 25, 2011, the EAO/the Agency issued a Section 10 order for the Project, and on January 11, 2012, issued a Section 11 Order for the Project. On June 25, 2013, the EAO/the Agency approved the Project's Application Information Requirements.

17. For the purposes of the Project environmental assessment process, KGHM has delineated a regional study area and a local study area also identified on the overlay map attached as Schedule "**B**" to this claim.

18. In November 2011, the EAO completed a "strength of claim" assessment of the Secwepemc's aboriginal rights and title in the original Project footprint. It found a strong *prima facie* case for aboriginal rights, and a weak *prima facie* case for aboriginal title.

19. On April 24, 2013, Susan Fitton, MFLRNO's Senior Project Manager for the Thompson Okanagan Region, advised Stk'emlupsemc te Secwepemc that, because the Project was considered to be a "Major Mine Project" ("MMP"), the consultation process would be chaired by the MFLNRO. In collaboration with the Ministry of Energy and Mines and Natural Gas, MFLNRO would be responsible for leading the Coordinated Authorizations process and First Nations Consultation, including on applications where the Chief Inspector of Mines, or his/her delegate, is the statutory decision maker.

20. Subsequently, in November of 2014, KGHM undertook a comprehensive evaluation of the Project's copper and gold resources and made significant changes to the Project. It shifted and expanded the layout to the south of the original Project footprint, and changed the Project's technology and design to address economic viability of some additional orebodies. On November 7, 2014, KGHM filed Revised Application Information Requirements for this new Project with the EAO.

21. On or about May 12, 2015, the EAO completed a “strength of claim” reassessment of the Secwepemc’s aboriginal rights and title in the new Project footprint. It found a strong *prima facie* case for aboriginal rights and a strong case for aboriginal title.

22. The following is a description of the various components and major equipment that the new Project (i.e., the Project as of November 2014) is expected to include if it proceeds, without limitation:

(a) An open pit;
(b) A metal mill;
(c) A processing facility;
(d) Tailings storage facility, including seepage collection and ponds at four tailings embankments, collection ditches, and tailings ponds and emergency storage pond;
(e) Five waste rock management facilities including the South Waste Rock Storage Facility, Ease Waste Rock Storage Facility, Tailings Embankment Waste Rock Storage Facility, in-Pit Waste Rock Storage Facility, and the Tailings Embankments ;
(f) Water management facilities;
(g) Road and bridge upgrades;
(h) New access and haul roads and existing access routes;
(i) Borrow sources;
(j) Transmission line and transformer upgrades;
(k) Explosives manufacturing and storage facility, including facilities to manufacture and store bulk products including raw materials storage for emulsion production, ammonium nitrate storage silos, fuel oil storage, equipment repair short, wash bay and office and magazines for storage of accessories;
(l) Process and potable water systems, including the intake in Kamloops Lake;
(m) Concentrate storage and shipping area;
(n) Concentrate transport to Port of Vancouver;
(o) Electrical-hydraulic shovels with buckets;
(p) In-pit crushers and conveying system (IPCC) and out-pit gyratory primary crusher system, belt conveyors, and staking systems;
(q) Trucks for loading and distributing and shipping to the Port of Vancouver and a truck shop;
(r) Process water intake and line;

(s) North Overburden Stockpile;

(t) Ancillary Infrastructure including a warehouse for storage including hazardous materials, truck shop, mine equipment and employee parking, mine dry; administrative building, fuelling facilities, sanitary sewage; and

(u) the rerouting of the existing Kinder Morgan pipeline which runs through the Project area.

23. A previous mining operation existed at the proposed Project site. It included two open mine pits. Ore mined from those two pits was transported to Hughes Lake and the lake became a tailings pond. Hughes Lake has not been remediated to this day and the loss and destruction of Hughes Lake has had, and continues to have, an adverse effect on the Secwepemc. It is an example of the continued and ongoing infringement of the Secwepemc's aboriginal rights and title in the Project area.

24. During the week of May 2 – 6, 2016, the Secwepemc undertook its own environmental review of the Project to assess the adverse impact of the Project considering Secwepemc laws and governance. A report and recommendations are forthcoming.

Aboriginal Title and Rights

25. The Secwepemc Nation asserts aboriginal title and rights to the whole of the Stk'emlupsemc te Secwepemc Territory, which comprises part of the whole territory of the Secwepemc. In particular, the Secwepemc Nation asserts aboriginal title to the land within the Stk'emlupsemc te Secwepemc Territory, which includes the subject Authorizations.

26. In the alternative, the Secwepemc assert aboriginal title and rights in one or more of the watersheds and/or airsheds within the Stk'emlupsemc te Secwepemc Territory, or one or more parts of the Stk'emlupsemc te Secwepemc Territory.

Secwepemc governance over the land

27. The Secwepemc's Stsq'ey' (indigenous law) govern the boundaries of Secwepemc Traditional Territory, the Secwepemc's relationships with outsiders (or guests on their land), land access and tenure within Secwepemc Territory, and the Secwepemc's reciprocal accountability with all living things on the land. The Stsq'ey' reflect Secwepemc spirituality and the Secwepemc connection to their Territory.

28. The Stsqu'ey' comprise the experiences and deeds of Secwepemc ancestors on the land. Tellquel'mucw (transformers) vanquished and harnessed the adverse forces of nature, transforming the land and commemorating their deeds in the landscape. The resulting Stsqu'ey' are written in physical markings on the land itself and told in Secwepemc stories.

29. Stories that relate these indigenous laws include, without limitation:

    (a) Coyote sitting on a rock (Parts I and II);

    (b) Coyote and the tree;

    (c) Coyote and the salmon;

    (d) Chickadee story;

    (e) Porcupine story;

    (f) Suckerfish story;

    (g) The Trout Children Story;

    (h) The Tlli7sa Story; and

    (i) Others.

30. Examples of physical markings on the land include, without limitation, ancient pictographs, rock formations, and boundary markers.

