

Attachment 16
Tourmaline Oil Corporation



From: [Laura Quinn](#)
To: [Bell, Doug](#); [Renkas, Blaine](#);
cc: [Fares Haddad](#); [Brenda Mason](#) <email address removed>
[com](#));
Subject: revised objection letter
Date: Monday, July 16, 2012 1:53:32 PM
Attachments: [cvri letter.pdf](#)

Hi Doug and Blaine-

As mentioned at your last visit, we are updating our Robb Trend Mine pre-application objection letter. It has been updated to remove wording about pre-application and to reference the application number.

Laura

Laura Quinn / Tourmaline Oil Corp. / 




July 16, 2012

Sent Via Email

CVRI
1600 Oxford Tower
10235 – 101 Street NW
Edmonton, AB T5J 3G1

Attention: Brenda Mason

Re: Coal Valley Resources Inc.
Proposed Robb Trend Mine
Application Number 1725257

Please accept this letter as an objection to the proposed Robb Trend Mine Project.

As outlined on the first attached map, Tourmaline Oil Corp. has significant oil and gas rights in the lands overlapping the proposed Coal Valley Robb Trend Mine Project. Since we have equal rights in terms of surface access, the operations of the mine cannot exclude Tourmaline's rights to access their resources.

The second attached map outlines operating wells and pipelines currently licensed to Tourmaline.

Tourmaline and CVRI representatives continue to meet, but have not reached terms on an area-wide agreement that would outline the terms by which both companies can maximize the extraction and production of their resources. Until such an agreement is signed, Tourmaline will not remove their objection to this proposed mine.

The undersigned can be reached at [REDACTED]

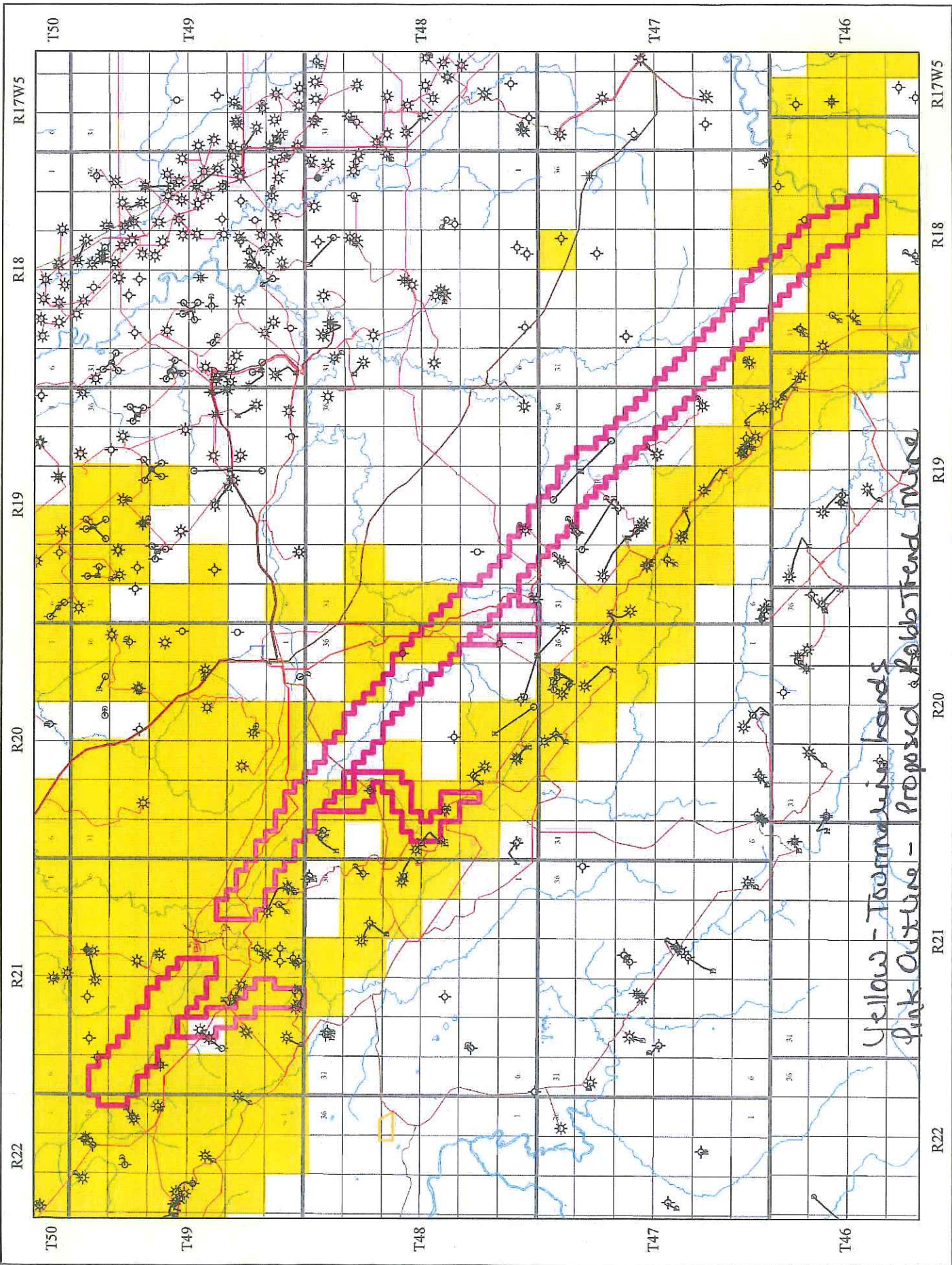
Yours truly,
Tourmaline Oil Corp.

