



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 84

ST. JOHN'S, FRIDAY, JANUARY 16, 2009

No. 3

CREDIT UNION ACT

NOTICE OF AMALGAMATION

On January 1, 2009 the Superintendent of Credit Unions approved the amalgamation of Tri-Island Credit Union Ltd, Twillingate, NL and First Coastal Credit Union Ltd, Eastport, NL under the *Credit Union Act*, cC-37.1, SNL 1995. The amalgamated credit union will operate under the name Venture Credit Union Limited, Eastport, NL.

CREDIT UNION DEPOSIT
GUARANTEE CORPORATION
Dept of Government Services
Bill Langthorne, Executive Director

Jan 16

MINERAL ACT

NOTICE

Published in accordance with section 62 of CNLR 1143/96 under the *Mineral Act*, cM-12, RSNL 1990 as amended.

Mineral rights to the following mineral licenses have reverted to the Crown:

A portion of license 008487M 015679M
Held by Topsails LLC
Situates near Rambler, Baie Verte Peninsula
On map sheet 12H/16
more particularly described in an application on file at
Department of Natural Resources

A portion of license 014854M
Held by Topsails LLC
Situates near Side Pond, Baie Verte Peninsula
On map sheet 02E/13 12H/16
more particularly described in an application on file at
Department of Natural Resources

Mineral License 009772M
Held by Quinlan, Roland
Situates near Burnt Lake, Central NL
On map sheet 02E/07

Mineral License 009773M
Held by Quinlan, Roland
Situates near Burnt Lake, Central NL
On map sheet 02E/07

Mineral License 009774M
Held by Quinlan, Roland

Situate near On map sheet	Burnt Lake,Central NL 02E/07	Situate near On map sheet	Notakwanon River 13M/09 13M/16
A portion of license Held by	012749M Cornerstone Resources Inc.	more particularly described in an application on file at Department of Natural Resources	
Situate near On map sheet	Makhavinekh Lake 14D/01 14C/04	A portion of license Held by	012847M Altius Resources Inc.
more particularly described in an application on file at Department of Natural Resources		Situate near On map sheet	Notakwanon River 13M/09
A portion of license Held by	014925M Altius Resources Inc.	more particularly described in an application on file at Department of Natural Resources	
Situate near On map sheet	Makhavinekh Mountain 14D/01 14C/04	A portion of license Held by	012876M Tripple Uranium Resources Inc.
more particularly described in an application on file at Department of Natural Resources		Situate near On map sheet	Jeffries Pond 13A/15
Mineral License Held by	012757M Altius Resources Inc.	more particularly described in an application on file at Department of Natural Resources	
Situate near On map sheet	Makhavinekh Mountain 14C/04	Mineral License Held by	012910M Altius Resources Inc.
Mineral License Held by	012760M Celtic Minerals Ltd	Situate near On map sheet	Notakwanon River 13M/10 13M/09 13M/16
Situate near On map sheet	Kogaluk River 14C/04	Mineral License Held by	012911M Altius Resources Inc.
Mineral License Held by	012761M Altius Resources Inc.	Situate near On map sheet	Notakwanon River 13M/16 13N/13
Situate near On map sheet	Kogaluk River 14C/04	Mineral License Held by	012912M Altius Resources Inc.
A portion of license Held by	012765M Cornerstone Resources Inc.	Situate near On map sheet	Notakwanon River 13M/16
Situate near On map sheet	Anaktalik Brook 14D/08 14D/09	Mineral License Held by	013885M Gardner, Art
more particularly described in an application on file at Department of Natural Resources		Situate near On map sheet	Stoney Lake West,Central NL 02D/12
A portion of license Held by	012843M Altius Resources Inc.	Mineral License Held by	013889M Intrinsic Minerals Ltd.
Situate near On map sheet	Notakwanon River 13M/09 13M/16	Situate near On map sheet	Puttaalu Brook 14E/02
more particularly described in an application on file at Department of Natural Resources		Mineral License Held by	013890M Global Gold Uranium, LLC
A portion of license Held by	012844M Altius Resources Inc.	Situate near On map sheet	Grey River, Southern NL 11P/15
Situate near On map sheet	Notakwanon River 13M/09 13M/16	Mineral License Held by	013895M French, Roy
more particularly described in an application on file at Department of Natural Resources		Situate near On map sheet	Bellevue Area, Avalon Peninsula 01N/12
A portion of license Held by	012845M Altius Resources Inc.	Mineral License Held by	013896M French, Roy
Situate near On map sheet	Notakwanon River 13M/09	Situate near On map sheet	Bellevue Area, Avalon Peninsula 01N/12
more particularly described in an application on file at Department of Natural Resources		Mineral License Held by	013900M MacNeil, Jim
A portion of license Held by	012846M Altius Resources Inc.	Situate near	Little Chouse Brook,

On map sheet Baie Verte Peninsula
12H/10

Mineral License 013914M
Held by Martin, Edward
Situate near Greenwood Pond, Baie Verte Area
On map sheet 02E/13

A portion of license 014586M
Held by Playfair Mining Ltd.
Situate near Granite Lake, Central NL
On map sheet 12A/02
more particularly described in an application on file at
Department of Natural Resources

A portion of license 014588M 015688M
Held by Playfair Mining Ltd.
Situate near Granite Lake, Central NL
On map sheet 12A/02
more particularly described in an application on file at
Department of Natural Resources

The lands covered by this notice except for the lands within
Exempt Mineral Lands, the Exempt Mineral Lands being
described in CNLR 1143/96 and NLR 71/98, 104/98,
97/2000, 36/2001, 31/2004, 78/2006 and 8/2008 and
outlined on 1:50 000 scale digital maps maintained by the
Department of Natural Resources, will be open for staking
after the hour of 9:00 a.m. on the 32nd clear day after the
date of this publication.