31. The Stsqu'ey' include laws that define rights of access and land tenure on Secwepemc Territory including, without limitation,

    (a) Boundary markers, for example, "coyote's sweathouse," which marks the boundary between the Secwepemc and the Tsilhquot'n, and the place where Tlli7sa and his brothers (some of the Secwepemc's ancestral transformers) were frozen into stone, which marks the boundary between the Secwepemc and the Stetex7em;

    (b) Equal rights of access for all Secwepemc to what they require from the land;

    (c) Joint ownership of Secwepemc Territory by all Secwepemc;

(d) Stewardship of tracts of Secwepemc Territory, such as Stk'emlupsemc te Secwepemcul'ecw, by rightful local caretakers, yucumin'men, also known as governance through geopolitical units;

(e) K'wseltktenews (laws of kinship), which allow access to the collectively owned resources and territory through relationships of blood, marriage, and adoption; and

(f) Laws of hosts and guests, including that guests on Secwepemc territory are treated with hospitality unless they show hostile intentions.

32. The Stk'emlupsemc te Secwepemc are the rightful caretakers or yucumin'men of the Stk'emlupsemc te Secwepemc Territory including Pípsell (described below). As such, the SSN acts on behalf of the Secwepemc Nation in matters pertaining to governance of Stk'emlupsemc te Secwepemc Territory.

33. The SSN's governance of Secwepemcul'ecw stems from a long history with the land. Since pre-contact time, the SSN or its predecessors have applied the Stsqu'ey' to Stk'emlupsemc te Secwepencul'ecw. In addition to the laws of access and tenure set out above, SSN governance of Secwepemcul'ecw respects the law of x7ensq't representing the "power of a place". More specifically, if you do not respect a place "the land and sky will turn on you." As well, the doctrine of reciprocity and accountability governs nation-to-nation relations, relations between individuals, relations between humans and all living things, and relations among all living things. Reciprocity is inextricably bound to the land on which the reciprocal relationships occur.

34. Secwepemc law and governance over the land is passed on through intergenerational teaching at culturally significant areas within Secwepemc Territory, including Jacko Lake. The knowledge, rights, values, norms, and laws about how to live in Secwepemcul'ecw is passed on through intergenerational kinship from one generation to the next.

35. Sewepemc spirituality is reflected in Secwepemc laws, which is in turn connected to culturally significant areas within Secwepemc Territory including Jacko Lake. The law of x7ensq't (the power of place), the reciprocal accountability and spiritual relationship between humans and the land, and the Secwepemc responsibility to act as stewards for the territory and its resources (including the earth, wind, fire and water for future

generations) all stem from Secwepemc's historical, spiritual, and cultural connection to places described in stsptékwll including the Trout Children Story.

36. Secwepemc language laws reinforce the principle of reciprocal accountability and govern social conduct as a means of keeping peace and order within collective society. The Secwepemc learn language laws through stsptékwll, their connection to the land, and dealings with all people both within the Secwepemc and those wishing to enter Secwepemc Territory.

37. Secwepemc laws and governance principles provide the foundation of the distinctive Secwepemc culture. As such, each of these laws constitutes an aboriginal right of the Secwepemc to self-government.

Occupation of the land

38. The Secwepemc Nation (including its various governance regions) exclusively occupied the Stk'emlupsemc te Secwepemc Territory at and before the time of the assertion of British Sovereignty. The Secwepemc Nation therefore holds aboriginal title to Stk'emlupsemc te Secwepemc Territory.

Cultural and spiritual practices

39. The Secwepemc as they exist today are the continuation of and successors to the Secwepemc as they existed prior to contact with Europeans.

40. Prior to and since the date of contact with Europeans, the Secwepemc Nation has occupied, used, and maintained a substantial connection to Stk'emlupsemc te Secwepemc Territory. Members exercise their aboriginal rights to fish, hunt, gather, trap, and exercise cultural and spiritual practices on the lands and in the water within Stk'emlupsemc te Secwepemc Territory, including within the proposed footprint of the Project. In particular, the Secwepemc exercise the following aboriginal rights, without limitation:

    (a) Fishing, specifically in Jacko Lake, Peterson Creek, Cherry Creek, and the other lakes, streams, and rivers that run through the proposed Project and through Stk'emlupsemc te Secwepemc Territory;
    (b) Hunting and trapping of various animals including, without limitation, elk, deer, moose, mountain goat, mountain sheep, rabbit, marmot, ground hog, and gophers;

(c) Harvesting/gathering of timber and related materials such as bark, sap, and the cambium layer of trees;

(d) Gathering of other plants, roots, and parts of plants for food, traditional medicines, and technological uses (such as rope) including, without limitation, tea, wild potatoes, soap berries, other berries, and Indian Hemp;

(e) Resource management, including, without limitation, replanting of tubers and bulbs and controlled landscape burning;

(f) Mining and trading of copper, gold, silver, and other mines and minerals including, without limitation, salt, jade, obsidian, mica, coal, ochre, and spiritual aggregates (sweat rock);

(g) An aboriginal economy through trade within the Secwepemc and with other First Nations; and

(h) Carrying out a variety of cultural and spiritual customs, ceremonies, and traditions within Stk'emlupsemc te Secwepemc Territory including spiritual ceremonies at or near Jacko Lake.

41. These activities were and are central to the distinctive culture of the Secwepemc and as such each of these activities constitutes an aboriginal right of the Secwepemc.

Cultural Heritage Study

42. On or about June 5, 2014, the Secwepemc completed a Preliminary Mitigation Report and shared that report with KGHM and governments. The report identified "Pípsell", an area of significant cultural importance to the SSN which area includes Jacko Lake and the surrounding area and which is located within the proposed Project footprint. Oral histories associated with Jacko Lake are foundational for Secwepemc stsq'ey' (indigenous law) that deal with the reciprocal and mutually accountable relationships between humans and the environment including fish, birds, land animals, water resources, the atmosphere and the water cycle.

43. The epic oral history entitled in English, "The Trout Children" stemming from Pípsell explains the deeds of Secwepemc people on the lands and to the land as inseparably connected to Pípsell. The Trout Children Story includes, but is not limited to, Pípsell (Jacko Lake and surrounding area) and its Water World and People and associated aquifers, K'ecúse (the Prayer Tree), X7ensq't (the land and sky will turn on you, SSN law), the red headed woodpecker and chickadee habitats, the Hunting Blind Complex, Goose Lake, Peterson Creek, and associated grasslands and sky world.

44. In November 2014, the Secwepemc completed a comprehensive Cultural Heritage Study ("CHS") for the original footprint area of the Project and shared that study with KGHM and both governments. The CHS also described the area known as Pípsell, including Jacko Lake and the surrounding area, and the physical and cultural heritage and significant of the Pípsell site to the SSN as a cultural keystone place.

45. SSN have also informed the EAO and CEAA through the CHS and in several letters about the Trout Children Story and its link to areas of historical, cultural, and archaeological importance.

