



LAND AND PROPERTY RIGHTS TRIBUNAL

Citation: *Storm Development Corp. v Jeannotte, 2025 ABLPRT 466*

Date: 2025-08-11
File No. RE2025.0055
Order No. LPRT2025/SR0466
Municipality: Saddle Hills County

In the matter of a proceeding commenced under section 15 of the *Surface Rights Act*, RSA 2000, c S-24 (the “Act”)

And in the matter of land in the Province of Alberta within the:
SW 16-81-12-W6M as described in Certificate of Title No. 172 071 356 (the “Land”) particularly the area granted for Alberta Energy Regulator Licence Nos. 0518509 and 0518510 (the “Site”).

Between:

Storm Development Corp.,
Operator,
- and -

Wade Rene Jeannotte (owner),
Karen Dawn Jeannotte (owner),
Manitok Energy Inc.,
and
Farm Credit Canada,
Respondents.

Before: Glenn Selland, Member
(the “Panel”)

ORDER GRANTING RIGHT OF ENTRY

[1] The Operator shall have right of entry in respect of 5.88 acres of the surface of the Land as shown outlined in red on Plan A attached and forming part of this Order for the removal of minerals contained in or underlying the surface of that land or for or incidental to any drilling operations, and for the construction of tanks, stations and structures for or in connection with a drilling operation, or the production of minerals, or for or incidental to the operation of those tanks, stations and structures and to give the

operator access to the operator's drilling operations from a public roadway or other public way, and egress from the operations to the public roadway or other public way.

[2] The right of entry is subject to the requirements of Well Licence Nos. 0518509 and 0518510 and the conditions attached as Appendix A and forming part of this Order.

DECISION AND REASONS

BACKGROUND:

[3] The Panel convened on August 11, 2025, to consider the Operator's application for right of entry. The Operator requires access to the Land for the removal of minerals contained in or underlying the surface of that land or for or incidental to any drilling operations, and for the construction of tanks, stations and structures for or in connection with a drilling operation, or the production of minerals, or for or incidental to the operation of those tanks, stations and structures and to give the operator access to the operator's drilling operations from a public roadway or other public way, and egress from the operations to the public roadway or other public way.

[4] On July 9, 2025, the Operator filed with the Tribunal an Amended Schedule 1 Application, which has been considered by the Panel along with the following documents:

- (a) Certified copy of the title to the Land;
- (b) Copy of the Well Licence Nos. 0518509 and 0518510 issued by the Alberta Energy Regulator;
- (c) Declaration of Most Recent Written Offer filed on July 9, 2025;
- (d) Declaration in Support of Survey Plan«s» filed on July 9, 2025;
- (e) Declaration of Service confirming service upon Wade Rene Jeannotte, Karen Dawn Jeannotte, Manito Energy Inc, and Farm Credit Canada, filed on August 8, 2025.

ISSUES:

1. Should the Tribunal grant right of entry to the Operator as applied for?
2. If the right of entry is issued, what conditions, if any, should attach to the right of entry order?

DECISION:

1. The Operator shall have right of entry across the portion of the surface of the Land shown outlined in red on the plan attached to the Schedule 1 Application for the removal of minerals contained in or underlying the surface of that land or for or incidental to any drilling operations, and for the construction of tanks, stations and structures for or in connection with a drilling operation, or the production of minerals, or for or incidental to the operation of those tanks, stations and structures and for a road to connect the operator's drilling operations located on adjacent land and to permit

the operations to be operated jointly, and for the tanks, stations and structures to be used in the operations.

2. The right of entry order will be subject to the conditions attached as Appendix A and forming part of this decision.

REASONS FOR DECISION:

[5] The Panel has reviewed the Application and considered the Tribunal's authority under relevant sections of the Act and the requirements of the *Surface Rights Act General Regulation*, AR 195/2007.

[6] The Application is consistent with the Well Licences.

[7] In accordance with *Surface Rights Board Rule* 6(3), the Panel varies Rule 17(5) and accepts the filed Declaration of Service as satisfactory evidence that a copy of the Application and Notice to Respondents were properly served on the Respondents.

