December 19, 2018

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act  FLR/130/2018

On December 7, 2018, the Department of Fisheries and Land Resources (FLR) received your request for access to the following records:

“Any request for crown lands made by Jade Holdings or people affiliated with and including Dwight Ball. Derrick Chaulk. Desmond Ball. Dean Ball. Deanne Thompson.”

Please be advised that a decision has been made by the Deputy Minister for FLR to provide access to the requested information. Redactions have been made under Section 40(1) – Personal Privacy of the Access to Information Protection of Privacy Act, 2015. You will find a copy of responsive material attached.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P.O. Box 13004, Stn. A
St. John’s, NL A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that this letter will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement’s website within one business day following the applicable period of time. Please note that requests for
personal information will not be posted online.

If you have any further questions, please contact me by telephone at 709-729-3730 or by email at HollyWarford@gov.nl.ca.

Sincerely,

Holly Warford
ATIPP Coordinator

Right of access

8. (1) A person who makes a request under section 11 has a right of access to a record in the custody or under the control of a public body, including a record containing personal information about the applicant.

(2) The right of access to a record does not extend to information excepted from disclosure under this Act, but if it is reasonable to sever that information from the record, an applicant has a right of access to the remainder of the record.

(3) The right of access to a record may be subject to the payment, under section 25, of the costs of reproduction, shipping and locating a record.

Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.
(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45 (2).
The following Leases and Grants were issued by the Minister of Forestry Resources & Lands on February 19, and February 20, 1980:

**Grants**

- No. 001
- No. 26728
- No. 26732
- No. 26745

**Lease**

- No. 46776 — Labrador Bargain Store (1977) Ltd.

DD/em
Encls.

David Deering
Registrar
DEPARTMENT OF FORESTRY AND AGRICULTURE  
LANDS BRANCH  

February 27, 1980

File No. 400/901

Happy Valley, Lab.  
Newfoundland  
A0P 1E0

Dear Sir/Madam:

Please find enclosed your Grant, No. 26728, which was duly executed by the Minister of Forestry and Agriculture on February 16, 1980.

Yours very truly,

[Signature]

David Deering  
Registrar

DD/em  
Encl.
No. 26726

GRANT

To

of

Happy Valley

SITuate At

Happy Valley

Dated ___February 18____ 1980
Registered Volume No. ______154____
Folio ______128____
PROVINCE OF NEWFOUNDLAND

GRANT

Section 9 (1) of The Crown Lands Act, Chapter 71 of The Revised Statutes of Newfoundland, 1970 as amended

Under the provisions of subsection (1) of Section 6 of The Crown Lands Act, Chapter 71 of The Revised Statutes of Newfoundland, 1970 as amended, Her Majesty the Queen in right of Newfoundland represented herein by the Honourable the Minister of Forestry and Agriculture for the Province of Newfoundland (hereinafter called the "Crown") doth hereby GIVE AND GRANT unto

40(1)

of Happy Valley

In the Electoral District of St. John's

in the Province of Newfoundland (hereinafter called the "Grantee") his executors, administrators and assigns ALL THAT piece or parcel of land situate and being

at Happy Valley aforesaid

abutted and bounded as follows, that is to say: Being Lot No. 46734 as shown on the plan of Happy Valley being Plan No. R-44 as registered in the Registry of Crown Titles in the Department of Forestry and Agriculture and being more particularly shown outlined red on the plan attached hereto, all bearings being referred to the meridian of sixty-one degrees thirty minutes west longitude of the Three Degree Transverse Mercator Projection.
and being of the dimensions specified in the diagram heretoafter delineated, and containing
0.291 ha

with the appurtenances, except and reserved nevertheless out of this present Grant to the Crown all minerals, limestones, granite, slate, marble, gypsum, marl, clay, sand, gravel, building stones, volcanio ash, peat, coal, natural gas, oil and salt in and under the said place or parcel of land TO HAVE AND TO HOLD (except as before excepted) unto the said Grantor, his executor, administrators and assigns forever;

Yielding and paying unto the Crown as the price and consideration of the said land the sum of fifty dollars ($50.00) at the time of signing and delivery thereof.

PROVIDED that this present Grant is upon the condition that the said land shall be held upon, under and subject to all provisions of and regulations under The Crown Lands Act, Chapter 71 of The Revised Statutes of Newfoundland, 1970, as amended, and to such regulations as are now in force or which may at any time hereafter be made by law for making roads, sewers, drains, canals, bridges or other public works or improvements within the Province of Newfoundland or any part thereof, and for subjecting any land therein situate, or the owners and occupiers thereof, to rates and assessments or other duties and services for the purposes aforesaid or for any of them AND that the said Grantor, his executor, administrator, and assigns shall at all times peaceably quit and deliver up possession to the Crown of all such parts of said land aforesaid as may be required for the purposes aforesaid or any of them upon receiving such compensation (if any) as by law is due or hereafter to be made in that respect may be provided;

AND it is further provided that in case the Grantor, his executor, administrator, or assigns shall make default in the performance of any of the provisions or conditions herein contained then this Grant shall be null and void and the land hereby granted shall revert to the Crown.