The significance of Pípsell, Jacko Lake, the Hunting Blind Complex and Goose Lake

46. Jacko Lake is located immediately adjacent to the mine pit for the Project and a portion of it is proposed to be dewatered. K'ecúse (the Prayer Tree) was destroyed by developers to enable the construction a road. The proposed footprint for the tailings and other facilities are located on a Hunting Blind Complex. Both Jacko Lake, the Hunting Blind Complex and Goose Lake are culturally and spiritually significant to the Secwepemc as components of Pípsell.

47. Pípsell "[place of] small trout," renamed Jacko Lake by settlers, is and was used by Stk'emlúpsemc people as a trout fishing lake and is located within Secwepemcúlecw. Jacko Lake is a significant spiritual storied site. The stories tell about Secwepemc root gathering, fishing and hunting in and around the lake, and about how Jacko Lake has special significance for the Secwepemc people, only part of which is described below.

48. Jacko Lake and it surroundings is a spiritual site and forms the basis for a foundational story for the Stkemlúpsemc people relating to Secwepemc existence in the current world, the world below (under the water), and the world above (the sky to the atmosphere). A second nearby "offering" site named kecúse7 ("tears welling up") is connected to past events at Jacko Lake. To ensure their safety and success, Secwepemc members entering the area stop at the offering site to ask for pity from the powers resident in the area.

49. According to the Secwepemc oral history, the Secwepemc ancestors, Xqelmecwétkwe or "Water People," live in the depths of Jacko Lake and can be communicated with both in and under Jacko Lake. The Jacko Lake Xqelmecwétkwe connect with Xqelmecwétkwe at Cmetétkwe (Battle Bluff) and other Xqelmecwétkwe at Adams Lake and Shuswap Lake.

50. The trout from Jacko Lake and the root plants from this area, available during a critical time in early to late spring, when higher elevation plants are not yet in season, played - and still play - a significant role in the food economy of the Secwepemc.

51. The forest and grassland interface in this area results in biodiversity which adds to the value of the area to the Secwepemc.

52. The Hunting Blind Complex and the area surrounding Goose Lake facilitated sustainable and efficient selective hunting of elk by Stk'emlúpsemc te Secwepemc, not unlike other methods for selectively hunting deer, elk, and caribou with deer fences documented in other parts of Secwepemcúlecw.

53. The oral history of Jacko Lake connects the livelihood of Secwepemc people in that area to their caretakership of the sky above Jacko Lake. As a result, the Secwepemc carry out various cultural and spiritual ceremonies and communicate with Xqelmecwétkwe at Jacko Lake, and protect Jacko Lake and the surrounding area from any interference and disturbance of the Xqelmecwétkwe.

54. All of which is to say that Pípsell including Jacko Lake is a significant spiritual storied site, rich in biodiversity, and of the highest cultural importance to the Secwepemc.

55. The Hunting Blind Complex has significant cultural significance to the Secwepemc and is the site of cultural and traditional ceremonies throughout the year. The stone slab at this site commemorates the cultural significance of this area by serving as an altar where Secwepemc members attend for prayer.

56. Pípsell, Jacko Lake, the Hunting Blind Complex and Goose Lake are, collectively, a unique historical site in North America and testify to the spiritual, cultural, economic, social, environmental and cultural traditions of the Secwepemc. The area represents an aboriginal cultural site of historical significance. The Secwepemc identify the area as a cultural and socio-economic keystone site, valued for its natural and cultural attributes, and as an integral part of their relationship with water, land, earth, sky and each other.

Trade in copper, gold, silver, and other minerals

57. The Secwepemc people traded in copper, gold, silver, and other minerals prior to European contact. Trading in minerals was a part of the Secwepemc pre-contact economy and is well documented. For example, the copper trade is described in various

academic works and was integral to the distinctive culture of the Secwepemc and Secwepemc practices, customs, and traditions prior to European contact.

58. The Secwepemc people mined copper, gold, silver, and other minerals throughout Stk'emlupsemc te Secwepemc Territory, including at Copper Creek; at Arrowstone Mountain where quarry sites can still be found; and at other sites. The Secwepemc people used these materials for arrowheads, knives, tools, jewellery, costumes, and other items for trade.

59. The Secwepemc people also traded with their neighbours including the Coastal Nations. This trade was significant to Secwepemc survival; it was a way of life and a means of securing a moderate livelihood, particularly during times when local food was scarce. For example, the Secwepemc would trade copper for "Indian Grease," or oil for cooking, and other commodities for use during the winter months.

60. Trading in copper, gold, silver, and other minerals both internally within the Secwepemc and externally with other Nations is a defining feature of the Secwepemc identity and is of central significance to Secwepemc culture.

The Province's recognition of Secwepemc's aboriginal rights and title

61. The Secwepemc's aboriginal rights and title have been repeatedly recognized by the Province.

62. The Province and Stk'emlupsemc te Secwepemc entered into a Mines and Minerals Agreement on April 7, 2009 (the "MMA"). The parties agreed to develop a successful long-term working relationship to facilitate full engagement of Stk'emlupsemc te Secwepemc in mining activities, including all phases of mining development, and to provide for meaningful consultation with the Secwepemc and potential accommodation of their aboriginal rights and title.

63. The MMA established a detailed "Consultation and Accommodation Approach" (Appendix 4 to the MMA) that included the creation of a "Joint Resources Council," comprised of up to two (2) representatives from each of Stk'emlupsemc te Secwepemc and the Province, which was to meet regularly (the "JRC"). The Consultation and Accommodation Approach applies to work that requires an application, permit, or approval, as defined in the *Mines Act,* including mineral exploration, and sets strict time periods to review these works.

64. On September 13, 2010, the Stk'emlupsemc te Secwepemc filed a Notice of Civil Claim in relation to certain Forestry Licenses and a Tree Farm License within Stk'emlupsemc te Secwepemc Territory under the *Forest Act*. In that action, Stk'emlupsemc te Secwepemc claimed that the forestry authorizations unjustly infringed aboriginal rights and title and sought damages from the Province.