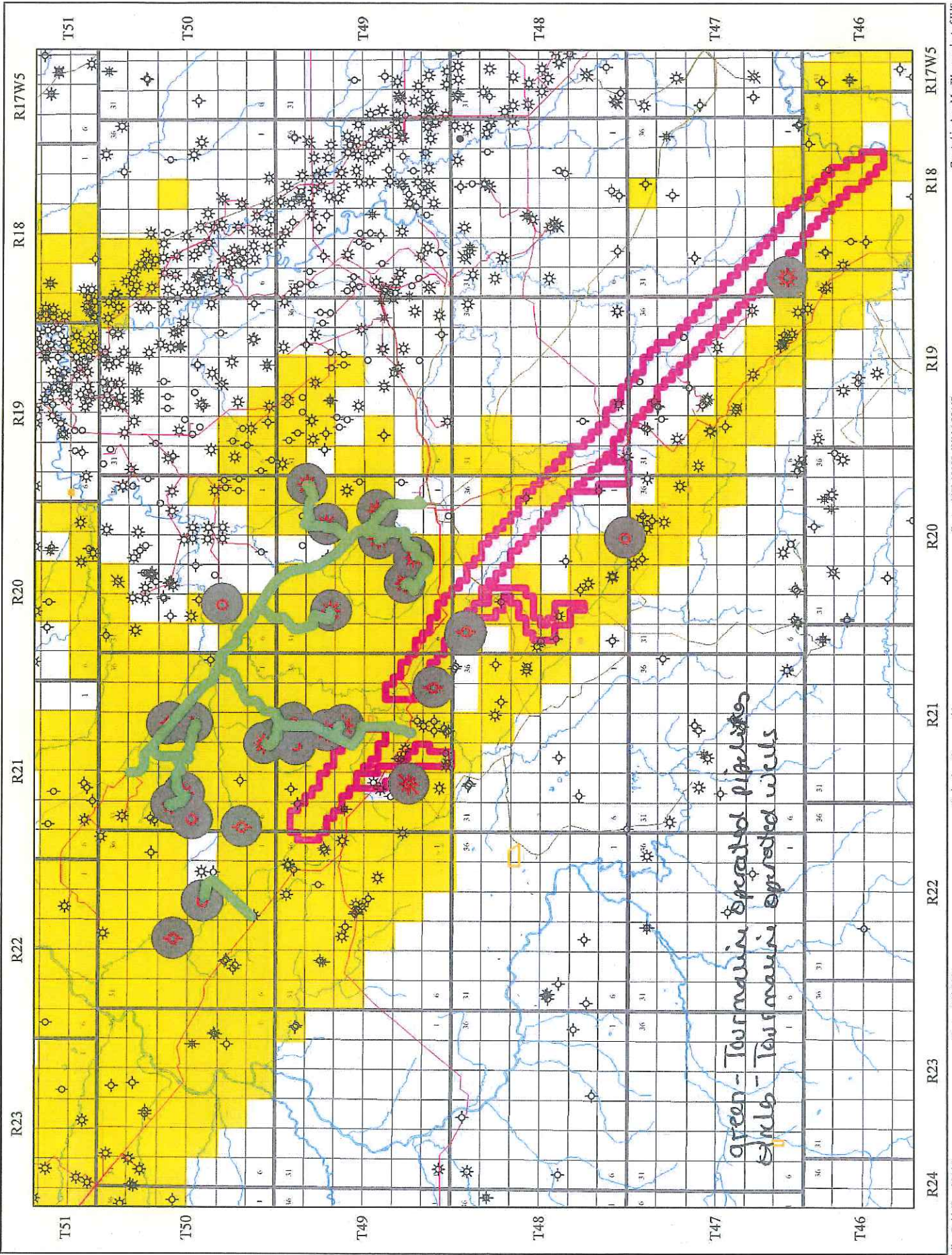
<original signed by>

Al Bush
Completions and Operations Engineering Manager

/lq

cc. Fares Haddad, ERCB, Application Coordinator, via email





July 3, 2014

Al Bush
[REDACTED]

