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(Commission Secretary)



York Factory First Nation

**Water Regime and Waterways
Management Issues:
High Water Levels on Split Lake in 2011**

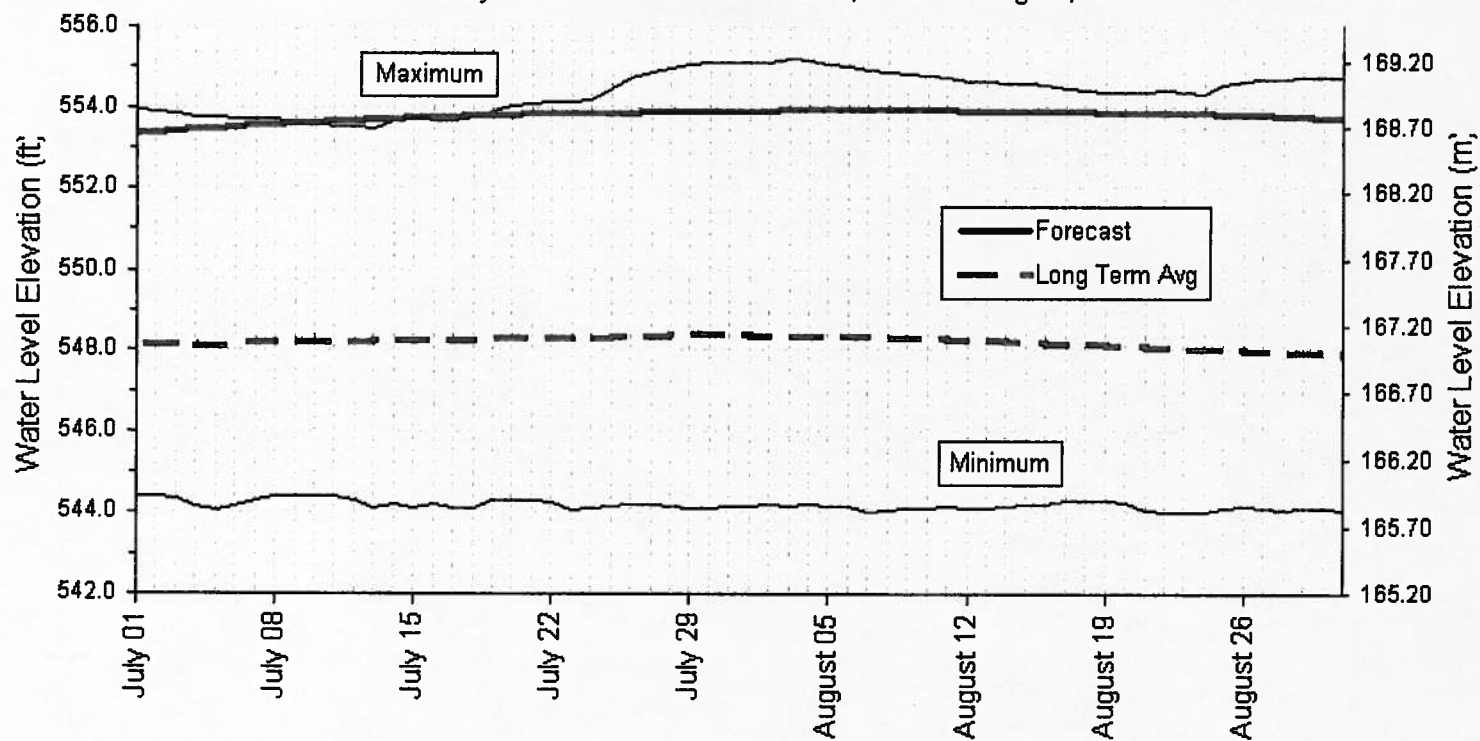
July 18, 2011

MKO Natural Resources Secretariat

Split Lake Water Levels in July 2011

- The water level of Split Lake in July, 2011 is about 6 feet higher than the long-term average water level for July.
- The forecast level of Split Lake for July, 2011 is at or near the highest water levels recorded since April, 1977.
- Manitoba Hydro is forecasting that the level of Split Lake will continue to be higher than the long-term average throughout July and at least into the beginning of September.

SPLIT LAKE
60-Day Water Level Forecast Jul 01, 2011 to Aug 31, 2011



Notes:

- Based on EOP Forecast dated: Jun 23, 2011
- Period of Record: Apr/77 to Present
- Conversion: 1 foot = 0.3048 metres

