

AFFIDAVIT #9

Deponent: Michael Sunday
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, Michael Sunday, 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, gatherer and trapper 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, trap 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, trap and gather.
3. I hunt, fish, trap and gather and have hunted, fished, trapped 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, partridge;
 - b. Moose;
 - c. Elk;
 - d. White Tail Deer;
 - e. Mule Deer;
 - f. Black Bear;
 - g. Rabbits.

5. In the marked area, I have fished the following, including but not limited to:
 - a. Walleye (Pickerel);
 - b. Grayling (Artic Grayling);
 - c. Trout;
 - d. Jackfish (Northern Pike); and
 - e. Yellow Perch.

6. I have gathered the following in the marked area, including but not limited to:
 - a. Blueberries;
 - b. Raspberries;
 - c. Saskatoon Berries;
 - d. Wild Strawberries;
 - e. Chokecherries; and
 - f. Traditional medicines, which include, but not limited to, diamond willow fungus, balsam bark, and balsam tree sap.

7. In the marked area, I have trapped the following, including but not limited to:
 - a. Rabbits.

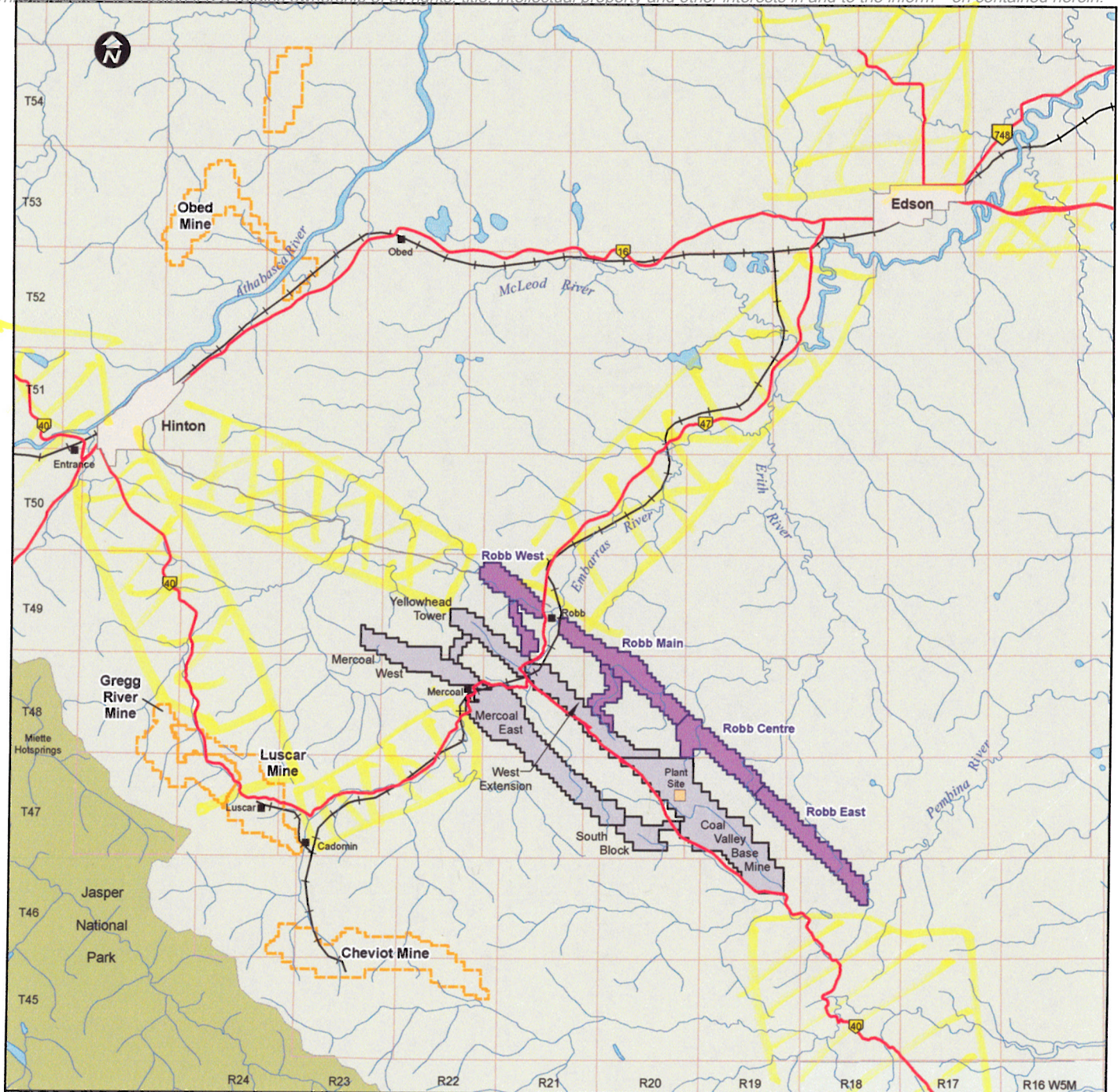
8. As a hunter, fisherman, gatherer and trapper, I am concerned that the activities conducted by Coal Valley for the proposed coal project will further impact the wildlife populations in the area. The activities of Coal Valley and the proposed coal project will also occupy lands to which I have previously had a right of access and will further restrict the area in which I can exercise my Treaty rights to hunt, fish, gather and trap.

