



June 13, 2011

ONTARIO ENERGY BOARD  
P.O. Box 2319 27<sup>th</sup> Floor  
2300 Young Street  
Toronto, ON M4P 1E4

WRITER'S DIRECT LINE: 807-468-1435

WRITER'S EMAIL: WJMAJOR@MAC.COM

OUR FILE NO. 02226

VIA EMAIL

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**RE: Union Gas Limited – Red Lake Project**  
**OEB File Nos. EB-2011-0040, EB-2011-0041, EB-2011-0041**  
**Lac Seul First Nation Relationship to Grand Council Treaty 3**

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As per Procedural Order 3, Lac Seul First Nation provides the following information respecting the relationship between the First Nation and Grand Council Treaty #3.

Lac Seul is a signatory to Treaty 3, by adhesion to the treaty in 1874. Lac Seul band members collectively enjoy unique treaty and Aboriginal rights throughout their traditional territory. In respect of the rights assured by Treaty 3, Lac Seul has a special and direct interest in the exercise and the maintenance of these rights in its traditional territory. The Grand Council is a body that advocates the protection, preservation and enhancement of treaty and Aboriginal rights on behalf of the Treaty 3 signatories. Lac Seul is a member of the Grand Council.

Lac Seul is also in the process of making a claim for reserve lands in the Bruce Lake area, on lands that may be under or near the proposed pipeline. Lac Seul asserts that this reserve should have been set aside for it under the provisions of Treaty 3, but in error, was not. Section 18(1) of the *Indian Act* affirms that reserves are held by the Crown for the use and benefit of the respective bands for which they were set apart. Because Lac Seul is the band that asserts the right to the claimed lands, it has specific interests in this proceeding in addition to those raised by the Grand Council generally on behalf of its members.

We hope that this information is of assistance in clarifying this matter for the Board.

Sincerely,  
KESHEN & MAJOR

A handwritten signature in blue ink, appearing to read "W. Major".

William Major, B.A., M.B.A., J.D.\*

cc Mark Murray, Union Gas Ltd.  
Dan Jones, Assistant General Counsel, Union Gas Ltd.  
Ian Blue, counsel for Goldcorp  
Robert James, counsel for Grand Council Treaty 3

\*Practising through William J. Major Professional Corporation.