Manitoba Hydro
Hydraulic Operations Department

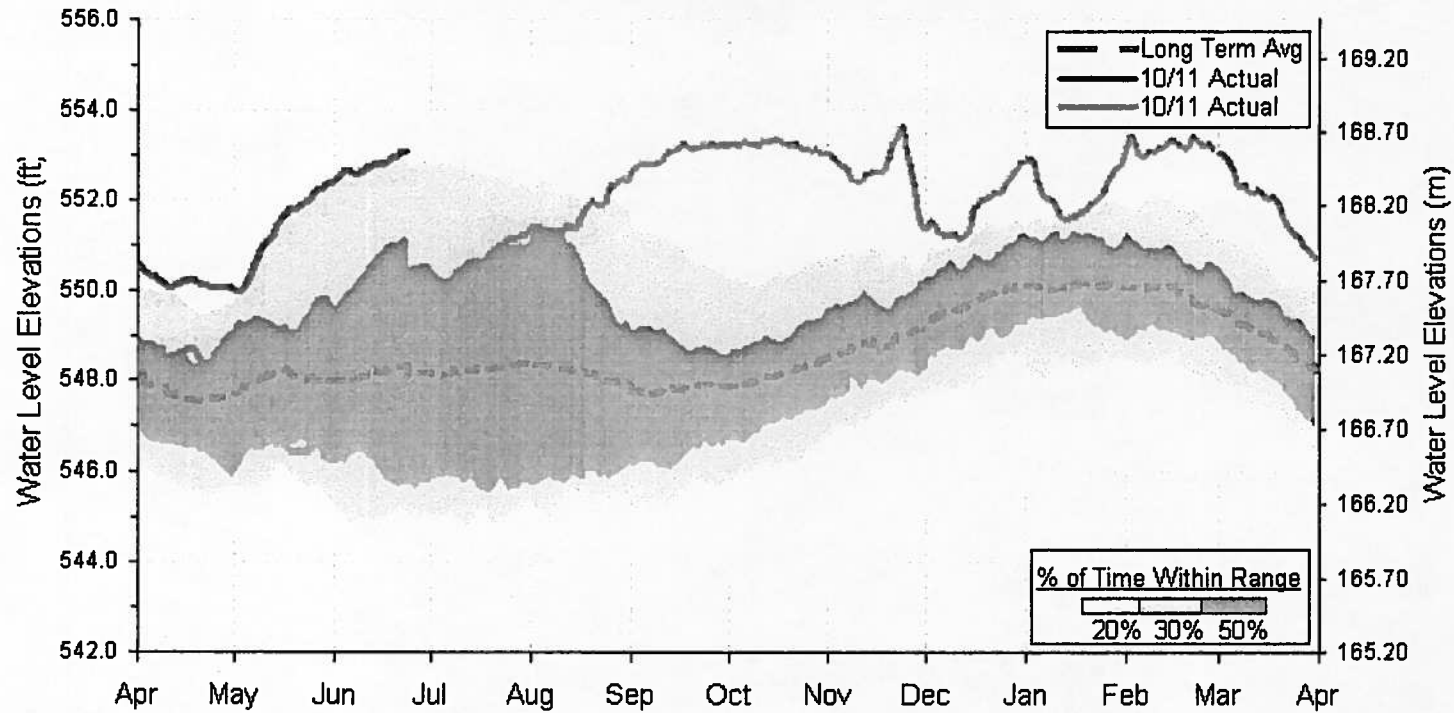
Jun 23, 2011



Please post this graph in a conspicuous location for residents' reference.

SPLIT LAKE

Historic Water Levels & Current Year Actuals



Notes:

- Source: Manitoba Hydro (Raw Data)
- Water levels are referred to Geodetic Survey of Canada Datum (1970 Rev.) above sea level
- Period of Record: Apr/77 to Present
- Conversion: 1 foot = 0.3048 metres

Manitoba Hydro
 Hydraulic Operations Department
 Jun 23, 2011



Split Lake Water Levels

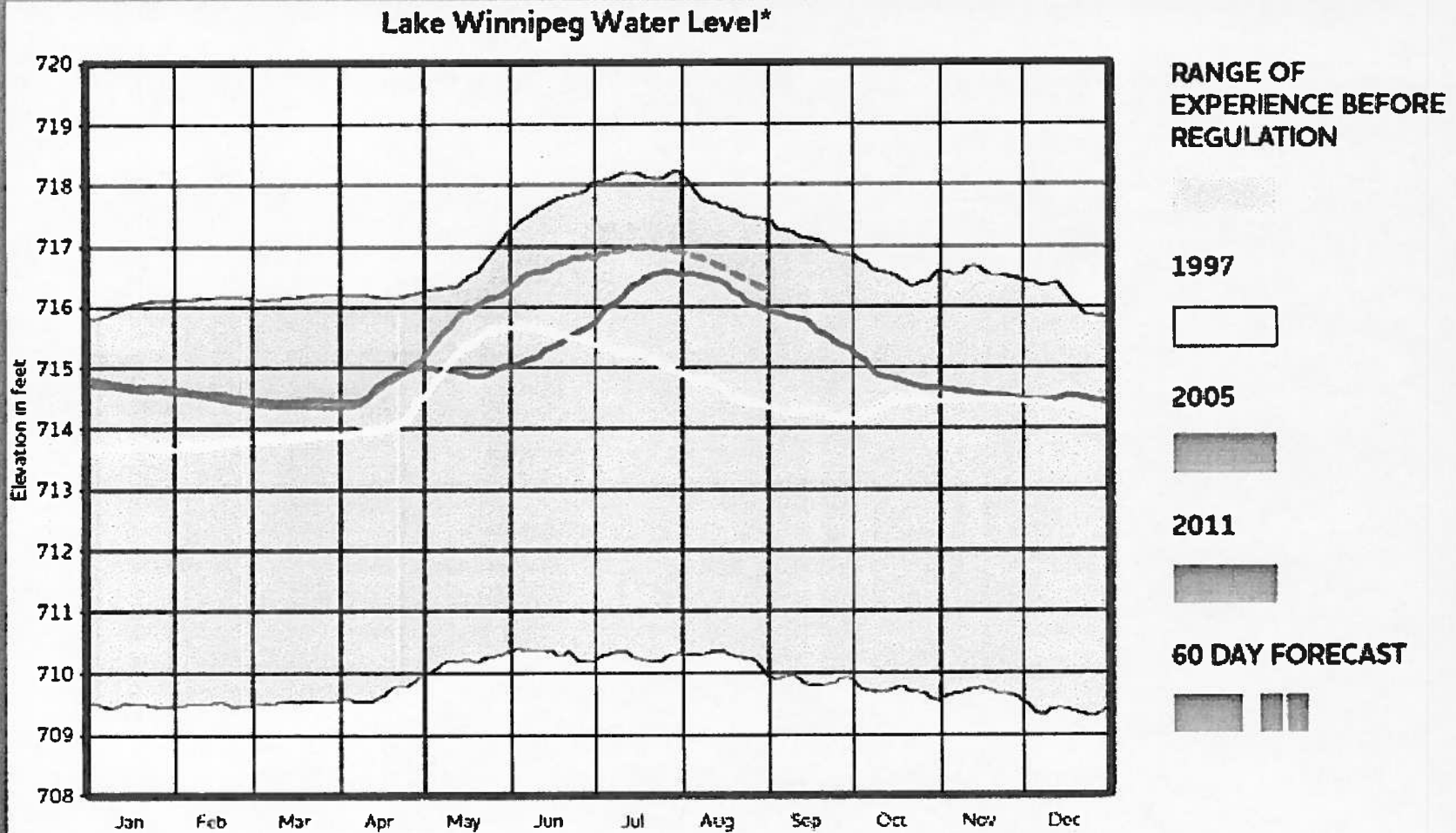
- The water levels on Split Lake are regulated and controlled by Manitoba Hydro.
- The water flows from the Churchill River Diversion (Burntwood River) and Lake Winnipeg Regulation (Nelson River) are combined at Split Lake.
- The water level of Split Lake reflects Hydro's control and release of water flows at:
 - ▶ the Jenpeg Generating Station on the Nelson River
 - ▶ the Notigi Control Structure on the Burntwood River
 - ▶ the Missi Falls Control Structure on the Churchill River.



