

AFFIDAVIT #16

Deponent: George Favel
Date Sworn: March 11, 2013

IN THE MATTER OF the *Energy Resources Conservation Act*, RSA 2000, c
E-10

-and-

IN THE MATTER OF Coal Valley Resources Inc.'s application for
authorization to construct and operate the Robb Trend Project

AFFIDAVIT

I, George Favel, of the Whitefish Lake First Nation #128 in the Province of Alberta, MAKE OATH AND SAY AS FOLLOWS:

1. I am a member of the Whitefish Lake First Nation #128 (the "**Nation**") and I am a hunter, fisherman, and gatherer within the Nation's traditional territory and as such I have personal knowledge of the matters deposed to in this Affidavit, except where stated to be based on information and belief and where so stated I verily believe the same to be true.
2. Now produced and shown to me and marked as **Exhibit "A"** to this my Affidavit is a true copy of a map depicting a portion of the Nation's traditional territory, the proposed Coal Valley Resources Inc.'s. ("**Coal Valley**") Robb Trend Project and the areas where I have and continue to hunt, fish, and gather. Attached to this my Affidavit and marked as **Exhibit "B"** is a true copy of a map depicting a portion of the Nation's traditional territory and the areas where I have and continue to hunt, fish, and gather.
3. I hunt, fish, and gather and have hunted, fished, and gathered on unoccupied Crown lands and lands to which I have or previously had a right of access within the Nation's traditional territory. I have hunted in the marked areas, as shown in **Exhibit "A"** and **Exhibit "B"** as a child and into my adulthood.
4. In these areas I have hunted the following animals, including, but not limited to:
 - a. Birds, which include, but not limited to grouse, ducks, geese and wild chickens;
 - b. Moose;
 - c. Elk;
 - d. White Tail Deer;
 - e. Mule Deer;
 - f. Grizzly Bear;
 - g. Black Bear;

- h. Coyotes;
 - i. Wolves; and
 - j. Rabbit.
5. In the marked area, I have fished the following, including but not limited to:
- a. Whitefish;
 - b. Walleye (Pickerel);
 - c. Suckers;
 - d. Trout;
 - e. Jackfish (Northern Pike);
 - f. Burbot (Freshwater Cod, Ling Cod, Mariah);
 - g. Goldeye; and
 - h. Yellow Perch.
6. I have gathered the following in the marked area, including but not limited to:
- a. Blueberries;
 - b. High Bush Cranberries;
 - c. Low Bush Cranberries;
 - d. Raspberries;
 - e. Saskatoon Berries;
 - f. Strawberries;
 - g. Gooseberries;
 - h. Huckleberries;
 - i. Chokecherries; and
 - j. Traditional medicines, which include, but not limited to, roots, bark, diamond willow fungus, lodgepole pine fungus/flowers, sage, sweetgrass, Seneca root, rat root.

- 7. As a hunter, fisherman, and gatherer, I am concerned that the activities conducted by Coal Valley for the proposed coal project will further impact the wildlife populations in the area. The activities of Coal Valley and the proposed coal project will also occupy lands to which I have previously had a right of access and will further restrict the area in which I can exercise my Treaty rights to hunt, fish and gather.
- 8. I make this Affidavit in support of the position of the Nation in this matter and for no improper purpose.

SWORN BEFORE ME at the Whitefish Lake)
 First Nation #128, in the Province of Alberta,)
 this 11th day of March, 2013.)

