

**ASSOCIATION OF CANADA LANDS SURVEYORS
BOARD OF EXAMINERS**

**SCHEDULE III / ITEM 1
ACTS AND REGULATIONS RELATING TO SURVEYS OF CANADA LANDS**

February 2000
(March 18, 1999 Regulations)
(Closed Book)

This examination consists of **10** questions on **3** pages

Time: 3 hours

Marks

1. The Canada Lands Surveys Act experienced a major amendment that came into effect in March, 1999.
 - a) Identify and describe the effect of this amendment. 2
 - b) Give the name of the entity that is given jurisdiction as a result of this amendment. 2
 - c) Give the name of the entity that is eliminated as a result of this amendment. 2
 - d) What was the effect of a previous major amendment of the Canada Lands Surveys Act in 1979? 2

2.
 - a) Give two of the three types of charges included in the definition of “encumbrance” in the Land Titles Act (Yukon). 3
 - b) Explain the purpose of a “notification” as defined in the Land Titles Act (Yukon) and the Land Titles Act (Northwest Territories). 3

3. A legal survey is made in July 1996 of a group of 60 mineral claims located and recorded in May 1976 in the Nahanni Mining District of the Northwest Territories pursuant to the Canada Mining Regulations. The claim block area does not enclose or contain any bodies of water or watercourses.
 - a) The Canada Lands Surveyor determines the total area of the claims covered by her survey is 3,400.25 acres. What amount or charge is payable when the plan, approved by the Surveyor General, is presented for recording in June 1997? 4
 - b) What action is conclusive evidence, for all purposes of the Regulations, of the boundaries of the claim? 2
 - c) The claims were located having boundaries in cardinal directions in a rectangular block 5 claims east-west by 12 claims north-south. There was no history of any prior claims being located in the area, no other location posts were found, and the surveyor recovered all posts for the 60 claims. How many location posts did she find? 4

- d) Draw a simple sketch of the claim block and indicate by solid circles the monumentation you would establish to comply with the Surveyor General's instructions. 5
- e) What is the minimum number of quad lots necessary for this survey? 2
- f) What is the radius, in centimetres, of the semi-major axis of the 95% confidence region for closure of the perimeter of the claim block? 5
4. a) Under what statutory authority would the Governor-in-Council set apart and appropriate territorial lands for an airport or railway station? 2
- b) Who may issue a Certificate of Possession to an Indian who is in lawful possession of land in a reserve? 2
- c) Name two persons who must make certifications on a plan prepared in accordance with the Condominium Act (Yukon). 4
- d) In a survey of territorial lands in accordance with the Canada Lands Surveys Act, what official document must be signed by the Canada Lands Surveyor? 2
- e) Who may authorize the survey of a reserve pursuant to the Indian Act? 2
5. Give the complete Canada Oil and Gas Land Regulations designation for the unit immediately north of Unit N, Section 21, Grid Area 69°20', 133°30', Yukon Territory. 8
6. What is the maximum permissible area under the Yukon Quartz Mining Act for:
- a) location of a full size claim? 2
- b) location of a fractional mineral claim? 2
- c) a location for the mining of iron and mica? 2
- d) full claims, or fractional mineral claims, upon official survey? 2
7. a) List the information that official field notes must show for a non-tangential circular curve. 3
- b) List three of the five purposes for which an official plan under the Canada Lands Surveys Act may be prepared. 3
8. Draw a neatly labelled and dimensioned sketch of a typical part of the Dominion Creek baseline in the Klondike mining district showing:
- a discovery creek claim of maximum size
 - a creek claim of the ordinary size adjoining the upstream boundary of the discovery claim
 - a second tier right limit bench claim of ordinary size in the same vicinity,
- all located in accordance with the Yukon Placer Mining Act. 12

9. A Canada Lands Surveyor makes a survey of a block of Yukon Quartz Mining Act claims in a rugged treeless area in 1970 that were located under the former "8 claim rule" and after exhaustive searching for a number of legal posts of two particular groups in the block, resorts to finding the locators of record and bringing them back to the area to assist in the search. After some vague responses to the CLS's questions about details at the time of staking, the locators admit that they did not actually stake the claims personally but simply signed the applications "in the bar" along with transfer documents sufficient to convey the claims to the CLS's client once the grants and tags had been issued by the mining recorder. Neither of the applicants/grantees has personal knowledge of who did stake the claims they each made application for.

The general area has been the target of much exploration work and promising drill results. CLS "A" has been advised by CLS "B" that "B" will be making a legal survey of an adjoining block of later claims, held by a different owner, that "A" has found to significantly overlap the area of the first block where the legal posts are missing. "B" has been waiting for "A" to complete his survey so that the common boundary of the two blocks has been established.

Give your reasons for what actions, if any, "A" should take with respect to:

- | | |
|--|---|
| a) his client | 2 |
| b) the two grantees | 2 |
| c) the mining recorder | 2 |
| d) CLS "B" | 2 |
| | |
| 10. Indicate whether each of the following statements is True or False. | |
| a) The Surveyor General of Canada must be a Canada Lands Surveyor. | 1 |
| b) Canada has complete jurisdiction over internal waters and the territorial sea, subject to the right of innocent passage in the territorial sea. | 1 |
| c) Specific survey instructions are required for the preparation of an explanatory plan. | 1 |
| d) The Clarke spheroid of 1866 is used to represent the shape of the earth for the UTM projection in North America. | 1 |
| e) Indian reserves established pursuant to treaties in the province of Saskatchewan are Canada Lands. | 1 |
| f) The Surveyor General of Canada may authorize the expropriation of titled private land in the Northwest Territories for the purpose of establishing a Coordinated Control Monument in a Coordinated Survey Area. | 1 |
| g) On an official plan of a pipeline right-of-way on Canada Lands monumented only on one side, it is sufficient to dimension only the monumented side if the other side is parallel to the monumented side. | 1 |
| h) Under the <u>Land Titles Act (Northwest Territories)</u> a fee simple estate may exist for only the mines and minerals for a lot or parcel. | 1 |
| i) An official plan may be prepared by a Canada Lands Surveyor based on official field notes of another Canada Lands Surveyor. | 1 |
| j) An angular misclosure of 01'30" is acceptable for a closed traverse having 24 angles in an official survey. | 1 |

Total Marks: 100