Split Lake Water Levels in July-August 2011: Snapshot of Hydro's Water Regime Operations

- For power production purposes, Hydro is licensed by the Province of Manitoba to regulate Lake Winnipeg between 711 and 715 feet.
- When Lake Winnipeg levels are at or above 715 feet, Manitoba Hydro must release the maximum volume of water from the Jenpeg generating station until the level of Lake Winnipeg is lowered to below 715 feet.
- The level of Lake Winnipeg is presently forecast to reach 717 feet in July, 2011 - or two feet higher than the maximum water level allowed under the provincial licence for Lake Winnipeg Regulation.

Lake Winnipeg Water Levels

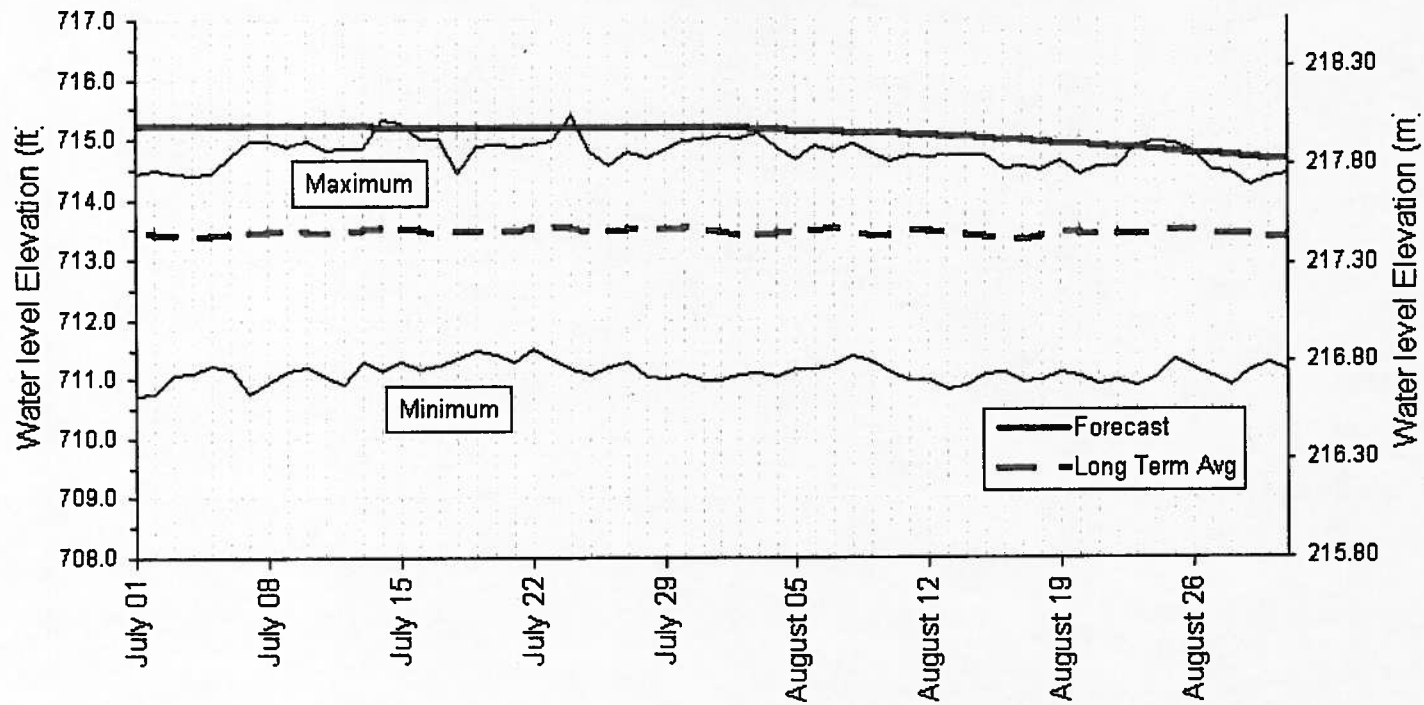


*Levels in graph do not indicate influence of wind

Split Lake Water Levels in July-August 2011: Snapshot of Hydro's Water Regime Operations

