

BOARD ORDER: MGB 168/01

IN THE MATTER OF THE *Municipal Government Act* being Chapter M-26.1 of the Statutes of Alberta 1994 (Act).

AND IN THE MATTER OF AN APPEAL pertaining to certain linear assessment complaints (listed below) for the 2000 tax year filed by the following property owners.

BETWEEN:

AEC Oil & Gas Ltd., Amoco Canada Petroleum Company, ARC Resources Ltd., Baytex Energy Ltd., Bonavista Petroleum, Canadian Forest Oil Ltd., Compton Energy Inc., Compton Petroleum Corporation, Comparex Canada Ltd., Derrick Energy Corporation, Devon Energy Corp., Diaz Resources, Elk Point Resources Inc., Encal Energy Ltd., Enermark Inc., Enerplus Resources Corporation, EOG Resources Inc., Gascan Resources, Ionic Energy Inc., Jordan Petroleum Ltd., Marathon Canada Ltd., NAL Resources Limited, NCE Petrofund Corp., Northstar Energy Corp., Numac Energy, Omers Resources Ltd., Primewest Energy Inc., Probe Exploration Inc., Pursuit Resources Inc., Ranger Oil Limited, Renata Resources Inc., Saddle Resources Inc., Samson Canada, Shiningbank Energy Ltd., Sogar Resources Ltd., Summit Resources Limited, Suncor Energy, Transwest Energy Inc., Triumph Energy Corporation, Ulster Petroleums Ltd., Ventus Energy Inc., Viking Energy Acquisitions Ltd., Westrock Energy Resources Corp. - Complainants - represented by Wilson Laycraft

- a n d -

Designated Linear Property Assessor, Alberta Municipal Affairs - Respondent

BEFORE:

C. Bethune, Presiding Officer

L. Atkey, Member

A. Knight, Member

D. Woolsey, Secretariat

Upon notice being given to the affected parties, a hearing was held in the City of Calgary, in the Province of Alberta on June 11, 2001.

These are complaints filed to the Municipal Government Board (MGB) by the above mentioned property owners from the linear assessment notices issued by the Designated Linear Assessor (DLA) for the 1999 assessment year, 2000 tax year.

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	AEC Oil & Gas Ltd.	0R61	Lakeland County	567740
a	AEC Oil & Gas Ltd.	0R61	R.M. of wood Buffalo	695671
a	AEC Oil & Gas Co. Ltd.	0TT5	County of Grande Prairie	623156
a	AEC Oil & Gas Co. Ltd.	0TT5	Lacombe County	567154
a	Amber Energy Inc.	0PN2	M.D. of Lesser Slave River	662120
a	Amber Energy Inc.	0PN2	M.D. of Lesser Slave River	662125
a	Amber Energy Inc.	0PN2	M.D. of Lesser Slave River	662130
a	Amber Energy Inc.	0PN2	M.D. of Opportunity	662141
a	Amber Energy Inc.	0PN2	M.D. of Opportunity	662142
a	Amoco Canada Petroleum Company	0060	M.D. of Rocky View	564697
a	Amoco Canada Petroleum Company	0060	M.D. of Rocky View	564788
a	Amoco Canada Petroleum Company	0060	Mountain View County	564768
a	Amoco Canada Petroleum Company	0060	Mountain View County	564775
a	ARC Resources	0G30	Clearwater County	598763
a	ARC Resources	0G30	Clearwater County	620814
a	ARC Resources	0G30	County of Athabasca	588252
a	ARC Resources	0G30	County of Athabasca	588253
a	ARC Resources	0G30	County of Athabasca	588259
a	ARC Resources	0G30	Mountain View County	598763
a	Baytex Energy	0RL9	County of Stettler	664498
a	Baytex Energy	0RL9	County of Stettler	668848
a	Baytex Energy	0RL9	County of Two Hills	588864
a	Baytex Energy	0RL9	County of Two Hills	598466
a	Baytex Energy	0RL9	M.D. of East Peace	695965
a	Baytex Energy	0RL9	M.D. of East Peace	696351
a	Baytex Energy	0RL9	M.D. of Opportunity	669314
a	Baytex Energy	0RL9	M.D. of Opportunity	696325
a	Baytex Energy	0RL9	M.D. of Opportunity	696326
a	Baytex Energy	0RL9	M.D. of Opportunity	696327
a	Baytex Energy	0RL9	Red Deer County	602708
a	Baytex Energy	0RL9	Sturgeon County	596176
a	Baytex Energy	0RL9	Sturgeon County	610928
a	Baytex Energy	0RL9	Sturgeon County	654871
a	Baytex Energy	0RL9	Sturgeon County	654879
a	Baytex Energy	0RL9	Westlock County	582741
a	Baytex Energy	0RL9	Westlock County	592535
a	Baytex Energy	0RL9	Westlock County	592536
a	Bonavista Petroleum	0MD6	County of Stettler	640994
a	Bonavista Petroleum	0MD6	County of Stettler	640996
a	Bonavista Petroleum	0MD6	County of Stettler	647753
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	582780
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	591222

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	696991
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	673507
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	562522
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	697230
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	699097
a	Bonavista Petroleum	0MD6	M.D. of Northern Lights	582780
a	Bonavista Petroleum	0MD6	M.D. of Northern Lights	589470
a	Bonavista Petroleum	0MD6	M.D. of Northern Lights	589477
a	Bonavista Petroleum	0MD6	Special Areas Board	685773
a	Bonavista Petroleum	0MD6	Special Areas Board	686849
a	Bonavista Petroleum	0MD6	Special Areas Board	688203
a	Bonavista Petroleum	0MD6	Special Areas Board	685012
a	Bonavista Petroleum	0MD6	Special Areas Board	685022
a	Bonavista Petroleum	0MD6	Special Areas Board	685023
a	Bonavista Petroleum	0MD6	Special Areas Board	685024
a	Bonavista Petroleum	0MD6	Special Areas Board	691449
a	Bonavista Petroleum	0MD6	Special Areas Board	691451
a	Bonavista Petroleum	0MD6	Special Areas Board	685606
a	Bonavista Petroleum	0MD6	Special Areas Board	685746
a	Canadian Forest Oil Ltd.	0T82	Clearwater County	615586
a	Canadian Forest Oil Ltd.	0T82	Clearwater County	615587
a	Canadian Forest Oil Ltd.	0T82	County of Camrose	584658
a	Canadian Forest Oil Ltd.	0T82	County of Paintearth	632011
a	Canadian Forest Oil Ltd.	0T82	County of Red Deer	595885
a	Canadian Forest Oil Ltd.	0T82	County of Stettler	626020
a	Canadian Forest Oil Ltd.	0T82	M.D. of Provost	660202
a	Canadian Forest Oil Ltd.	0T82	Parkland County	655231
a	Canadian Forest Oil Ltd.	0T82	Saddle Hills County	636852
a	Canadian Forest Oil Ltd.	0T82	Saddle Hills County	636853
a	Canadian Forest Oil Ltd.	0T82	Starland County	619172
a	Canadian Forest Oil Ltd.	0T82	Starland County	619173
a	Canadian Forest Oil Ltd.	0T82	Starland County	619174
a	Canadian Forest Oil Ltd.	0T82	Vulcan County	654596
a	Canadian Forest Oil Ltd.	0T82	Vulcan County	658539
a	Canadian Forest Oil Ltd.	0T82	Vulcan County	658541
a	Compton Energy Inc.	0CZ7	County of Two Hills	615670
a	Compton Petroleum Corporation	0CW8	County of Lethbridge	637300
a	Compton Petroleum Corporation	0CW8	M.D. of Foothills	658471
a	Coparex Canada Ltd.	0KN8	M.D. of Smoky River	643786
a	Derrick Energy Corp.	0RD2	County of Newell	572182
a	Devon Energy corp.	0WE1	Starland County	628194
a	Elk Point Resources Inc.	0RL1	County of Athabasca	649477

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Elk Point Resources Inc.	ORL1	County of Thorhild	668079
a	Elk Point Resources Inc.	ORL1	County of Warner	605670
a	Elk Point Resources Inc.	ORL1	County of Warner	619420
a	Elk Point Resources Inc.	ORL1	Westlock County	640128
a	Elk Point Resources Inc.	ORL1	Westlock County	643809
a	Elk Point Resources Inc.	ORL1	Westlock County	645546
a	Elk Point Resources Inc.	ORL1	Westlock County	645547
a	Elk Point Resources Inc.	ORL1	Westlock County	646447
a	Elk Point Resources Inc.	ORL1	Westlock County	646448
a	Encal Energy Ltd.	OLR8	Red Deer County	578044
a	Encal Energy Ltd.	OLR8	Red Deer County	579898
a	Encal Energy Ltd.	OLR8	Red Deer County	627259
a	Encal Energy Ltd.	OLR8	Red Deer County	675960
a	Encal Energy Ltd.	OLR8	Red Deer County	675962
a	Encal Energy Ltd.	OLR8	Special Areas Board	646435
a	Enermark Inc.	0P34	M.D. of Acadia	635861
a	Enermark Inc.	0P34	M.D. of Big Lakes	646814
a	Enermark Inc.	0P34	M.D. of Big Lakes	689972
a	Enerplus Resources Corporation	0JD4	County of Paintearth	610213
a	Enerplus Resources Corporation	0JD4	County of Paintearth	610215
a	Enerplus Resources Corporation	0JD4	Cypress County	537692
a	Enerplus Resources Corporation	0JD4	Cypress County	541685
a	Enerplus Resources Corporation	0JD4	Cypress County	541688
a	Enerplus Resources Corporation	0JD4	Cypress County	541698
a	Enerplus Resources Corporation	0JD4	Cypress County	541702
a	Enerplus Resources Corporation	0JD4	Cypress County	541708
a	Enerplus Resources Corporation	0JD4	Cypress County	541709
a	Enerplus Resources Corporation	0JD4	Cypress County	541710
a	Enerplus Resources Corporation	0JD4	Cypress County	574971
a	Enerplus Resources Corporation	0JD4	Cypress County	574984
a	Enerplus Resources Corporation	0JD4	Cypress County	574986
a	Enerplus Resources Corporation	0JD4	Cypress County	579139
a	Enerplus Resources Corporation	0JD4	Cypress County	593544
a	Enerplus Resources Corporation	0JD4	Cypress County	593552
a	Enerplus Resources Corporation	0JD4	Cypress County	593556
a	Enerplus Resources Corporation	0JD4	Cypress County	593557
a	Enerplus Resources Corporation	0JD4	Cypress County	593574
a	Enerplus Resources Corporation	0JD4	Cypress County	593591
a	Enerplus Resources Corporation	0JD4	Cypress County	593592
a	Enerplus Resources Corporation	0JD4	Cypress County	593599
a	Enerplus Resources Corporation	0JD4	Cypress County	593602
a	Enerplus Resources Corporation	0JD4	Cypress County	593615

