

INAC

FNLM Research Report

For

Kluachon Lake Indian Reserve No. 1

Iskut First Nation

Completed on: July 25, 2017

Aboriginal Affairs and Northern Development Canada's (INAC) BC Region FNLM team has prepared this report on the extent of the Iskut reserve lands. This report, provided without prejudice, is based on a review of the Reserve General Abstract found in the Indian Lands Registry (ILRS), Natural Resources Canada survey documents pertaining to the extent of the reserve along with a review of pertinent INAC land files.

This report contains issues that will require decisions on the part of the Band before the legal description can be prepared, we request that you provide your INAC FNLM contact with a response to these issues in order to facilitate the completion of the land description report.

Your INAC FNLM contact for this file is Rosie Sill and can be reached at 604-360-4917 or by email at rosie.sill@aandc.gc.ca.

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Section 1 – ILRS Research

Part A

Indian Lands Registry Reserve General Abstract Report

The Indian Lands Registry System (ILRS) is a database of instruments registered in the Indian Lands Registry relating to Reserve Lands and Crown Lands.

The Reserve General Abstract Report is a summary, in sequence, of the documents, facts and events evidencing or affecting the nature of title or interest in a given reserve.

The Reserve General Abstract can be found in Annex A of this document.

Part B

Indian Lands Registry Review

i. Creation of Reserve Documents

All documents referred to in this section are noted by their Indian Land Registry System (ILRS) registration number (ie: 'Document X18634'). These documents are public record and can be accessed from the ILRS.

Easements / Permits for service or distribution lines are not noted within this review

1. Document No. 12425 is Federal Order in Council 1936-10/2872 dated November 5th, 1936 authorizing the purchase of Lot 5972, Cassiar District for the Klappan Band.
2. Document No. 12423 is a copy of the Certificate of Title 26664-I for Lot 5972, Cassiar District dated June 14th, 1937.
3. Document No. 12422 is Federal Order in Council 1953-1410 dated September 17th, 1953 setting apart Lot 5972, Cassiar District (shown on Plan BC960 CLSR) for the use and benefit of the Tahltan Band and designated as Kluachon Lake IR No.1.
4. Document No. X13328 is a Ministerial Order dated July 28, 1972, dividing Tahltan and Iskut Bands. Kluachon Lake IR No. 1 is designated to Iskut.

