

ALBERTA PUBLIC LANDS APPEAL BOARD

2023 ABPLAB 7

Appeal No. 22-0009

Cite: *Dorosz v. Maranatha Water Valley Association* (27 April 2023), Appeal No. 22-0009 (A.P.L.A.B.), 2023 ABPLAB 7

Appellants – Darilyn and Jonas Dorosz, **Operator** – Maranatha Water Valley Association, **Location** – Mountain View County, **Type of Appeal** – Discontinuance April 27, 2023

A Notice of Appeal was received by the Board on August 25, 2022, from Darilyn and Jonas Dorosz in relation to a request to access Departmental Licence of Occupation No. DLO800847 located at SW ¼ Sec. 30-29-5-W5M, and held by Maranatha Water Valley Association.

In its letter of November 4, 2022, the Board noted that the parties appeared to disagree as to whether or not there is a road use agreement in place for commercial road use as section 98 of the *Public Lands Administration Regulation* only allows the Board to hear disputes regarding commercial road use in the absence of an agreement with the holder of the licence (“DLO”). In regards to the DLO held by the Maranatha Water Valley Association, the Board wished to determine whether a commercial road use agreement existed and to that end, it established a written submission process.

On February 15, 2023, the Board advised that after reviewing the submissions, it had jurisdiction to hear this appeal regarding a commercial road use dispute and provided its decision.

Cite: *Dorosz v. Maranatha Water Valley Association* (13 February 2023), Appeal No. 22-0009-ID1 (A.P.L.A.B.), 2023 ABPLAB 1.

On March 1, 2023, the Board advised that it was scheduling a mediation meeting via Webex videoconference for March 23, 2023 to assist the parties in resolving the appeal.

In its letter of March 27, 2023, the Board advised that it understood the mediation did not result in an agreement and the parties were asked to advise if they wanted to proceed to a hearing.

On April 27, 2023, the Board acknowledged a letter dated April 26, 2023 from the Appellants advising they would not be proceeding to a hearing and were withdrawing their appeal.

Based upon the withdrawal of the appeal, the Board discontinued its proceedings and closed its file on April 27, 2023.