

ALBERTA PUBLIC LANDS APPEAL BOARD

20-0018-0023

2021 ABPLAB 21

Cite – 2098849 Alberta Ltd. v. Director, Lands Division, Alberta Environment and Parks (23 September 2021), Appeal Nos. 20-0018-0023 (A.P.L.A.B.), 2021 ABPLAB 21,

Appellant – 2098849 Alberta Ltd., **Operators** – 2098849 Alberta Ltd., **Location** – M.D. of Greenview No. 16, **Type of Appeal** – Discontinuance September 23, 2021

Notices of Appeal were received on January 5, 2021 from 2098849 Alberta Ltd. in relation to the December 4, 2020 decisions of the Director, Lands Division, Alberta Environment and Parks, to reject applications for Department Minerals Surface Leases (DMS) for the following:

- DMS 200001 - related to Sections 1, 2, 3, 10, 11, 12, 13 Township 070 Range 04 W6M, and Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 23, 24 Township 070 Range 03 W6M (PLAB 20-0018).
- DMS 200002 - related to Sections 25 & 32-36 within Township 68 Range 3 W6M, Sections 1-5, 7-12, 14-18, 20 & 21 within Township 69 Range 3 W6M, and Sections 6 & 7 within Township 69 Range 2 W6M (PLAB 20-0019).
- DMS 200003 - related to Sections 3-10 within Township 66 Range 2 W6M, and Sections 1, 2 & 10-15 within Township 66 Range 3 W6M (PLAB 20-0020).
- DMS 200004 - related to Sections 21, 22 & 26-36 within Township 64 Range 2 W6M, Sections 2-8 within Township 65 Range 2 W6M, and Sections 1, 2, 10-12 & 36 within Township 65 Range 3 W6M (PLAB 20-0021).
- DMS 200005 - related to Sections 8, 10, 14-17 & 20-23 within Township 64 Range 2 W6M (PLAB 20-0022).
- DMS 200006 - related to Sections 17-21, 26-30, 32, 34 and 35 within Township 70 Range 1 W6M and Sections 11-15, 22-26, 35 and 36 within Township 70 Range 2 W6M (PLAB 20-0023).

In consultation with the parties, a mediation meeting was held on June 30, 2021 by videoconference. The mediation was unsuccessful. However, the Appellant engaged in further discussions with the Director.

In the Board's August 31, 2021 letter, the parties were advised that appeals must be completed within one year pursuant to the legislation and that since it was taking time to resolve the appeals, a written hearing would be scheduled. A schedule was set for submissions and the Appellant's initial hearing submission was due by September 24, 2021.

The Director requested the Board modify the hearing procedures to include time for cross-examination on any affidavits that may be filed. The Board advised on September 15, 2021 that an oral hearing by videoconference would be scheduled to accommodate the request and ensure the appeals were addressed within the statutory time limits. The parties were requested to provide their schedules for November 1 to 5, 2021.

On September 23, 2021, the Board acknowledged a letter dated September 22, 2021 from the Appellant withdrawing the appeals.

Based upon the withdrawal of the appeals and the Board's satisfaction that all issues related to the appeals had been resolved, the Board discontinued its proceedings and closed its files on September 23, 2021.