JIM HINCHEY P. Geo
Manager - Mineral Rights

File # 774: 4576, 5382, 5383, 5384, 6363, 7616, 7617,
7625, 7631, 7633, 7643, 7723, 7724, 7725, 7726, 7727,
7755, 7788, 7789, 7790, 8702, 8706, 8707, 8712, 8713,
8715, 8729, 9322, 9324

Jan 16

URBAN AND RURAL PLANNING ACT

**NOTICE OF REGISTRATION
CITY OF MOUNT PEARL
DEVELOPMENT REGULATIONS
AMENDMENT NO. 177, 2008**

TAKE NOTICE that the City of Mount Pearl Development
Regulations Amendment Number 177, 2008 adopted by
Council on the 4th day of March, 2008, has been registered
by the Minister of Municipal Affairs.

In general terms, the purpose of Development Regulations
Amendment Number 177, 2008 is to delete antenna from
the list of permitted use classes of the Residential High
Density (Special), Industrial-Light and Restricted use
zones, delete antenna from the list of discretionary use
classes of the Residential-Single Unit Detached 2, High
Density (Special) and Restricted, Mixed Development, City
Centre, Commercial-General, Commercial General-
Special, Commercial-Local, Commercial-Highway,

Shopping Centre, Community and Public Services,
Heritage Resource, Recreational Open Space, Rural,
Conservation, and Commercial-Recreation use zones,
revise the general conditions for antenna uses and respond
to Industry Canada's new procedures for installing radio
communications and broadcasting systems that came into
effect on January 1, 2008.

The Mount Pearl Development Regulations Amendment
Number 177, 2008 comes into effect on the day that this
notice is published in *The Newfoundland & Labrador
Gazette*. Anyone who wishes to inspect a copy of this
Amendment may do so at the Mount Pearl City Hall, 3
Centennial Street during normal working hours.

CITY OF MOUNT PEARL
Per: Gerard Lewis, Chief Administrative Officer

Jan 16

**NOTICE OF REGISTRATION
ST. JOHN'S MUNICIPAL PLAN AMENDMENT
NUMBER 65, 2008 AND
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 446, 2008**

TAKE NOTICE that St. John's Municipal Plan
Amendment Number 65, 2008 and St. John's Development
Regulations Amendment Number 446, 2008 adopted on the
10th day of October, 2008 and approved on the 8th day of
December 2008 have been registered by the Minister of
Municipal Affairs.

In general terms, the purpose of St. John's Municipal Plan
Amendment Number 65, 2008 is to redesignate the
Littledale Complex on Waterford Bridge Road to the
Commercial General Land Use District.

In general terms, the purpose of St. John's Development
Regulations Amendment Number 446, 2008 is to rezone
the Littledale Complex on Waterford Bridge Road to the
Commercial Office Hotel (COH) Zone.

These amendments come into effect on the day that this
notice is published in *The Newfoundland & Labrador
Gazette*. Anyone who wishes to inspect a copy of these
amendments may do so at the Department of Planning, 3rd
Floor, St. John's City Hall during regular business hours.

CITY OF ST. JOHN'S

Jan 16

**NOTICE OF REGISTRATION
ST. JOHN'S MUNICIPAL PLAN AMENDMENT
NUMBER 66, 2008 AND
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 447, 2008**

TAKE NOTICE that St. John's Municipal Plan
Amendment Number 66, 2008 and St. John's Development
Regulations Amendment Number 447, 2008 adopted on the
10th day of November, 2008 and approved on the 8th day of

December 2008 have been registered by the Minister of Municipal Affairs.

In general terms, the purpose of St. John's Municipal Plan Amendment Number 66, 2008 is to redesignate the properties at Civic Numbers 5 Stamp's Lane, 342 Pennywell Road and 344 Pennywell Road to the Commercial Land Use District.

In general terms, the purpose of St. John's Development Regulations Amendment Number 447, 2008 is to rezone the properties at Civic Numbers 5 Stamp's Lane, 342 Pennywell Road and 344 Pennywell Road to the Commercial Local (CL) Zone.

These amendments come into effect on the day that this notice is published in *The Newfoundland & Labrador Gazette*. Anyone who wishes to inspect a copy of these amendments may do so at the Department of Planning, 3rd Floor, St. John's City Hall during regular business hours.

CITY OF ST. JOHN'S
Georgina Lannon, Dept of Planning

Jan 16

**NOTICE OF REGISTRATION
TOWN OF BAIE VERTE
MUNICIPAL PLAN AMENDMENT NO. 23, 2008
AND
DEVELOPMENT REGULATIONS
AMENDMENT NO. 19, 2008**

TAKE NOTICE that the Town of Baie Verte Municipal Plan Amendment No. 23, 2008 and Development Regulations Amendment No. 19, 2008 as adopted on the 20th day of November, 2008 and approved on the 18th day of December, 2008, have been registered by the Minister of Municipal Affairs.

In general terms the purpose of these amendments is to allow residential uses and child care and other compatible or similar uses under the Commercial – Town Centre designation and zone.

The Municipal Plan Amendment No. 23, 2008 and Development Regulations Amendment No. 19, 2008 come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*.

Anyone who wishes to inspect a copy of the Baie Verte Municipal Plan Amendment No. 23, 2008 and Development Regulations Amendment No. 19, 2008 may do so at the Baie Verte Town Office during normal working hours.

