



Calgary Office 640 – 5 Avenue SW Calgary, Alberta Canada T2P 3G4 Tel 403 297-8311 Fax 403 297-7336

**SENT VIA REGISTERED MAIL AND FAX (780-629-3939)**

August 17, 2005

Bernard Ominayak  
Chief, Lubicon Lake Indian Nation  
P. O. Box 6731  
Peace River, AB, T8S 1S5

Dear Mr. Ominayak:

**NOTICE FOR OBJECTION  
SURGE GLOBAL ENERGY (CANADA), LTD.  
PROPOSED WELL  
LOCATION: 01-36-091-13W5M  
EUB APPLICATION NO. 1411327**

The Alberta Energy and Utilities Board, (EUB) is currently reviewing the subject application requesting approval to drill a well from a surface location at Legal Subdivision 1 of Section 36, Township 91, Range 13, West of the 5<sup>th</sup> Meridian. The purpose of the proposed well is to evaluate crude bitumen in the Bluesky Formation. The maximum H<sub>2</sub>S content would be 0.0 mols/kmol.

The EUB has received your submission to the above-mentioned application and requires some clarification. When objections are received in regards to an application, the EUB must have sufficient information to understand the nature of your concerns and your relationship to the proposed development. The information you provide should address the following questions:

- Does the proposed project have the potential to affect safety or economic or property rights of members of the Lubicon First Nation? If you believe these impacts exist, you should provide specific examples or facts substantiating your position including the names and locations of the members affected.
- Are they affected in a different way or to a greater degree than members of the general public?
- Are you able to show a reasonable and direct connection between the activity complained of and the rights or interests alleged to be affected?

The information you provide will allow the EUB to determine the best course of action to address your concerns and engage the appropriate decision-making process. The EUB is committed to provide both the public and industry with an effective regulatory process to identify and address concerns. Action can include providing additional information and assistance from EUB staff, conducting field inspections and sharing results, different forms of dispute resolutions and possibly a hearing.

In this regard the Board must make a determination of the standing of the person(s) making the objection. Standing is the right of a person to participate in a hearing or other decision-making process which may result in a decision affecting the person's rights. Pursuant to subsection 26(2) of the *Energy Resources Conservation Act*, the EUB will grant standing to a person if it appears to the Board that its decision on an application may directly and adversely affect the rights of that person. The Board will assess the information provided by the person seeking standing and determine whether he or she has "rights" that may be "directly and adversely affected" by the proposed project.

Your submission does not contain enough information to make the determination required by section 26. In your letter you state that members of the Lubicon First Nation have concerns related to cumulative social, economic and environmental impacts. You also state that members of the Lubicon First Nation have concerns related to cumulative impact on wildlife, groundwater, and fisheries. While the Board takes seriously the concerns expressed in your letter, many of the concerns are not directly connected to the proposed project. Please provide specific information on how individual members of the Lubicon Lake First Nation may be directly and adversely impacted by this project. Please send that information to the Board, within **14 days of receiving this notice**, by addressing it to Susan MacDonald by mail, fax (403) 297-8853 or e-mail [susan.macdonald@gov.ab.ca](mailto:susan.macdonald@gov.ab.ca).

Please also forward, or fax, a copy of any submission to the applicant at the following address:

John Brown  
**Surge Global Energy (Canada), Ltd.**  
Suite 2600, 144, 4<sup>th</sup> Avenue S.W.  
Calgary, AB, T2P 3N4  
Fax: (403) 770-8409

Upon receipt of this information the EUB will advise you of the course of action it believes is appropriate. Please note that failure to respond to this letter will result in the EUB continuing its review and processing of the applications.

Submissions related exclusively to compensation for land usage are not dealt with by the EUB, but may be referred to the Trappers Compensation Board.

If you have any questions with respect to the EUB procedures in processing this application, please contact the undersigned by calling the toll free Government Rite Number 310-0000, direct at (403) 297-8853.

Yours truly,



Susan MacDonald  
Facilities Group - Applications Branch

/SM

c: John Brown, Surge Global Energy (Canada) Ltd., Fax: 770-8409  
Jacob Handel, St. Albert EUB Field Center, Fax: (780) 460-3802  
Fiona LeBlanc, Grande Prairie EUB Field Centre, Fax: (780) 538-5582