

**BHP Billiton Canada Inc.**  
Operator of the EKATI Diamond Mine

BHP Billiton Diamonds Inc.  
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April 11, 2012

Aboriginal Affairs and Northern Development Canada  
South Mackenzie District Field Office  
140 Bristol Avenue  
#16 Yellowknife Airport  
Yellowknife, NT X1A 3T2

Attention: Jason Brennan  
Resource Management Officer III

**RE: Approval to Build Access Road at the Pigeon Stream Diversion**

Dear Mr. Brennan:

BHP Billiton Canada Inc. (BHP Billiton) is requesting approval to build a permanent access road parallel to the Pigeon Stream Diversion at the EKATI Diamond Mine. As stated in the Land Use Permit W2008D0008 for the Pigeon Pit, Part C 26(1)(a) item 3, all lines, trails, rights-of-way to be constructed parallel to streams shall be a minimum of thirty (30) meters from any stream. BHP Billiton is requesting approval to build a road within 30 meters of the Pigeon Stream Diversion. The proposed road will be located 10 meters from the Pigeon Stream Diversion (Figure 1).

BHP Billiton is requesting this approval based on the following reasons:

- 1) The construction of the road will allow BHP Billiton access to the length of the Pigeon Stream Diversion. If additional construction activities are required during freshet or summer, BHP Billiton will be able to quickly access the Pigeon Stream Diversion with the necessary construction equipment.
- 2) The current design requires flushing of the Pigeon Stream Diversion during the summer of 2012 and this road will allow access for dewatering crews and equipment.
- 3) For the purpose of monitoring the Pigeon Stream Diversion during 2012, the road will allow access to the length of the stream for monitoring and sampling.

To ensure that BHP Billiton reduces the risk of erosion:

- 1) Clean granite will be used for construction of the road.
- 2) The Pigeon Stream Diversion will not be connected to the Pigeon Stream during 2012 and it is expected that the road will be flushed of material during this year.

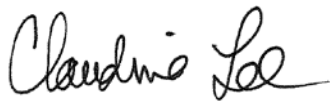
- 3) Water from the Pigeon Stream Diversion will be collected and pumped to water trucks and removed from the Pigeon Stream Diversion.

As with all programs, BHP Billiton will have the standard mitigation measures in place.

BHP Billiton is requesting approval constructing this road at the Pigeon Stream Diversion based on the above reasons and information.

We trust that this information meets with your requirements at this time. If you have any questions, please contact the undersigned at (867) 880-2232.

Yours sincerely,  
BHP Billiton Diamonds Inc.

A handwritten signature in black ink that reads "Claudine Lee". The signature is written in a cursive, flowing style.

Claudine Lee, M.Sc., P.Geol.  
Superintendent – Environment Operations

Attachment: Figure 1 – Map of proposed road location

c.c. Mr. Ryan Fequet, WLWB  
Bruce Hanna, Department of Fisheries and Oceans Canada

30 m BUFFER RADIUS  
FROM PIGEON STREAM

PROPOSED NORTH  
ACCESS ROAD

PIGEON STREAM DIVERSION

PIGEON STREAM

Figure 1: Location of Pigeon Stream Diversion North Road