TOWN OF BAIE VERTE
Angela Furey, Town Clerk

Jan 16

**NOTICE OF REGISTRATION
TOWN OF PORT AU PORT EAST
MUNICIPAL PLAN 2008 AND
DEVELOPMENT REGULATIONS 2008**

TAKE NOTICE that the Town of Port au Port East Municipal Plan 2008 and Development Regulations 2008, adopted on the 9th day of September, 2008 and approved on the 21st day of October 2008, have been registered by the Minister of Municipal Affairs.

The Port au Port East Municipal Plan 2008 and Development Regulations 2008 come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the Port au Port East Municipal Plan and Development Regulations 2008 may do so at the Town Office, Port au Port East during normal working hours.

TOWN OF PORT AU PORT EAST
Joanne Ryan, Town Clerk

Jan 16

**NOTICE OF REGISTRATION
TOWN OF SUMMERFORD
MUNICIPAL PLAN AMENDMENT # 4, 2008 AND
DEVELOPMENT REGULATION
AMENDMENT # 4, 2008**

TAKE NOTICE that the Town of Summerford Municipal Plan Amendment # 4 2008 and Development Regulation Amendment # 4, 2008 as approved by Council on the 3rd December 2008, have been registered by the Minister of Municipal Affairs.

Municipal Plan Amendment # 4 is an amendment to the Future Land Use Map to redesignate land on either side of Route 340 at the southern entrance to the community from Commercial to Residential.

Development Regulation # 4 is an amendment to the Land Use Zoning Map rezoning the same land along Route 340 from Commercial to Residential.

The Municipal Plan Amendment # 4,2008 and Development Amendment # 4,2008 come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*.

Anyone who wishes to inspect a copy of the Summerford Municipal Plan Amendment # 4,2008 and Development Regulation Amendment # 4,2008 may do so at the Town Office, Summerford during normal business hours.

TOWN OF SUMMERFORD
Vicky Anstey, Town Clerk

Jan 16

CHANGE OF NAME ACT

C-8 RSNL 1990

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of *the Change of Name Act*, by me:-

JANICE CASSIE VIRGINIA SAMANTHA KELLY

of 391 Jr. Smallwood Boulevard, P.O. Box 347, Gambo, A0G 1T0, in the Province of Newfoundland and Labrador, as follows:

To change my name from

JANICE CASSIE VIRGINIA SAMANTHA KELLY
to
KELLIE-NAOMI COLLINS

DATED this 5th day of September, 2008.

JANICE CASSIE VIRGINIA SAMANTHA KELLY
(Signature of Applicant)

Jan 16

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of *the Change of Name Act*, by me:-

STEVE ARTHUR TUKTUSINA

of 3049 Walsh River, Labrador City, in the Province of Newfoundland and Labrador, as follows:

To change my name from

STEVE ARTHUR TUKTUSINA
to
STEVE ARTHUR TOOKTOSHINA

DATED this 15th day of December, 2008.

STEVE ARTHUR TUKTUSINA
(Signature of Applicant)

Jan 16

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of *the Change of Name Act*, by me:-

ALLYSON MARIE MCROBIE

of 119 Circular Road, St. John's, A1C 2Z8, in the Province of Newfoundland and Labrador, as follows:

To change my name from

ALLYSON MARIE MCROBIE
to
ALLYSON MARIE POWER

DATED this 2nd day of January, 2009.

ALLYSON MARIE MCROBIE
(Signature of Applicant)

Jan 16

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of *the Change of Name Act*, by me:-

CECILIA MARTHA JERVIS (LAYMAN)

of 42 Spratt Place, St. John's, A1E 4M2, in the Province of Newfoundland and Labrador, as follows:

To change my name from

CECILIA MARTHA JERVIS (LAYMAN)
to
CECILIA MARTHA JARVIS (LAYMAN)

DATED this 9th day of January, 2009.

CECILIA MARTHA JERVIS (LAYMAN)
(Signature of Applicant)

Jan 16

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of *the Change of Name Act*, by me:-

RICKY EUGENE GOVER

of General Delivery, Indian Bay, A0G 2V0, in the Province of Newfoundland and Labrador, as follows:

To change my name from

RICKY EUGENE GOVER
to
RICKY EUGENE PARSONS

DATED this 5th day of January, 2009.

RICKY EUGENE GOVER
(Signature of Applicant)

Jan 16

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

WANDA MARIE CHRISTOPHER

of 21 Clevedon Crescent, Paradise, A1L 1J7, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

LEAH NEVAEH WALL

to

LEAH NEVAEH CHRISTOPHER

DATED this 31st day of December, 2008.

WANDA MARIE CHRISTOPHER
(Signature of Applicant)

Jan 16

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

JENNIFER LEE MCDONALD

of 3B Cabot Road, Grand Falls-Windsor, A2A 1C1, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

MEGAN MARIE CANTWELL

to

MEGAN MARIE MCDONALD

DATED this 30th day of December, 2008.

JENNIFER LEE MCDONALD
(Signature of Applicant)

Jan 16

QUIETING OF TITLES ACT

**2008 04 T 0477
IN THE SUPREME COURT OF
NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

IN THE MATTER OF ALL THAT piece or parcel of land situate, lying and being at the Town of Portugal Cove/St. Phillip's, in the Province of Newfoundland and Labrador, Canada

AND IN THE MATTER of the Application of DONALD CHURCHILL AND DAVID CHURCHILL for a

Certificate of Title of the said parcel of land pursuant to the *Quieting of Titles Act*, RSNL 1990, cQ-3, as amended.

NOTICE OF APPLICATION UNDER THE *QUIETING OF TITLES ACT*, cQ-3, RSNL, 1990.