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Enerplus Resources Corporation	0JD4	Special Areas Board	685366
a	Enerplus Resources Corporation	0JD4	Special Areas Board	685741
a	Enerplus Resources Corporation	0JD4	Special Areas Board	685925
a	Enerplus Resources Corporation	0JD4	Special Areas Board	685927
a	EOG Resources Inc.	0K13	County of Athabasca	658210
a	EOG Resources Inc.	0K13	County of Athabasca	658211
a	EOG Resources Inc.	0K13	County of Athabasca	662379
a	EOG Resources Inc.	0K13	M.D. of Brazeau	612029
a	EOG Resources Inc.	0K13	M.D. of Sturgeon	633438
a	EOG Resources Inc.	0K13	Parkland County	595053
a	Gascan Resources Ltd.	0RO7	Cypress County	579219
a	Gascan Resources Ltd.	0RO7	M.D. of Big Lakes	635206
a	Ionic Energy Inc.	0WP2	Lac Ste. Anne County	698295
a	Ionic Energy Inc.	0WP2	Sturgeon County	698204
a	Ionic Energy Inc.	0WP2	Village of Onoway	698295
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619361
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619353
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619354
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619355
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619356
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619357
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619358
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619359
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619360
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619362
a	Marathon Canada Limited	0AL2	County of Thorhild	622030
a	Marathon Canada Limited	0AL2	Kneehill County	576342
a	Marathon Canada Limited	0AL2	Kneehill County	576365
a	Marathon Canada Limited	0AL2	M.D. of East Peace	622214
a	Marathon Canada Limited	0AL2	M.D. of East Peace	629289
a	Marathon Canada Limited	0AL2	M.D. of East Peace	629314
a	Marathon Canada Limited	0AL2	M.D. of East Peace	639349
a	Marathon Canada Limited	0AL2	M.D. of East Peace	657557
a	Marathon Canada Limited	0AL2	M.D. of East Peace	727189
a	Marathon Canada Limited	0AL2	M.D. of Foothills	647110
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	545624
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	627168
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	627171
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	627176
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	625091
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	627200
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	647303

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	647306
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	647311
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	647312
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	648432
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	696295
a	Marathon Canada Limited	0AL2	Mountain View County	628442
a	Marathon Canada Limited	0AL2	Special Areas Board	638959
a	Marathon Canada Limited	0AL2	Special Areas Board	638961
a	Marathon Canada Limited	0AL2	Special Areas Board	638962
a	Marathon Canada Limited	0AL2	Special Areas Board	617078
a	Marathon Canada Limited	0AL2	Special Areas Board	580403
a	Marathon Canada Limited	0AL2	Special Areas Board	580435
a	Marathon Canada Limited	0AL2	Special Areas Board	580436
a	Marathon Canada Limited	0AL2	Special Areas Board	580442
a	Marathon Canada Limited	0AL2	Special Areas Board	580523
a	Marathon Canada Limited	0AL2	Starland County	646969
a	Marathon Canada Limited	0AL2	Town of Three Hills	576342
a	Marathon Canada Limited	0AL2	Vulcan County	609790
a	Marathon Canada Limited	0AL2	Vulcan County	609798
a	Marathon Canada Limited	0AL2	Vulcan County	630364
a	Marathon Canada Limited	0AL2	Vulcan County	644802
a	Marathon Canada Limited	0AL2	Vulcan County	653014
a	Marathon Canada Limited	0AL2	Vulcan County	653015
a	NAL Resources	0TM9	Lacombe County	569767
a	NAL Resources	0TM9	Lacombe County	569773
a	NAL Resources	0TM9	Red Deer County	599031
a	NAL Resources	0TM9	Red Deer County	599293
a	NAL Resources	0TM9	Red Deer County	601858
a	NAL Resources	0TM9	Red Deer County	608383
a	NAL Resources	0TM9	Red Deer County	608436
a	NAL Resources	0TM9	Red Deer County	611552
a	NCE Petrofund Corp.	0MH4	M.D. of Taber	579828
a	NCE Petrofund Corp.	0MH4	Vulcan County	646414
a	NCE Petrofund Corp.	0MH4	Vulcan County	647008
a	NCE Petrofund Corp.	0MH4	Vulcan County	647009
a	NCE Petrofund Corp.	0MH4	Vulcan County	647016
a	NCE Petrofund Corp.	0MH4	Vulcan County	700754
a	NCE Petrofund Corp.	0MH4	Yellowhead County	635114
a	NCE Petrofund Corp.	0MH4	Yellowhead County	635115
a	Northstar Energy Corp.	0BK8	M.D. of Taber	579649
a	Northstar Energy Corp.	0BK8	Mountainview County	607258
a	Numac Energy Inc.	0307	County of Paintearth	583622

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Numac Energy Inc.	0307	County of Wetaskiwin	624648
a	Omers Resources Ltd.	0CP9	County of Stettler	624085
a	Omers Resources Ltd.	0CP9	County of Stettler	629610
a	Omers Resources Ltd.	0CP9	County of Stettler	630498
a	Omers Resources Ltd.	0CP9	County of Stettler	630951
a	Omers Resources Ltd.	0CP9	County of Stettler	636935
a	Omers Resources Ltd.	0CP9	County of Stettler	637381
a	Omers Resources Ltd.	0CP9	Starland County	627073
a	Omers Resources Ltd.	0CP9	Starland County	637364
a	Omers Resources Ltd.	0CP9	Starland County	637381
a	Primewest Energy Inc.	0N00	Clearwater County	559828
a	Primewest Energy Inc.	0N00	Clearwater County	670132
a	Primewest Energy Inc.	0N00	County of Forty Mile	582933
a	Primewest Energy Inc.	0N00	M.D. of Greenview	699193
a	Primewest Energy Inc.	0N00	M.D. of Greenview	699244
a	Primewest Energy Inc.	0N00	M.D. of Taber	616737
a	Primewest Energy Inc.	0N00	M.D. of Taber	623808
a	Primewest Energy Inc.	0N00	M.D. of Taber	623809
a	Primewest Energy Inc.	0N00	M.D. of Taber	623825
a	Primewest Energy Inc.	0N00	M.D. of Taber	640039
a	Primewest Energy Inc.	0N00	M.D. of Taber	640049
a	Primewest Energy Inc.	0N00	M.D. of Taber	640050
a	Primewest Energy Inc.	0N00	M.D. of Taber	640051
a	Primewest Energy Inc.	0N00	M.D. of Taber	640053
a	Primewest Energy Inc.	0N00	Mountain View County	568210
a	Primewest Energy Inc.	0N00	Mountain View County	568211
a	Primewest Energy Inc.	0N00	Mountain View County	595617
a	Primewest Energy Inc.	0N00	Red Deer County	559825
a	Probe Exploration Inc.	0M66	Leduc County	594194
a	Probe Exploration Inc.	0M66	Leduc County	594198
a	Probe Exploration Inc.	0M66	Leduc County	594199
a	Probe Exploration Inc.	0M66	Leduc County	594200
a	Probe Exploration Inc.	0M66	Leduc County	607981
a	Probe Exploration Inc.	0M66	Leduc County	607982
a	Probe Exploration Inc.	0M66	Leduc County	607987
a	Probe Exploration Inc.	0M66	Leduc County	607989
a	Probe Exploration Inc.	0M66	Leduc County	607996
a	Probe Exploration Inc.	0M66	Leduc County	607999
a	Probe Exploration Inc.	0M66	Leduc County	608003
a	Probe Exploration Inc.	0M66	Leduc County	609490
a	Probe Exploration Inc.	0M66	Leduc County	609658
a	Probe Exploration Inc.	0M66	Leduc County	609680

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Probe Exploration Inc.	0M66	Leduc County	609683
a	Probe Exploration Inc.	0M66	Leduc County	609685
a	Probe Exploration Inc.	0M66	Leduc County	609686
a	Probe Exploration Inc.	0M66	Leduc County	609687
a	Probe Exploration Inc.	0M66	Leduc County	562149
a	Probe Exploration Inc.	0M66	Leduc County	674976
a	Probe Exploration Inc.	0M66	Leduc County	698465
a	Probe Exploration Inc.	0M66	Parkland County	608097
a	Probe Exploration Inc.	0M66	Parkland County	608268
a	Probe Exploration Inc.	0M66	Parkland County	608272
a	Probe Exploration Inc.	0M66	Parkland County	549728
a	Probe Exploration Inc.	0M66	Town of Devon	595677
a	Probe Exploration Inc.	0M66	Town of Devon	632649
a	Probe Exploration Inc.	0M66	Town of Devon	632651
a	Pursuit Energy Inc.	0LG4	Clearwater County	637683
a	Pursuit Energy Inc.	0LG4	County of Stettler	631418
a	Pursuit Energy Inc.	0LG4	Lacombe County	630096
a	Pursuit Energy Inc.	0LG4	Red Deer County	630096
a	Pursuit Energy Inc.	0LG4	Red Deer County	637683
a	Ranger Oil Limited	0035	County of Camrose	586214
a	Ranger Oil Limited	0035	County of Camrose	586215
a	Ranger Oil Limited	0035	County of St. Paul	593239
a	Ranger Oil Limited	0035	M.D. of Wainwright	566302
a	Ranger Oil Limited	0035	M.D. of Wainwright	572692
a	Ranger Oil Limited	0035	Special Areas Board	685912
a	Ranger Oil Limited	0035	Special Areas Board	685913
a	Renata Resources Inc.	0WC5	County of Warner	658394
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	637327
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	637328
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	618142
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	663011
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	667043
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	667045
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	667050
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	667052
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	696184
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	673030
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	698290
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	699153
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	699155
a	Samson Canada	0NX9	County of Lethbridge	663211
a	Samson Canada	0NX9	County of Lethbridge	663214