- Hydro's July-August forecast of water levels at Playgreen Lake (above Jenpeg) at the outlet of Lake Winnipeg are at record high levels since April, 1977.
- Hydro's July-August forecasts at Cross Lake and at Sipiwesk Lake (below Jenpeg) are also at all-time record high levels since April, 1977. Sipiwesk Lake is about 10 feet higher than the long-term average.
- The record high levels at Playgreen Lake, Cross Lake and Sipiwesk Lake shows that Manitoba Hydro is making maximum discharges of water out of Lake Winnipeg through the Jenpeg Generating Station.

PLAYGREEN LAKE
60-Day Water Level Forecast Jul 01, 2011 to Aug 31, 2011



Notes:

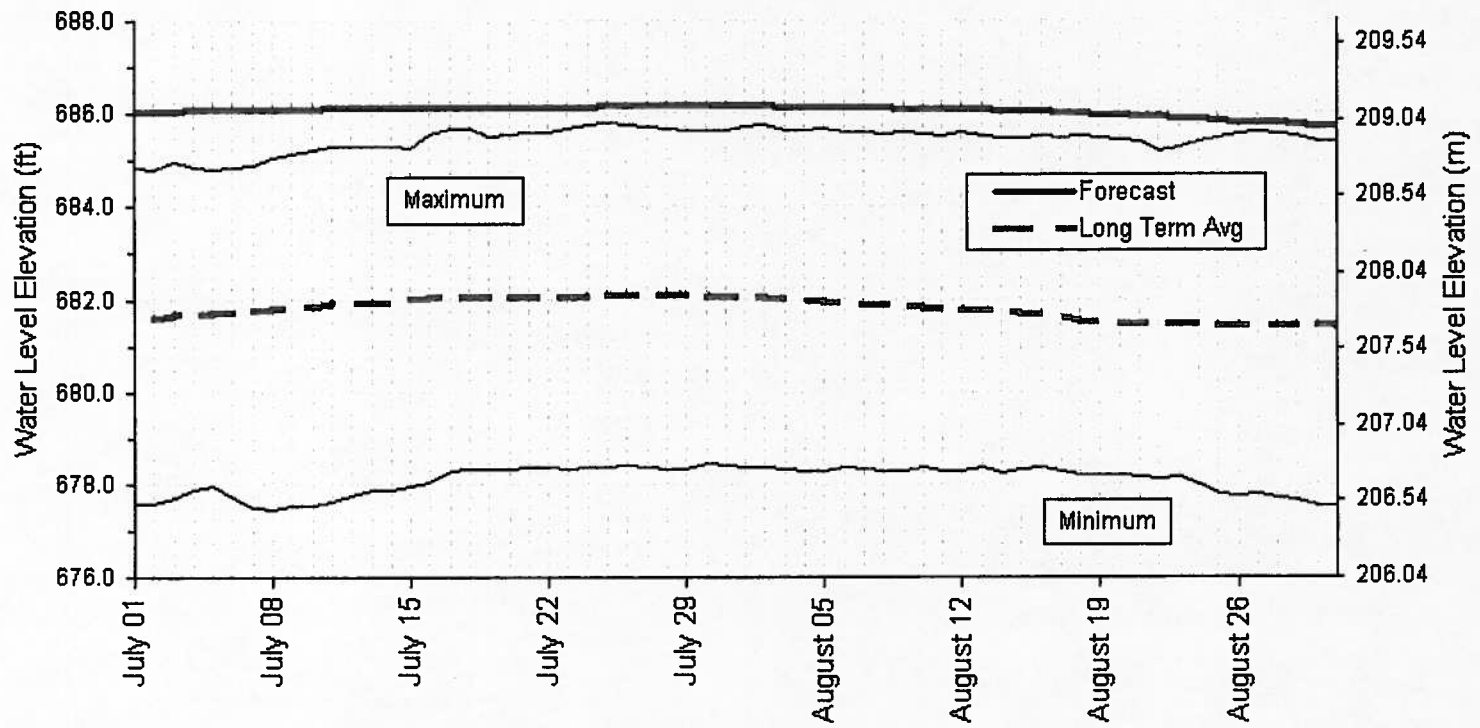
- Based on EOP Forecast dated: Jun 23, 2011
- Period of Record: Apr/77 to Present
- Conversion: 1 foot = 0.3048 metres

Manitoba Hydro
Hydraulic Operations Department
Jun 23, 2011



Please post this graph in a conspicuous location for residents' reference.