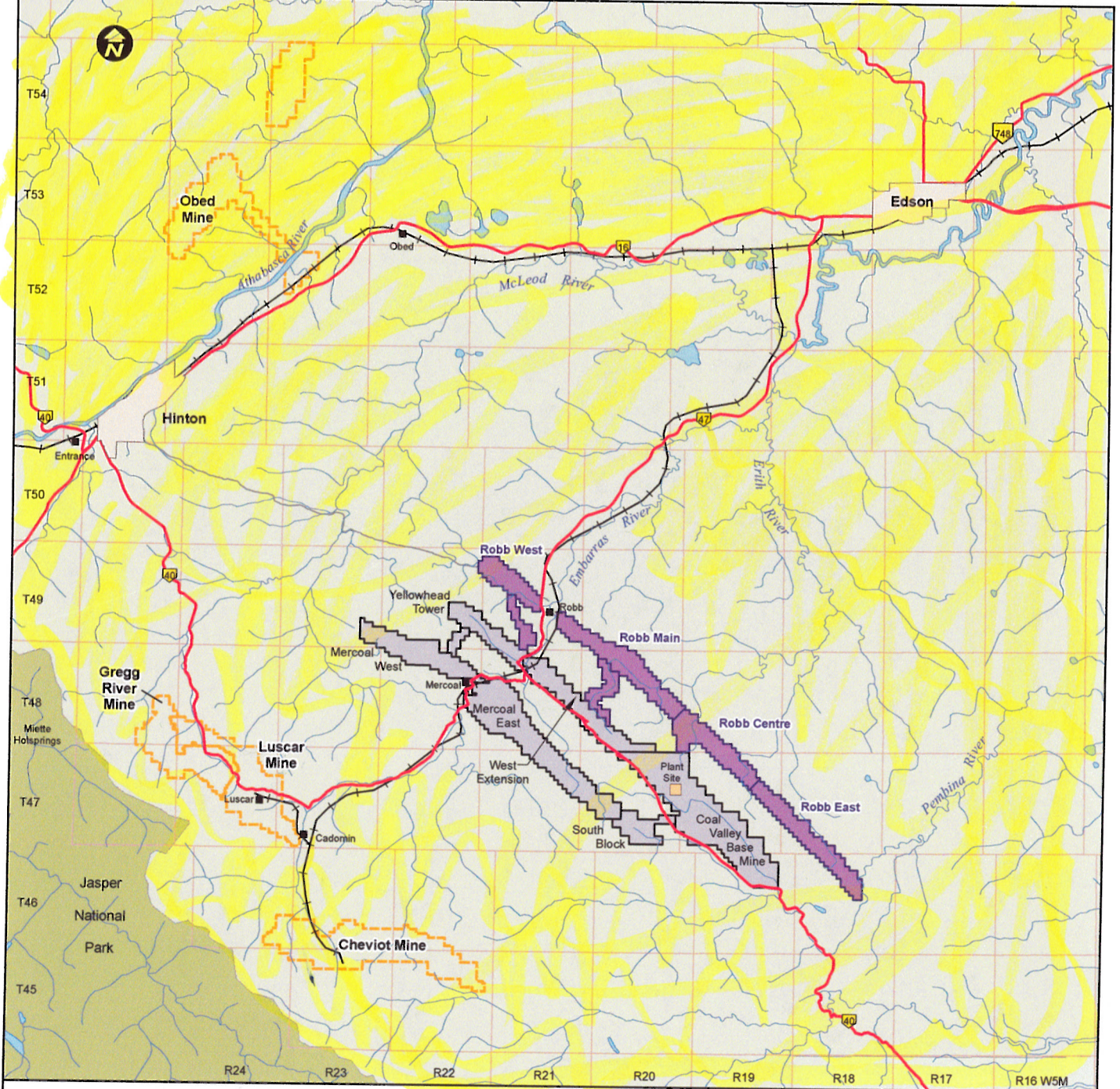
<original signed by>

) <original signed by>

)
)
) George Favel

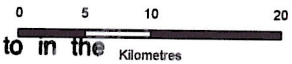
—
 A Commissioner for Oaths in and for the
 Province of Alberta
 Being a solicitor

BROCK ROE
 BARRISTER AND SOLICITOR



Legend

- Proposed Robb Trend Mine Permit Boundary
- Existing Coal Valley Mine Permit Boundary
- Other Mines



This is Exhibit "A" referred to in the Affidavit of
GEORGE FAVEL
 Sworn before me this 1/16 day
 of MARCH A.D. 20 15
BROCK AF ROE