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Shiningbank Energy Ltd.	0TR8	County of Grande Prairie	642560
a	Sogar Resources	0NX1	Mountain View County	576499
a	Sogar Resources	0NX1	Mountain View County	607708
a	Sogar Resources	0NX1	Red Deer County	619960
a	Summit Resources Limited	0L06	County of Camrose	626176
a	Summit Resources Limited	0L06	M.D. of Taber	647493
a	Summit Resources Limited	0L06	M.D. of Taber	647494
a	Summit Resources Limited	0L06	Vulcan County	646487
a	Suncor Energy Inc.	0054	M.D. of Greenview	556539
a	Suncor Energy Inc.	0054	M.D. of Greenview	556540
a	Transwest Energy Inc. c/o Jordan Petroleum Ltd.	0382	M.D. of Bonnyville	625374
a	Transwest Energy Inc. c/o Jordan Petroleum Ltd.	0382	M.D. of Bonnyville	625806
a	Transwest Energy Inc. c/o Jordan Petroleum Ltd.	0382	Special Areas Board	685834
a	Triumph Energy Corporation	0DX8	County of Forty Mile	602478
a	Triumph Energy Corporation	0DX8	County of Forty Mile	647480
a	Triumph Energy Corporation	0DX8	Cypress County	602460
a	Ulster Petroleums Ltd.	0K16	Lacombe County	617666
a	Ulster Petroleums Ltd.	0K16	Lacombe County	619310
a	Ulster Petroleums Ltd.	0K16	Lacombe County	633282
a	Ulster Petroleums Ltd.	0K16	Lacombe County	633309
a	Ulster Petroleums Ltd.	0K16	Lacombe County	633313
a	Ulster Petroleums Ltd.	0K16	Lacombe County	666469
a	Ulster Petroleums Ltd.	0K16	Sturgeon County	654978
a	Ventus Energy Inc./Inuvialuit	0TX8	County of Camrose	647760
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of East Peace	643719
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of East Peace	643721
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569484
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569488
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569489
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569496
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569499
a	Viking Energy Acquisitions Ltd.	0XE8	M.D. of Brazeau	595379
a	Viking Energy Acquisitions Ltd.	0XE8	Westlock County	579286
a	Westrock Energy Resources Corp.	0KR9	M.D. of Bonnyville	628983
a	Westrock Energy Resources Corp.	0KR9	Red Deer County	644432
b	AEC Oil & Gas Ltd.	0R61	R.M. of wood Buffalo	695673
b	Baytex Energy	0RL9	County of Stettler	660219
b	Baytex Energy	0RL9	M.D. of East Peace	696804
b	Bonavista Petroleum	0MD6	M.D. of Clear Hills	698851
b	Marathon Canada Limited	0AL2	M.D. of Opportunity	627214

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
b	NAL Resources	0TM9	Red Deer County	593183
b	Primewest Energy Inc.	0N00	Clearwater County	559818
b	Primewest Energy Inc.	0N00	Clearwater County	559820
b	Primewest Energy Inc.	0N00	Cypress County	632980
b	Primewest Energy Inc.	0N00	M.D. of Taber	638173
b	Primewest Energy Inc.	0N00	Red Deer County	559818
b	Primewest Energy Inc.	0N00	Red Deer County	559820
b	Probe Exploration Inc.	0M66	Leduc County	594176
b	Probe Exploration Inc.	0M66	Leduc County	594183
b	Probe Exploration Inc.	0M66	Leduc County	609486
b	Probe Exploration Inc.	0M66	Leduc County	609665
b	Probe Exploration Inc.	0M66	Leduc County	609670
b	Probe Exploration Inc.	0M66	Leduc County	697394
b	Probe Exploration Inc.	0M66	Leduc County	697404
b	Samson Canada	0NX9	M.D. of MacKenzie	590667
b	Ulster Petroleums Ltd.	0K16	Kneehill County	559319
b	Ulster Petroleums Ltd.	0K16	Kneehill County	690496
c	Diaz Resources Ltd.	0XH8	Special Areas Board	655754
c	Diaz Resources Ltd.	0XH8	Special Areas Board	655755
c	Diaz Resources Ltd.	0XH8	Special Areas Board	655756
d	ARC Resources	0G30	County of Athabasca	588248
d	ARC Resources	0G30	County of Athabasca	590441
d	ARC Resources	0G30	Lakeland County	589923
d	ARC Resources	0G30	Lakeland County	589926
d	ARC Resources	0G30	Special Areas Board	624028
d	Baytex Energy	0RL9	County of Minburn	573642
d	Baytex Energy	0RL9	County of Two Hills	578042
d	Baytex Energy	0RL9	County of Two Hills	578043
d	Baytex Energy	0RL9	Sturgeon County	587959
d	Baytex Energy	0RL9	Sturgeon County	558451
d	Baytex Energy	0RL9	Sturgeon County	610932
d	Baytex Energy	0RL9	Sturgeon County	629166
d	Baytex Energy	0RL9	Sturgeon County	654869
d	Bonavista Petroleum	0MD6	M.D. of Fairview	600554
d	Bonavista Petroleum	0MD6	M.D. of Northern Lights	589474
d	Bonavista Petroleum	0MD6	Special Areas Board	687197
d	Bonavista Petroleum	0MD6	Special Areas Board	687205
d	Bonavista Petroleum	0MD6	Special Areas Board	688199
d	Bonavista Petroleum	0MD6	Special Areas Board	688200
d	Bonavista Petroleum	0MD6	Special Areas Board	688204
d	Bonavista Petroleum	0MD6	Special Areas Board	688205
d	Bonavista Petroleum	0MD6	Special Areas Board	566641

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
d	Bonavis ta Petroleum	0MD6	Special Areas Board	685605
d	Canadian Forest Oil Ltd.	0T82	County of Stettler	627781
d	Canadian Forest Oil Ltd.	0T82	Special Areas Board	687464
d	Coparex Canada Ltd.	0KN8	M.D. of Greenview	660766
d	Marathon Canada Limited	0AL2	County of Thorhild	622027
d	Marathon Canada Limited	0AL2	Kneehill County	581458
d	Marathon Canada Limited	0AL2	Kneehill County	581487
d	Marathon Canada Limited	0AL2	Kneehill County	634527
d	Marathon Canada Limited	0AL2	Kneehill County	581494
d	Marathon Canada Limited	0AL2	Kneehill County	588533
d	Marathon Canada Limited	0AL2	Kneehill County	597779
d	Marathon Canada Limited	0AL2	Kneehill County	576850
d	Marathon Canada Limited	0AL2	M.D. of East Peace	622212
d	Marathon Canada Limited	0AL2	M.D. of East Peace	622216
d	Marathon Canada Limited	0AL2	M.D. of East Peace	693458
d	Marathon Canada Limited	0AL2	M.D. of East Peace	629282
d	Marathon Canada Limited	0AL2	M.D. of Opportunity	648433
d	Marathon Canada Limited	0AL2	Special Areas Board	580886
d	Marathon Canada Limited	0AL2	Vulcan County	609786
d	Marathon Canada Limited	0AL2	Vulcan County	638250
d	Marathon Canada Limited	0AL2	Vulcan County	654424
d	Marathon Canada Limited	0AL2	Vulcan County	639159
d	Probe Exploration Inc.	0M66	Leduc County	609666
d	Probe Exploration Inc.	0M66	Leduc County	632646
d	Probe Exploration Inc.	0M66	Leduc County	556221
d	Probe Exploration Inc.	0M66	Leduc County	572767
d	Ranger Oil Limited	0035	County of Paintearth	645689
d	Ranger Oil Limited	0035	County of Paintearth	645691
d	Samson Canada	0NX9	Clearwater County	637543
d	Samson Canada	0NX9	M.D. of Big Lakes	628811
d	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569476
d	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569479
d	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569481
d	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569482
d	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569493
e	Canadian Forest Oil Ltd.	0T82	Parkland County	669850
e	Canadian Forest Oil Ltd.	0T82	Parkland County	669851
e	Enermark Inc.	0P34	M.D. of Brazeau	584336
resolved	NAL Resources	0TM9	Clearwater County	690478
resolved	Probe Exploration Inc.	0M66	Special Areas Board	581875
withdrawn	ARC Resources	0G30	Clearwater County	620804
withdrawn	ARC Resources	0G30	Mountain View County	598790

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
withdrawn	ARC Resources	0G30	Saddle Hills County	653872
withdrawn	Baytex Energy	0RL9	Kneehill County	595240
withdrawn	Baytex Energy	0RL9	Lac Ste. Anne County	607768
withdrawn	Baytex Energy	0RL9	Sturgeon County	692875
withdrawn	Bonavista Petroleum	0MD6	M.D. of Clear Hills	591215
withdrawn	Bonavista Petroleum	0MD6	M.D. of Clear Hills	591216
withdrawn	Bonavista Petroleum	0MD6	M.D. of Clear Hills	635494
withdrawn	Marathon Canada Limited	0AL2	Kneehill County	576359
withdrawn	Marathon Canada Limited	0AL2	Kneehill County	640133
withdrawn	Marathon Canada Limited	0AL2	M.D. of East Peace	629303
withdrawn	Marathon Canada Limited	0AL2	M.D. of East Peace	693765
withdrawn	Marathon Canada Limited	0AL2	M.D. of East Peace	629317
withdrawn	Marathon Canada Limited	0AL2	M.D. of Opportunity	627184
withdrawn	Marathon Canada Limited	0AL2	M.D. of Opportunity	625084
withdrawn	Marathon Canada Limited	0AL2	Vulcan County	628995
withdrawn	NAL Resources	0TM9	Clearwater County	559276
withdrawn	NAL Resources	0TM9	Lacombe County	608452
withdrawn	NAL Resources	0TM9	M.D. of Greenview	695935
withdrawn	NAL Resources	0TM9	M.D. of Taber	594019
withdrawn	NAL Resources	0TM9	Red Deer County	597407
withdrawn	NAL Resources	0TM9	Red Deer County	599034
withdrawn	NAL Resources	0TM9	Red Deer County	608426
withdrawn	NAL Resources	0TM9	Red Deer County	593203
withdrawn	NAL Resources	0TM9	Red Deer County	559276
withdrawn	NAL Resources	0TM9	Red Deer County	559278
withdrawn	Probe Exploration Inc.	0M66	Leduc County	609492
withdrawn	Probe Exploration Inc.	0M66	Leduc County	609608
withdrawn	Probe Exploration Inc.	0M66	Leduc County	612745
withdrawn	Probe Exploration Inc.	0M66	Leduc County	672302
withdrawn	Probe Exploration Inc.	0M66	Leduc County	672638
withdrawn	Probe Exploration Inc.	0M66	Leduc County	697386
withdrawn	Probe Exploration Inc.	0M66	Leduc County	697388
withdrawn	Probe Exploration Inc.	0M66	Leduc County	698464
withdrawn	Probe Exploration Inc.	0M66	Special Areas Board	691323
withdrawn	Triumph Energy Corporation	0DX8	County of Forty Mile	670655

BACKGROUND

At issue in these complaints is the assessment of non-operational pipeline properties, specifically pipelines connected to abandoned wells or fields and replacement pipeline. For purposes of this Board Order the complaints are categorized into the following sub-categories.

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- a) Non-operational pipelines running to and from an abandoned well or wells.
- b) Non-operational pipelines running to or from non-producing wells within an abandoned zone.
- c) A series of non-operational pipelines that form the gathering system of an abandoned field.
- d) Non-operational pipelines within a legal subdivision that has an abandoned well.
- e) And non-operational pipelines that have been replaced by another pipeline to an active well.

The focus of the complaints is on the treatment by the DLA of what the Complainants argue are non-operational pipelines. All of the properties under complaint in categories (a) to (d) go to or are from non-operational wells that may be either abandoned or non-producing wells. Category (e) involves non-operational pipeline connected to an active well that has been replaced with another pipeline.

For purposes of this Order these subcategories of complaints are dealt with in two Parts in this order. Part I deals with categories (a) to (d) and Part II deals with category (e) complaints.

PART 1 – PIPELINE ATTACHED TO ABANDONED WELLS

History (Prior to 2000 Tax Year)

Prior to the 2000 Tax Year, the preparation of assessment of linear property was based on a self-reporting system. Each company provided directly to the DLA the status of any pipeline in its ownership.