Calgary Head Office
Suite 1000, 250 – 5 Street SW
Calgary, Alberta T2P 0R4
Canada

www.aer.ca

Dear Mr. Bush:

**COAL MINING STATEMENT OF CONCERN NO. 29089
COAL VALLEY RESOURCES INC.
COAL MINING APPLICATION FOR PROPOSED ROBB TREND
APPLICATION NO. 1725257
LOCATIONS: 08-049-21W5M**

The Alberta Energy Regulator (AER) acknowledges receipt of your letter dated July 16, 2012, indicating your statement of concern to the subject application. Please be advised that an application was submitted to the AER on April 17, 2012, and was assigned Application No. 1725257. . In addition, on June 4, 2014, the AER re-issued notice of this application and re-established a statement of concern filing deadline of July 9, 2014 (available at <http://www.aer.ca/applications-and-notices/notices/application-1725257-2>). Therefore you are able to file a different or supplemental statement of concern if you wish to do so, provided that it is received by the AER on or before the deadline.

The application is currently under review and the concerns outlined in your letter will be taken into consideration by the AER in its review of the application. The AER expects parties to discuss outstanding concerns whenever possible. By way of copy of this letter to Coal Valley Resources Inc. (Coal Valley), we are requesting Coal Valley contact you to attempt to address your concerns, as provided under AER requirements.

The AER has no jurisdiction over matters of compensation for land usage. The Alberta Surface Rights Board is the regulatory agency that deals with these issues. Further the AER has no jurisdiction with respect to assessing the adequacy of Crown consultation with the rights of aboriginal peoples.

The AER offers and strongly recommends you make use of our Alternative Dispute Resolution (ADR) program which features either staff or third party mediation arranged through an AER mediator. Please contact Krista Waters at 403-755-1422 for more information on this process. Further information about this program is available through *EnerFAQs: All About Alternative Dispute Resolution* and *Manual 004: ADR Alternative Dispute Resolution Program and Guidelines for Energy Industry Disputes* on the AER web site, (<http://www.aer.ca>), under Applications & Notices, Alternative Dispute Resolution (ADR) Process.

Please note that Section 49 of the *Alberta Energy Regulator Rules of Practice* (Rules) requires that all documents filed with the AER be placed on the public record. However, any party may file a request for confidentiality of information under Section 49 prior to filing the information with the AER. Any request under Section 49 must be copied to the other parties to the proceeding. Section 49 of the Rules is available at the AER website at www.aer.ca.

Please direct questions regarding your statement of concern to Amanda Black at 780-743-7473 who will manage the application through to completion. If you have any questions regarding AER process please contact the undersigned through our Customer Contact Centre, toll free, at 1-855-297-8311, or collect at 403-297-5749.

inquiries 1-855-297-8311
24-hour
emergency 1-800-222-6514

Yours truly,



Jennifer Richards
Review & Coordination Team
Authorizations Branch

cc: Les Lafleur, Coal Valley Resources Inc., llafleur@westmoreland.com
Amanda Black, AER, Amanda.Black@aer.ca
AER Drayton Valley Field Centre, DraytonValley.FieldCentre@aer.ca
Krista Waters, AER Mediator, Krista.Waters@aer.ca

July 9, 2014

Via E-Mail ARCTeam@aer.ca

Authorizations Review & Coordination Team
Alberta Energy Regulator
Suite 1000, 250 - 5 Street SW
Calgary, Alberta T2P 0R4

Dear Sir or Madam:

Re: Tourmaline Oil Corp. Statement of Concern In Relation to Application No. 1725257

Tourmaline Oil Corp. ("Tourmaline") is in receipt of the Notice of Application issued by the Alberta Energy Regulator (the "AER") on June 4, 2014 in respect of Application No. 1725257 for the proposed Robb Trend Project at the Coal Valley Mine (the "Application") filed by Coal Valley Resources Inc. ("CVRI").

Tourmaline has previously expressed concerns to the AER in relation to the Application by way of an objection filed with the former Energy Resources Conservation Board (the "ERCB") on September 27, 2011,¹ and further by way of an objection filed with the ERCB on July 16, 2012 (the "Objection"). The Objection is attached hereto as **Appendix A**.

The Notice of Application issued by the AER on June 4, 2014 indicates that parties that are "interested" in the Application "must file a Statement of Concern" by July 9, 2014. Tourmaline requests that this letter, together with the Objection, be registered as a Statement of Concern in respect of the Application.

Tourmaline's concerns in respect of the Application remain as expressed in the Objection, namely that Tourmaline will be directly and adversely affected by a decision of the AER in respect of the Application.