65. Thereafter, on or about April 10, 2013, the Province and Stk'emlupsemc te Secwepemc and others entered into a Reconciliation Framework Agreement which agreement provides for the establishment of Government to Government engagement, but does not apply to the environmental assessment process for the Project and associated certificates issued under the *Environmental Assessment Act* or the *Canadian Environmental Assessment Act.*

Infringement of Aboriginal Title and Rights

66. In relation to lands subject to aboriginal title and rights, the Crown has exercised powers to issue Authorizations, permits, licences, grants and other approvals in relation to mine projects and other developments on the lands in a manner that interferes with the lands subject to aboriginal title and aboriginal rights of the Secwepemc, and in breach of its obligations as a fiduciary to the Secwepemc as outlined below.

Cumulative adverse impacts of various developments

67. The Stk'emlupsemc te Secwepemc Territory has been and continues to be heavily affected by Crown authorized activity. The significant and cumulative impacts of the following activities adversely affect the ability of the Secwepemc to exercise their aboriginal title and rights:

(a) the dedication of these lands to settlement by non-aboriginal communities, including the development of major cities and towns, including the City of Kamloops and the Town of Logan Lake;

(b) the construction of roads, highways, transmission lines, and associated infrastructure;

(c) the dedication of lands to major farming operations, including the development of orchards and cattle farms;

(d) the opening of lands to grazing and other range uses;

(e) the development of recreational properties, including golf courses;

(f) the carrying out of large scale timber harvesting activities;

(g) the construction of pipelines including the Kinder Morgan Pipeline; and

(h) the construction of mines and associated infrastructure, including the New Afton Mine, also located within Stk'emlupsemc te Secwepemc Territory.

68. These Crown-authorized activities have interfered, and continue to interfere, with the ability of the Secwepemc to exercise their aboriginal title and aboriginal rights in a wide variety of ways, including by:

(a) limiting the ability of the Secwepemc to determine the uses to which their lands will be put, both now and in the future, in a way that is sustainable for future generations;

(b) limiting the ability of the Secwepemc to protect lands for the purpose of maintaining traditional cultural and other practices, their way of life, and the Secwepemc economy;

(c) appropriating resources, including, without limitation, land, timber, and minerals that are controlled by third parties and are supposed to benefit the Secwepemc, but have been used to benefit either the Crown or third parties and not the Secwepemc;

(d) depriving, restricting and/or interfering with the Secwepemc of access to areas in which they traditionally exercised their aboriginal rights;

(e) over-harvesting, destroying, damaging or degrading forest habitat that supports plant and wildlife populations necessary to exercise aboriginal rights or enjoy the benefits of aboriginal title;

(f) threatening the watersheds and airsheds and contributing to the loss of a sustainable ecosystem within Stk'emlupsemc te Secwepemc Territory; and

(g) depriving the Secwepemc of the economic benefits of their lands and resources including their right to trade in copper, gold, silver, and other minerals.

69. Additionally, British Columbia, through its wrongfully asserted unencumbered ownership of land and minerals, has prohibited the Secwepemc from mining in the Stk'emlupsemc te Secwepemc Territory. This prohibition directly infringes the aboriginal title of the Secwepemc and the aboriginal right to harvest timber.

Historical industrial mining in the Stk'emlupsemc te Secwepemc Territory

70. One of the most significant infringements of Secwepemc aboriginal title and rights results from the authorization of industrial mining activities in the Stk'emlupsemc te Secwepemc Territory.

71. A variety of companies have carried out industrial mining in the Stk'emlupsemc te Secwepemc Territory. Over the course of several decades, many millions of tonnes of ore has been removed.

72. These industrial mining operations involve the construction of roads and other infrastructure, the drilling and blasting of the land, the extraction of resources, the use of substantial amounts of water, and the cutting of substantial swaths of forest. They have significantly changed the nature of the land in the Stk'emlupsemc te Secwepemc Territory.

73. These industrial mining operations have significantly and adversely affected the ability of the Secwepemc to exercise their aboriginal rights and title though, without limitation:

    (a) the destruction or degradation of the land and extraction of resources;

    (b) the destruction or degradation of forest habitat;

    (c) the destruction or degradation of plants used by the Secwepemc;

    (d) the decreased availability of water and related food sources;

    (e) the reduction or dislocation of animal populations harvested by the Secwepemc;

    (f) the loss of access to and/or interference with the use of lands being used for active industrial mining activities;

    (g) the loss of copper, gold, silver, other minerals, and timber for economic purposes;

(h) the loss of copper, gold, silver, other minerals, and timber for domestic purposes;

(i) the loss of a way of life for the Secwepemc, including the exercise of their traditional and cultural heritage and practises and loss of the Secwepemc economy; and

(j) the threat to watersheds and airshed and the loss of a healthy sustainable ecosystem.

Adverse effects exacerbated by the Project

74. The adverse effects of industrial mining and other developments on the Secwépemc's aboriginal rights and title will be significantly exacerbated by the Project. Within the Project footprint and study areas identified in the map attached as Schedule "**B**" as "KGHM Project Footprint", the Regional Study Area and the Local Study Area and surrounding area, such adverse effects include, without limitation:

(a) the loss of use of and access to the land and the ability to continue to exercise aboriginal rights on that land;

(b) the loss of copper, gold, silver, other minerals, and timber by the Secwépemc for traditional economic trading purposes;

(c) the loss of use of and access to Pípsell, Jacko Lake (a fish bearing lake); Jacko Creek, Peterson Creek, which runs through the mine site (and which is to be diverted); Kamloops Lake; Cherry Creek; and the surrounding lakes, rivers, streams, and tributaries;

(d) the alteration of Inks Lake (which will be used as part of the fish habitat offsetting plan for the Project) including modifying the volume and depth of the lake through drainage and excavation and the construction of a new water pipeline from Kamloops Lake;

(e) the complete loss of Goose Lake which is proposed to be used as a tailings pond for the Project;

(f) the decreased availability of water and related food sources in particular the loss of water pumped from Kamloops Lake, the reduced water flow in Peterson

Creek, and residual loss of water from the Thompson River for use in the mining process;

(g) the destruction or degradation of forest habitat and plants used by the Secwepemc;

(h) the reduction or dislocation of animal populations harvested by the Secwepemc, including deer, moose, and elk;

(i) the loss of a way of life for the Secwepemc, including the exercise of their traditional and cultural heritage and practises, loss of the spiritual significance of Pípsell, Jacko Lake, and the loss of the hunting blind and the traditional ceremony site at the stone slab;

(j) increased dust, diesel, and fuel emissions, and decreased air quality in the Stk'emlupsemc te Secwepemc Territory and surrounding airshed;

(k) the loss of a healthy sustainable ecosystem;