The subject pipeline properties were considered “flowline” for taxation purposes prior to the 1999 assessment/2000 tax year. Flowline was considered to be pipeline that runs from a well to the first junction with another pipeline, or pipeline that runs directly from a well to a facility such as a battery. A flowline was pipeline dedicated to bringing product from a well to the gathering line. All pipeline that was not flowline was considered to be pipeline for assessment purposes. Attached to pipeline or the gathering line will be numerous flowlines some of which are attached to active wells and some of which are attached to non-active wells.

In 1998, Alberta Municipal Affairs introduced a new linear assessment format. The most significant difference between the two formats is that flowlines no longer appeared on the well detail sheets, but were instead registered as pipeline on the detail sheets, however, there still remained a distinction between flowline and pipeline for assessment purposes in 1998. Detail sheets provided a description of the assessed property, which includes the property’s Permanent Property Inventory Identifier (PPI-ID) number, location and operational status.

Depreciation allowances based on production status are traditionally allotted to the properties to recognize their lessened production capacity. Prior to the 2000 taxation year, non-operational flowline, abandoned flowline, and abandoned line pipe (constructed prior to 1940) were all given a depreciation

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factor of 100%, while non-operational pipeline, aged flowline, and line pipe (constructed prior to 1940) were assessed at 50%.

A well was considered to be non-producing where it did not produce for twelve months preceding the assessment date (October 31). Prior to the 2000 taxation year, flowlines attached to non-producing wells were automatically granted non-operational status and received a zero assessment. Similar treatment was given to flowlines attached to low-producing wells where the well failed to meet minimal production standards.

For assessment purposes, well production status was derived from Alberta Energy and Utilities Board (AEUB) data. Prior to 2000, line pipe and flowlines attached to non-operational or abandoned wells did not require separate registration with respect to their non-operational or abandoned status in order to receive full depreciation allowances. Rather, the DLA assumed their abandoned status as a result of the attached well's condition or through information reported by the property owners. Any new depreciation allowances sought for non-operational property did require the filing of a declaration with the DLA, however, most disputes regarding assessments were settled between the DLA and property owners by means of negotiation and the exchange of information.

2000 Taxation Year

In April 1999 the Act was amended to introduce the use of AEUB records for the preparation of linear property assessments. During the 2000 taxation year there was a shift in the way linear property assessments were prepared. Instead of the company preparing a report for the DLA, the DLA focused on the registered status of linear property at the AEUB.

During the 2000 taxation year, linear assessments for all linear property are prepared based primarily on the AEUB registered status. The DLA relies on the status of the pipeline as recorded and registered at the AEUB. The traditional distinction between flowline and pipeline and the de facto status of the property is no longer recognized. Instead, pipeline that is connected to non-producing wells receives a 90% depreciation in recognition of the non-productive nature of the property. Pipeline that is connected to an abandoned well is considered to be fully operational unless the pipeline itself has a registered status of "abandoned" or "discontinued" at the AEUB and no additional depreciation is granted. Pipeline that has facility code WE and the "to" or "from" location is within a Legal Subdivision (LSD) that has a non-producing well receives a 90% depreciation.

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Overview of the Issue

The basic premise of the complaints is that these changes, the severed link of flowlines with abandoned wells and the disregard of the flowline/pipeline distinction, has resulted in the inappropriate assessment of flowlines which would previously have received a zero assessment. Flowlines and pipelines may have the same non-producing or inactive de facto status yet are assessed in one situation at a 90% depreciation where the line is attached to a non-producing well, or is 100% fully operational if the line is attached to abandoned well but has not been registered with the AEUB.

The DLA alleges that the Act, Regulations, and Minister's Guidelines require the DLA to determine the status of the pipeline solely by the registered status at AEUB. The DLA indicates that the Complainants were given ample notice of this changed practice through instructions contained in the Reporting Well and Pipeline Information for the Tax Year 2000 (Handbook). The DLA indicates that, since abandoned wells are not assessed, the DLA need only to look to the registered status of the pipeline to determine how to classify the pipeline. Was it correct for the DLA to assume that abandoned wells are not assessed? Was it correct for the DLA to exclude pipeline attached to an abandoned well from being classified and coded as pipeline attached to a non-producing well which receives a 90% depreciation?

The transition from the full self-reporting system to reliance on AEUB records occurred during the 1999 Assessment/2000 Taxation year.

ISSUES

The key issue in this part of the complaint is about the DLA's decision to interpret and apply the rules governing the depreciation of pipeline property. While pipeline connected to a non-producing well is allotted a 90% depreciation, similar pipeline attached to an abandoned well is assessed as if it were operational pipeline, which in fact it is not. The MGB must decide whether the DLA properly interpreted and applied the rules governing this assessment. If he did, then the MGB must go further and decide whether this assessment produced a fair and equitable result and if not whether the MGB can rectify that fact. In particular the issues are:

1. The MGB must decide whether the DLA was correct in insisting that unless abandoned pipeline was registered under the Pipeline Act with the Alberta Energy and Utilities Board (AEUB), it must be assessed as operational. Or rather, should the DLA have explored the AEUB's records further (as he could have done) and classified pipeline attached to an abandoned well as falling within the definition of pipeline attached to a non-producing well.

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2. Is “non-producing well” a term that excludes an abandoned well because of certain statutory definitions that use both terms. Alternatively, is “non-producing well” a term that encompasses a well that does not produce because it is abandoned?

LEGISLATION

The MGB must look to both the *Pipeline Act* and the *Municipal Government Act* to resolve the matter before it. Firstly, the MGB looks to the *Municipal Government Act* as this is the prime authority related to the preparation of assessments.

Municipal Government Act

Section 292 is the primary source of guidance for the preparation of linear property assessments in the MGA.

Section 292 (1) Assessments for linear property must be prepared by the assessor designated by the Minister.

(2) Each assessment must reflect

(a) the valuation standard set out in the regulation for linear property, and

(b) the specifications and characteristics of the linear property on October 31 of the year in which the tax is imposed under Part 10 in respect of the linear property, as contained in

(i) the records of the Alberta Energy and Utilities Board, or

(ii) the report requested by the assessor under subsection (3)

(3) If the assessor considers it necessary, the assessor may request the operator of the linear property to provide a report relating to that property setting out the information requested by the assessor.

(4) On receiving a request under subsection (3), the operator must provide the report not later than December 31.

(5) If the operator does not provide the report in accordance with subsection (4), the assessor must prepare the assessment using whatever information is available about the linear property.

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In order to resolve the issues before it, the MGB must examine the definitions of “abandoned”, “discontinued”, “non-producing” and “suspended” in the Minister’s Guidelines “1999 Alberta Linear Property Assessment Manual” (Manual). Sections 1.2.3 (a), (c) and (g) provide definitions for “abandoned”, “discontinued” and “non-producing”.

1999 Alberta Linear Property Assessment Manual

Section 1.2.3

- a) “Abandoned” is the status of pipe determined on the record at the Alberta Energy and Utilities Board or as determined by the assessor designated by the Minister of Municipal Affairs.
- b) “Discontinued” is the status of pipe determined on the record at the Alberta Energy and Utilities Board or as determined by the assessor designated by the Minister of Municipal Affairs.
- c) “Non-producing Well” means a well that did not produce in the 12 months preceding October 31 of that assessment year determined on the record at the Alberta Energy and Utilities Board or as determined by the assessor designated by the Minister of Municipal Affairs.
- d) “Suspended” is the status of well determined on the record at the Alberta Energy and Utilities Board or as determined by the assessor designated by the Minister of Municipal Affairs.

Interwoven in resolving this matter is the question of what is expected of the Complainants with respect to the accuracy of the AEUB records and whether or not it can reasonably be expected that the AEUB records can be used with reliability or whether a report must be requested instead. To examine this question the MGB looks to Section 32, 33 and 34 of the Pipeline Act and Key Regulations.

Pipeline Act

Section 32 A licensee shall not

- (a) suspend the normal operation of a pipeline, except in an emergency or for repairs or maintenance or in the ordinary course of operating the pipeline,*
- (b) discontinue the operation of a pipeline, or*
- (c) resume the operation of a pipeline previously discontinued,*

without the consent in writing of the Board or in accordance with an order of the Board.

Section 33 (1) Except in the ordinary course of making repairs or of maintenance, no pipeline or part of a pipeline may be taken up, removed or abandoned without the

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consent of the Board and the consent of the Board may be given subject to any terms and conditions the Board prescribes.

(2) The Board may cancel the licence or amend the licence because of the taking up, removal or abandonment of the pipeline or any part of the pipeline.

Section 34 (1) When in its opinion it would be in the public interest to do so, the Board may, on any terms and conditions it considers proper, direct a permittee or licensee

- (a) to alter or relocate any part his pipeline, or*
- (b) to install additional or other equipment on his pipeline.*

Pipeline Regulation 122/87 (Current to AR 71/2001)

1 (1) The terms defined in section 1 (1) of the Act and in the codes and standards referred to in section 6 have the same meaning in this regulation.

- (a) “abandonment” means the permanent deactivation of a pipeline or part of a pipeline, whether or not it is removed;*
- (b) “discontinue” means the temporary deactivation of a pipeline or part of a pipeline where the licence remains in effect*

Considering the matters in dispute in this case revolve around a difference of opinion about the duties of the assessor, the MGB must look to Section 293 of the Act where these duties are defined. In addition, the Complainants and the DLA approach the relationship between Section 292 and 293 differently. The DLA takes the position that the application of fairness and equity applies only after the DLA accesses the records at the AEUB with the assumption that the records are complete and correct. The Complainants assert that the principle of fairness and equity applies to the total process and inherently to Section 292. The MGB must decide on the relationship of Section 293 to Section 292 and how the principles of fairness and equity apply to this case.

Section 293 (1) In preparing an assessment, the assessor must, in a fair and equitable manner,

- (a) apply the valuation standards set out in the regulations, and*
- (b) follow the procedures set out in the regulations.*

(2) If there are no procedures set out in the regulations for preparing assessments, the assessor must take into consideration assessments of similar property in the same municipality in which the property that is being assessed is located.

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The MGB also examined Section 298 to determine if any of the subject property or related property referred to in this hearing was not assessable. Section 298 lists the properties for which no assessment is to be prepared. For the sake of brevity s. 298 is not reproduced in this Board Order.

The MGB also examined any legislative authority that would allow corrections to be made where errors are determined to exist in the assessment. Section 305 sets out a system of corrections.

Section 305 If it is discovered that there is an error, omission, or misdescription in any of the information shown on the assessment roll,

- (a) the assessor may correct the assessment roll for the current year only, and*
- (b) on correcting the roll, an amended assessment notice must be prepared and sent to the assessed person.*

Section 488(1)(a) gives the MGB jurisdiction to hear complaints regarding linear assessments. Section 499(1) gives the MGB the jurisdiction to change a linear assessment within the boundaries designated in Section 492(1), as long as the MGB does not alter any assessment that is fair and equitable in regard to the assessment of similar properties. The MGB must decide if everything the assessor does in preparing the assessment on the subject property must be done in a fair and equitable manner. If fairness and equity applies to all the actions of the DLA does this now enable the MGB through Section 499 (2) to also determine whether fairness and equity has been achieved?