NOTICE IS hereby given to all persons that DONALD CHURCHILL AND DAVID CHURCHILL have applied to the Supreme Court of Newfoundland and Labrador, to have title investigated and declared to ALL THAT piece or parcel of land situate, lying and being at the Town of Portugal Cove/St. Phillip's, Province of Newfoundland and Labrador, and being more particularly described in Schedule "A" hereto annexed, of which the said DONALD CHURCHILL and DAVID CHURCHILL claim to be the absolute owners thereof and the said DONALD CHURCHILL and DAVID CHURCHILL have been ordered to publish Notice of the said application as required by the above-named Act.

All persons having title adverse to the said title claimed by the said DONALD CHURCHILL AND DAVID CHURCHILL shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division, at Corner Brook, Newfoundland and Labrador, particulars of such adverse claim and serve the same together with an Affidavit verifying the same on the undersigned solicitors for the Applicants on or before the 16th day of February, 2009, after which date no party having any claim shall be permitted to file same or to be heard except by leave of the court and subject to such conditions as the court may deem just.

All such adverse claims shall then be investigated in such manner as the said Supreme Court may direct.

DATED at the Town of Channel-Port aux Basques, in the Province of Newfoundland and Labrador, this 6th day of January, 2009.

MARK & PARSONS
Solicitors for the Applicants
PER: M. Beverley L. Marks, Q.C.

ADDRESS FOR SERVICE
3-9 Bar Haven Drive, P.O. Box 640
Channel Port aux Basques, NL
A0M 1C0
Tel: 709-695-7338/7341
Fax: 709-695-3944

SCHEDULE "A"

All that piece or parcel of land situate, lying and being at the southeast end of Brookside Place and north of Bolger's River, in the town of Portugal Cove/St. Phillip's, in the province of Newfoundland and Labrador, Canada and being more particularly described as follows, that is to say:

Beginning at a point, said point being in the southeastern limit of Brookside Place and having co-ordinates of North 5 276, 469.868 metres and East 317,004.450 metres of the modified three degree traverse Mercator projection (Zone

1, NAD 83) for the province of Newfoundland and Labrador, Canada;

THENCE running by land of F. Michael Rabinowitz & Melba D. Rabinowitz (Roll 2471 Frame 1141, Registry of Deeds for Newfoundland) $65^{\circ} 06' 06''$ E a distance of 45.293 metres;

THENCE running $N 47^{\circ} 11' 06''$ E a distance of 11.491 metres;

THENCE running $N 42^{\circ} 44' 06''$ E a distance of 9.479 metres;

THENCE running $N 28^{\circ} 14' 06''$ E a distance of 20.696 metres;

THENCE running $N 40^{\circ} 55' 27''$ E a distance of 37.279 metres;

THENCE running $N 48^{\circ} 04' 53''$ E a distance of 27.589 metres;

THENCE running $N 73^{\circ} 30' 06''$ E a distance of 16.794 metres;

THENCE running $N 61^{\circ} 51' 06''$ E a distance of 18.318 metres;

THENCE running $N 31^{\circ} 14' 06''$ E a distance of 37.155 metres;

THENCE running $S 35^{\circ} 04' 54''$ E a distance of 18.227 metres;

THENCE running $S 21^{\circ} 59' 54''$ E a distance of 30.846 metres;

THENCE running $N 66^{\circ} 09' 41''$ E a distance of 36.923 metres;

THENCE running by land, now or formerly, of Henry Churchill $S 06^{\circ} 47' 09''$ E a distance of 36.594 metres;

THENCE running $S 10^{\circ} 43' 50''$ E a distance of 21.816 metres;

THENCE running by land, now or formerly, of William King $S 64^{\circ} 54' 31''$ W a distance of 133.107 metres;