CROSS LAKE
 60-Day Water Level Forecast Jul 01, 2011 to Aug 31, 2011



Notes:

- Based on EOP Forecast dated: Jun 23, 2011
- Period of Record: Nov/91 to Present
- Conversion: 1 foot = 0.3048 metres

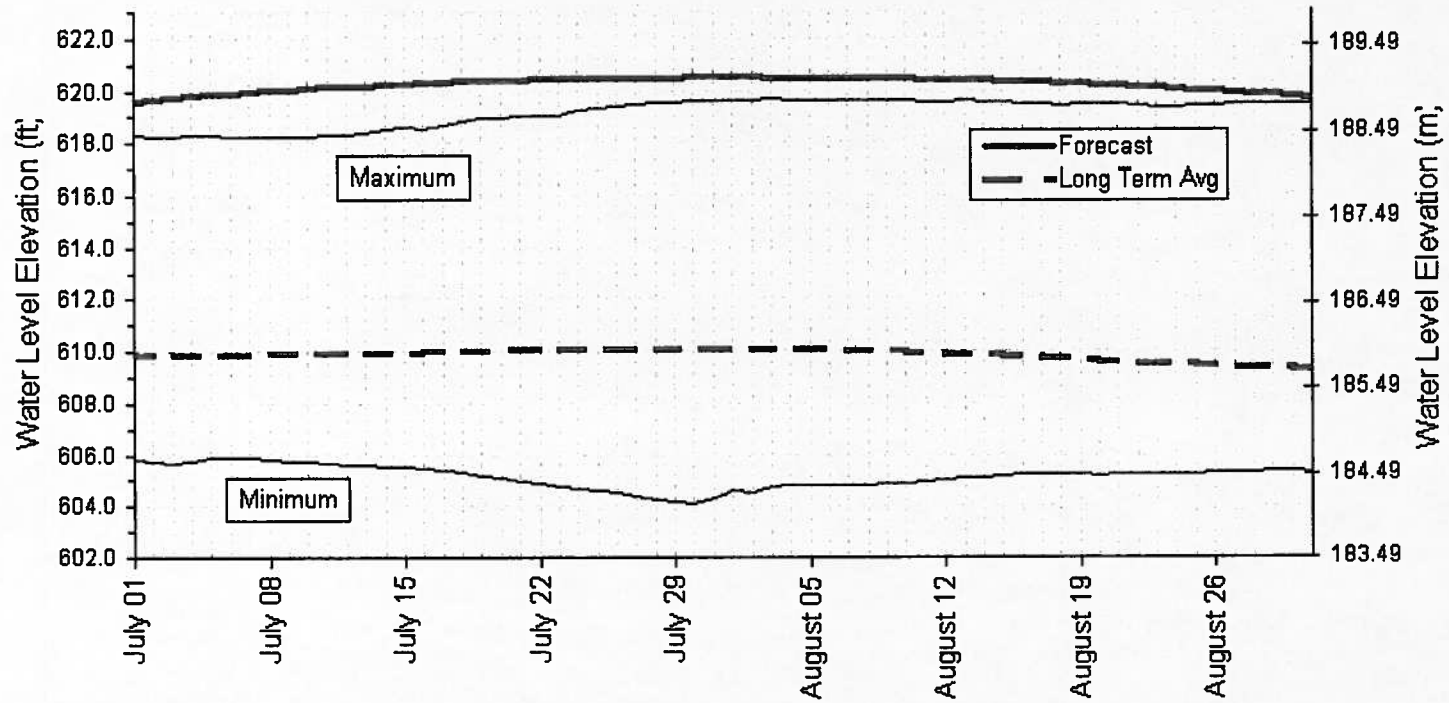
Manitoba Hydro
 Hydraulic Operations Department
 Jun 23, 2011



Please post this graph in a conspicuous location for residents' reference.

SIPIWESK LAKE

60-Day Water Level Forecast Jul 01, 2011 to Aug 31, 2011



Notes:

- Based on EOP Forecast dated: Jun 23, 2011
- Period of Record: Apr/77 to Present
- Conversion: 1 foot = 0.3048 metres