Section 499 (2) The Board must not alter

(a) any assessment that is fair and equitable taking into consideration assessments of similar property in the same municipality.

The Complainants submitted that this section gives the MGB the authority to alter the assessments under complaint. The DLA submitted that the MGB does not have any authority beyond that which the DLA has with respect to the specific depreciation allowances found in the regulations and that the properties under complaint had already received their legal limited allowances.

Matters Related to Assessment and Taxation Regulation (AR 289/99)

Section 6 (1) and (2) establishes that the assessor must follow the procedures set out in the Minister's Guidelines and both parties to the hearing agreed that this a mandatory direction.

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1999 Minister's Guidelines for the Assessment of Farmland, Linear Property, Machinery and Equipment and Railway

Part 3, Sections 5, 6 and 7 set out the definitions and methodology to be followed for the creation of linear assessments. These Sections set out cost based methodology for the determination of the assessed value for linear property. This methodology generally includes the following steps outlined in Section 6.

Section 5 Definitions

In this Part

- (a) "Assessment Year Modifier", means the factor which is applied to the base cost of linear property in order to determine its replacement cost for the year in which assessments are prepared for all property in a municipality;
- (b) "base cost" means the cost of an improvement, as prescribed in the 1999 Alberta Linear Property Assessment Manual;
- (c) "linear property" has the meaning given in the Act;
- (d) "replacement cost" means the typical cost to replace an improvement with a modern unit in new condition.

Section 6 Calculation of Assessment

The assessed value of linear property in a municipality, excluding wellsite land, shall be calculated by:

- (a) establishing a base cost as prescribed in Schedule A of the 1999 Alberta Linear Property Assessment Manual;
- (b) multiplying the base cost by the appropriate Assessment Year Modifier prescribed in Schedule B of the 1999 Alberta Linear Property Assessment Manual, to determine the replacement cost in the assessment year;
- (c) multiplying the amount determined in clause (b) by the appropriate depreciation factor prescribed in Schedule C of the 1999 Alberta Linear Property Assessment Manual; and
- (d) if applicable, adjusting the amount determined in clause (c) for additional depreciation as prescribed in Schedule D of the 1999 Alberta Linear Property Assessment Manual.

Section 1.2.3.1 sets out the base cost for each type of pipeline. Schedule C sets out the regulated depreciation factors while Schedule D sets out the regulated additional depreciation.

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3. SCHEDULE C – DEPRECIATION

For linear property that is not described in Schedule C the depreciation factor shall be determined in a manner that is fair and equitable with factors in Schedule C.

3.3 PIPELINE

The depreciation factor for pipeline is 0.75

4. SCHEDULE D – ADDITIONAL DEPRECIATION

4.3 PIPELINE

4.3.1 Pipe

Additional depreciation of pipe shall be determined using the table below

Code	Pipe	Depreciation Factor
PLW	Pipe that has a facility code WE and the to or from locations is within an LSD that has a non producing well	0.10
PLD	Discontinued	0.10
PLA	Abandoned	0
PLO	Pipe constructed prior to 1940*	0.50

* Status declared by each company

4.3.2 Single and Multi-Zone Wells

Additional depreciation for a well shall be determined using the table below. The operational data of a well is compiled for the period of 12 months preceding October 31 of the assessment year as determined on the record at the Alberta Energy and Utilities Board.

Code	Single and Multi-Zone Wells	Depreciation Factor
WL200	Exempt	0
WL210	Non-producing well	0.10
WL211	Suspended well*	0.10
WL220	Abandoned well	0

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*Apply factor to operating well type prior to suspended status occurring

Handbook for Reporting Well and Pipeline Information for the Tax Year 2000

The MGB examined carefully the Handbook even though it is not a Regulation or Ministerial Guideline. Specific references were made to pages 5, 8, and 9 which provide instructions to property owners on what must be reported. For purposes of brevity the contents of the Handbook are not repeated in this order.

SUMMARY OF COMPLAINANTS' POSITION

Pipeline Attached to Abandoned Well Like Pipeline Attached to Non-Producing Well

The Complainants argue that the DLA wrongly interpreted the Manual by concluding that allowances for depreciation are to be applied only to pipeline connected to a non-producing well and not to abandoned wells. The Complainants submitted that a pipeline to a non-producing well is identical to pipeline to an abandoned well, the latter being a more extreme version of the former. The Complainants conclude that a pipeline to an abandoned well must, at minimum, be afforded the same treatment as pipeline connected to a discontinued well.

The Complainants argued that the DLA has mistakenly concluded that the Manual and Guidelines allow only for depreciation on pipeline connected to non-producing wells and not abandoned wells. The Complainants submitted that these two pipeline situations are virtually identical with the exception that an abandoned well is at a definitive and final status as it is no longer capable of producing because of the “closing off” process undertaken when the determination to abandon a well is made. The Complainants relayed that the abandonment process involves removal of the wellhead, the placing of a cement-sealed bridge plug in the well hole and the disconnection and cap weld of any pipelines attached. As a result, the well and corresponding pipelines are completely unavailable for any type of production. Therefore, the Complainants suggested that at a minimum the pipelines leading to abandoned wells should receive the same assessment depreciation as those leading to non-producing wells for the sake of fairness and equity.

The Complainants explained that a non-producing well can be brought back into production without much difficulty, but an abandoned well is basically a “fait accompli” unless a large amount of capital is invested towards the reopening and reconfiguring of the well.

The Complainants relayed that most linear property is assessed using the Replacement Cost formulation which, they submitted, is a method that takes into account the utility of property when determining value. As support for this interpretation the Complainants presented two definitions, the first from the 1984 Department of Municipal Affairs Assessment Manual, Section 1.200.130 which defines this method as:

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“The cost to replace an improvement with a modern unit in new condition and of equivalent utility”

The Complainants also submitted a definition of Replacement Cost from the 1962 publication of *The Appraisal of Real Estate*, cited in the Quebec case of Montreal (Communaute urbaine) v. Imprimerie Cooperative Harpell [1996] A.Q. no 3698, DRE 97-16902 which states:

“It is important to have a clear understanding of the distinction between the meaning of the terms 'reproduction cost' and 'replacement cost'. Reproduction cost is the present cost of reproducing the improvement with one of exactly or highly similar material. Replacement cost is the present cost of replacing the improvement with one having exactly the same utility. In many instances it is difficult to estimate the cost of reproduction because identical materials are not available and construction methods have changed.”

The Complainants submitted that this concept of Replacement Cost is central to the argument that the pipelines attached to abandoned wells should be assessed at a minimum of 90% depreciation. The Complainants argue that logically there is no Replacement Cost value associated with an abandoned line because if it were destroyed there would be no utility gained by replacing it.

The Complainants submitted that a prime principle of property assessment is that similar properties must receive similar assessments based on their common attributes. The Complainants cited the case of Ontario (Regional Assessment Commissioner, Region Number 13) v. Downtown Oshawa Property Owners' Assn., [1978] 2 S.C.R. 1030 (Q.L.) at 4-5 for its proposition that "similarity" entails more than the mere physical characteristics of two pieces of property but extends to notion of properties “of the same general nature, character and function.” The Complainants argued that the concept of utility is the best factor for comparable similarity between the subject property and other properties, rather than a focus on the physical size and material. The Complainants submitted that de facto abandoned or discontinued pipeline has the same utility as inactive or non-producing pipeline and, therefore, equity would demand they be assessed in a similar manner. The Complainants referenced Section 4.3.1 of the 1999 Linear Property Guide as supporting the demand of equity between similar properties and argued that on this basis it is completely inappropriate for inactive property, i.e. abandoned pipelines, to be assessed in the same manner as fully productive property.

The Complainants asserted that the intent behind obsolescence allowances is to recognize the principle that property should not be taxed for its non-productive features. The Complainants cited the case of Dominion Bridge Co. v. Mississauga (Town) [1974] 3 O.R. (2nd) 205 (Ont. CA) as support for this premise in that the Court stated at 207-208:

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“The underlying premise of an allowance for obsolescence is that a taxpayer should not be taxed on the non-productive features of his building and if the present use is a factor to be taken into consideration, there is no reason why the obsolescent features relating to the present user of the premises ought not to be taken into consideration.”

The Complainants also cited Re British Columbia Forest Products Ltd. [1961] 36 W.W.R. 145 (BCSC) at 154 for its determination that an assessor cannot disregard obsolescence when determining value in that:

“... it is implicit in the reasoning of the learned chief justice that economic obsolescence where it exists must be taken to be as real and as vital a factor in the determination of assessment value of an industrial plant as a 'going concern', as would be functional obsolescence and other factors that no assessor may jettison for purpose of advocating his own pet theories regarding proper principles of assessment”

The Complainants submitted that the MGB has also established as a principle that non-productive machinery and equipment is entitled to a reduction in value. In particular, they referenced Board Order MGB 171/98 as an example where the MGB concluded that inoperable machinery stored on site at a gas plant could not be assessed in the same manner as the functioning machinery.

AEUB Records Versus Actual Status Of Pipeline

The Complainants brought forward the complaints on the basis of an alleged inconsistency in assessments of pipelines attached to non-producing wells and of pipelines attached to abandoned wells. The Complainants outlined several case scenarios in which this occurred. The Complainants argued that the recent change in linear assessment practice, whereby the DLA strictly relies on the AEUB data, has resulted in inequity for similar de facto status pipelines. The Complainants reported that prior to the 2000 tax year flowlines were generally assessed with the wells to which they were attached. Therefore, if a well were assessed at a minimal rate based on its status of production, the flowline that was attached would also have been assessed at either a minimal rate or at 100% depreciation. Furthermore, if a well was abandoned, both the well and the flowline attached would not be assessed at all and after one year all record of it would be removed from the details sheets. The Complainants relayed that prior to the 2000 tax year, the assessments of flowlines were not dependent upon their status as registered with the AEUB. The Complainants submitted that in the 2000 tax year the DLA altered his methodology by relying primarily on the AEUB data and by taking the position that the registered status of a property is wholly determinative of the assessment of the property despite its previously recognized de facto status. Therefore, unless a flowline was independently registered as abandoned or discontinued, it was deemed to be fully operational and subject to 100% assessment. The Complainants noted, however, that this only applied to abandoned wells, whereas lines attached to non-producing wells were assessed at 90% depreciation despite the AEUB registered status.

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The Complainants submitted that Section 292 and 293 of the MGA demonstrate that not only must assessments be prepared with the presiding principles of fairness and equity, but that the assessments must also individually reflect the specifications and characteristics of the property and this suggests that the actual status must be considered.