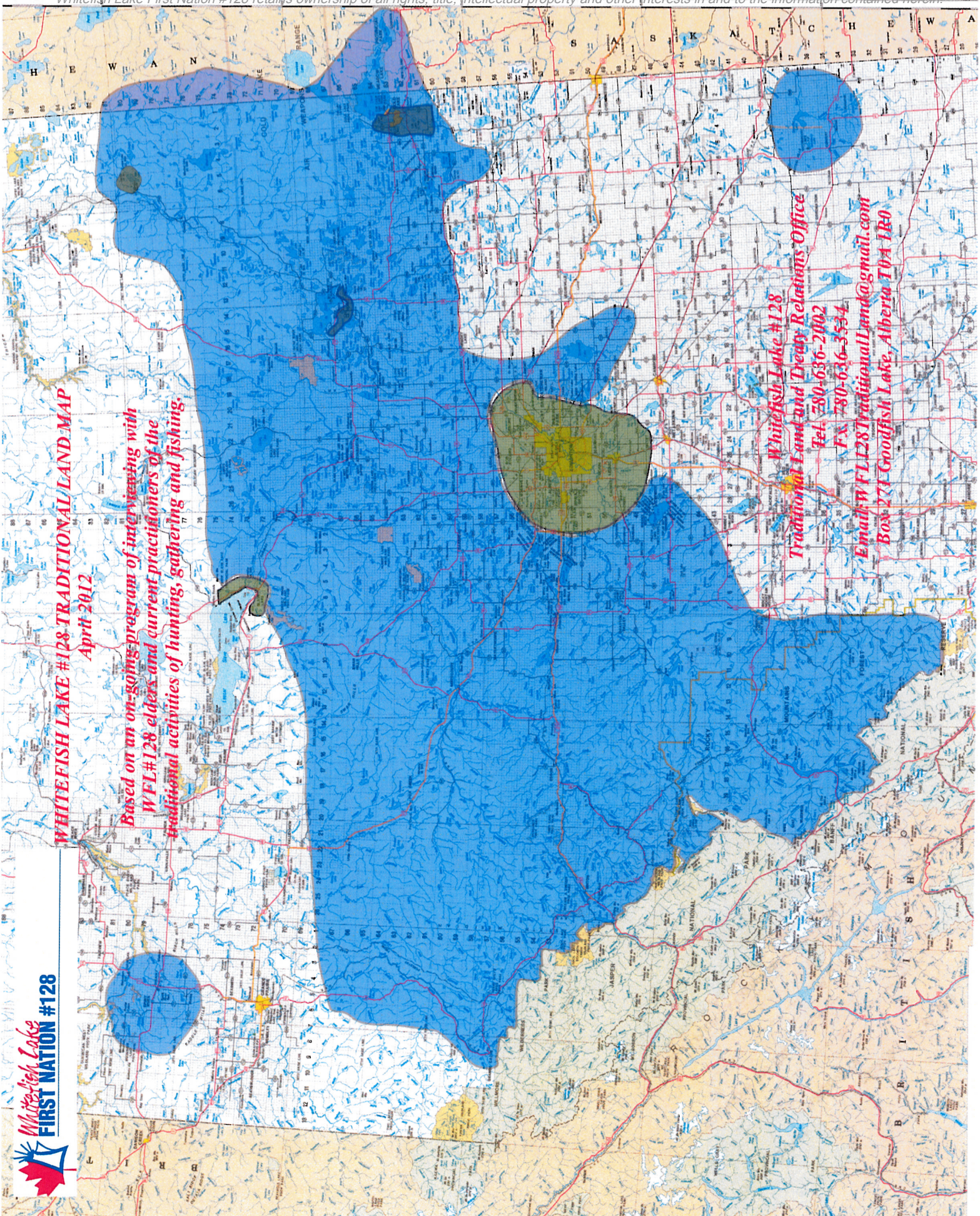
| | | | | | | | | |
|---|---|--|-------------|---------|-------------|--------------|-----------------|-----------------|
| PROJECT: Coal Valley Mine Robb Trend Project | A Notary Public, A Commissioner for Oaths in and for the Province of Alberta | | | | | | | |
| TITLE: Project Location | BROCK ROE BARRISTER AND SOLICITOR | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: small;">DRAWN: PSJG</td> <td style="font-size: small;">FIGURE:</td> </tr> <tr> <td style="font-size: small;">CHECKED: KY</td> <td rowspan="3" style="text-align: center; font-size: large;">A.1-1</td> </tr> <tr> <td style="font-size: small;">DATE: Mar 25/12</td> </tr> <tr> <td style="font-size: small;">PROJECT: 08-041</td> </tr> </table> | DRAWN: PSJG | FIGURE: | CHECKED: KY | A.1-1 | DATE: Mar 25/12 | PROJECT: 08-041 |
| DRAWN: PSJG | FIGURE: | | | | | | | |
| CHECKED: KY | A.1-1 | | | | | | | |
| DATE: Mar 25/12 | | | | | | | | |
| PROJECT: 08-041 | | | | | | | | |



WHITEFISH LAKE #128-TRADITIONAL LAND MAP
April 2012

*Based on an on-going program of interviewing with
WFL#128 elders and current practitioners of the
traditional activities of hunting, gathering and fishing*

Whitefish Lake #128
Traditional Land and Treaty Relations Office
Tel. 780-636-2402
Fax 780-636-3534
Email WFL128TraditionalLand@gmail.com
Box 271 Goodfish Lake, Alberta T0A 1R0



This is Exhibit "B" referred to in the
Affidavit of
Sworn before me this 11th day
of MARCH A.D., 2013
of BIRCK AERE
A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta
BROCK ROE
BARRISTER AND SOLICITOR