



MANITOBA ORDER IN COUNCIL

DATE: **April 10, 2019**

ORDER IN COUNCIL NO.: **125/2019**

RECOMMENDED BY: **Minister of Sustainable Development**

ORDER

1. The administration and control of all interests held by Her Majesty the Queen in right of Manitoba, including:
 - (a) all mines and minerals (precious and base) and sand and gravel;
 - (b) all interests impliedly reserved to the Crown under *The Crown Lands Act*;
 - (c) all subsisting reservations to the Crown contained in the original grant from the Crown;
and
 - (d) all rights, title and interests which Manitoba may have under the constitution of Canada or the common law

in the following described land (the "Land") is transferred to Her Majesty the Queen in right of Canada:

Kokonos and Crane Acquisitions

In the Province of Manitoba and being:

Lots 1 and 2, which lots are shown on a Plan of Subdivision of part NW¼ Section 35, Township 10, Range 19, West of the Principal Meridian, filed in the Brandon Land Titles Office as Plan Number 47480 and recorded in the Canada Lands Surveys Records as Number 107829;

Excepting out of said Lot 1:

FIRSTLY: All that portion taken for public road as shown on a Plan of Public Road across part NW¼ Section 35, Township 10, Range 19, West of the Principal Meridian, filed in the Brandon Land Titles Office as Plan Number 64130 and recorded in the Canada Lands Surveys Records as Number 107828;

AND SECONDLY: all Crown mines and minerals (precious and base) and royalties derived therefrom and all other estates, rights and interests of the Crown impliedly reserved to the Crown under *The Crown Lands Act* (Manitoba) contained within the limits of said Plan of Public Road;

said described land containing 3.062 hectares (7.57 acres), more or less.

2. The Minister of Sustainable Development may execute any documents necessary to give effect to this Order.

BACKGROUND

1. By Band Council Resolution Nos. 294-188 dated July 27, 2016 (Lot 1) and 294-189 dated November 17, 2016 (Lot 2), Gambler First Nation has requested that Canada undertake the process for conversion to reserve status of the Land under Canada's Policy on Additions to Reserves/Reserve Creation, New Reserves Category.
2. Canada issued its Letter of Support to Gambler First Nation on August 24, 2017, in accordance with the Policy on Additions to Reserve/Reserve Creation.
3. The Gambler First Nation intends to transfer the Land to Canada, which transfer will except the residual interests held by Manitoba in the Land.
4. Canada has requested Manitoba to transfer administration and control of its residual interests in the Land to Canada for the purpose of setting the Land apart as reserve.