The Complainants argued that the DLA mistakenly misinterpreted the legislation by assuming that he is required to prepare assessments solely on the registry at the AEUB. The Complainants asserted that the legislation did not intend for the AEUB to be the sole source of information in the determination of assessments. If it had, Section 292 of the MGA would have made that clear rather than allowing the DLA the discretion to utilize all available information by requesting a report where the records are not sufficient. The Complainants submitted that the DLA is given broad discretion in the regulations to make independent determinations on the de facto status of linear property. In particular, the Complainants pointed to Section 1.2.3 of the Manual, which defines “abandoned”, “discontinued”, “non-producing” and “suspended.” The Complainants drew special attention to the definition of “non-producing well”. (Emphasis added.)

- g) " 'Non-producing well' means a well that did not produce in the 12 months preceding October 31 of that assessment year determined on the record at Alberta Energy and Utilities Board **or** as determined by the assessor designated by the Minister of Municipal Affairs."

The Complainants submitted that these subsections make it abundantly clear that the DLA can either rely on the record of the AEUB or use his or her own discretion in the determination of status by requesting a report. The Complainants submitted that this discretion is specifically granted to allow an assessor to take into consideration unregistered physical characteristics and functional capacities as was done prior to the 2000 taxation year in order to maintain fair and equitable assessments.

In support of this proposition, the Complainants introduced the case of Pacific Logging Co. Ltd. v. Province of British Columbia, [1974] 16 N.R. 525, which examined the degree of discretion required on the part of the assessor in order to formulate a proper assessment for lands covered by water. The Court commented at pg. 532 that:

“To explain further, I am of the opinion that, before any assessment could be valid, each lake must be inspected by the assessor. As I have said, he may not act arbitrarily. His inspection will disclose if a lakebed be firm or mere silt or rotted vegetation. It is common that numbers of lakes have sand bottoms or rock bottoms; others have silt, and others have even a lighter mass of rotted vegetation many feet in depth. The last described would have little or no actual value whatever. The arbitrary method selected

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here takes no account of the physical features of the land covered by water and purported to be assessed.”

The Complainants asserted that the principle presented in this case readily transfers to the situation at hand. The Complainants explained that many of the abandoned wells and attached pipelines have been out of use for decades and are in fact now covered by farmer’s fields, making the property totally inaccessible and unusable for their original intended purpose.

The Complainants submitted that it is a long held principle in Canada that an assessor must have regard for the actual use to which a property is put when determining value for assessment. The Complainants directed the MGB’s attention to a quote from the case of Sun Life Assurance Co. of Canada v. The City of Montreal [1950] S.C.R. 220, where the Chief Justice of Canada stated at 224 that:

“The rule was laid down by Lord Parmoor in Great Western and Metropolitan Railway Companies v. Kensington Assessment Committee [1916] 1 A.C. 23 at 54, that in such a case ‘the hereditament should be valued as it stands and as used and occupied when the assessment is made.’ In the yearly valuation of a property for purposes of municipal assessment there is no room for hypothesis as regards the future of the property. The assessor should not look at past, or subsequent or potential values. His valuation must be based on conditions as he finds them at the date of the assessment.”

The Complainants referenced two later cases that followed the principles set out in the Sun Life case to display the strength these principles still carry. The first case is British Columbia (Assessor of Area No. 09 – Vancouver) v. Yorkville Homes (III) Inc. [1995] B.C.J. 2186 (BCSC) where land designated for residential use, but which was being used as a parking lot at the time of assessment was assessed using high residential rates. The Court held that the assessor was in error for not considering the actual use of the property and that until construction began, the property could not be assessed as being used for residential purposes. The second case submitted by the Complainants is Hay Stationery Inc. v. Ontario (Reg Assessment Commr Reg 23) 18 O.R. (3d) 76 (Q.L.). Here the Court made it clear that potential use was not a proper method for assessment classification, but only actual use should be considered.

In regard to these three cases, the Complainants submitted that the subject properties must be assessed with respect to their actual use at the time of assessment and that the subject properties had no use at that time. The Complainants did not dispute that there is some potential for abandoned wells and lines to be brought back into production with considerable work and expense, but argued that until such action occurred, future potential is irrelevant for linear assessment purposes.

Conclusion

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The Complainants concluded in their submission that an abandoned well is simply a form of a discontinued or non-producing well, therefore, if pipelines attached to non-producing wells receive an automatic depreciation allowance so should pipelines attached to abandoned wells, regardless of the pipelines' registered status with the AEUB. Lastly, the Complainants referenced the case of Quebec (Communaute Urbaine) v. Corp. Notre-Dame de Bon-Secours [1994] 3 S.C.R. 3 in support of the notion that the interpretation of tax legislation requires an entire contextual and grammatical understanding and that when there is a reasonable doubt as to the interpretation, the matter should be resolved in favour of the taxpayer. The Complainants suggested to the MGB that if they were to find ambiguity in the legislation surrounding this issue, that they consider and give weight to the principles in this case and the Bramalea case. The Complainants respectfully requested that the MGB recognize the similarity between abandoned wells and non-producing wells in regard to their de facto status and adjust the assessments in a fair and equitable manner.

The Complainants argued that an abandoned well is a form of non-producing well. They stated that an abandoned well is in a non-productive state and abandonment encompasses both discontinued and non-producing. Therefore, the appealed pipelines fall squarely within the standard of pipeline connected to a non-producing well and must receive the 90% depreciation allowance accorded to pipeline given the PLW designation in Schedule D of the Manual. In the view of the Complainants it is illogical that a line attached to a non-producing well is assessed as an operational line.

The Complainants further argued that the non-productive features of a property must be recognized by the assessor and taken into account when arriving at an assessment. Equity demands that all non-productive properties of a like nature receive the same treatment.

SUMMARY OF RESPONDENT'S POSITION

AEUB Records Versus Actual Status Of Pipeline

The DLA submitted that the linear assessments in respect to the properties in question were prepared correctly and in accordance with the relevant legislation and regulations and should therefore be confirmed by the MGB.

The DLA submitted that Section 292 of the MGA sets out the direction for the preparation of linear assessments and that each assessment must reflect the valuation standard set out in the regulations and the specifications and characteristics of the linear property on October 31st as contained in the AEUB registry or based on the report requested by the assessor. The DLA relayed that all the information used to create linear assessments is derived from the AEUB records and that the onus is on the property owner to ensure that these records are kept current.

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The DLA argues that it is the responsibility of the Complainants to ensure that information at the AEUB is accurate, correct and up to date. The DLA referenced the case of Amoco Canada Petroleum Co. v. Alberta [1998] A.J. No. 1426 in support of the proposition that linear assessment is a self-reporting system and therefore, it is the property owner who is responsible for the correctness of the information in the assessment roll.

“Assessment of linear property runs on a self-reporting system. Although there is no direct suggestion that the errors in the rolls resulted from deliberate omissions by the appellants, the information on the rolls was not correct and the appellants were responsible for the correctness of the information.”

The DLA submitted that the “discretion” designated to the assessor in the Handbook is not a means to an independent source of assessment data, but rather a means of supplementing AEUB data or a means to account for linear property that does not properly belong in the AEUB registry. The DLA reported that while there may be the discretion to seek out further information, this is generally not practiced as it is assumed that the proper status and specification details will be reported to the AEUB. The DLA submitted that it was never the intention of the legislation to require the assessor to personally inspect all linear property in the Province and that the very nature of linear property prevents such an undertaking in any event.

The Handbook follows through on this principle by enunciating that inventory changes can only be made through the AEUB.

“To ensure your inventory is correct in the EUB database, you must file the proper forms with the EUB.”

The Handbook goes on to provide specific instructions including:

1. the reporting of non-operational pipeline will no longer be accepted or used,
2. that pipeline with a WE code will receive additional depreciation,
3. that changes should be reported relating to the following:
 - c) proportion of pipeline located in municipality,
 - d) completion status of new pipeline,
 - e) pipeline constructed prior to 1940,
 - f) report on discontinued and abandoned pipeline accompanied with a form file with the AEUB,
 - g) if AEUB record is in error a copy of the correcting documentation submitted to the AEUB,
 - h) any license change including a copy of the EUB approval.

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In regard to the requirement in Section 292 for the assessment to reflect the “specifications and characteristics” of the subject property, the DLA submitted that this refers to the physical status of the property, such as diameter of the pipeline, or status of the well as recorded with the AEUB, and not the unreported de facto utility of a property as suggested by the Complainants.

The DLA asserted that in order for pipeline to be properly abandoned under the Pipeline Act, the property owner must receive the approval of the AEUB. The DLA submitted that if the property owners in these appeals had followed the Pipeline Act in this regard, the pipelines would have been properly registered in the data bank and may not have been considered assessable. The DLA submitted that because the property was registered as operational, it is legally assessable as such. The DLA submitted that once the status of the pipeline is changed with the AEUB, that change is reflected in the following taxation year but not in the current year unless the status is changed before the effective date of October 31. The assessor noted that none of the Complainants undertook to change the status of the lines in question with the AEUB before the assessment date.

The DLA submitted that the case law utilized by the Complainants to support the argument that the assessor must have regard for the actual use of the pipeline, is inappropriate for the situation at hand. The DLA argued that none of the cases consider the legislation as it exists in Alberta with respect to the assessment of linear property, nor deal with the regulated assessment of a self-reporting system and thus the principles contained in these cases are not transferable.

The DLA further argued that the Complainants case law reference in Exhibit C1, Tab 23 for Talisman and Exhibit C1, Tab 12 for Strathcona was not relevant since the former dealt with matters under the 1997 Manual. In the latter case, the DLA points out the current Manuals set out a scheme for linear assessment which was not applicable in the Strathcona case. The DLA further argues that it is the current regulated scheme for the assessment of linear property that makes these other cases distinguishable. As well, the case law presented by the Complainants refers to non-Alberta cases that were governed by different legislation.

The DLA submitted that property owners were made aware of the upcoming transition in the regulated procedures in 1998 and owners were informed that they would be required to update the status of the non-operational and abandoned wells and lines. The DLA also asserted that, in any event, a committee had been set up to assist in the transition. The Pipeline Transition Committee (PTC) recognized that there is a considerable cost involved for a company to discontinue or abandon a pipeline with the AEUB. As a means to alleviate these costs the PTC suggested a practice whereby pipelines with operational status connected to a well with a facility code “WE” and pipelines to or from a legal subdivision with a non-producing well, receive a 90% depreciation allowance. However, the PTC maintained the obligation was on the property owners to update their records with the AEUB.

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Regarding the relevancy of the PTC the DLA argued that this evidence was relevant because the committee dealt directly with transitional issues concerning the use of AEUB data and the depreciation of pipeline, from which recommendations were made to the Minister for new regulations.

The DLA acknowledged the assessor's discretion under Section 305 of the MGA to amend an assessment if there is an error, omission or misdescription on the assessment roll, however, he asserted that no such errors had occurred. The DLA argued that the proper valuation standards were applied and the methods prescribed by the legislation were followed in a consistent manner. The DLA asserted that the result of this methodology, and the reliance on the specifications and characteristics recorded in the registry at the AEUB, is fairness and equity for all linear property assessments. On this basis, the DLA requested that the MGB confirm the assessments of the subject properties.