In WITNESS WHEREOF the Minister of Forestry and Agriculture for the Province of Newfoundland has hereunto subscribed his hand and the seal of the Department of Forestry and Agriculture has been hereto affixed on the 16th day of January A.D. 1969.

SIGNED by the Minister of Forestry and Agriculture and the seal of the Department of Forestry and Agriculture hereto affixed in the presence of:

[Signature]

By the said

Minister of Forestry and Agriculture

Witness

[Signature]

SIGNED, SEALED AND DELIVERED by the Grantor on the 20th day of January A.D. 1969, in the presence of:

[Signature]

Marilyn Borden

Witness

Justice of the Peace

Registered Vol. No. 157 Folio 128
January 16, 1980

Happy Valley, Labrador
A0F 1E0

Dear [Name]

Enclosed please find a draft Grant, in duplicate. The documents must be signed by you in the presence of a witness, in the space provided for "Grantee", and by the witness, who will sign in the space provided for "Witness", to the left of your signature. The date on which you sign the documents must be written by you in the space provided above the witness's signature.

The signed documents must be returned to this Department in the enclosed envelope, for execution and registration. The consideration for the grant, $50.00, must also be enclosed.

A copy of the duly executed Grant will be issued to you in due course.

Yours very truly,

John T. Power
Director, Crown Lands Administration

JTF/dr
Encl.
Mr. [redacted] is hereby authorized to survey at the expense of the applicant the land forming the subject of application no. 46730. Satisfactory survey returns must be submitted to this Department (see above address) before [redacted], otherwise the application will be considered cancelled in accordance with Section 12 of The Crown Lands Act.

Date: [redacted]

Regional Supervisor

Application No. 46730
Name of Applicant [redacted]
Address of Applicant [redacted]
File No. [redacted]
Location of land applied for [redacted]

Land bounded on the North by
Land bounded on the South by
Land bounded on the East by
Land bounded on the West by

Acreage approved
Frontage approved

Approved location indicated on attached plan X

NOTE: If, for some reason, the parcel of land concerned cannot be surveyed according to the above specifications, the surveyor must contact this Office before proceeding with the survey.

Crown land surveys that exceed the approved frontages and areas will not be accepted. In cases where a small area of Crown Land would remain isolated, permission to include such an area in the survey may be given provided a written request explaining the circumstances is received by this Office prior to survey.

A Surveyor’s report (explanation) should accompany returns when the survey is bounded by one or more Crown titles and there is a difference in the bearings and/or measurements.

The Surveyor is responsible for making his own searches of Crown titles and other records, and for obtaining any special instructions from the Regional Lands Office before commencing his survey.

Special Instructions
AFFIDAVIT OF SURVEYOR

1. is a Newfoundland Land Surveyor, of , in the Electoral District of .

[Signature]

I make oath and say as follows:

1. That I made careful inquiry, in accordance with Section 128 of The Crown Lands Act, concerning my survey of lands forming the subject of application no. and did not find any adverse claim or reason why the land should not be leased or granted to the applicant.

2. That the survey was performed under my personal supervision on .

3. That the plan of survey and the legal description submitted by me in accordance with the provisions of Section 12 of The Crown Lands Act accurately represent the results of the survey performed by me for the applicant.

4. That the location of all existing boundary monuments, fences, cut lines, buildings and structures on the lands surveyed for the applicant is shown on the plan of survey.

5. That the location of all existing transmission lines, abandoned highway or railway rights of way, public paths and roads, and all other portions of the land lying within the boundaries that are required for public use, as well as all brooks, streams, rivers, ponds and lakes, are shown on the plan of survey.

Sworn before me at ife Bay, Labrador, 14th

this 14th day of November, 1972

WILL A BIRD

Commissioner for Oaths in and for Newfoundland and Labrador.

______________________________
Official administering oath

Newfoundland Land Surveyor

SURVEY RETURNS

Survey returns, submitted in accordance with Section 12 of The Crown Lands Act shall consist of:

1. Two prints of a plan of survey, drawn in ink to a suitable scale, each signed and stamped by the surveyor.

2. Two typewritten copies, signed by the surveyor, of a metes and bounds description of the lands surveyed.

3. Two legible copies of the original field notes.

4. Two legible copies of traverse and area computations.

5. Affidavit of Surveyor.
DEPARTMENT OF FORESTRY AND AGRICULTURE
LANDS BRANCH

1979 10 09

Happy Valley, NL

40(1)

Dear Sir/Madam:

This is with reference to your application (46734) for a Grant of Crown Land situated at [REDACTED] 40(1).