[8] All legislative requirements have been met. All Respondents have either provided a signed letter of consent or been served more than 14 days prior to the date of this decision.

[9] The Tribunal has not received an objection from any of the Respondents to the Application.

[10] The Panel is satisfied that it is appropriate to grant right of entry as applied for and to attach conditions to the right of entry order. Appendix A has been updated to incorporate the change in wording from "right of way" to "area granted," consistent with the recent decision of the Tribunal in ATCO Electric Ltd. v. Woronuk 2021 ABLPRT 826.

Dated at the City of Edmonton in the Province of Alberta on August 11, 2025.

LAND AND PROPERTY RIGHTS TRIBUNAL



Glenn Selland, Member

APPENDIX A

Conditions

Use and Access

1. Access to the Lands shall only be by employees, authorized contractors or agents of the Operator and shall only be to the area granted by this Right of Entry Order.
2. The Operator shall contain its operations to the area granted by the Order, including the travel and movement of vehicles and other equipment.
3. The Respondent owner shall have the right to use the area granted by this Order and the Operator shall provide such crossings and other works as may reasonably be required for:
 - (a) gaining access to the parts of the Land severed or otherwise affected by this Order, and
 - (b) for livestock at large.

Registration at Land Title Office

4. The Operator shall not allow a claim of builder's or other lien arising out of the construction and operation of the project to be filed or claimed against the Lands.

Operator's Responsibility During Construction and Operation

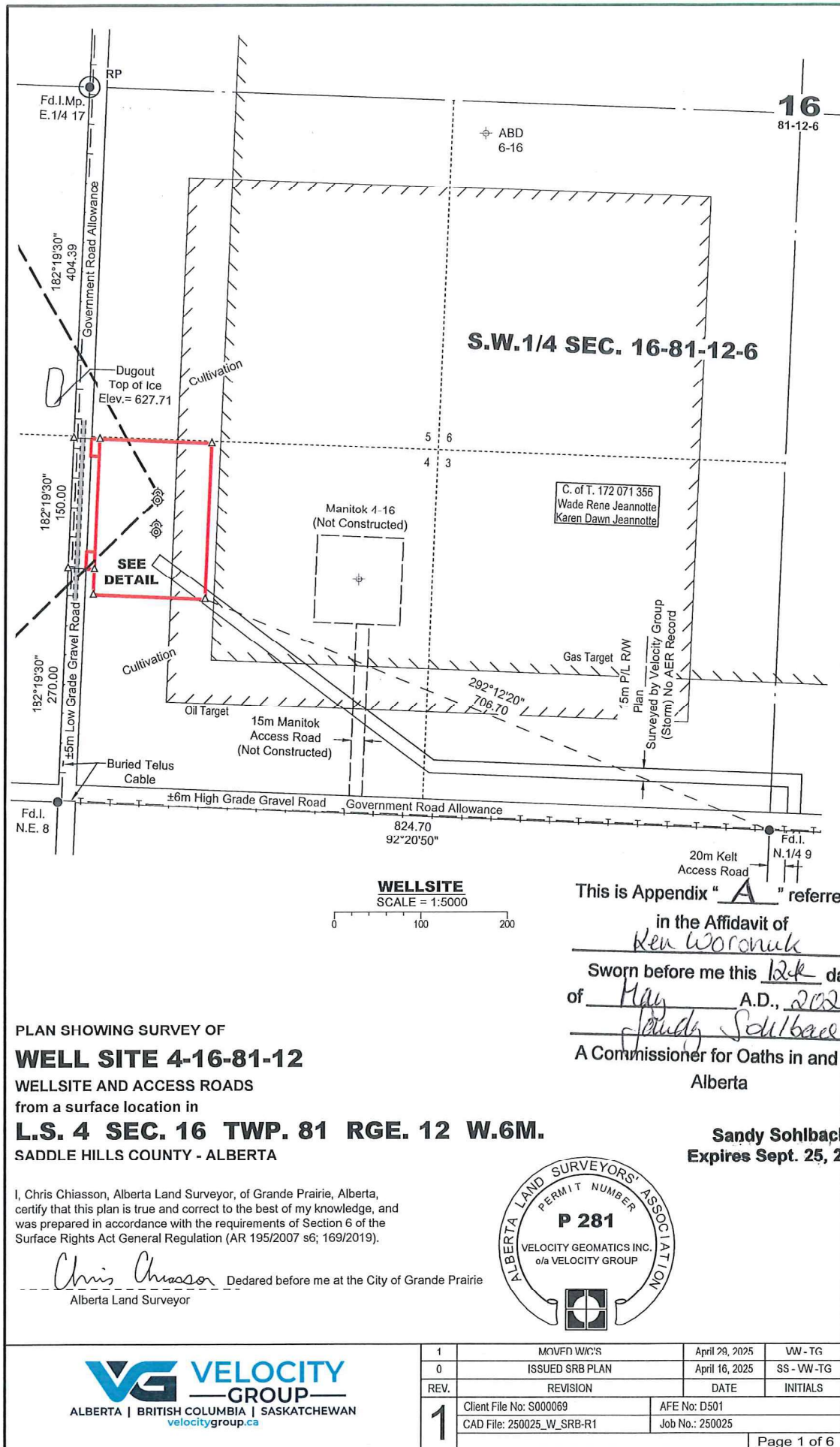
5. The Operator shall conform to all applicable legislation and regulations and shall follow good oilfield practices including but not limited to:
 - (a) The Operator shall conserve the top soil in a good and workmanlike manner, having regard to good soil conservation practices and any reasonable request or direction of the Respondent owner.
 - (b) The Operator shall not obstruct or impede the natural drainage of the remainder of the Land, and to that end shall install or construct such culverts and other works as the Respondent owner may reasonably require.
 - (c) The Operator must promptly remove all debris from the area granted.
 - (d) The Operator shall construct and maintain such fences and other works and to such standard as the Respondent owner may reasonably require to ensure the safety of and to prevent the straying of livestock.
 - (e) Except as may be authorized by any other Act, the Operator shall not drill any well on the area granted for the purpose of obtaining water for domestic use without the written consent of the Respondent owner.
 - (f) The Operator shall control noxious weeds from growing on the area granted, in compliance with the Weed Control Act as to the prevention and destruction of weeds.
 - (g) Domestic animals in the keeping of the Operator, contractors, or employees shall not be allowed to roam at large in the area granted by this right of entry.