Application of Depreciation

The DLA submitted that linear property is a very regulated assessment and that the legislation specifically provides the amount of depreciation that can be allotted to particular types of linear property. The DLA expressed the opinion that the regulations leave the assessor with little or no room for subjective valuation and no authority to provide additional depreciation to pipeline beyond that which has been expressly provided in the 1999 Manual.

With respect to the jurisdiction and authority of the MGB to alter the linear assessments, the DLA argued that both the assessor and the MGB must apply the depreciation factors as legislated by the Manual and that neither the assessor nor the MGB has the authority to provide additional or different depreciation for pipelines beyond these directions. The DLA submitted that as the assessor does not have an "inherent jurisdiction" to alter the assessments neither does the MGB.

The DLA further submitted that the abandoned wells are not addressed specifically in the legislation because they are not assessed if their abandoned status has been registered with the AEUB. The DLA argued that it would not be appropriate for the MGB to group abandoned wells in the same category as non-producing wells at the Complainants' request because these are two very different and distinct categories. Non-producing wells are specifically allotted a 90% depreciation allowance and abandoned wells are not assessed at all. The DLA suggested that allowing the two terms to be used interchangeably would create confusion and be in direct conflict with the intent of the legislation.

FINDINGS

Upon hearing and considering the representations and the evidence of the parties shown on attached Appendix A, and upon having read and considered the documents shown on attached Appendix B, the MGB finds the facts in the matter to be as follows:

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1. AEUB records contain information with certain limits. The AEUB records allow the assessor to identify pipeline attached to abandoned wells or non-producing wells.
2. Although a property owner has the onus to register all pipelines with AEUB not all segments of pipeline are registered.
3. An abandoned well and the pipeline attached to the abandoned well is assessable under the Act.
4. The DLA and the MGB only have authority to apply depreciation in accordance with the Regulations on Assessment and Taxation.
5. Schedule D of the Manual requires that all pipeline attached to non-producing wells receive a 90% depreciation allowance.
6. A non-producing well and an abandoned well should be treated the same for assessment purposes. The application of appropriate depreciation must be applied to both types of wells and its attached pipeline.
7. Non-operational pipeline with a facility code WE, running to and from non-producing wells within an abandoned zone, is pipeline attached to a non-producing well and is to receive a 90% depreciation allowance. (Category b)
8. Non-operational pipeline with a facility code of WE, attached to a non-producing well and forming the gathering system of an abandoned field, is pipeline attached to a non-producing well and is to receive a 90% depreciation allowance. (Category c)
9. For pipeline with a facility code of WE within a legal subdivision that has an abandoned well, only the segment attached to an abandoned or non-producing well is to receive a depreciation allowance of 90%. (Category d)
10. Fairness and equity is not achieved by classifying pipeline attached to an abandoned well as operational pipeline.
11. For depreciation purposes, where the subject property is pipeline with a facility code of PLW and attached to an abandoned well, it is deemed to be similar to pipeline attached to a non-producing well. A non-producing well is given the classification of PLW and receives a 90% depreciation allowance.

In consideration of the above and having regard to the provisions of the *Municipal Government Act*, the Board makes the following decision, for the reasons set out below.

DECISION

The following properties are pipelines attached to non-producing wells and are to be given the Code PLW with the corresponding 90% depreciation allowance.

Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	AEC Oil & Gas Ltd.	0R61	Lakeland County	567740

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	AEC Oil & Gas Ltd.	0R61	R.M. of wood Buffalo	695671
a	AEC Oil & Gas Co. Ltd.	0TT5	County of Grande Prairie	623156
a	AEC Oil & Gas Co. Ltd.	0TT5	Lacombe County	567154
a	Amber Energy Inc.	0PN2	M.D. of Lesser Slave River	662120
a	Amber Energy Inc.	0PN2	M.D. of Lesser Slave River	662125
a	Amber Energy Inc.	0PN2	M.D. of Lesser Slave River	662130
a	Amber Energy Inc.	0PN2	M.D. of Opportunity	662141
a	Amber Energy Inc.	0PN2	M.D. of Opportunity	662142
a	Amoco Canada Petroleum Company	0060	M.D. of Rocky View	564697
a	Amoco Canada Petroleum Company	0060	M.D. of Rocky View	564788
a	Amoco Canada Petroleum Company	0060	Mountain View County	564768
a	Amoco Canada Petroleum Company	0060	Mountain View County	564775
a	ARC Resources	0G30	Clearwater County	598763
a	ARC Resources	0G30	Clearwater County	620814
a	ARC Resources	0G30	County of Athabasca	588252
a	ARC Resources	0G30	County of Athabasca	588253
a	ARC Resources	0G30	County of Athabasca	588259
a	ARC Resources	0G30	Mountain View County	598763
a	Baytex Energy	0RL9	County of Stettler	664498
a	Baytex Energy	0RL9	County of Stettler	668848
a	Baytex Energy	0RL9	County of Two Hills	588864
a	Baytex Energy	0RL9	County of Two Hills	598466
a	Baytex Energy	0RL9	M.D. of East Peace	695965
a	Baytex Energy	0RL9	M.D. of East Peace	696351
a	Baytex Energy	0RL9	M.D. of Opportunity	669314
a	Baytex Energy	0RL9	M.D. of Opportunity	696325
a	Baytex Energy	0RL9	M.D. of Opportunity	696326
a	Baytex Energy	0RL9	M.D. of Opportunity	696327
a	Baytex Energy	0RL9	Red Deer County	602708
a	Baytex Energy	0RL9	Sturgeon County	596176
a	Baytex Energy	0RL9	Sturgeon County	610928
a	Baytex Energy	0RL9	Sturgeon County	654871
a	Baytex Energy	0RL9	Sturgeon County	654879
a	Baytex Energy	0RL9	Westlock County	582741
a	Baytex Energy	0RL9	Westlock County	592535
a	Baytex Energy	0RL9	Westlock County	592536
a	Bonavista Petroleum	0MD6	County of Stettler	640994
a	Bonavista Petroleum	0MD6	County of Stettler	640996
a	Bonavista Petroleum	0MD6	County of Stettler	647753
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	582780
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	591222
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	696991

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	673507
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	562522
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	697230
a	Bonavista Petroleum	0MD6	M.D. of Clear Hills	699097
a	Bonavista Petroleum	0MD6	M.D. of Northern Lights	582780
a	Bonavista Petroleum	0MD6	M.D. of Northern Lights	589470
a	Bonavista Petroleum	0MD6	M.D. of Northern Lights	589477
a	Bonavista Petroleum	0MD6	Special Areas Board	685773
a	Bonavista Petroleum	0MD6	Special Areas Board	686849
a	Bonavista Petroleum	0MD6	Special Areas Board	688203
a	Bonavista Petroleum	0MD6	Special Areas Board	685012
a	Bonavista Petroleum	0MD6	Special Areas Board	685022
a	Bonavista Petroleum	0MD6	Special Areas Board	685023
a	Bonavista Petroleum	0MD6	Special Areas Board	685024
a	Bonavista Petroleum	0MD6	Special Areas Board	691449
a	Bonavista Petroleum	0MD6	Special Areas Board	691451
a	Bonavista Petroleum	0MD6	Special Areas Board	685606
a	Bonavista Petroleum	0MD6	Special Areas Board	685746
a	Canadian Forest Oil Ltd.	0T82	Clearwater County	615586
a	Canadian Forest Oil Ltd.	0T82	Clearwater County	615587
a	Canadian Forest Oil Ltd.	0T82	County of Camrose	584658
a	Canadian Forest Oil Ltd.	0T82	County of Paintearth	632011
a	Canadian Forest Oil Ltd.	0T82	County of Red Deer	595885
a	Canadian Forest Oil Ltd.	0T82	County of Stettler	626020
a	Canadian Forest Oil Ltd.	0T82	M.D. of Provost	660202
a	Canadian Forest Oil Ltd.	0T82	Parkland County	655231
a	Canadian Forest Oil Ltd.	0T82	Saddle Hills County	636852
a	Canadian Forest Oil Ltd.	0T82	Saddle Hills County	636853
a	Canadian Forest Oil Ltd.	0T82	Starland County	619172
a	Canadian Forest Oil Ltd.	0T82	Starland County	619173
a	Canadian Forest Oil Ltd.	0T82	Starland County	619174
a	Canadian Forest Oil Ltd.	0T82	Vulcan County	654596
a	Canadian Forest Oil Ltd.	0T82	Vulcan County	658539
a	Canadian Forest Oil Ltd.	0T82	Vulcan County	658541
a	Compton Energy Inc.	0CZ7	County of Two Hills	615670
a	Compton Petroleum Corporation	0CW8	County of Lethbridge	637300
a	Compton Petroleum Corporation	0CW8	M.D. of Foothills	658471
a	Coparex Canada Ltd.	0KN8	M.D. of Smoky River	643786
a	Derrick Energy Corp.	0RD2	County of Newell	572182
a	Devon Energy corp.	0WE1	Starland County	628194
a	Elk Point Resources Inc.	0RL1	County of Athabasca	649477
a	Elk Point Resources Inc.	0RL1	County of Thorhild	668079

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Elk Point Resources Inc.	ORL1	County of Warner	605670
a	Elk Point Resources Inc.	ORL1	County of Warner	619420
a	Elk Point Resources Inc.	ORL1	Westlock County	640128
a	Elk Point Resources Inc.	ORL1	Westlock County	643809
a	Elk Point Resources Inc.	ORL1	Westlock County	645546
a	Elk Point Resources Inc.	ORL1	Westlock County	645547
a	Elk Point Resources Inc.	ORL1	Westlock County	646447
a	Elk Point Resources Inc.	ORL1	Westlock County	646448
a	Encal Energy Ltd.	0LR8	Red Deer County	578044
a	Encal Energy Ltd.	0LR8	Red Deer County	579898
a	Encal Energy Ltd.	0LR8	Red Deer County	627259
a	Encal Energy Ltd.	0LR8	Red Deer County	675960
a	Encal Energy Ltd.	0LR8	Red Deer County	675962
a	Encal Energy Ltd.	0LR8	Special Areas Board	646435
a	Enermark Inc.	0P34	M.D. of Acadia	635861
a	Enermark Inc.	0P34	M.D. of Big Lakes	646814
a	Enermark Inc.	0P34	M.D. of Big Lakes	689972
a	Enerplus Resources Corporation	0JD4	County of Paintearth	610213
a	Enerplus Resources Corporation	0JD4	County of Paintearth	610215
a	Enerplus Resources Corporation	0JD4	Cypress County	537692
a	Enerplus Resources Corporation	0JD4	Cypress County	541685
a	Enerplus Resources Corporation	0JD4	Cypress County	541688
a	Enerplus Resources Corporation	0JD4	Cypress County	541698
a	Enerplus Resources Corporation	0JD4	Cypress County	541702
a	Enerplus Resources Corporation	0JD4	Cypress County	541708
a	Enerplus Resources Corporation	0JD4	Cypress County	541709
a	Enerplus Resources Corporation	0JD4	Cypress County	541710
a	Enerplus Resources Corporation	0JD4	Cypress County	574971
a	Enerplus Resources Corporation	0JD4	Cypress County	574984
a	Enerplus Resources Corporation	0JD4	Cypress County	574986
a	Enerplus Resources Corporation	0JD4	Cypress County	579139
a	Enerplus Resources Corporation	0JD4	Cypress County	593544
a	Enerplus Resources Corporation	0JD4	Cypress County	593552
a	Enerplus Resources Corporation	0JD4	Cypress County	593556
a	Enerplus Resources Corporation	0JD4	Cypress County	593557
a	Enerplus Resources Corporation	0JD4	Cypress County	593574
a	Enerplus Resources Corporation	0JD4	Cypress County	593591
a	Enerplus Resources Corporation	0JD4	Cypress County	593592
a	Enerplus Resources Corporation	0JD4	Cypress County	593599
a	Enerplus Resources Corporation	0JD4	Cypress County	593602
a	Enerplus Resources Corporation	0JD4	Cypress County	593615
a	Enerplus Resources Corporation	0JD4	Special Areas Board	685366