ii. Additions to Reserve Documents

1. None found. Please advise if you are aware of any Additions to Reserve Documents

iii. Formerly Reserve Documents

2. None found. Please advise if you are aware of any Formerly Reserve Documents.

iv. Third Party Interest Documents

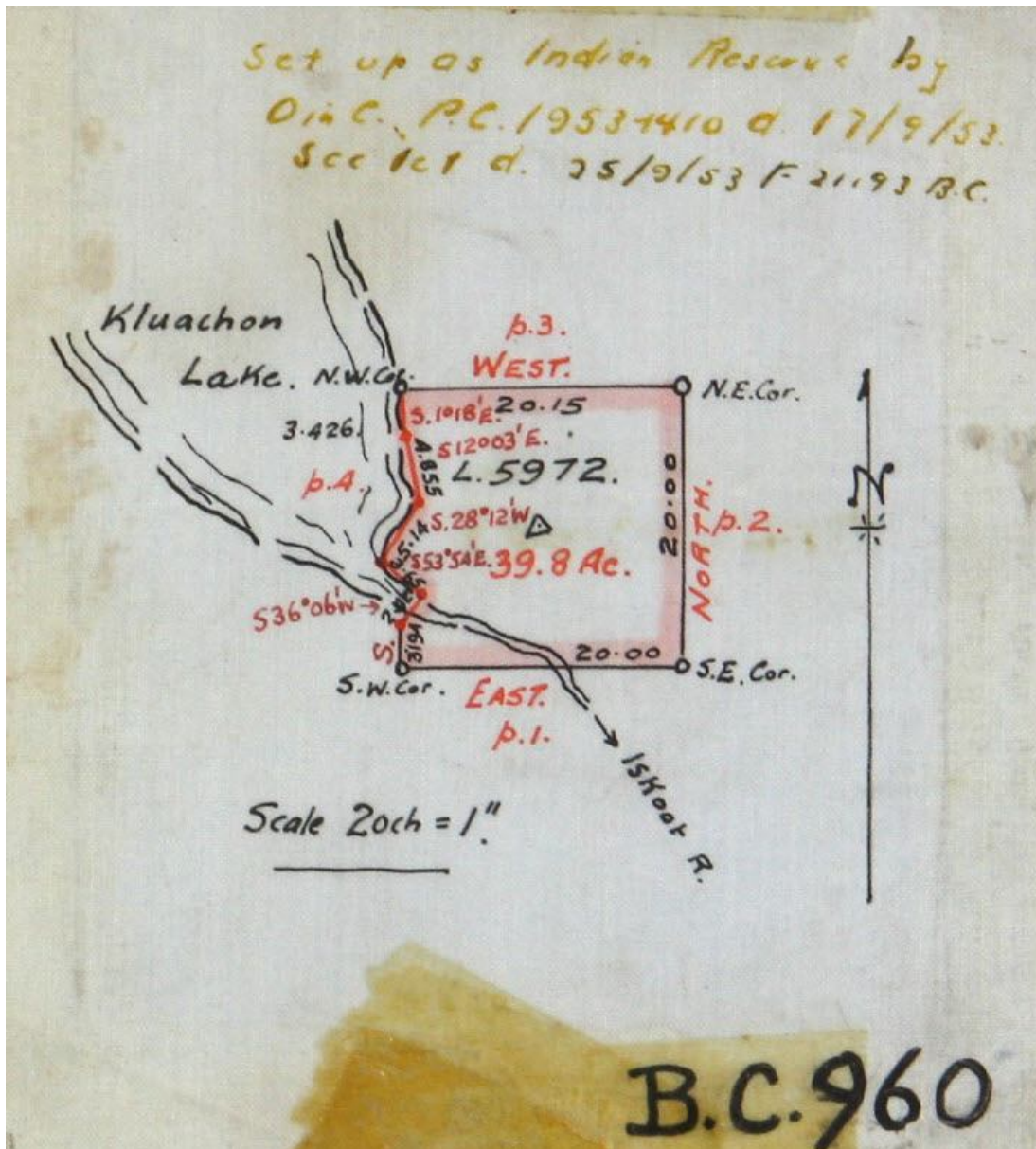
1. None found. Please advise if you are aware of any Third Party Instrument Documents.

Part C

Other Research

Additional research documents below shall assist in providing clarity on potential boundary issues provided in Section 2 and 3.

A. Part of Plan BC960 as shown in FBBC1025 CLSR



Section 2 – Boundary Issues

A. No Boundary Issues Identified

Action Item: A Land Description has been prepared using existing surveys.

A Band Council Resolution approval is required prior to registration of the Land Description in the Canada Lands Survey System. The registered Land Description will describe the jurisdictional boundaries for the Land Code and Individual Agreement.

Section 3 – General Overview and Summary

A. General Overview

1. Lot 5972 was surveyed in 1930 for the Department of Indian Affairs by Philip M. Monckton, BCLS. The field notes of his survey were recorded as FBBC1025 CLSR and the Plan of Survey recorded as BC960 CLSR. P.M. Monckton surveyed the natural boundary (OHWM) of Kluachon Lake and noted the location of Iskut Creek as it crossed the boundaries of Lot 5972.
2. District Lot 5972 was Crown Granted by the BC Provincial Government in 1937.
3. Georeferencing of the Reserve was updated by SGB staff using 2011 Provincial highway survey plans as well as the 1967 survey ties shown on Plan 55578 CLSR.

Summary

Kluachon Lake IR No. 1 was set apart as a reserve for the Tahltan Indian Band in 1953. Iskut was part of the Tahltan Indian Band until the band division was completed in 1972. According to the terms of separation agreed to by a members' referendum, Iskut received three reserves: Stikine River IR No. 7, Kluachon Lake IR No. 1, and the Kluachon Reserve (Iskut Village property).

No boundary issues have been identified for Kluachon Lake IR No.1. There has been little or no change to the location of the natural boundary. Therefore, no additional surveying is required to define the jurisdictional boundaries for the purposes of First Nation Land Management. A Land Description of Kluachon Lake IR No.1 has been completed on schedule based on existing boundary surveys.

The Land Description has been provided to the Band for acceptance prior to its registration in the CLSR. Once registered, the Land Description shall form part of the Individual Agreement for the Iskut First Nation.