Manitoba Hydro
Hydraulic Operations Department
Jun 23, 2011

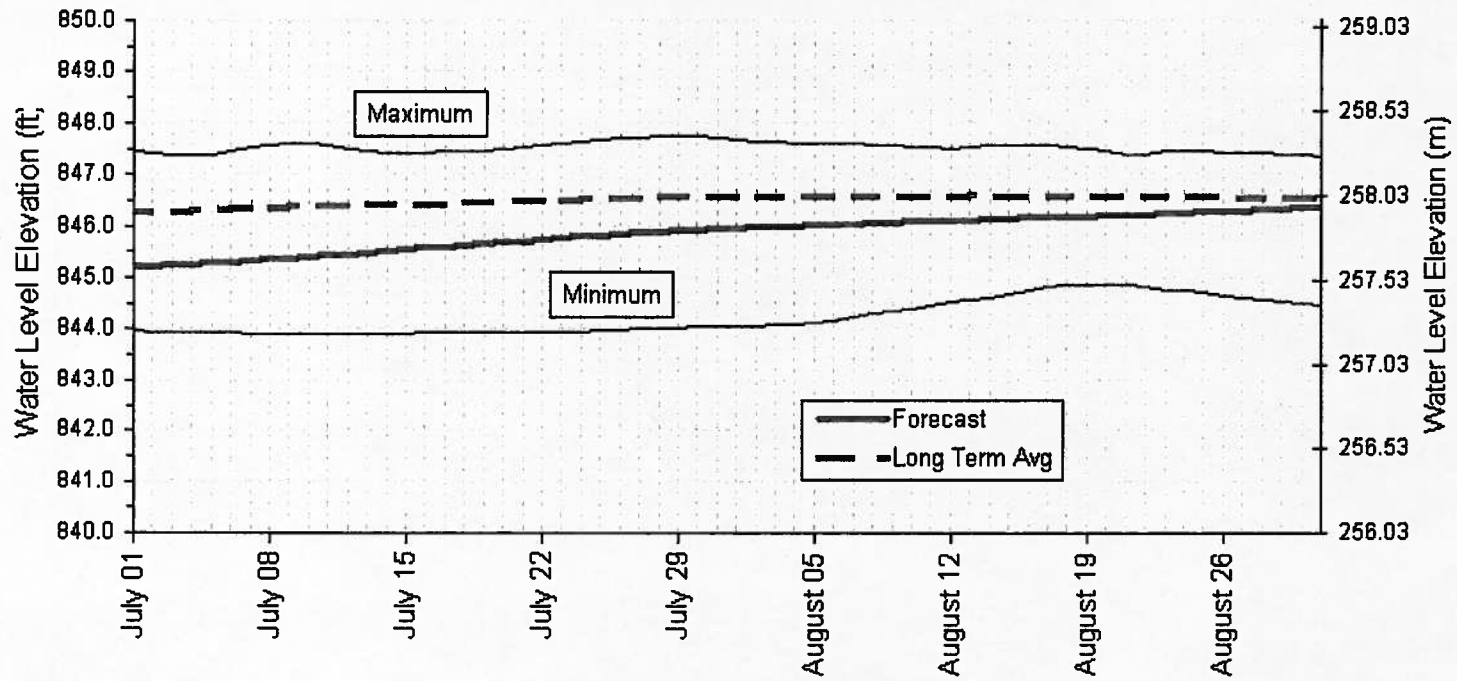


Please post this graph in a conspicuous location for residents' reference.

Split Lake Water Levels in July-August 2011: Snapshot of Hydro's Water Regime Operations

- There are lower than average water levels on Southern Indian Lake.
- Hydro's July-August forecast of water levels at Footprint Lake on the Burntwood River at Nelson House are at the lowest levels recorded since April, 1977 and show the minimum releases by Manitoba Hydro of water from the Notigi Control Structure.
- This means that the high water levels on Split Lake are almost entirely as a result of the operation of the Lake Winnipeg Regulation Project and the continuing maximum releases of water from the Jenpeg Generating Station.

SOUTHERN INDIAN LAKE
60-Day Water Level Forecast Jul 01, 2011 to Aug 31, 2011



Notes:

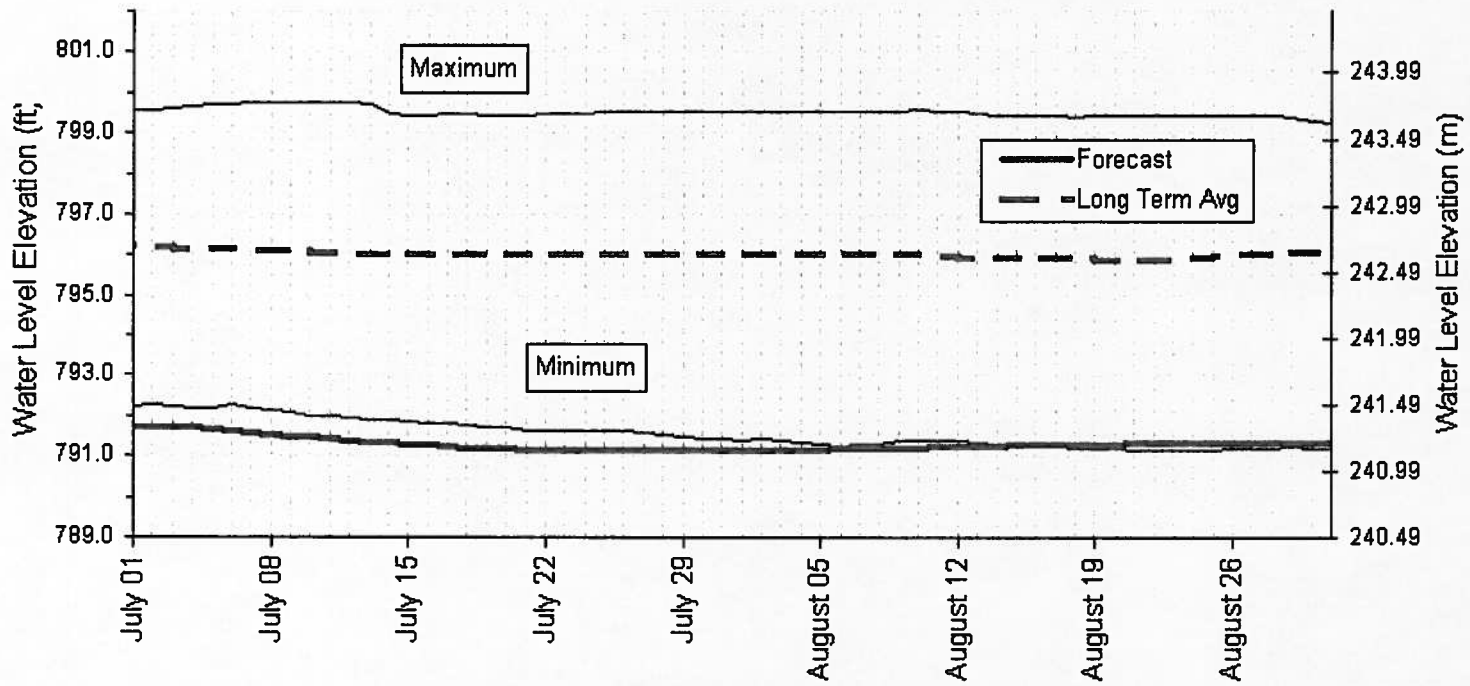
- Based on EOP Forecast dated: Jun 23, 2011
- Period of Record: Apr/77 to Present
- Conversion: 1 foot = 0.3048 metres

Manitoba Hydro
 Hydraulic Operations Department
 Jun 23, 2011



Please post this graph in a conspicuous location for residents' reference.