9. 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>)
 _____)
 A Commissioner for Oaths in and for the)
 Province of Alberta)
 Being a solicitor)

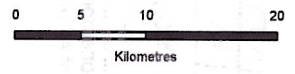
<original signed by>
 Michael Sunday

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Legend

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



PROJECT: Coal Valley Mine Robb Trend Project							
TITLE: Project Location	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">DRAWN: PSJG</td> <td style="width: 50%;">FIGURE:</td> </tr> <tr> <td>CHECKED: KY</td> <td rowspan="3" style="text-align: center; vertical-align: middle;">A.1-1</td> </tr> <tr> <td>DATE: Mar 25/12</td> </tr> <tr> <td>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							

This is Exhibit "A" referred to in the Affidavit of

MICHAEL SUNDAY

Sworn before me this 11th day of March A.D. 2013

A Notary Public, A Commissioner for Oaths in and for the Province of Alberta

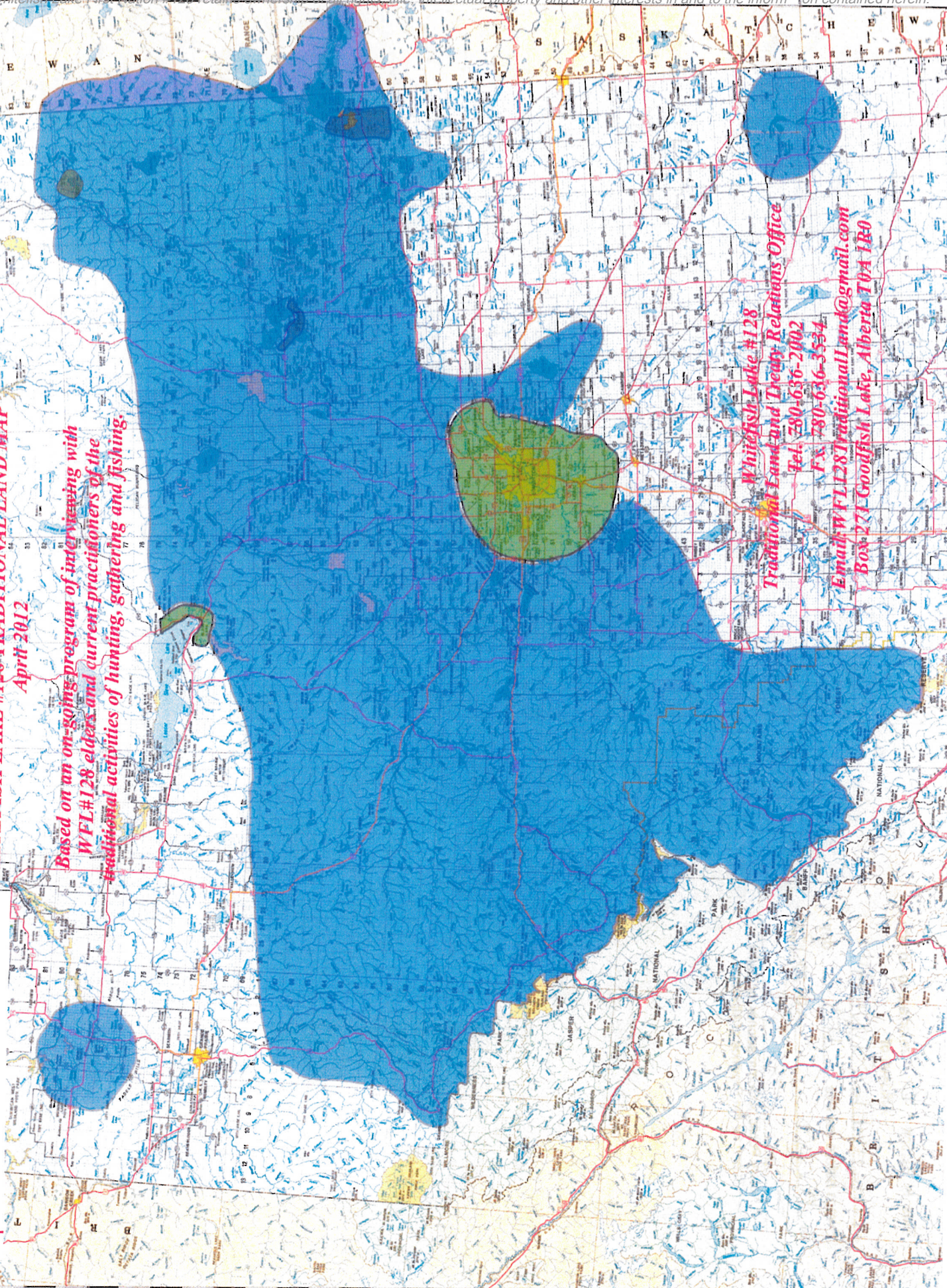
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WHITEFISH LAKE #128 TRADITIONAL LAND MAP
April 2012

*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 Lands and Treaty Relations Office
Tel: 780-636-2002
FX: 780-636-3534
Email: WFL128TraditionalLand@gmail.com
Box 271 Goodfish Lake, Alberta T0A 1B0

This is Exhibit "B" referred to in the Affidavit of

MICHAEL SUNDAY

Sworn before me this 11th day of March A.D. 2013.

A Notary Public, Commissioner for Oaths in and for the Province of Alberta

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