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FROM THE CO-CHAIRS

This is the ninth volume of the *Indian Claims Commission Proceedings* to be published and we are pleased to present it on behalf of the Commissioners and staff of the Indian Claims Commission. This volume includes two inquiry reports of the Commission.

The first of the two reports relates to the inquiry into the Eel River Dam claim of the Eel River Bar First Nation in New Brunswick. The Commission reviewed the Eel River Bar First Nation's specific claim alleging that Canada had breached the First Nation's treaty rights, provisions of the *Indian Act*, and the Crown's fiduciary obligations by allowing the construction of a dam on reserve lands in 1963 which substantially damaged fish and clam habitat and the First Nation's traditional economy based on these harvesting activities.

On February 19, 1998, the Commission released its inquiry report into claims submitted to the Government of Canada in 1986 by the Qu'Appelle Valley Indian Development Agency (QVIDA) requesting compensation for damages to reserve lands caused by flooding. These damages were caused by water control structures constructed by the Prairie Farm Rehabilitation Administration in the early 1940s. The Commission's inquiry dealt with breaches of the Crown's lawful obligations owed to six First Nations in Saskatchewan – Muscowpetung, Pasqua, Standing Buffalo, Sakimay, Cowessess, and Ochapowace. Two other members of QVIDA – the Piapot and Kahkewistahaw First Nations – elected not to participate in the inquiry.

Daniel J. Bellegarde
Co-Chair

P.E. James Prentice, QC
Co-Chair

ABBREVIATIONS

BCCA	British Columbia Court of Appeal
BCR	Band Council Resolution
BCSC	British Columbia Supreme Court
CA	Court of Appeal
CIL	Canadian Industries Limited
CNLR	Canadian Native Law Reporter
CPR	Canadian Patent Reporter
DIAND	Department of Indian Affairs and Northern Development
DLR	Dominion Law Reports
DLS	Dominion Land Surveyor
DREE	Department of Regional Economic Expansion
DSGIA	Deputy Superintendent General of Indian Affairs
Ex. CR	Exchequer Court of Canada Reports
FC	Canada Federal Court Reports
FCA	Federal Court Appeal Division
FCTD	Federal Court Trial Division
FSI	Federation of Saskatchewan Indians
FTR	Federal Trial Reports
HC	Haute Cour
IAB	Indian Affairs Branch
ICC	Indian Claims Commission
ICCP	Indian Claims Commission Proceedings
IR	Indian Reserve
JHA	Journal of the House of Assembly
KB	Court of King's Bench
NA	National Archives of Canada

ABBREVIATIONS

NBCA	New Brunswick Court of Appeal
NBWA	New Brunswick Water Authority
<i>NRTA</i>	<i>Natural Resources Transfer Agreement</i>
NR	National Reporter
NSCA	Nova Scotia Court of Appeal
NSR	Nova Scotia Reports
<i>NWPA</i>	<i>Navigable Waters Protection Act</i>
ONC	Office of Native Claims
OR	Ontario Reports
PADPG	Peace-Athabasca Delta Project Group
PFRA	Prairie Farm Rehabilitation Administration
QB	Court of Queen's Bench
QVIDA	Qu'Appelle Valley Indian Development Authority
RCAP	Royal Commission on Aboriginal Peoples
RDH	Red Deer Holdings Ltd
RPR	Real Property Reports
RSBC	Revised Statutes of British Columbia
RSC	Revised Statutes of Canada
RSNB	Revised Statutes of New Brunswick
RSUC	Revised Statutes of Upper Canada
SC	Statutes of Canada
SCC	Supreme Court of Canada
SCR	Canada Supreme Court Reports
SCW	Specific Claims West
SGIA	Superintendent General of Indian Affairs
SNB	Statutes of New Brunswick
TD	Trial Division
WWR	Western Weekly Reports

REPORTS



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