The application has been approved and you must now have the land surveyed by a registered member of the Association of Newfoundland Land Surveyors. A list of the registered members of the Association can be obtained from this Office upon request.

The area to be surveyed must not exceed 650m² and the road frontage must not exceed 20m. The survey returns must be received in this office on or before September 28, 1980 or the application will be considered cancelled by you in accordance with Section 12 of the Crown Lands Act.

The consideration for the Grant is fifty dollars ($50.00) and its amount is to be paid by you when you sign the title documents.

Yours very truly,

[Signature]

Supervisor of Lands
CROWN LANDS REFERENCE INSPECTION REPORT

NAME [Redacted] 40(1) ADDRESS P. O. [Redacted] Happy Valley, La

TELEPHONE [Redacted] APPLICATION NUMBER 46734

APPLICATION TYPE Residential LOCATION Happy Valley

PROPERTY IDENTIFICATION [Redacted] 40(1)

DATE INSPECTED 1979-09-17

DISTANCE TO NEAREST DWELLING

THE APPLICATION IS:

X APPROVED

HELD FOR FURTHER INVESTIGATION

APPROVED SUBJECT TO STIPULATIONS

NOT APPROVED

REMARKS: Existing dwelling. Municipal water and sewer services provided.

Public Health Inspection Services Division
P. O. Box 29
Happy Valley, Labrador
A0P 1EO

[Signature]
Clifford Osmond C.P.H.I. (C)
1. Did you read the minutes?
2. Was authorization received prior to survey?
3. Was the survey received within the deadline date?
4. Were complete survey returns received?
5. Is there a map included indicating the approved location?
6. Is the surveyed area for the approved location?
7. Is the area over 50 acres? If so, was it approved by Cabinet?
   Was it approved by Cabinet?
8. Is the applicant employed by Dept. Forestry Resources and Lands?
9. Does the surveyor indicate any evidence of adverse claim to the land?
10. Is the land located within one of the Land Settlement Areas (L.D.A.)
    Section 17? If so, Minister may approved over 50 acres.
11. Does survey conform to specifications outlined in survey authorization?
12. Is the survey acceptable? Viz:
    (a) Do the field notes agree with survey plan?
    Are they satisfactory?
    (b) Is the closure O.K. (1:5000)?
    (c) Is the computed area O.K.?
    (d) Is the tie O.K.?
    (e) Are the boundary markers indicated?
    (f) Are all necessary lines cut?
    (g) Are there adjoining titles? Are they indicated?
    Do they agree? If not, is there an explanation given? Is it satisfactory?
    (h) Does survey indicate buildings on land? If yes, are they owned by applicant?
    (i) Are all transmission lines, roads, ponds, rivers, etc., indicated?
    Are they named correctly?
    (j) Is the north point correct? Is it identified correctly?
13. Did you record survey on our cadastral plan or topo?
14. Is the application non region? If so, did you check file?
    Did you make photocopy of cadastral plan or topo for region?

(Continued on back)
APPLICATION FOR GRANT OF LAND

Under Section 6 of the Crown Lands Act

I, [First Name] [Middle Name] [Family Name]
of Port McNeill, [Post Office Address]
in the Electoral District of Moresby

Telephone No. [Telephone Number]

MAKE OATH AND SAY AS FOLLOWS:

1. That my present occupation is [Occupation]
2. That my present employer is [Employer]
3. That I am a citizen of Canada residing in [Residence]
4. That I am [Age] years of age.
5. That I hereby apply for a grant of land situate at [Location] in the District of Moresby and bounded as follows:

   on the North by
   on the South by
   on the East by
   on the West by

   and containing an area of

6. That I have not heretofore received from the Crown a grant, lease or licence of any land in the Province of Newfoundland except

7. That I require the said land, for the purposes of [Purpose]

8. That I am not aware of any adverse claim to the land, either through occupation or on other grounds, by any person, and that the said land is wholly unoccupied and unimproved except [Details of Occupancy]

   (If no claim, occupation or improvement, state "None")

SWORN BEFORE ME AT [Location]
this [Date] day of [Month] [Year]

Signature of Official Administering Oath

NOTE: A deposit fee of ONE DOLLAR must accompany this application.
APPLICATION FOR GRANT OF LAND

Under Section 6 of the Crown Lands Act

(Full Name) (Middle Name) (Family Name)

of P.O. Box 40(1)

Happy Valley, Labrador

in the Electoral District of Maskini Telephone No. 40(1)