FOOTPRINT LAKE
 60-Day Water Level Forecast Jul 01, 2011 to Aug 31, 2011



Notes:

- Based on EOP Forecast dated: Jun 23, 2011
- Period of Record: Apr/77 to Present
- Conversion: 1 foot = 0.3048 metres

Manitoba Hydro
 Hydraulic Operations Department
 Jun 23, 2011

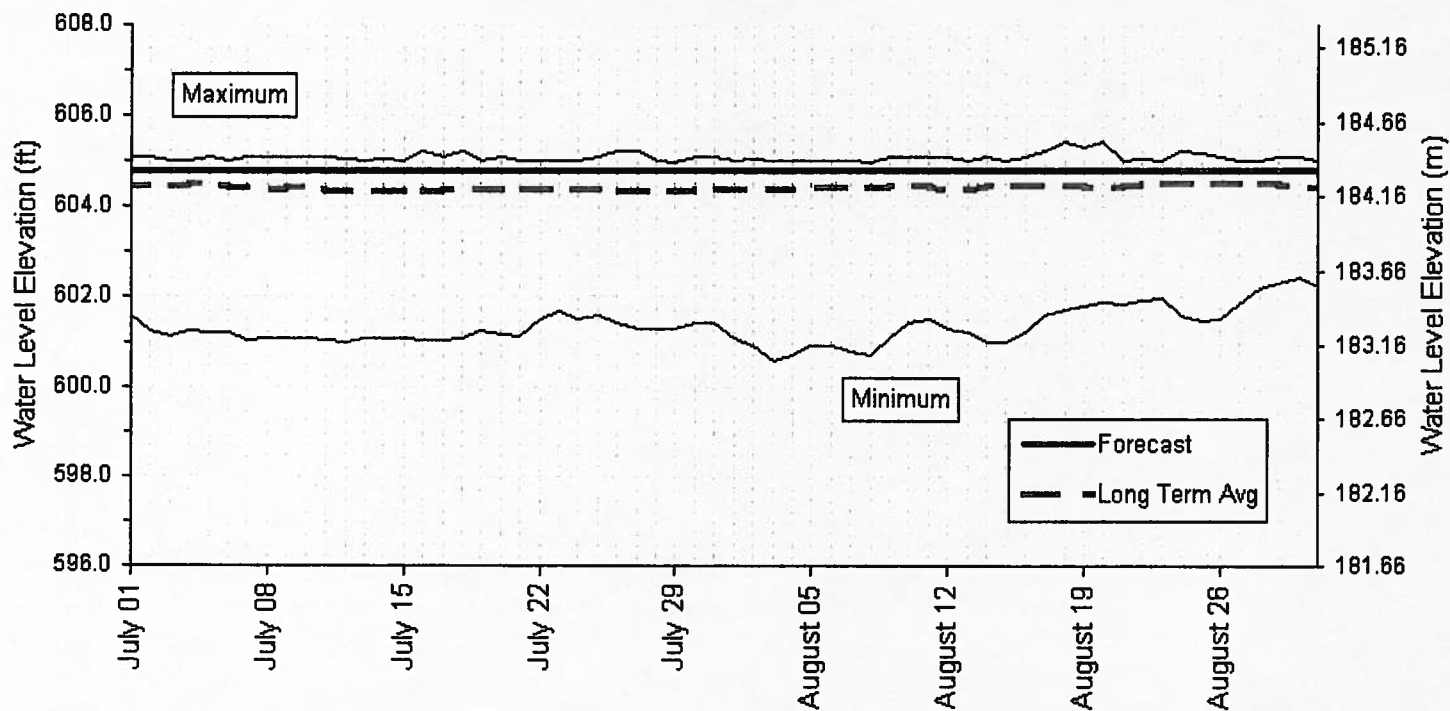
Please post this graph in a conspicuous location for residents' reference.



Split Lake Water Levels in July-August 2011: Snapshot of Hydro's Water Regime Operations

- Hydro's forecast of July-August water levels at the forebays of the Kelsey Generating Station are higher than average and are nearly 3 feet higher than average above the Kettle Generating Station (Stephens Lake).
- Taken together with the maximum flows at Jenpeg, the relatively "flat lines" of the higher than average forecast water levels at Kelsey and at the Kettle Dam result from the requirement to reduce water levels on Lake Winnipeg, and are not mainly due to any forecast of energy production for both domestic and export markets.