Maintenance

6. The Operator shall practice good stewardship of the surface and operate and maintain the area granted in accordance with good oilfield and environmental practices.

Communication

7. The Operator shall immediately notify the Respondents of any spill, leak or problem with the well. Notification includes identifying the location of the leak or break and the measures being taken to contain, repair and clean up the spill or leak.



PLAN SHOWING SURVEY OF

WELL SITE 4-16-81-12

WELLSITE AND ACCESS ROADS

from a surface location in

L.S. 4 SEC. 16 TWP. 81 RGE. 12 W.6M.

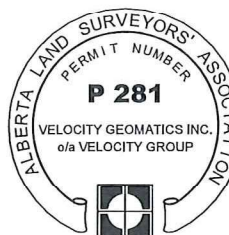
SADDLE HILLS COUNTY - ALBERTA

I, Chris Chiasson, Alberta Land Surveyor, of Grande Prairie, Alberta, certify that this plan is true and correct to the best of my knowledge, and was prepared in accordance with the requirements of Section 6 of the Surface Rights Act General Regulation (AR 195/2007 s6; 169/2019).

Chris Chiasson

Dedared before me at the City of Grande Prairie

Alberta Land Surveyor



This is Appendix "A" referred to

in the Affidavit of

Ken Woronuk

Sworn before me this 12th day

of May A.D., 2025

Sandy Sohlbach

A Commissioner for Oaths in and for Alberta

Sandy Sohlbach
Expires Sept. 25, 2025



1	MOVED WC'S	April 29, 2025	VW - TG
0	ISSUED SRB PLAN	April 16, 2025	SS - VW-TG
REV.	REVISION	DATE	INITIALS
1	Client File No: S000069	AFE No: D501	
	CAD File: 250025_W_SRB-R1	Job No.: 250025	