MAKE OATH AND SAY AS FOLLOWS:

1. That my present occupation is

2. That my present employer is

3. That I am a citizen of Canada residing in Newfoundland

4. That I am ___________ years of age. 40(1)

5. That I hereby apply for a grant of land situate at _______ in the District of Maskini and bounded as follows: 40(1)

   on the North by
   on the South by
   on the East by
   on the West by
   and containing an area of

6. That I have not heretofore received from the Crown a grant, lease or licence of any land in the Province of Newfoundland except

7. That I require the said land, for the purposes of Residence

8. That I am not aware of any adverse claim to the land, either through occupation or on other grounds, by any person, and that the said land is wholly unoccupied and unimproved except my dwelling is on said land and occupied by me and family. (If no claim, occupation or improvement, state "None")

SWORN BEFORE ME AT Happy Valley - Goose Bay this __________ day of August 19, 19____ 40(1)

Signatures of Applicant

Signature of Official Administering Oath

NOTE: A deposit fee of ONE DOLLAR must accompany this application.

It is required that this affidavit be carefully read and understood by the applicant.
RECOMMENDATION AND COMMENTS:

1955 frame house built before 1975

For Regional Lands Supervisor

RECOMMENDATIONS OF C.L.C.

40(1)

MINISTER'S DECISION: □ APPROVED □ REFUSED □ DEFERRED

MINISTER'S INSTRUCTIONS: [Handwritten]

DATE 7/05/74

INITIAL P.D.
DESCRIPTION OF BUILDING, IF ANY, TO BE ERECTED UPON LAND DESCRIBED IN APPLICATION

Dwelling House □ Summer Cottage □ Other □
(Indicate type of building)

Length ft. Width ft. No. Stories

TYPE OF CONSTRUCTION

FRAME

FOUNDATION—Wooden Posts □ Concrete Posts □ Full Concrete Basement □

ROOFING

N.B. Must be fire resistant material.

WALLS — Outside Inside

CHIMNEYS—NO. TYPE

N.B. Should be claytype, concrete or brick.

DESCRIBE BRIEFLY WATER AND SEWERAGE FACILITIES YOU PROPOSE TO HAVE
DEPARTMENT OF FORESTRY AND AGRICULTURE
P. O. BOX 370
GOOSE BAY
LABRADOR

REFERRAL ON AN APPLICATION FOR CROWN LAND

PLANNING
HEALTH
ENVIRONMENT
TOURISM

FORESTRY & AGRICULTURE
LANDS
HIGHWAYS
MUNICIPAL AUTHORITY

DETAILS OF APPLICATION:

Name of Applicant: [Redacted] 40(1)
Address: P.O. Box 40(1)
Happy Valley, N.L.

File No.: 400 001 000 Application No.: 46734

Type of Application: Grant

Area applied for:

Location: [Redacted] 40(1)
Happy Valley.

Approved: 

Not Approved:

Other:

Comments:

Signature: [Signature]

Position: [Position]

Date: 1-03-70
DEPARTMENT OF FORESTRY AND AGRICULTURE
P. O. BOX 370
GOOSE BAY
LABRADOR

REFERRAL ON AN APPLICATION FOR CROWN LAND

PLANNING

FORESTRY & AGRICULTURE

HEALTH
ENVIRONMENT
TOURISM

LANDS
HIGHWAYS
MUNICIPAL AUTHORITY

DETAILS OF APPLICATION:

Name of Applicant: [Redacted] 40(1)
Address: P.O. Box [Redacted] 40(1)
Happy Valley, NL
File No.: 46734
Application No.: 46734
Type of Application: Grant
Area applied for:
Location: [Redacted] 40(1)

Approved:

Not Approved:

Other:

Comments:

Signature: [Redacted] 40(1)
Position: Town Clerk
Date: 08/30/79

Dept. of Forestry Resources & Lands
AUG 31 1979
Labrador Region
REGISTRY
GRANT
Section 6 of the Crown Lands Act

Application No. G-16534
Plan No. Happy Valley

Application of

40(1) [Redacted]

40(1) Address [Redacted]
Happy Valley, B.C.

Land is situated at

40(1) [Redacted]
Happy Valley

Registered ...
Grant Prepared
DEPARTMENT OF FORESTRY AND AGRICULTURE
P. O. Box 370
Goose Bay, Labrador

Dear [name]

Enclosed please find an application form as requested. Fill in all sections completely and correctly (pages one and two) and indicate the exact location you are applying for on a map or photograph. The completed application must be sworn to by an Official certified to Administer an Oath.

All the above along with a $1.00 application fee should be returned to my office for final processing.

Yours truly,

[Signature]

[Name]
Supervisor of Lands

[Enclosure]