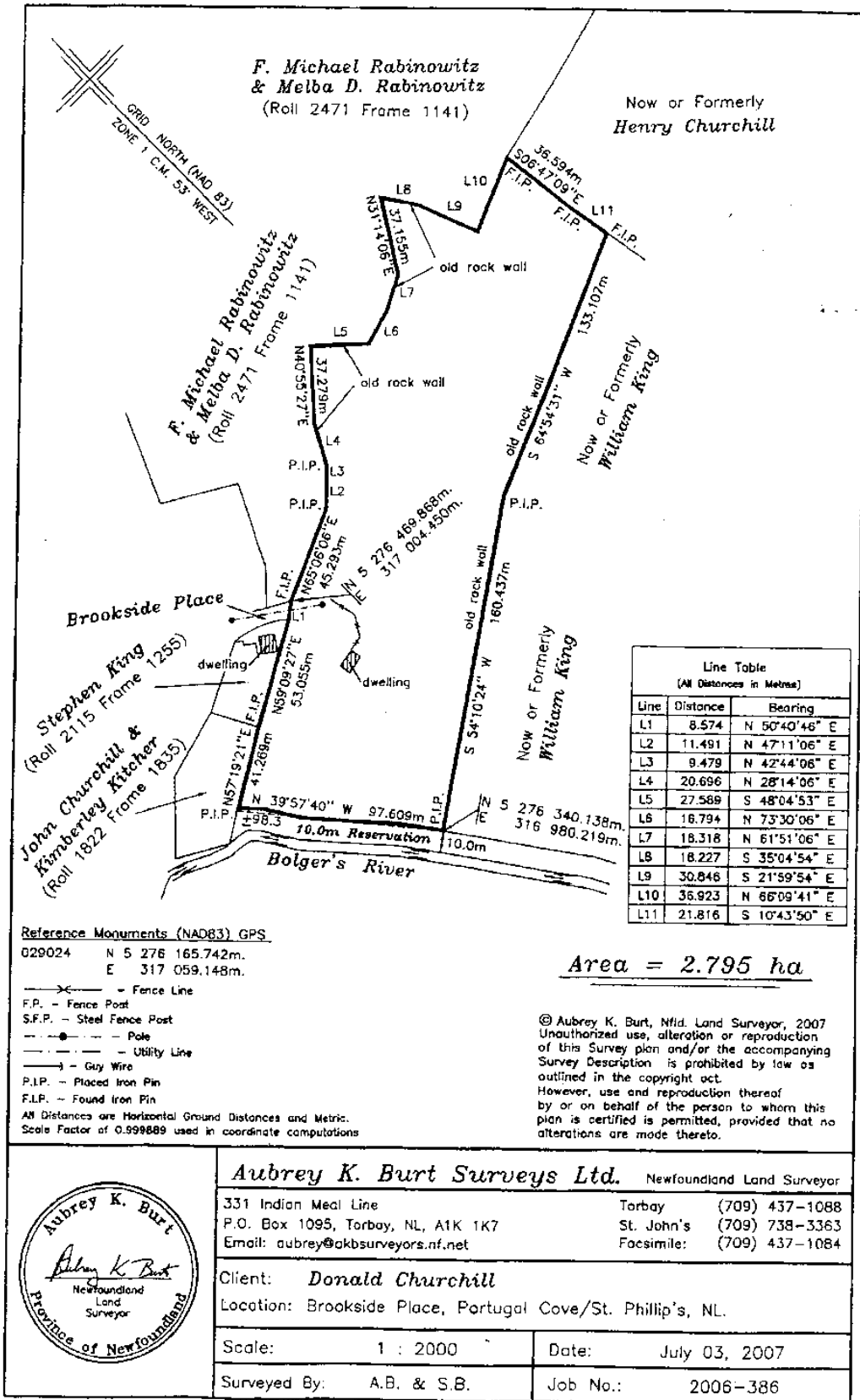
THENCE running $S 54^{\circ} 10' 24''$ W a distance of 160.437 metres;

THENCE running and following the eastern limit of a Reservation (10.0 metres wide) extending along Bolger's River a distance of 98.3 metres, more or less, straight line bearing and distance being $N 39^{\circ} 57' 40''$ W a distance of 97.609 metres;

THENCE running by land of John Churchill & Kimberley Kitcher (Roll 1822 Frame 1835, Registry of Deeds for Newfoundland and Labrador) $N 57^{\circ} 19' 21''$ E a distance of 41.269 metres;

THENCE running by land of Stephen King (Roll 2115 Frame 1255, Registry of Deeds for Newfoundland and Labrador) $N 59^{\circ} 09' 27''$ E a distance of 53.055 metres;

THENCE running along the aforementioned southeastern limit of Brookside Place $N 50^{\circ} 40' 06''$ E a distance of 8.574 metres, more or less, to the principal Point of Beginning. The above described piece or parcel of land contains an area of 2.795 hectares, the same being more particularly described on the drawing hereto attached. All bearings refer to Grid North (NAD 83).



Aubrey K. Burt Surveys Ltd. Newfoundland Land Surveyor

331 Indian Meal Line Torbay (709) 437-1088
P.O. Box 1095, Torbay, NL, A1K 1K7 St. John's (709) 738-3363
Email: aubrey@akbsurveyors.nf.net Facsimile: (709) 437-1084

Client: **Donald Churchill**
Location: Brookside Place, Portugal Cove/St. Phillip's, NL.

Scale: 1 : 2000 Date: July 03, 2007

Surveyed By: A.B. & S.B. Job No.: 2006-386

2008 01 T 4224
IN THE SUPREME COURT OF
NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION

IN THE MATTER of the *Quieting of Titles Act*, cQ-3,
RSNL, 1990, as amended

AND IN THE MATTER of an Application by GERALD
CLARKE

AND IN THE MATTER of all that piece or parcel of land
situated and being at Clarke's Path - civic number 185-191
Moonlight Drive, in the Town of Paradise, in the Electoral
District of Conception Bay East - Bell Island, in the
Province of Newfoundland and Labrador, Canada.

NOTICE

NOTICE OF APPLICATION UNDER THE *QUIETING*
OF TITLES ACT, cQ-3 RSNL, 1990.

Notice is hereby given to all parties that GERALD
CLARKE, of Etobicoke, in the Province of Ontario, has
applied to the Supreme Court of Newfoundland and
Labrador, Trial Division, to have title investigated to all
those pieces or parcels of land being **ALL** of those certain
pieces or parcels of land situate, lying and being on the
northeasterly limit of Clarke's Path, being civic number
185-191, Moonlight Drive, in the Town of Paradise, in the
District of Conception Bay East-Bell Island, in the
Province of Newfoundland and Labrador, Canada, and
being more particularly described on the Schedule "A"
attached hereto;

And for a declaration that the said GERALD CLARKE is
the absolute owner thereof, the said GERALD CLARKE
having been ordered to publish notice of this application by
the above named Act.

All persons having title adverse to the title claimed by the
said GERALD CLARKE shall file in the Registry of the
Supreme Court, Trial Division, particulars of such adverse
claim and serve the same together with an affidavit
verifying the same on the undersigned solicitors for the
Applicant on or before the 16th day of February, 2009 after
which date no party having any claim shall be permitted to
file the same or to be heard except by special leave of the
Court and subject to such conditions as the Court may
deem just.

All such claims may be investigated in such manner as the
Supreme Court of Newfoundland and Labrador, Trial
Division may direct.

DATED St. John's, Province of Newfoundland and
Labrador this 8th day of January, 2009.