(l) the threat of decreased water quality and quantity and/or contamination of the land and watersheds, (including the Cherry Creek watershed, Jacko Lake, Jacko Creek, Peterson Creek, Kamloops Lake, Inks Lake, Cherry Creek, and Goose Lake), arising from the Project's use of toxic chemicals such as:

(i) Magnesium chloride;

(ii) Calcium chloride;

(iii) Methyl Isobutyl Carbional;

(iv) Potassium Amyl Xanthate;

(v) Lime;

(vi) Flocculent; and

(vii) Ammonium nitrate, drilling fluids, lubricants, arsenic, and other explosive materials;

All of which chemicals are proposed to be manufactured, stored and used in the Project and for which no long-term studies have been prepared to address the long-term adverse effects of their use on the ecosystem; and

(viii) Acid rock drainage of the waste rock from the pit and from the waste rock dumps surrounding the pit, and potential breaches of the tailing ponds;

(m) Increased noise from drilling, blasting, and on-going operations and increased traffic;

(n) Increased light from increased traffic, interrupting daily cycles of wildlife;

(o) Vibration from blasting including structural problems to the surrounding area; and

(p) Increased traffic on existing roads and highways.

No economic benefit

75. The economic and social benefit provided by the Project, being a proposed 23 year mine, are outweighed by the risk of significant adverse environmental, social, and cultural effects on the Secwepemc Traditional Territory and the Stk'emlupsemc te Secwepemc Territory. Some of these effects will not emerge until many years after mining operations cease.

76. The Secwepemc will live with the consequences of the Project for thousands of years to come. Key adverse effects, including the alteration of Inks Lake, destruction of Goose Lake, diversion and significant decrease in water flow of Peterson Creek, the loss or destruction of Jacko Lake, a lake with important spiritual and cultural value for the Secwepemc, and the loss of Pípsell all compromise the value of the land to the Secwepemc and threaten their way of life. Ensuring long-term preservation of water quality, air quality, and healthy and viable watersheds and ecosystems significantly outweigh any short term benefit the Project.

77. Despite repeated demand, KGHM has failed to address Secwepemc concerns that the Project will have long-term detrimental effects on their health and well-being. KGHM has also failed to conduct any analysis of the health risks the Project represents to the Secwepemc. These failure are unacceptable to the Secwepemc.

78. As a result of all of the above, continued mining under the Authorizations would constitute an infringement of the Secwepemc Nation's aboriginal rights and aboriginal title.

The Infringements Cannot be Justified

79. These Crown authorized infringements with Secwepemc aboriginal title and rights within the Stk'emlupsemc te Secwepemc Territory are unjustifiable for several reasons:

(a) Many of the activities were authorized without consideration of, and without compelling purposes that would justify infringement of, aboriginal title or aboriginal rights;

(b) The level of interference has been occasioned without a compelling public purpose and without consideration of legislation that seeks to conserve cultural heritage resources;

(c) These activities have been authorized without reasonable or any accommodation;

(d) These activities have largely been authorized without consultation or, in more recent years, without any adequate and meaningful consultation; and

(e) These activities have been authorized without compensation or any benefit to the Secwepemc, and to the detriment of the Secwepemc and their cultural heritage resources.

80. With respect to mining and the Project in particular, the continued infringement of the Secwepemc's aboriginal rights and title cannot be justified because:

(a) There is no compelling reason for the Project to continue given its lack of long term economic viability, the cumulative adverse effects, and the negative impacts on Stk'emlupsemc te Secwepemc Territory;

(b) Canada and/or British Columbia and its citizens have enjoyed a disproportionate share of the benefits from the copper, gold, and mines and mineral resources on the Stk'emlupsemc te Secwepemc Territory;

(c) The infringement is of such a severe and extensive character that it leaves little opportunity for the Secwepemc Nation to exercise aboriginal rights or title or to achieve meaningful economic benefit from the Stk'emlupsemc te Secwepemc Territory;

(d) Canada and/or British Columbia have failed to give meaningful priority to the Secwepemc Nation's aboriginal title or aboriginal rights;

(e) Canada and/or British Columbia have failed to fully inform itself respecting the Secwepemc's aboriginal title and aboriginal rights in the Tenure areas;

(f) Canada and/or British Columbia have failed to compensate the Stk'emlupsemc te Secwepemc or the Secwepemc Nation;

(g) Canada and/or British Columbia have failed to adequately consult with the Secwepemc Nation or the Stk'emlupsemc te Secwepemc, including, without limitation, the following:

(i) failing to provide the Secwepemc with any or adequate information concerning the issuance of the Authorizations;

(ii) failing to provide the Secwepemc with an adequate opportunity to respond to and comment on the threatened infringement of Secwepemc title and right;

(iii) failing to provide the Secwepemc with sufficient resources to adequately respond to and comment on the threatened infringement of Secwepemc title and rights;

(iv) failing to meaningfully address the Secwepemc's concerns about the Authorizations; and

(v) failing to consult in good faith with the Secwepemc with respect to Secwepemc's aboriginal title and rights; and

(h) Canada and/or British Columbia have failed to adequately accommodate the Secwepemc Nation's or Stk'emlupsemc te Secwepemc's aboriginal title and rights.

PART 2: RELIEF SOUGHT

1. A declaration that the Secwepemc Nation holds aboriginal title to all or part of the Stk'emlupsemc te Secwepemc Territory, which is part of Secwepemc Traditional Territory.

2. A declaration that the Secwepemc Nation holds aboriginal title to all or part of the land subject to the Authorizations in the Kamloops region of British Columbia, which is in Secwepemc Traditional Territory;

3. A declaration that the Secwepemc people hold aboriginal rights in all or part of the Stk'emlupsemc te Secwepemc Territory, and in all or part of the land subject to the Authorizations, both of which are part of Secwepemc Traditional Territory, which rights include some or all of the following:

   (a) the right to hunt and trap;

   (b) the right to fish;

   (c) the right to harvest timber;

   (d) the right to harvest bark;

   (e) the right to harvest berries;

   (f) the right to harvest and cultivate plants for food and traditional medicine;

   (g) the right to carry on traditional customs and spiritual activities in the historical location where those activities were and are traditionally carried on;

   (h) the right to mine and trade in copper, gold, and other mineral resources;

   (i) the right to a Secwepemc economy; and

   (j) the right to sustainable watersheds, airshed, and a healthy ecosystem.