As set out in the Objection, Tourmaline has significant oil and gas rights as well as significant licensed and operating well and pipeline infrastructure in the lands overlapping the proposed Robb Trend Project. Attached at **Appendix B** please find a map of Tourmaline's lands and a map of

¹ By way of a letter dated October 7, 2011 the ERCB advised that as no application had yet been received by the ERCB, the objection would be filed for one year and "registered when an application is received".

July 9, 2014
Page Two

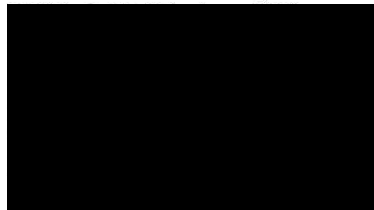
Tourmaline operated wells and pipelines in the Application area, provided as an update to the maps appended to the Objection. As a result of the overlap of Tourmaline rights with the proposed Application area, Tourmaline will be directly and adversely affected by the Application.

Since the date of the Objection, Tourmaline and CVRI have been continuously engaged in discussions towards a resolution of resource co-development issues in the Application area. Although several issues have been settled, there are a few outstanding issues yet to be resolved. The parties continue to work together to formulate an agreement that will allow both Tourmaline and CVRI to coordinate and maximize coal and oil and gas resource development in the Application area. Once an agreement is finalized, Tourmaline will remove their objection.

Tourmaline submits that the Application cannot be approved unless adequate accommodation is made for co-development of Tourmaline's overlapping rights.

Further correspondence in respect of the Application may be directed to:

Laura Quinn
Tourmaline Oil Corp.



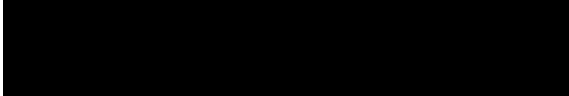
Yours truly,
TOURMALINE OIL CORP.

<original signed by>

Al Bush
COO and VP Operations

cc: Fares Haddad, Alberta Energy Regulator via email

Appendix A



September 27, 2011

Sent Via Email

CVRI
1600 Oxford Tower
10235 – 101 Street NW
Edmonton, AB T5J 3G1

Attention: Brenda Mason


Re: Coal Valley Resources Inc.
Proposed Robb Trend Mine

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The second attached map outlines operating wells and pipelines currently licensed to Tourmaline.

Tourmaline and CVRI representatives have met on two occasions this year, but have not reached terms on an area-wide agreement that would outline the terms by which both companies can maximize the extraction and production of their resources. Until such an agreement is signed, Tourmaline will not remove their objection to this proposed mine.

The undersigned can be reached at 

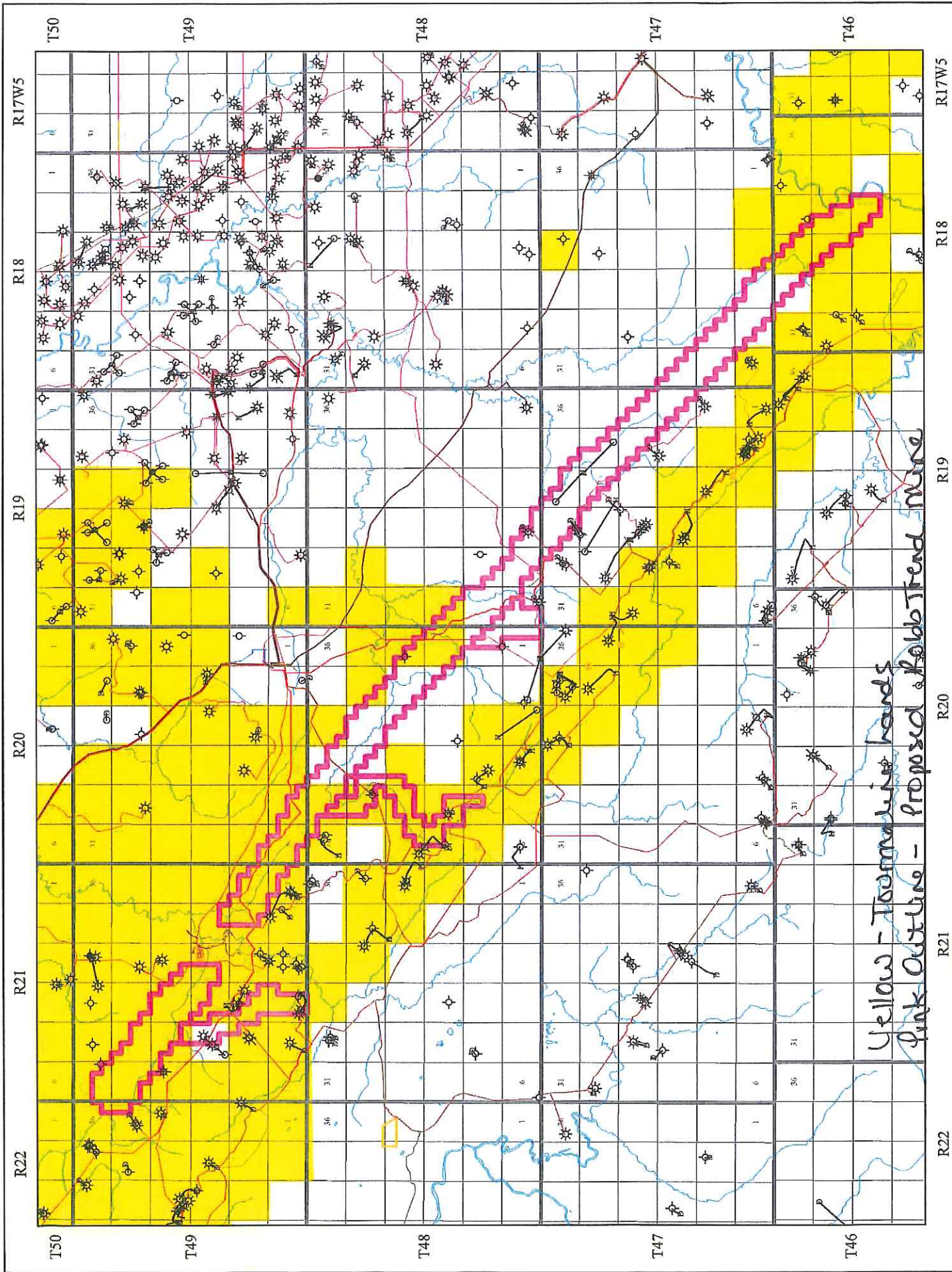
Yours truly,
Tourmaline Oil Corp.

