



**LAND AND PROPERTY RIGHTS TRIBUNAL**

**Citation:** Wolbeck v Quattro Exploration and Production Ltd., 2025 ABLPRT 904569

**Date:** 2025-07-23

**File No:** RC2024.1055

**Order No:** LPRT904569/2025

**Municipality:** Flagstaff 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 27-42-17-W4M as described in Certificate of Title No. 152 302 829 +1 (the “Land”), particularly the area granted for a well site in L.S. 11 by Alberta Energy Regulator Licence No. 0120068 (the “Licence”), collectively (the “Site”).

**Between:**

Quattro Exploration and Production Ltd.,

Operator,

- and -

Ann Wolbeck,

Applicant.

**Before:** William Johnston (“the Panel”)

Appearances by written submissions:

For the Applicant: Ann Wolbeck

For the Operator: None

**BACKGROUND**

[1] The Applicant filed an application dated June 17, 2024, under section 36 of the *Act* (the Application) seeking recovery of unpaid compensation due under a surface lease agreement for the above Site (the “Right-of-Entry Instrument”). The Applicant claims \$2,000.00 annually, for a total amount of \$18,000.00 under the Application for 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, and 2023.

[2] On February 21, 2025, the Tribunal sent an Incomplete Application Notice to the Applicant stating, “The evidence you have provided is insufficient because the document you have submitted does not state the date of the original agreement/location of the site/amount of compensation due. Refer to the new recovery of compensation guide for examples of the kind of documents that might contain the information you need. Your application does not include any evidence to support your claim. The Tribunal typically examines if a valid agreement exists, the date of the agreement was signed, if the licence coordinates with the agreement and the rate of compensation.”

[3] The Applicant responded on February 24, 2025, stating that “I am not able to have further information as it was first a Signalta Resources lease and that got sold to Quattro Exploration. Quattro Exploration went bankrupt. The court appointed receiver was Hardy and Kelly. My last payment was October 2014.”

---

### DECISION AND REASONS

---

[4] The Applicant filed an application dated June 17, 2024, under section 36 of the *Act* (the Application). As the Applicant was not able to provide any additional information, the Panel will consider the Application on the basis of the evidence supplied in the Application.

#### ISSUES

1. Is there sufficient evidence in the Application for the Panel to confirm that compensation is outstanding?
2. Is there money past due and unpaid by the Operator to the Applicant under a Right of Entry Instrument?
3. Should the Tribunal direct the Minister to pay the Applicant any of the money past due under section 36 of the *Act*?

#### DECISION

1. The panel finds that there is insufficient evidence to determine the terms of the surface lease and the rate of compensation payable under the surface lease.
2. The evidence presented by the applicant did not provide satisfactory evidence to establish that the operator owes compensation under the surface lease, the date the compensation is due, or to prove non-payment for compensation for 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, and 2023.
3. Given the decision that compensation is due the Applicant, there is no basis on which to direct the Minister to pay the Applicant compensation.

#### ANALYSIS

1. Is there sufficient evidence in the Application for the Panel to confirm that compensation is outstanding?

[5] The Applicant stated that the Site is a wellsite that was undergoing reclamation but has not received a reclamation certificate as of the date of the Application. The Applicant declared, on the Application form,

that they were responsible for providing evidence in support of their claim; however, the Application did not provide the date the lease commenced, nor support for the \$2,000.00 annual lease rate claimed.

[6] In response to the Tribunal's Incomplete Application Notice, the Applicant advised that they were unable to supply any additional information, although they had attempted to obtain it from Signalta Resources Limited ("Signalta") and Quattro Exploration and Production Ltd. ("Quattro").

[7] Although the Certificate of Title indicates there was a caveat registered on the title on October 10, 1985, in the name of Quattro and the AER Well Summary Report indicates a well licence was issued on December 5, 1985, this evidence does not provide the Panel confirmation of the date the lease was effective nor the annual rate of compensation.

[8] Lacking evidence of the date the lease became effective and supporting documentation for the requested annual compensation rate, the Panel is unable to determine whether compensation is due to the Applicant and the date on which that compensation should be paid. Although compensation in some amount may be past due, the Panel is unable to confirm this fact based on the evidence provided.

2. Is there money past due and unpaid by the Operator to the Applicant under a Right of Entry Instrument?

[9] In the Application, the Applicant stated that compensation was outstanding and unpaid in the years from 2015 to 2023. Furthermore, the Application states that the annual compensation rate was \$2,000.00 per year. No evidence was presented to support the date the annual compensation was due, nor the annual rate of compensation. Lacking this information, the Panel is unable to verify whether the Applicant is due the payment of surface lease payments, nor the annual amount that should be paid on the lease anniversary date. Neither does the Application provide evidence that the compensation is due and payable.

[10] The Panel finds that there is insufficient evidence for the Panel to order payment to the Applicant for the compensation claimed.

3. Should the Tribunal direct the Minister to pay the Applicant any of the money past due under section 36 of the *Act*?

[11] Having determined that the Panel cannot direct the Operator to pay any compensation, the Panel also cannot order the Minister to pay any compensation.

[12] This finding does not preclude the Applicant from re-applying if the outstanding evidence becomes available.

Dated at the Town of Olds in the Province of Alberta this 23<sup>rd</sup> day of July, 2025.

**LAND AND PROPERTY RIGHTS TRIBUNAL**

---

William Johnston, Member