Annex A
Reserve General Abstract Report

INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: KLUACHON LAKE 1

Printed on: 2017/07/25 12:54 pm

UNCLASSIFIED

Reserve: 07662 - KLUACHON LAKE 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 683 - Iskut

OCPC

Instrument Date:	1936/11/07	Term:	
Registration Number:	12425	Effective Date:	
Registration Date:	1969/08/19 12:00:00AM	Expiry Date:	
OCPC/MO Number:	PC #2872	Purpose:	
		Area:	39.800 Acres
Land Affected:	LOT 5972 CASSIAR DISTRICT		
Grantor(s):	CROWN CANADA		
Remarks:	PC#2872 AUTHORIZES PURCHASE OF LAND		

CERTIFICATE OF TITLE

Instrument Date:	1937/06/14	Term:	
Registration Number:	12423	Effective Date:	
Registration Date:	1969/08/19 12:00:00AM	Expiry Date:	
OCPC/MO Number:		Purpose:	
		Area:	39.800 Acres
Land Affected:	LOT 5972 CASSIAR DISTRICT		
Grantor(s):	CROWN BRITISH COLUMBIA		
Grantee(s):	CROWN CANADA		
Remarks:	REFERENCE #266641		

INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: KLUACHON LAKE 1

Printed on: 2017/07/25 12:54 pm

UNCLASSIFIED

Reserve: 07662 - KLUACHON LAKE 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 683 - Iskut

OCPC

Instrument Date:	1953/09/17	Term:	
Registration Number:	12422	Effective Date:	
Registration Date:	1969/08/19 12:00:00AM	Expiry Date:	
OCPC/MO Number:	PC #1410	Purpose:	
		Area:	39.800 Acres
Land Affected:	LOT 5972 CASSIAR DISTRICT (CLSR BC960)		
Grantor(s):	CROWN CANADA		
Grantee(s):	683 Iskut		
Remarks:	PC#1410 SETS LAND ASIDE FOR USE & BENEFIT OF TAHLTA BAND		

PERMIT

Instrument Date:	1972/06/01	Term:	2y 0m 0d
Registration Number:	X22550	Effective Date:	1972/06/01
Registration Date:	1974/02/14 12:00:00AM	Expiry Date:	1974/05/31
OCPC/MO Number:		Purpose:	
Land Affected:	PART OF LOT 6993 CASSIAR DISTRICT AND MORE PARTICULARLY DESCRIBED IN A METES AND BOUNDS DESCRIPTION ATTACHED PLAN 55575 CLSR		
Grantor(s):	CROWN CANADA		
Grantee(s):	ISKUT LAKE CO-OPERATIVE ASSOCIATION		
Remarks:	PERMIT AREA TO BE USED FOR THE PURPOSE OF CONSTRUCTING AND OPERATING A RETAIL GENERAL STORE, A MANAGER'S RESIDENCE, SERVICE STATION, POWERHOUSE AND WAREHOUSE ALSO SEE BCR DATED OCTOBER 2, 1972 ATTACHED		

INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: KLUACHON LAKE 1

Printed on: 2017/07/25 12:54 pm

UNCLASSIFIED

Reserve: 07662 - KLUACHON LAKE 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 683 - Iskut

MINISTERIAL ORDER

Instrument Date: 1972/07/28, Registration Number: X13328, Registration Date: 1972/10/27 12:00:00AM, OCPC/MO Number: , Term: , Effective Date: , Expiry Date: , Purpose: , Area: 39.800 Acres, Land Affected: WHOLE OF RESERVE, Grantor(s): Crown Canada, Grantee(s): 683 Iskut, Remarks: DIVIDES TAHLTAN BAND INTO TAHLTAN & ISKUT BANDS

PERMIT

Instrument Date: 1974/06/01, Registration Number: 42102, Registration Date: 1976/08/14 12:00:00AM, OCPC/MO Number: , Term: 2y 0m 0d, Effective Date: 1974/06/01, Expiry Date: 1976/05/31, Purpose: , Land Affected: PORTION OF LOT 6993 CLSR PLAN 55578 NOW KNOWN AS LOT 1 CLSR PLAN 58432, Grantor(s): CROWN CANADA, Grantee(s): ISKUT LAKE CO-OPERATIVE ASSOCIATION, Remarks: FOR THE PURPOSE OF CONSTRUCTING AND OPERATING A RETAIL GENERAL STORE, MANAGER'S RESIDENCE SERVICE STATION, POWERHOUSE AND WAREHOUSE. SEE PERMIT X22550 AND BCR DATE MAY 6, 1974 ATTACHED

--- END OF REPORT ---

Annex B

Orthophoto Mapping of Kluachon Lake IR No.1