PENDERGAST, HARTERY LAW OFFICE
Solicitors for the Applicant
PER: Marilyn A. Pendergast

ADDRESS FOR SERVICE:
Suite 201 155 Water Street
St. John's, NL A1C 1B3
Tel: 709-579-5550
Fax: 709-579-5579

SCHEDULE "A"

Parcel "B"
(Clarkes Path) 185-191 Moonlight Drive

All that piece or parcel of land situate and being at St.
Thomas, in the Town of Paradise, in the province of
Newfoundland & Labrador, Canada and being abutted and
bounded as follows. That is to say beginning at a point in
the northeasterly limit of Clarkes Path 20.12 metres wide.
The said point being the most southerly angle of land of
Parcel "A", and having co-ordinates of North 5270189.563
metres and East 313239.626 metres of the three degree
Modified Transverse Mercator Projection as adopted by the
province, Central Meridian fifty three degrees west.

Thence by Parcel "A", north $56^{\circ} 53' 03''$ east 192.755
metres

Thence by land now or formerly in possession of Hans
Waller & Carlos Schmidt, south $8^{\circ} 47' 14''$ east 70.022
metres and

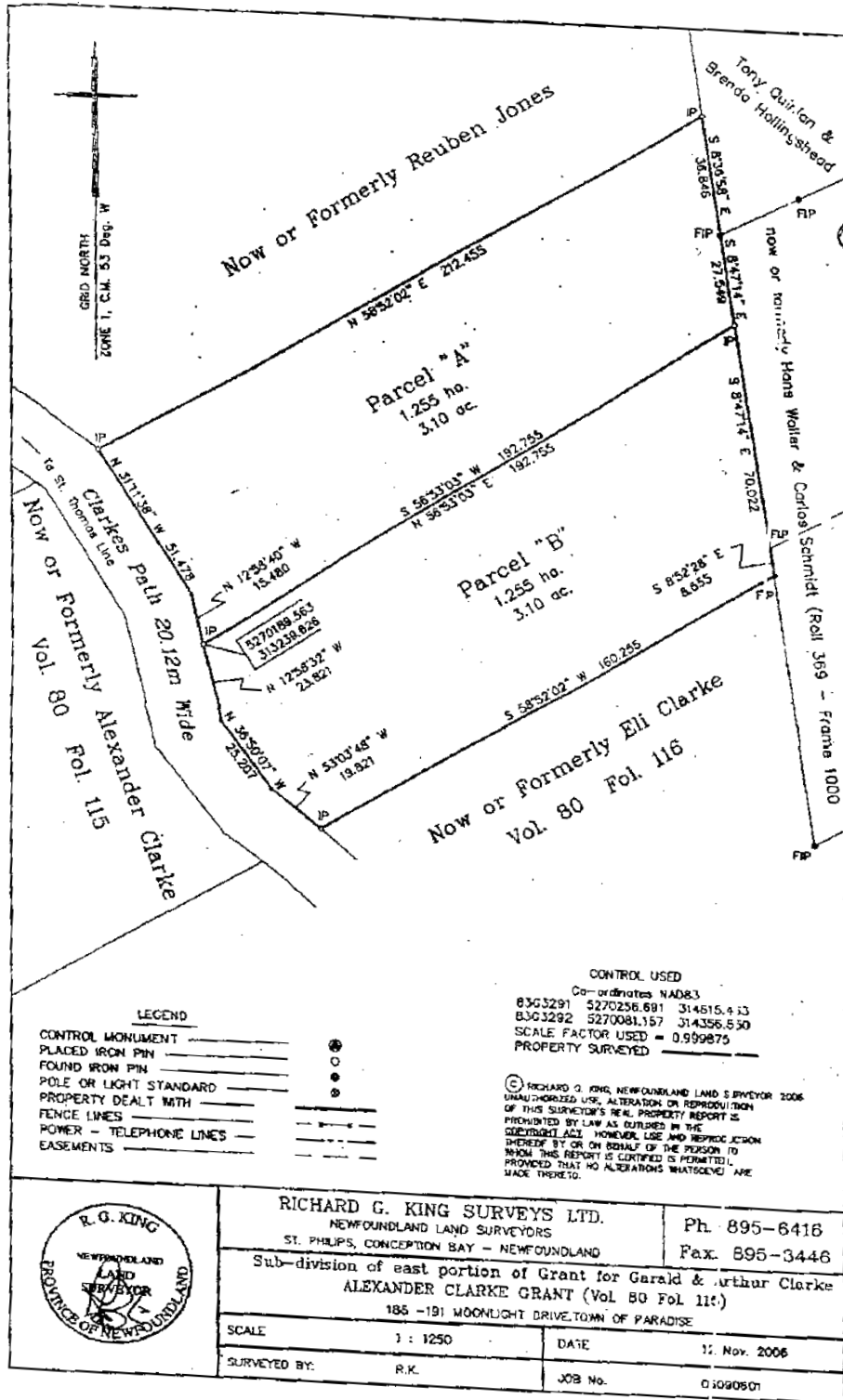
Thence, south $8^{\circ} 52' 28''$ east 8.655 metres.

Thence by land now or formerly in possession of Eli
Clarke, south $58^{\circ} 52' 02''$ west 160.255 metres.

Thence along the said limit of Clarkes Path, north $53^{\circ} 03'$
 $48''$ west 19.821 metres and

Thence north $36^{\circ} 50' 07''$ west 25.207 metres and

Thence north $12^{\circ} 58' 32''$ west 23.821 metres, more or less
to the point of beginning and containing an area of 1.255
hectares. The said piece or parcel of land is more
particularly shown on the attached plan of survey, job No.
06090601 dated 12 November 2006. All bearings being
referred to Grid North.