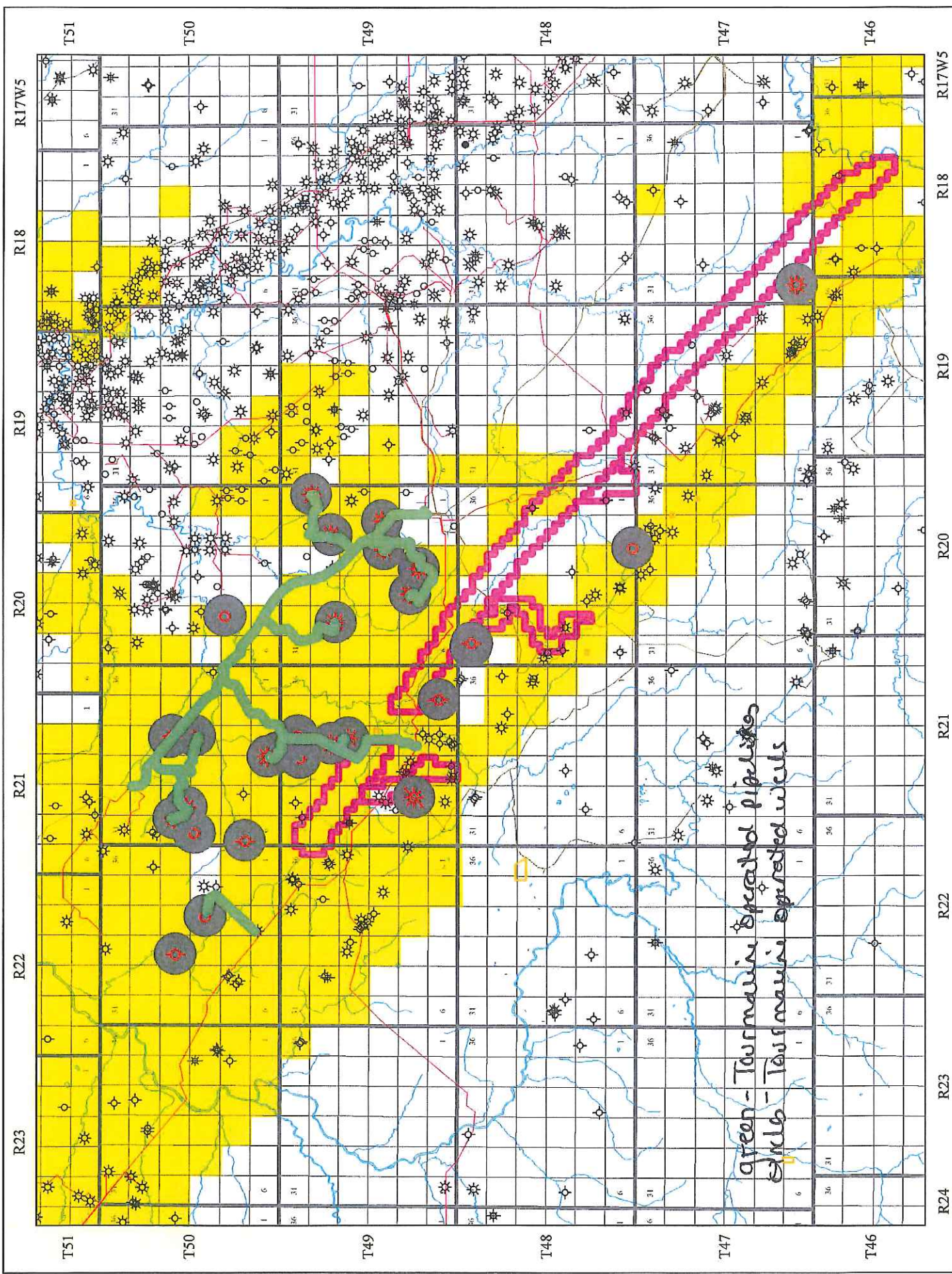
<original signed by>

AI Bush /
Completions and Operations Engineering Manager

/lq

cc. Energy Resources Conservation Board
Applications Branch, Business Operations & Support
Via email: BOS.Admin@ercb.ca
and
Fares Haddad, ERCB, Application Coordinator, via email







3700, 250 - 6th Avenue SW
Calgary, AB T2P 3H7

PH: (403) 266-5992
FAX: (403) 266-5952

July 16, 2012

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CVRI
1600 Oxford Tower
10235 - 101 Street NW
Edmonton, AB T5J 3G1