4. A declaration that the Authorizations unjustifiably infringe the aboriginal title and/or the aboriginal rights of the Secwepemc Nation;

5. A declaration that continued mining pursuant to the Authorizations would unjustifiably infringe the aboriginal rights and/or aboriginal title of the Secwepemc Nation;

6. A declaration that the ***Mines Act*** does not apply to the Secwepemc aboriginal title land;

7. A declaration that the provisions of the ***Mines Act*** that cumulatively prohibit the Secwepemc Nation from mining in copper and gold, are unjustifiable infringements of the

Secwepemc Nation's aboriginal rights and/or title and are of no force and effect pursuant to s. 52 of the ***Constitution Act, 1982***;

8. A declaration that the infringements of aboriginal title authorized by British Columbia unlawfully intrude upon Parliament's exclusive right to legislate in respect of Indians and Lands reserved for the Indians and therefore such authorization and legislation is of no force and effect;

9. Damages for the past and continued infringement of the Secwepemc Nation's aboriginal rights and/or title;

10. An accounting by British Columbia and/or Canada of all monies received in the form of Crown grants, mineral taxes, property tax, sales tax, corporate income tax, retail sales tax, and lease or other revenues arising out of, or with respect to, the mining of minerals pursuant to the Authorizations;

11. An interim and permanent injunction enjoining any drilling, mining, timber harvesting or road building, or any other activity pursuant to the Authorizations;

12. Interest and costs; and

13. Such further and other relief as this Honourable Court sees fit, including the declarations sought above in respect of such lesser tracts of land as the Court may determine are subject to aboriginal rights or title.

PART 3: LEGAL BASIS

Aboriginal Title and Rights

1. The facts set out above establish that:

   (a) The Secwepemc Nation holds aboriginal title to all or part of the land subject to the Authorizations and within the Stk'emlupsemc te Secwepemc Territory including the watersheds and airshed;

   (b) The Secwepemc Nation, in respect of the same lands, holds a variety of aboriginal rights including:

      (i) the right to hunt and trap;

      (ii) the right to fish;

(iii) the right to harvest timber;

(iv) the right to harvest bark;

(v) the right to harvest berries;

(vi) the right to harvest and cultivate plants for food and traditional medicine;

(vii) the right to carry on traditional customs and spiritual activities in the historical location where those activities were and are traditionally carried on;

(viii) the right to mine and trade in copper, gold, and other mineral resources;

(ix) the right to a Secwepemc economy; and

(x) the right to sustainable watersheds, airshed, and a healthy ecosystem.

Unjustifiable Infringements

~~14.~~2. The Authorizations infringe the aboriginal title and aboriginal rights of the Secwepemc Nation because:

(a) they unreasonably limit the opportunities available to the Secwepemc to exercise their aboriginal title and aboriginal rights;

(b) they deprive the Secwepemc of the benefit of their aboriginal title and aboriginal rights;

(c) they deny the Secwepemc their preferred means of exercising their rights;

(d) they interfere with the Secwepemc's riparian rights in and to the watershed within Secwepemc Territory ;

(e) they significantly increase the costs associated with the Secwepemc exercising their rights;

(f) they deprive the Secwepemc of an integrated functioning airshed and ecosystem that supports the Secwepemc's way of life; and

(g) they have a significant adverse impact on the aboriginal rights and aboriginal title of the Secwepemc.

~~15.~~3. The prohibitions on mining ore contained in the ***Mines Act*** infringe the Secwepemc's aboriginal title and aboriginal rights to mine and trade in copper, gold, and other minerals because these prohibitions operate as an absolute prohibition on the ability of the Secwepemc to exercise their rights in respect of mines and minerals on Crown land.

~~16.~~4. To the extent that Canada and/or British Columbia have infringed or authorized infringement of aboriginal title or aboriginal rights, such infringements are unlawful and of no force and effect because:

(a) aboriginal title and aboriginal rights are matters at the core of s. 91(24) of the ***Constitution Act, 1867***;

(b) infringements of aboriginal title or aboriginal rights in this case fundamentally affect a vital and core matter of exclusive federal jurisdiction under s. 91(24);

(c) the doctrine of interjurisdictional immunity applies to render any provincial laws or authorizations that infringe on aboriginal rights or title of no force and effect to the extent of the infringement; and

(d) s. 88 of the ***Indian Act*** does not act to incorporate provincial laws and authorizations that are of no force and effect because of their infringement on aboriginal rights or title.

~~17.~~5. To the extent that these infringements are not rendered ineffective by operation of the doctrine of interjurisditional immunity, they constitute unjustifiable infringements of aboriginal rights and aboriginal title and are therefore of no force and effect by operation of s. 35(1) and s. 52 of the ***Constitution Act, 1867***.

Injury and Damage to the Secwepemc

~~18.~~6. To the extent the defendant KGHM has carried on operations under these unlawful Authorizations, they have caused injury to the Secwepemc Nation, in particular:

(a) they have breached the Secwepemc Nation's constitutionally protected rights;

(b) they have appropriated the economic benefit of Secwepemc Nation rights; and

(c) they have interfered with the ability of the Secwepemc to exercise and enjoy the benefits of their aboriginal rights and title.

~~19.~~7. The defendant KGHM is therefore liable for the breach of such rights, the damages caused, and the benefits appropriated. An interim and permanent injunction is warranted to enjoin any mining, timber harvesting, or road building or any other activities pursuant to the Authorizations to prevent further damage and infringement of the Secwepenc's aboriginal rights and title.

~~20.~~8. Canada and/or British Columbia has received significant economic benefit in the form of monies received through Crown grants, mineral taxes, property tax, sales tax, corporate income tax, retail sales tax, and lease or other revenues arising out of or with respect to the mining of minerals under the unlawful Authorizations. To uphold the Honour of the Crown, the governments must account for such monies, with interest.

Statutes Relied Upon

~~21.~~9. The plaintiffs rely on the following enactments:

(a) the ***Constitution Act, 1982***, R.S.C. 1985, App II, No. 44 as amended;

(b) the ***Constitution Act, 1867***, 30 & 31 Victoria, c. 3 as amended***;***

(c) the ***Indian Act***, R.S.C. 1985, c. I-5;

(d) the ***Mines Act***, R.S.B.C. 1996, c. 293*;*

(e) the ***Court Order Interest Act***, R.S.B.C. 1996, c. 79;

(f) the ***Law and Equity Act***, R.S.B.C. 1996, c. 253; and

(g) the ***Crown Liability and Proceedings Act***, R.S.C. 1985, c. C-50.