TRUSTEE ACT

ESTATE NOTICE

IN THE ESTATE OF BERNADETTE BURKE, Late of the Town of Port au Port East, in the Province of Newfoundland and Labrador, deceased: November 14, 2008

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of BERNADETTE BURKE, late of the Town of Port au Port East, in the Province of Newfoundland and Labrador, deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Executors of the Estate on or before the 16th day of February, 2009, after which date the said Executors will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador, this 12th day of January, 2009

ROXANNE PIKE
Solicitor for the Executor

ADDRESS FOR SERVICE
P. O. Box 272, 43 Main Street
Stephenville, NL
A2N 2Z4

Jan 16



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 84

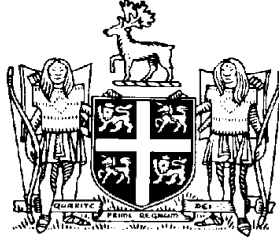
ST. JOHN'S, FRIDAY, JANUARY 16, 2009

No. 3

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 3/09

NLR 4/09



**NEWFOUNDLAND AND LABRADOR
REGULATION 03/09**

*Proclamation bringing Act into force
under the
Electrical Power Control Act, 1994
(O.C. 2008-322)*

(Filed January 15, 2009)

*ELIZABETH THE SECOND, by the Grace of God of the
United Kingdom, Canada and Her Other Realms and Territories
QUEEN, Head of the Commonwealth, Defender of the Faith.*

JOHN C. CROSBIE
Lieutenant Governor

DONALD H. BURRAGE, Q.C.
Deputy Attorney General

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS in and by section 3 of “*An Act to Amend the Electrical Power Control Act, 1994*” SNL2007 c25 (the “Act”) it is provided that the Act or a section, subsection or paragraph of the Act shall come into force on a day or days to be fixed by Proclamation of Our Lieutenant Governor in Council;

AND WHEREAS it is deemed expedient that the Act shall come into force;

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that “*An Act to Amend the Electrical Power Control Act, 1994*” SNL2007 c25, shall come into force on the date of publication in *The Newfoundland and Labrador Gazette*.

OF ALL WHICH OUR LOVING SUBJECTS AND ALL OTHERS whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF WE have caused these Our Letters to be made Patent and the Great Seal of Newfoundland and Labrador to be hereunto affixed.

WITNESS: Our trusty and well-beloved the Honourable John Carnell Crosbie, Member of the Privy Council of Canada, Officer of the Order of Canada, Chancellor of the Order of Newfoundland and Labrador, and one of Her Majesty's Counsel learned in the law, Lieutenant Governor in and for Our Province of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE in Our City of St. John's, this 5th day of December in the year of Our Lord two thousand and eight in the fifty-seventh year of Our Reign.

BY COMMAND,

DIANNE C. WHALEN
Registrar General



NEWFOUNDLAND AND LABRADOR REGULATION 4/09

Water Management Regulations
under the
Electrical Power Control Act, 1994
(O.C. 2009-016)

(Filed January 16, 2009)

Under the authority of section 32 of the *Electrical Power Control Act, 1994*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, January 16, 2009.

Gary Norris
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|--|-------------------------------|
| 1. Short title | 5. Application of regulations |
| 2. Definitions | 6. Written submission |
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| 4. Reasonable time | 8. Determination of disputes |
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Short title **1.** These regulations may be cited as the *Water Management Regulations*.

Definitions **2.** In these regulations

(a) "Act" means the *Electrical Power Control Act, 1994*;

- (b) "board" means the Board of Commissioners of Public Utilities for Newfoundland and Labrador;
- (c) "deficiency" means a failure to satisfy the power generation and energy production requirements prescribed by an independent coordinator;
- (d) "good utility practice" means those practices, methods or acts, including but not limited to the practices, methods or acts engaged in or approved by a significant portion of the electric utility industry in Canada, that at a particular time, in the exercise of reasonable judgment, and in light of the facts known at the time a decision is made, would be expected to accomplish the desired result in a manner which is consistent with laws and regulations and with due consideration for reliability, safety, environmental protection, and economic and efficient operations.
- (e) "minister" means the minister appointed under the *Executive Council Act* to administer the Act;
- (f) "independent coordinator" means a person appointed under a water management agreement to impartially determine suppliers' power and energy production levels;
- (g) "production facilities" means all components of a hydro-electric generating facility including any transmission facilities associated with them;
- (h) "supplier" means a person owning rights to produce power from hydro-electric facilities on a body of water;
- (i) "transmission provider" means any entity that owns, operates or controls facilities used for the transmission of electric energy between or amongst production facilities on the same body of water; and
- (j) "water management agreement" means an agreement made under section 5.4 of the Act or imposed by the board under section 5.5 of the Act, in accordance with these regulations.

Objective of water
management
agreement

3. (1) The objective of a water management agreement shall be the coordination of the power generation and energy production in the ag-

gregate for all production facilities on a body of water to satisfy the delivery schedules for all suppliers on the body of water, in a manner that provides for the maximization of the long term energy-generating potential of a body of water, while ensuring that the provisions of a contract for the supply of power governed by section 5.7 of the Act are not adversely affected.