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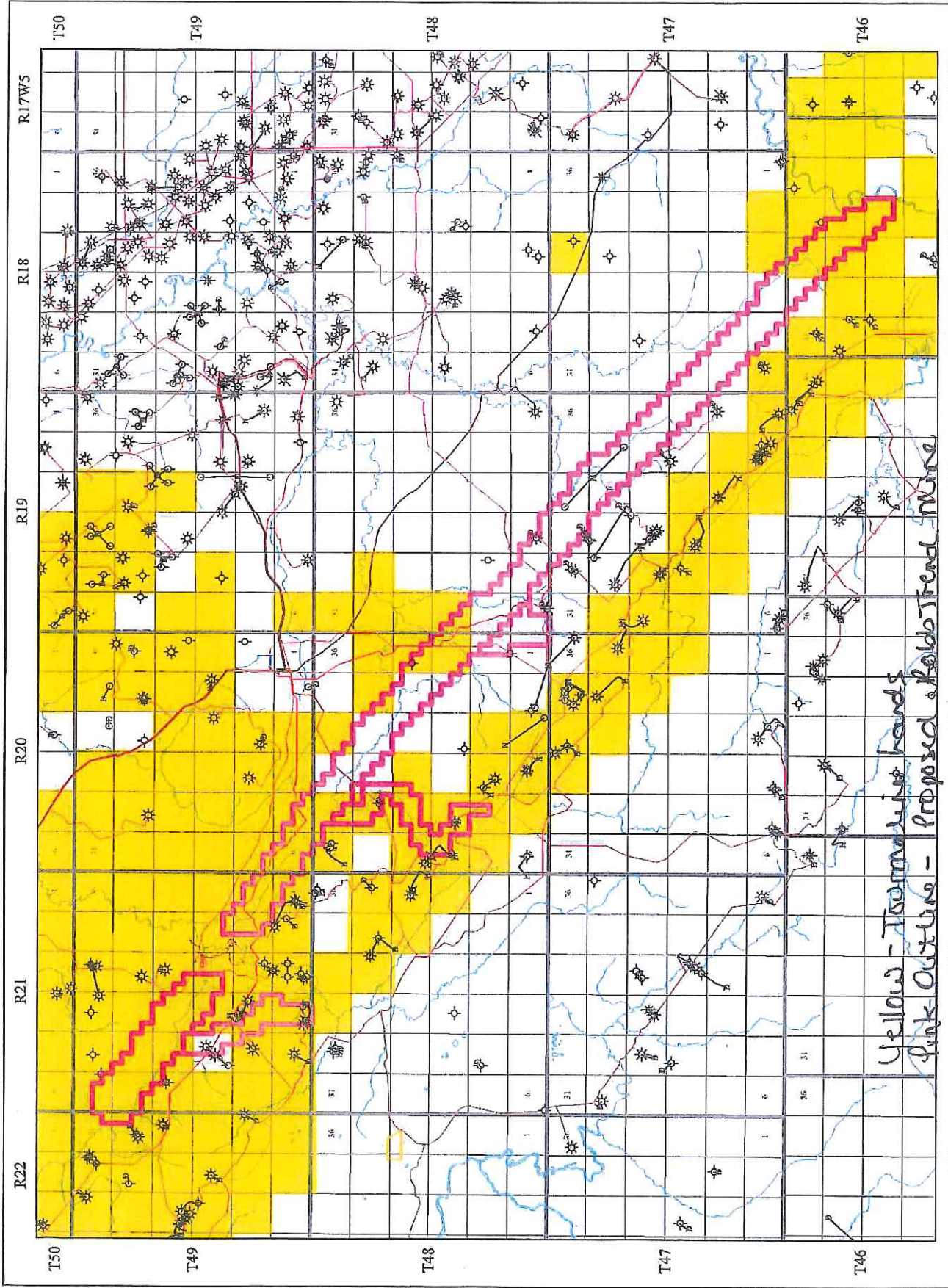