KELSEY FOREBAY
60-Day Water Level Forecast Jul 01, 2011 to Aug 31, 2011



Notes:

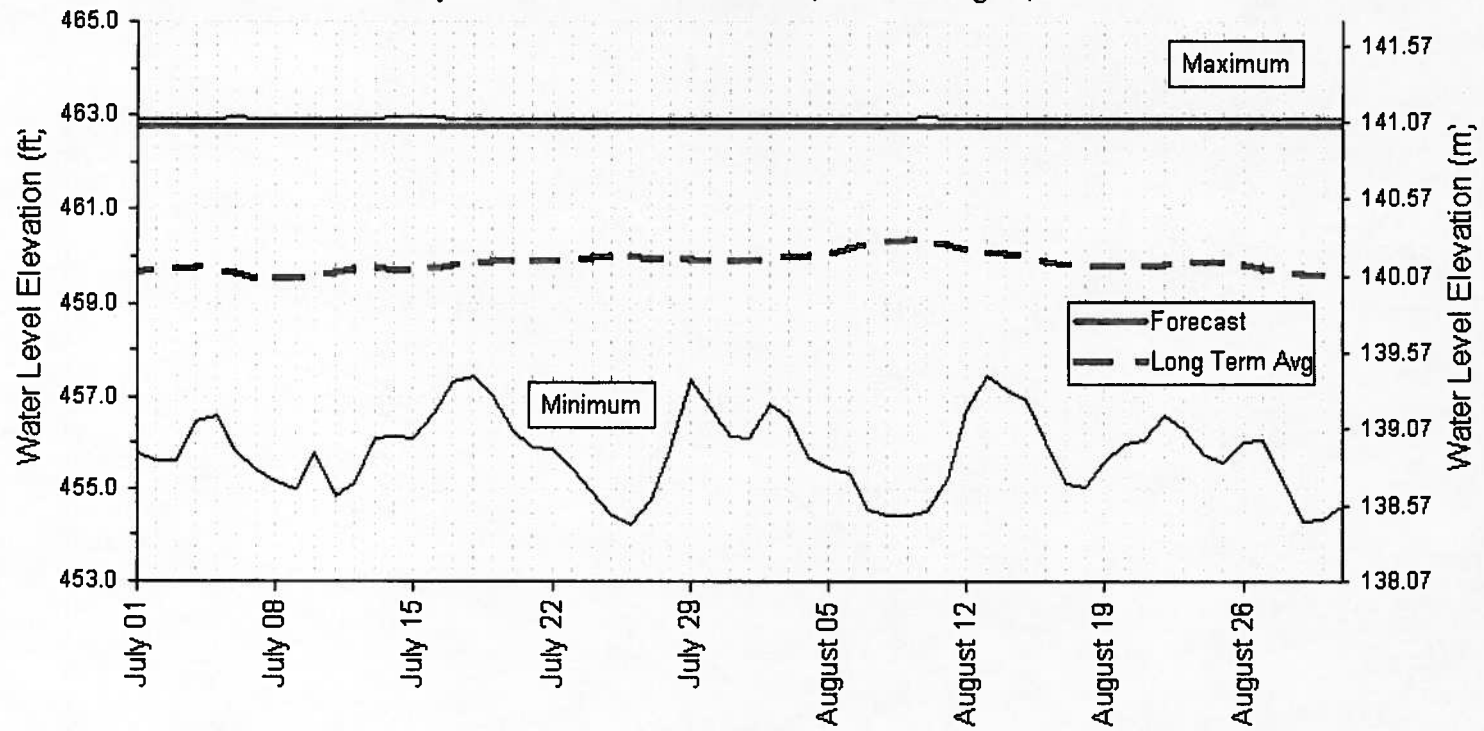
- Based on EOP Forecast dated: Jun 23, 2011
- Period of Record: Apr/77 to Present
- Conversion: 1 foot = 0.3048 metres

Manitoba Hydro
 Hydraulic Operations Department
 Jun 23, 2011



Please post this graph in a conspicuous location for residents' reference.

STEPHENS LAKE
60-Day Water Level Forecast Jul 01, 2011 to Aug 31, 2011



Notes:

- Based on EOP Forecast dated: Jun 23, 2011
- Period of Record: Apr/77 to Present
- Conversion: 1 foot = 0.3048 metres

Manitoba Hydro
Hydraulic Operations Department
Jun 23, 2011



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Split Lake Water Levels in July-August 2011: Summary of Hydro's Water Regime Operations

- Water levels on Lake Winnipeg are 2 feet higher than the licenced maximum water level.
- Water levels are at record high levels between the Jenpeg and Kelsey Generating Stations, indicating maximum discharges out of Lake Winnipeg.
- The maximum flows out of Lake Winnipeg and down the Nelson River are resulting in sustained high water levels at Split Lake.
- Water levels are at record low levels below the Notigi Control Structure, indicating minimum releases from Southern Indian Lake into the Burtwood River.

York Factory (Manitoba) Comprehensive Implementation Agreement [1995]

- There is no promise in the 1995 Agreement for Hydro to maintain a specific operating level on Split Lake.
- Article 2.3.1 of the 1995 Agreement provides:
 - ▶ *No Restraint on Operations*
 - ▶ *Except as expressly set out in Article 9.4.7(a) or the Easement Agreement, nothing in this Agreement shall impose, or be read or construed to impose, any restraint on the lawful operation of the Project by Hydro.*
- In response to a request by York Factory in 2003, the Minister of Water Stewardship offered to establish a Split Lake Water Regime Management Committee.
- The Committee has yet to be established.

**Conduct of a Crown-First Nation Consultation
and Accommodation Process:
Manitoba Hydro request for a Final Licence for the
Lake Winnipeg Regulation Project**

- The higher than average water levels on Split Lake in July, 2011 are almost entirely due to the maximum releases from the Jenpeg Generating Station to reduce Lake Winnipeg water levels as required by the provincial supplemental licence issued for the Lake Winnipeg Regulation Project.
- The York Factory First Nation should demand a Crown-First Nation Consultation and Accommodation Process regarding Manitoba Hydro's request for a Final Licence for the Lake Winnipeg Regulation Project.



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