(2) To obtain the objectives in subsection (1) a water management agreement shall:

- (a) require that suppliers jointly and sufficiently fund the administration of the independent coordinator in proportion to the energy benefits obtained by each supplier from the administration of the water management agreement or according to that other methodology as may be agreed upon by suppliers and approved by the board, or in the absence of supplier agreement, imposed by the board, as the case may be;
- (b) require that suppliers provide the independent coordinator with:
 - (i) demand requirements of contracts for the supply of power,
 - (ii) the power and energy generation capacity of each of the supplier's production facilities,
 - (iii) equipment maintenance requirements,
 - (iv) short and long term supplier forecast requirements,
 - (v) copies of a licence, lease or other instrument granting water rights,
 - (vi) plans and requirements respecting suppliers' construction or commissioning activities,
 - (vii) transmission availabilities, and
 - (viii) the forecast of inflows,

and regularly update any changes to them, all prepared in a manner consistent with good utility practices;

- (c) require the independent coordinator, based on the information received in paragraph (b) and in the exercise of reasonable judgment, to establish short and long term production schedules for all production facilities on a body of water, through the coordination of production scheduling of the suppliers on the body of water based upon the use of the aggregate generating capacity, storage and transmission facilities of any supplier on the respective body of water, in accordance with the objectives of these regulations and with the water management agreement;
- (d) require that suppliers adhere to the production schedules set by the independent coordinator in paragraph (c);
- (e) provide that in no event shall:
 - (i) the power requests made to the independent coordinator by a supplier exceed the maximum power generating capability of the production facilities of that supplier for the period requested, and
 - (ii) the generating capacity, storage capacity, or transmission capability available to a supplier from all facilities on the body of water be less than the amounts of then available generating capacity, storage capacity, or transmission capability of the production facilities owned by that supplier on the body of water;
- (f) require that information and data be shared between suppliers and by suppliers with the independent coordinator as is necessary for the independent coordinator to perform its functions under the agreement, including records, data, models, as well as physical and computer access to those facilities as are required to obtain and verify that information;
- (g) require suppliers and the independent coordinator to maintain, for a period of not less than 7 years, records required of them to undertake their responsibilities under the agreement and these regulations which shall be available, upon request, to the board or minister;

- (h) require an independent coordinator to
 - (i) provide suppliers with reports on its activities at regular intervals to be established in consultation with the suppliers,
 - (ii) provide to the minister, and, on request, the board, with an annual report summarizing its activities in a form acceptable to the minister;
- (i) require that when a deficiency occurs, or is projected to occur:
 - (i) appropriate adjustments shall be made to the power and energy production levels and schedules of all production facilities on that body of water to the extent practicable to remedy the deficiency or anticipated deficiency, and
 - (ii) where a deficiency occurs despite subparagraph (i), and as a result of that deficiency, a supplier incurs damages under a provision of a contract for the supply of power entered into by a person bound by the water management agreement and a third party where that contract was entered into before the water management agreement, those costs shall be paid by the supplier who caused the deficiency;
- (j) include mechanisms to appropriately assign energy storage amounts to each supplier for water stored in the body of water's reservoirs and, if water spillage occurs, to assign the lost energy fairly to each supplier;
- (k) require that the amount of energy in storage shall be determined based upon average water to energy conversion rates for the respective production facilities calculated based upon the best data source available as tested in accordance with good utility practice;
- (l) include an appropriate method that ensures that, at regular intervals not less frequently than annually, adjustments are made to a supplier's available energy for subsequent intervals for energy losses incurred in the previous period by each supplier as a result of changes to its energy capability

caused by the application of the water management agreement;

(m) be governed by the laws of the province; and

(n) include those other provisions that the board determines are necessary or useful in achieving the objectives of the Act.

(3) Where suppliers agree and the board determines that the degree or amount of efficiencies to be gained through a water management agreement that complies with subsection 3(2) do not justify the costs of its implementation and administration, the board may approve or establish a water management agreement that does not comply with all of the elements of subsection 3(2), provided that the board is satisfied that the water management agreement it approves or establishes shall achieve the objectives of the Act.

(4) Each supplier, in complying with the requirements of subsection 3(2), shall:

(a) maintain its production facilities in serviceable and good repair; and

(b) operate its facilities in a manner not inconsistent with principles of good utility practice,

but notwithstanding any other provision of these regulations, nothing in these regulations shall require a supplier to operate or maintain facilities or portions of facilities which, but for the water management agreement, that supplier, acting reasonably, would no longer operate or maintain.

Reasonable time

4. For the purpose of subsection 5.5(1) of the Act, "a reasonable time" means 60 days.

Application of regulations

5. The *Board of Commissioners of Public Utilities Regulations, 1996* shall apply to the referral to the board of a proposed water management agreement under section 5.4 of the Act, or the filing of an application under subsection 5.5(1) of the Act, except to the extent these regulations deviate from it, or the board believes the process under those regulations are not necessary or useful, or would unnecessarily delay, the establishment of a water management agreement.

- Written submission **6.** Within 30 days of the referral to the board of a proposed water management agreement under section 5.4 of the Act, or the filing of an application under subsection 5.5(1) of the Act, the applicant and each affected supplier shall file a written submission with the board setting out:
- (a) the names of all suppliers on the body of water and all affected transmission providers;
 - (b) a summary of the facts and the issues in dispute;
 - (c) a proposed water management agreement;
 - (d) copies of existing power contracts to which affected suppliers are a party; and
 - (e) any other matter considered relevant.
- Time period **7.** Notwithstanding section 5, the board shall approve or establish a water management agreement within 120 days of the referral to the board of a proposed water management agreement under section 5.4 of the Act, or the filing of an application under subsection 5.5(1) of the Act.
- Determination of disputes **8.** Disputes between suppliers arising from the operation of a water management agreement or involving the interpretation or application of a water management agreement may be determined by the board upon application of one of the suppliers.
- Orders by board **9.** Upon an application under section 8, where the board determines that a supplier has failed to comply with a water management agreement, the board may issue those orders as are necessary to ensure compliance with it.

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