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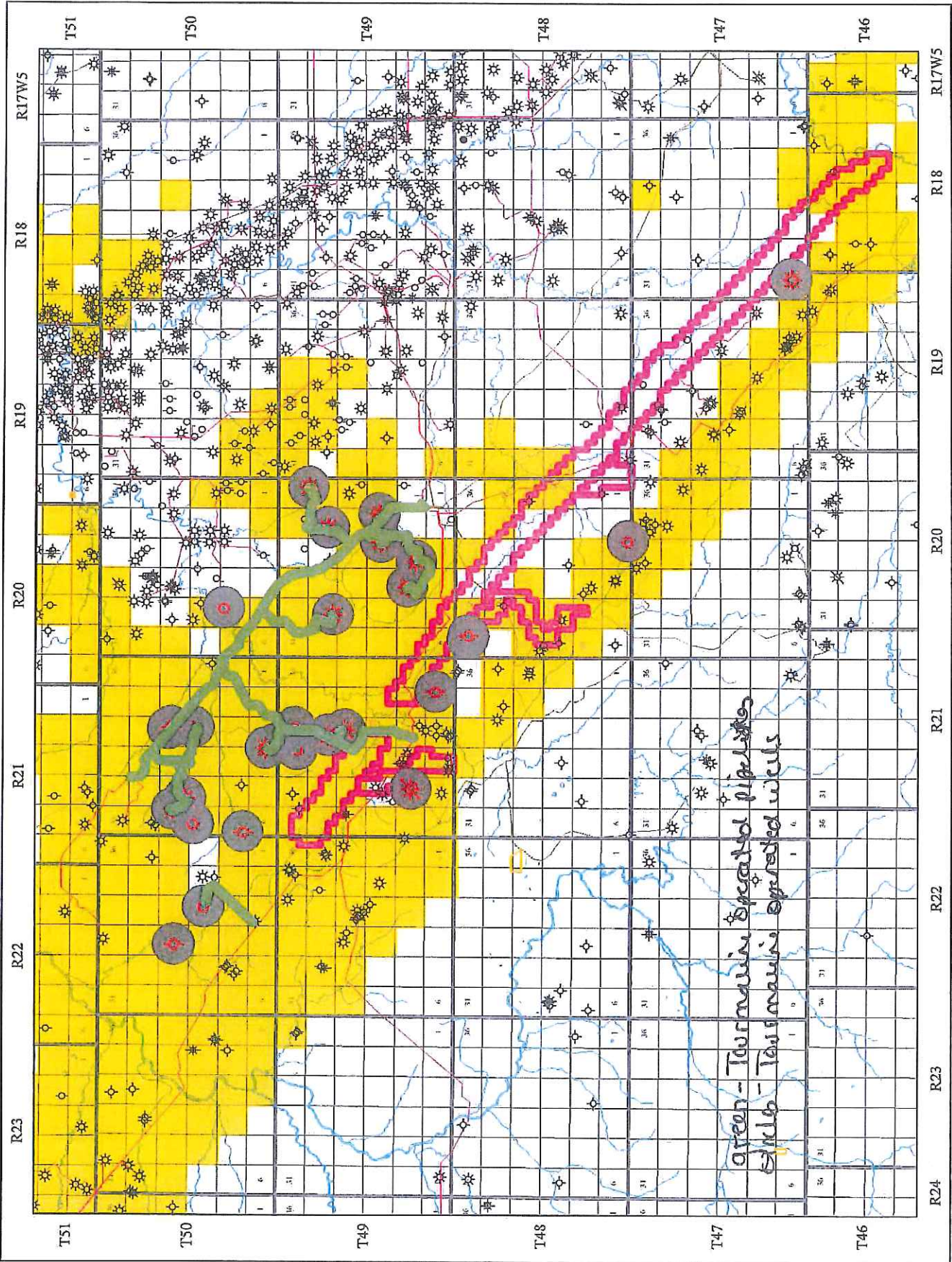
<original signed by>