Plaintiffs' address for service:	Miller Thomson LLP Barristers and Solicitors 1000-840 Howe Street Vancouver, BC V6Z 2M1 Attention: Sarah D. Hansen
Fax number address for service (if any)	604.643.1200 Miller Thomson LLP
E-mail address for service (if any)	shansen@millerthomson.com(Sarah Hansen)
Place of trial:	Kamloops, British Columbia

The address of the registry is:

223 - 455 Columbia Street
Kamloops, BC
V2C 6K4

Date: 07/JUL/2020

Amended version filed 18/OCT/2016

Original filed 21/SEP/2015

Signature of Lawyer for the Plaintiffs
Sarah D. Hansen

Rule 7-1(1) of the Supreme Court Civil Rules states:

(1) Unless all parties of record consent or the court otherwise orders, each party of record to an action must, within 35 days after the end of the pleading period,

(a) prepare a list of documents in Form 22 that lists

(i) all documents that are or have been in the party's possession or control and that could, if available, be used by any party at trial to prove or disprove a material fact, and

(ii) all other documents to which the party intends to refer at trial, and

(b) serve the list on all parties of record.

APPENDIX

Part 1: CONCISE SUMMARY OF NATURE OF CLAIM:

Claim for aboriginal title over the Stk'emlupsemc te Secwepemc Territory and to the right to exercise aboriginal rights in the Stk'emlupsemc te Secwepemc Territory.

Part 2: THIS CLAIM ARISES FROM THE FOLLOWING:

*[Put an "x" in **one** box below for the case type that best describes this case.]*

A personal injury arising out of:

- [ ] a motor vehicle accident
- [ ] medical malpractice
- [ ] another cause

A dispute concerning:

- [ ] contaminated sites
- [ ] construction defects
- [ ] real property (real estate)
- [ ] personal property
- [ ] the provision of goods or services or other general commercial matters
- [ ] investment losses
- [ ] the lending of money
- [ ] an employment relationship
- [ ] a will or other issues concerning the probate of an estate

- [x] a matter not listed here

PART 3: THIS CLAIM INVOLVES:

[Put an "x" in all boxes below that apply to this case.]

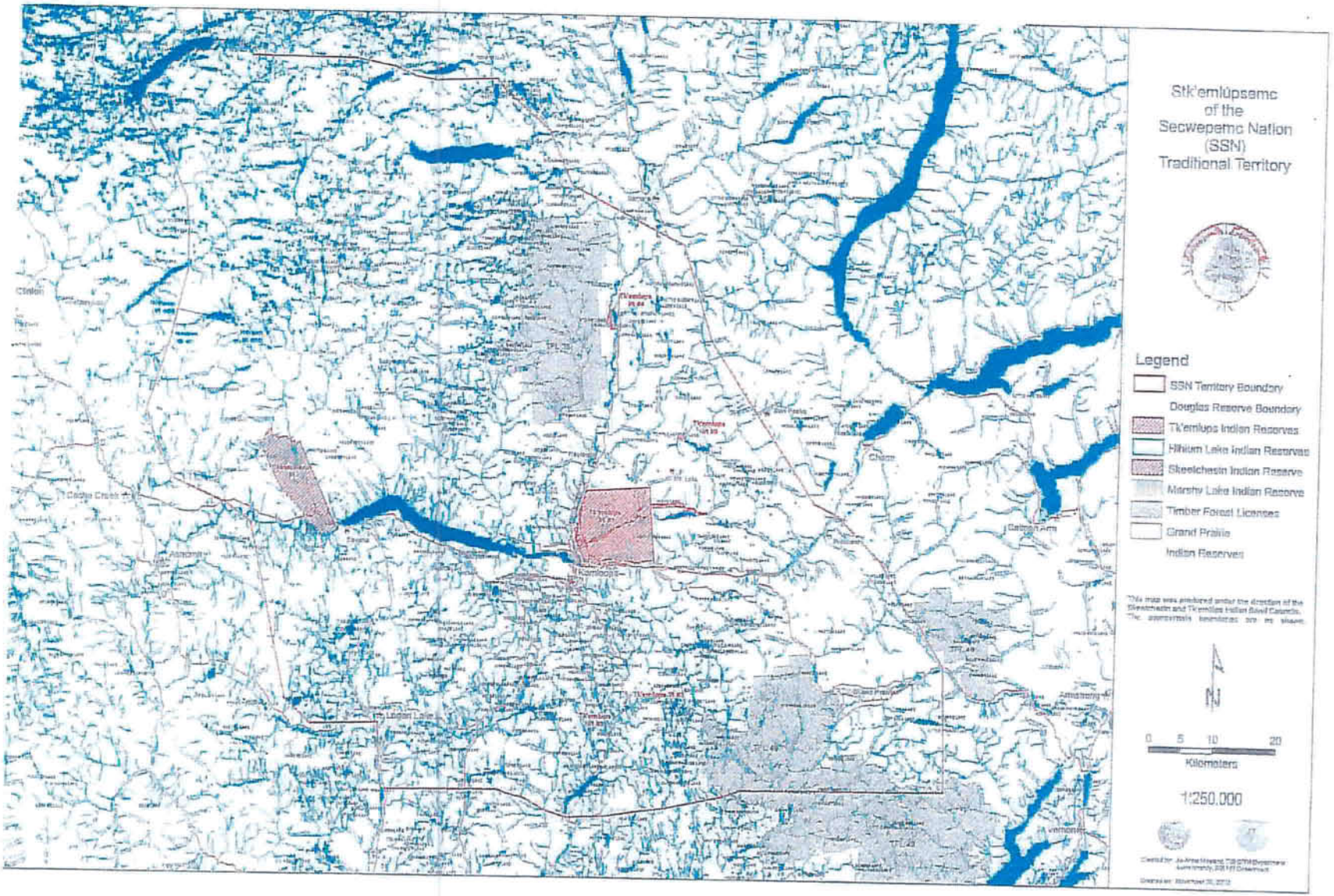
- [ ] a class action
- [ ] maritime law
- [x] aboriginal law
- [x] constitutional law
- [ ] conflict of laws
- [ ] none of the above
- [ ] do not know

Part 4:

The ***Indian Act***, R.S.C. 1985, c. I-5

Section 35 of the ***Constitution Act, 1982***

Schedule "A"


