



**WITHOUT PREJUDICE**

December 9, 2024

Chief Joyce Naytowhow-McLeod  
Montreal Lake Cree Nation  
P.O. BOX 106  
MONTREAL LAKE SK S0J 1Y0

Dear Chief Naytowhow-McLeod:

I am writing to inform you that the Government of Canada has completed its review of the Montreal Lake Cree Nation's Treaty 6 Agricultural Benefits. On behalf of the Minister of Crown-Indigenous Relations, I would like to offer to seek a negotiated settlement of this claim.

Canada proposes that compensation negotiations can be accelerated by applying a recently approved resolution framework for agricultural benefits claims pursuant to Treaties 4, 5 and 6.

**Accelerated Resolution Framework for Agricultural Benefits**

In the interest of resolving claims and providing compensation payments to claimant First Nations as quickly as possible, the accelerated resolution approach is grounded in a common compensation methodology that provides compensation in excess of simply the lost value and loss of use of the benefits alone. Canada is seeking to compensate for, and be released for:

- All agricultural implements and benefits, including seed, wagons, harness, and horse.
- Springtime provisions.
- Agricultural instruction.
- Canada's failure to lay aside for the First Nation farming lands of sufficient quality for agricultural production.

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- Inability to adapt to an agricultural economy and associated economic loss.
- Discriminatory policies as they relate to the First Nation's ability to create an intergenerational, self-sustaining agricultural economy.
- Famine caused by Canada's failure to provide agricultural benefits and instruction.
- Canada levying fees from the First Nations' funds for equipment that should have been provided.
- Liability for loss of use of the First Nation's land on any basis over and above the lease value when assessing compensation in the context of any future claim.

In the proposed approach, for expediency, Canada is prepared to not consider:

- The number of families who were farming.
- The quality of land and how much of it was suitable for agriculture.
- The availability and participation rate of labour.
- Market proximity and access.
- Inconsistent land uses (for example, if land was used for forestry, mining, or hunting/fishing/trapping).
- Impacts of damaging weather in specific years.
- The success rate of pioneer farming.
- Variance in crops grown.

The accelerated resolution process also includes a faster settlement mandating process.

### **Next Steps**

As part of any final settlement of this specific claim, Canada will seek that the Montreal Lake Cree Nation release Canada from any and all liability in respect to the entirety of the Treaty 6 Agricultural Benefits specific claim, and indemnify Canada against any claim or demand with respect to the specific claim. Canada will also require a Solicitor's Certificate that states the Montreal Lake First Nation was provided legal advice with respect to the claim, including its negotiation and settlement.

If the Montreal Lake Cree Nation decides to accept Canada's offer to negotiate a settlement of the claim, it would be appreciated if a Band Council Resolution (BCR) confirming the Montreal Lake First Nation's decision be sent to Canada as soon as possible. Please send the BCR to Nihal Sherif, Senior Director, at:

Negotiation Directorate  
Specific Claims Branch  
Crown-Indigenous Relations and Northern Affairs Canada  
10 Wellington St., Floor 16, Room 1610  
GATINEAU QC K1A 0H4  
Telephone: (613) 406-3071  
[nihal.sherif@rcaanc-cimnac.gc.ca](mailto:nihal.sherif@rcaanc-cimnac.gc.ca)

Further details about Canada's accelerated resolution framework for agricultural benefit claims pursuant to Treaties 4, 5 and 6 can be provided once the BCR is received and a non-disclosure agreement is signed. A Negotiation Protocol Agreement which includes non-disclosure provisions is provided for your review.

Should you have any questions concerning the basis for seeking a negotiated resolution of your claim, please contact Nihal Sherif.

Funding is available to support your review of the proposed basis of negotiation prior to you providing a BCR. Before you incur negotiation costs, including legal costs, I encourage you to obtain information, details and procedures for loans under the Funding Services Unit by contacting Ms. Roxanne Gagné, A/Director, at:

Negotiation Support Directorate  
Crown-Indigenous Relations and Northern Affairs Canada  
10 Wellington, Floor 8, Office G1  
GATINEAU QC K1A 0H4  
[dsn-nsd@rcaanc-cimnac.gc.ca](mailto:dsn-nsd@rcaanc-cimnac.gc.ca)

This letter is written on a 'without prejudice' basis, meaning it may not be used in any proceedings to support or defend any claims or related matters between the parties and should not be considered an admission of fact or liability by the Crown. Please note that Government of Canada files are subject to the *Access to Information Act* and the *Privacy Act*.

I send my best wishes and look forward to the expeditious settlement of this claim that is fair and acceptable to both the Montreal Lake Cree Nation and Canada.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Darlene Bess". The signature is written in a cursive style with a large, stylized initial "D".

Darlene Bess  
Assistant Deputy Minister  
Resolution and Partnerships Sector

Encl.

Cc: Dawn D. Cheecham, Bainbridge Jodouin Cheecham