Al Bush
Completions and Operations Engineering Manager

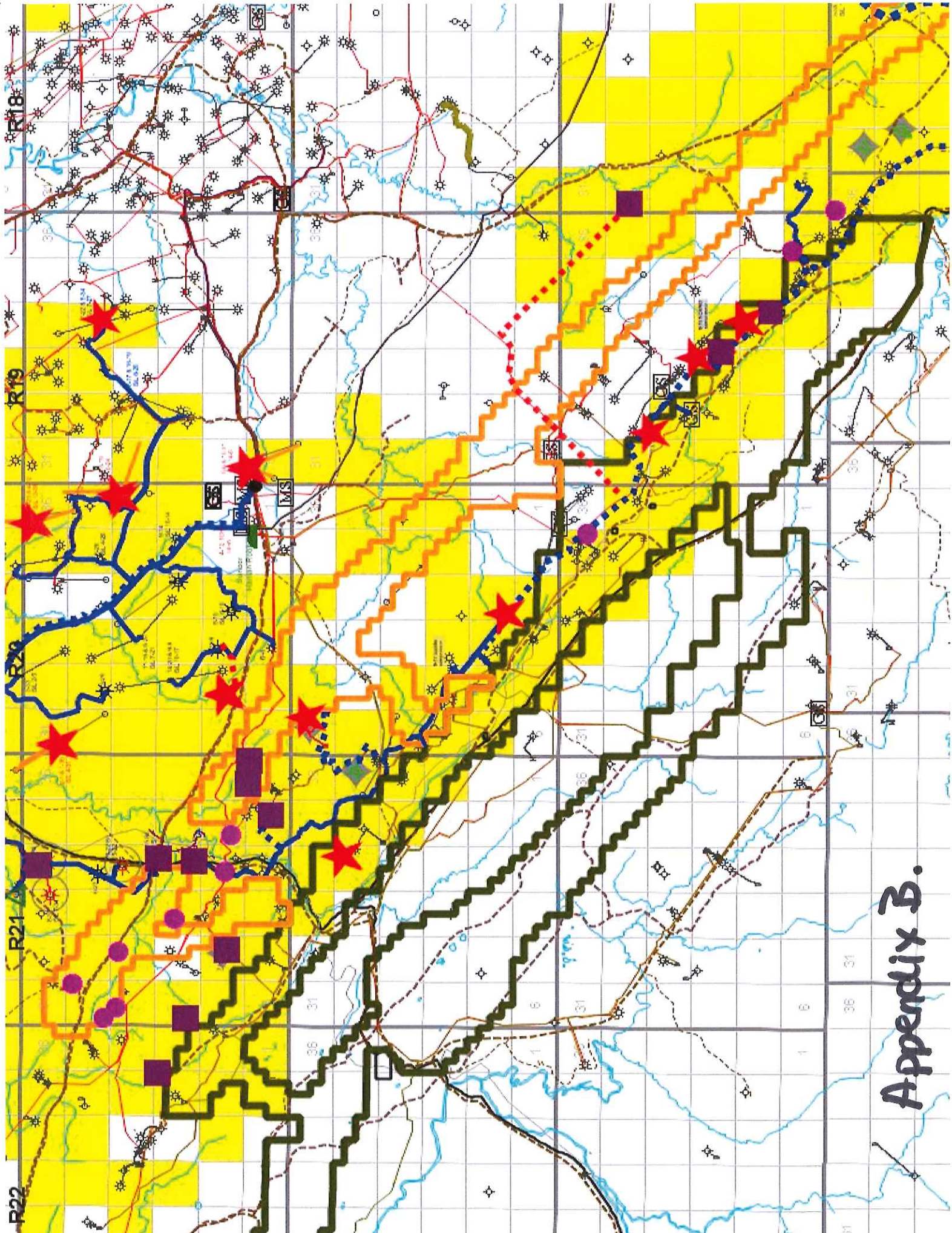
/lq

cc. Fares Haddad, ERCB, Application Coordinator, via email





File: Robb Trend.MAP
 Datum: NAD27
 Projection: Stereographic
 Center: N53.18108 W116.90467
 Created in ArcMap™, a product of ESRI



Appendix B.

LEGEND:

1. Yellow is Tourmaline land base
2. Dark green/brown – is permit boundary Westmoreland currently has and is active mining
3. Orange – is permit boundary Westmoreland has applied for Robb Trend Mine
4. Where the Dark green/brown and Orange shapes touch is a planned coal haul road between the old and new mines – Bryant to the north, Erith in the Middle, and Halpenny to the south
5. Red stars are wells Tourmaline will drilled before spring 2015
6. Purple squares are locations that Tourmaline plans to drill in the next year or 2 and have been surveyed
7. Pink dots are locations Tourmaline plans to survey and are likely to drill in the 3-5 year time frame
8. Blue lines are Tourmaline's construction/operational pipelines
9. Blue dashed lines are pipelines that Tourmalines wants to build before spring 2015
10. The one dashed red line indicates a potential pipeline