Stk'emlúpsemc
of the
Secwepemc Nation
(SSN)
Traditional Territory
Legend
SSN Territory Boundary
Douglas Reserve Boundary
Tk'emlups Indian Reserves
Hihium Lake Indian Reserves
Skeetchestn Indian Reserve
Marshy Lake Indian Reserve
Timber Forest Licenses
Grand Prairie
Indian Reserves
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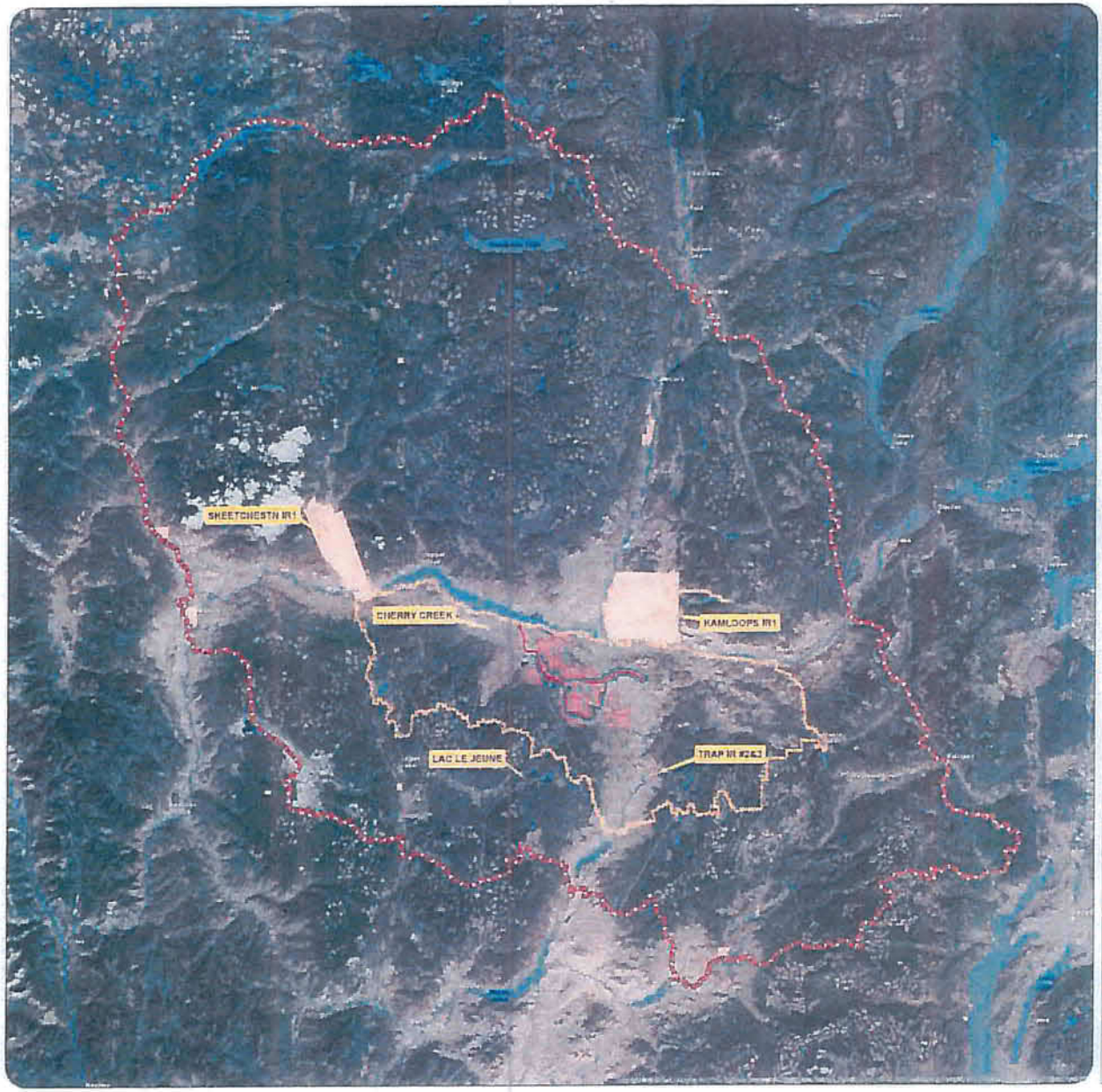
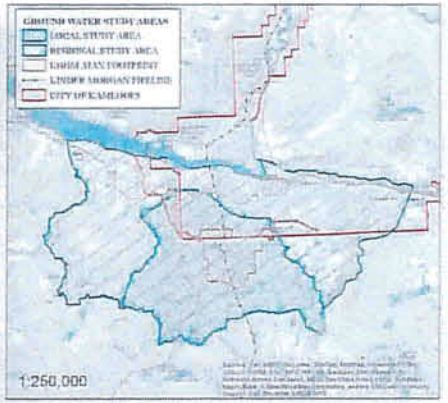
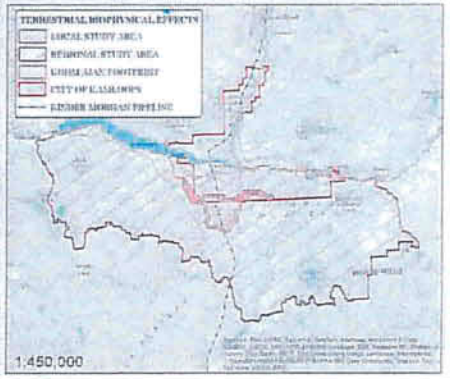
Schedule "B"







STK'EMLUPSEMC TE SECWÉPEMC NATION
KGHM AJAX MINING INC.

LEGEND

- SSN BOUNDARY
- KGHM AJAX FOOTPRINT
- INDIAN RESERVE
- KGHM MINERAL CLAIMS
- KGHM CROWN GRANTS

KGHM HERITAGE STUDY AREA

- REGIONAL STUDY AREA
- LOCAL STUDY AREA

1:500,000

Date: 8/7/2015

0 10 20 40
Kilometers

Projection: NAD 83 BC Albers
Data Source: BC Bedrock (2009) & BC Faults (2010)
ILMB Land Resource Data Warehouse, KGHM Ajax Inc.
Stk'emlupsemc te Secwepemc, Mineral Title Online (MTO) 2015.
ESRI Topographic Basemap, ESRI Imagery Basemap 2015

Prepared By: