



LAND AND PROPERTY RIGHTS TRIBUNAL

Citation: Hazlett v Canadian Oil & Gas International Inc., 2025 ABLPRT 904511

Date: 2025-07-22

File No: RCR2024.2251

Order No.: LPRT904511/2025

Municipality: Red Deer County

In the matter of a proceeding commenced under section 36 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:

NW 8-39-26-W4M as described in Certificate of Title No. 112 335 796 (the “Land”), particularly the area granted in L.S. 11 for a Right-of-Entry Instrument (the “Site”).

Between:

Canadian Oil & Gas International Inc.,
Caroline Petroleums (1985) Ltd.,
Chair Holdings Limited,
Conserve Oil 9th Corporation,
Whitecap Resources Inc.,
COGI Limited Partnership,
DEL Canada GP Ltd.,
and
GEL German Energy Ltd.,

Other Parties,

- and -

David James Hazlett,

Applicant.

Before: Megan Lee Perry (“the Panel”)

Appearances by written submissions:

For the Applicant: David James Hazlett

For the Other Parties: Josh McSween, Manager Production & Operations, DEL Canada GP Ltd.

Brandie Simpson, Surface Land Analyst, Obsidian Energy Ltd.

DECISION AND REASONS

[1] This is a repeat application under s. 36(7) of the *Act*. The Minister previously paid the Applicant money that was due and unpaid by one of the Operators for this Site. The Applicant seeks recovery of unpaid compensation due under a Right-of-Entry Instrument in the amount of \$4,635.00 annually, for a total amount of \$23,175.00 under the Application for the years 2019, 2020, 2021, 2022, and 2023.

ISSUES

The Panel's decision is confined to the following issue:

1. Does the Panel have enough evidence to conclude that money is past due and unpaid by the Operators to the Applicant?

DECISION

1. The written evidence does not prove there is money past due and unpaid by the Operators to the Applicant for the years claimed. The Panel invites the Applicant to reapply and provide evidence clarifying the nature of the site for which compensation is claimed.

ANALYSIS

1. Does the Panel have enough evidence to conclude that money is past due and unpaid by the Operators to the Applicant?

[2] In the Application, the Applicant claimed the Agreement is for a wellsite and roadway. The Applicant indicated that the legal description for the Site is NW 8 39 26 W4M, L.S. 11. In the documentation provided by the Applicant evidencing past payment, the description of the area for which compensation was paid includes the following "TWP 39 RGE 26 W4M NW4 8 A/R 100/11-08-039-26W4/00 INTO NE/4 8 100/11-08039-26-W4". The Panel interprets this to mean that compensation was paid for an access road from the NW 8 39 26 W4M into the NE 8 39 26 W4M.

[3] Initial search results uncovered two licenses: license number 0014136 and license number 0016063. An Alberta Energy Regulator Well Summary Report dated June 7, 2024, for license number 0016063 shows DEL Canada GP Ltd. as the licence holder, and Caroline Petroleums (1985) Ltd., Chair Holdings Limited, DEL Canada GP Ltd., and GEL German Energy Ltd. as working interest participants.

[4] In an email dated October 3, 2024, DEL Canada GP Ltd. advised that it was erroneously named as an Operator for the Site, because well license 0016063 is located on the NE 8 39 26 W4M, not the NW 8 39 26 W4M, the Lands on which the Site is located. DEL Canada GP Ltd. further advised that it is current on lease payments for well licence 0016063.

[5] Turning to well licence No. 0014136, an Alberta Energy Regulator Well Summary Report dated June 7, 2024, shows Canadian Oil & Gas International Inc. as the licence holder, and Canadian Oil & Gas International Inc., Caroline Petroleums (1985) Ltd., Chair Holdings Limited, Conserve Oil 9th Corporation, and Penn West Petroleum Ltd. as the working interest participants.

[6] With respect to well licence No. 0014136, the Panel notes that a separate application was advanced by the Applicant to address outstanding compensation owed for that wellsite. The Panel therefore assumes that this Application is not intended to be for compensation owing under well licence No. 0014136.

[7] From the above, it is unclear whether the access road is intended to service either or both of the well licenses referenced herein. Without more, the Panel is unable to discern who the Operator or Operators are that would be responsible for compensation pursuant to this Right-of-Entry Instrument. Before issuing an order, the Panel needs to be confident what is covered by the Right-of-Entry Instrument for which compensation is claimed, as well as who the correct operators are that would be liable under that Right-of-Entry Instrument.

[8] The Panel dismisses the Application and invites the Applicant to reapply with evidence to substantiate whether the Compensation claimed is solely for an access road rather than a wellsite and roadway, and if so, which sites are serviced by the access road.

Dated at the County of Lac Ste Anne in the Province of Alberta this 22nd day of July, 2025.

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Megan Lee Perry, Member