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Enerplus Resources Corporation	0JD4	Special Areas Board	685741
a	Enerplus Resources Corporation	0JD4	Special Areas Board	685925
a	Enerplus Resources Corporation	0JD4	Special Areas Board	685927
a	EOG Resources Inc.	0K13	County of Athabasca	658210
a	EOG Resources Inc.	0K13	County of Athabasca	658211
a	EOG Resources Inc.	0K13	County of Athabasca	662379
a	EOG Resources Inc.	0K13	M.D. of Brazeau	612029
a	EOG Resources Inc.	0K13	M.D. of Sturgeon	633438
a	EOG Resources Inc.	0K13	Parkland County	595053
a	Gascan Resources Ltd.	0RO7	Cypress County	579219
a	Gascan Resources Ltd.	0RO7	M.D. of Big Lakes	635206
a	Ionic Energy Inc.	0WP2	Lac Ste. Anne County	698295
a	Ionic Energy Inc.	0WP2	Sturgeon County	698204
a	Ionic Energy Inc.	0WP2	Village of Onoway	698295
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619361
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619353
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619354
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619355
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619356
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619357
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619358
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619359
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619360
a	Jordan Petroleum Ltd.	0HJ1	County of Paintearth	619362
a	Marathon Canada Limited	0AL2	County of Thorhild	622030
a	Marathon Canada Limited	0AL2	Kneehill County	576342
a	Marathon Canada Limited	0AL2	Kneehill County	576365
a	Marathon Canada Limited	0AL2	M.D. of East Peace	622214
a	Marathon Canada Limited	0AL2	M.D. of East Peace	629289
a	Marathon Canada Limited	0AL2	M.D. of East Peace	629314
a	Marathon Canada Limited	0AL2	M.D. of East Peace	639349
a	Marathon Canada Limited	0AL2	M.D. of East Peace	657557
a	Marathon Canada Limited	0AL2	M.D. of East Peace	727189
a	Marathon Canada Limited	0AL2	M.D. of Foothills	647110
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	545624
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	627168
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	627171
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	627176
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	625091
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	627200
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	647303
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	647306

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	647311
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	647312
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	648432
a	Marathon Canada Limited	0AL2	M.D. of Opportunity	696295
a	Marathon Canada Limited	0AL2	Mountain View County	628442
a	Marathon Canada Limited	0AL2	Special Areas Board	638959
a	Marathon Canada Limited	0AL2	Special Areas Board	638961
a	Marathon Canada Limited	0AL2	Special Areas Board	638962
a	Marathon Canada Limited	0AL2	Special Areas Board	617078
a	Marathon Canada Limited	0AL2	Special Areas Board	580403
a	Marathon Canada Limited	0AL2	Special Areas Board	580435
a	Marathon Canada Limited	0AL2	Special Areas Board	580436
a	Marathon Canada Limited	0AL2	Special Areas Board	580442
a	Marathon Canada Limited	0AL2	Special Areas Board	580523
a	Marathon Canada Limited	0AL2	Starland County	646969
a	Marathon Canada Limited	0AL2	Town of Three Hills	576342
a	Marathon Canada Limited	0AL2	Vulcan County	609790
a	Marathon Canada Limited	0AL2	Vulcan County	609798
a	Marathon Canada Limited	0AL2	Vulcan County	630364
a	Marathon Canada Limited	0AL2	Vulcan County	644802
a	Marathon Canada Limited	0AL2	Vulcan County	653014
a	Marathon Canada Limited	0AL2	Vulcan County	653015
a	NAL Resources	0TM9	Lacombe County	569767
a	NAL Resources	0TM9	Lacombe County	569773
a	NAL Resources	0TM9	Red Deer County	599031
a	NAL Resources	0TM9	Red Deer County	599293
a	NAL Resources	0TM9	Red Deer County	601858
a	NAL Resources	0TM9	Red Deer County	608383
a	NAL Resources	0TM9	Red Deer County	608436
a	NAL Resources	0TM9	Red Deer County	611552
a	NCE Petrofund Corp.	0MH4	M.D. of Taber	579828
a	NCE Petrofund Corp.	0MH4	Vulcan County	646414
a	NCE Petrofund Corp.	0MH4	Vulcan County	647008
a	NCE Petrofund Corp.	0MH4	Vulcan County	647009
a	NCE Petrofund Corp.	0MH4	Vulcan County	647016
a	NCE Petrofund Corp.	0MH4	Vulcan County	700754
a	NCE Petrofund Corp.	0MH4	Yellowhead County	635114
a	NCE Petrofund Corp.	0MH4	Yellowhead County	635115
a	Northstar Energy Corp.	0BK8	M.D. of Taber	579649
a	Northstar Energy Corp.	0BK8	Mountainview County	607258
a	Numac Energy Inc.	0307	County of Paintearth	583622
a	Numac Energy Inc.	0307	County of Wetaskiwin	624648

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Omers Resources Ltd.	0CP9	County of Stettler	624085
a	Omers Resources Ltd.	0CP9	County of Stettler	629610
a	Omers Resources Ltd.	0CP9	County of Stettler	630498
a	Omers Resources Ltd.	0CP9	County of Stettler	630951
a	Omers Resources Ltd.	0CP9	County of Stettler	636935
a	Omers Resources Ltd.	0CP9	County of Stettler	637381
a	Omers Resources Ltd.	0CP9	Starland County	627073
a	Omers Resources Ltd.	0CP9	Starland County	637364
a	Omers Resources Ltd.	0CP9	Starland County	637381
a	Primewest Energy Inc.	0N00	Clearwater County	559828
a	Primewest Energy Inc.	0N00	Clearwater County	670132
a	Primewest Energy Inc.	0N00	County of Forty Mile	582933
a	Primewest Energy Inc.	0N00	M.D. of Greenview	699193
a	Primewest Energy Inc.	0N00	M.D. of Greenview	699244
a	Primewest Energy Inc.	0N00	M.D. of Taber	616737
a	Primewest Energy Inc.	0N00	M.D. of Taber	623808
a	Primewest Energy Inc.	0N00	M.D. of Taber	623809
a	Primewest Energy Inc.	0N00	M.D. of Taber	623825
a	Primewest Energy Inc.	0N00	M.D. of Taber	640039
a	Primewest Energy Inc.	0N00	M.D. of Taber	640049
a	Primewest Energy Inc.	0N00	M.D. of Taber	640050
a	Primewest Energy Inc.	0N00	M.D. of Taber	640051
a	Primewest Energy Inc.	0N00	M.D. of Taber	640053
a	Primewest Energy Inc.	0N00	Mountain View County	568210
a	Primewest Energy Inc.	0N00	Mountain View County	568211
a	Primewest Energy Inc.	0N00	Mountain View County	595617
a	Primewest Energy Inc.	0N00	Red Deer County	559825
a	Probe Exploration Inc.	0M66	Leduc County	594194
a	Probe Exploration Inc.	0M66	Leduc County	594198
a	Probe Exploration Inc.	0M66	Leduc County	594199
a	Probe Exploration Inc.	0M66	Leduc County	594200
a	Probe Exploration Inc.	0M66	Leduc County	607981
a	Probe Exploration Inc.	0M66	Leduc County	607982
a	Probe Exploration Inc.	0M66	Leduc County	607987
a	Probe Exploration Inc.	0M66	Leduc County	607989
a	Probe Exploration Inc.	0M66	Leduc County	607996
a	Probe Exploration Inc.	0M66	Leduc County	607999
a	Probe Exploration Inc.	0M66	Leduc County	608003
a	Probe Exploration Inc.	0M66	Leduc County	609490
a	Probe Exploration Inc.	0M66	Leduc County	609658
a	Probe Exploration Inc.	0M66	Leduc County	609680
a	Probe Exploration Inc.	0M66	Leduc County	609683

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Probe Exploration Inc.	0M66	Leduc County	609685
a	Probe Exploration Inc.	0M66	Leduc County	609686
a	Probe Exploration Inc.	0M66	Leduc County	609687
a	Probe Exploration Inc.	0M66	Leduc County	562149
a	Probe Exploration Inc.	0M66	Leduc County	674976
a	Probe Exploration Inc.	0M66	Leduc County	698465
a	Probe Exploration Inc.	0M66	Parkland County	608097
a	Probe Exploration Inc.	0M66	Parkland County	608268
a	Probe Exploration Inc.	0M66	Parkland County	608272
a	Probe Exploration Inc.	0M66	Parkland County	549728
a	Probe Exploration Inc.	0M66	Town of Devon	595677
a	Probe Exploration Inc.	0M66	Town of Devon	632649
a	Probe Exploration Inc.	0M66	Town of Devon	632651
a	Pursuit Energy Inc.	0LG4	Clearwater County	637683
a	Pursuit Energy Inc.	0LG4	County of Stettler	631418
a	Pursuit Energy Inc.	0LG4	Lacombe County	630096
a	Pursuit Energy Inc.	0LG4	Red Deer County	630096
a	Pursuit Energy Inc.	0LG4	Red Deer County	637683
a	Ranger Oil Limited	0035	County of Camrose	586214
a	Ranger Oil Limited	0035	County of Camrose	586215
a	Ranger Oil Limited	0035	County of St. Paul	593239
a	Ranger Oil Limited	0035	M.D. of Wainwright	566302
a	Ranger Oil Limited	0035	M.D. of Wainwright	572692
a	Ranger Oil Limited	0035	Special Areas Board	685912
a	Ranger Oil Limited	0035	Special Areas Board	685913
a	Renata Resources Inc.	0WC5	County of Warner	658394
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	637327
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	637328
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	618142
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	663011
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	667043
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	667045
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	667050
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	667052
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	696184
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	673030
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	698290
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	699153
a	Saddle Resources Inc.	OT00	M.D. of MacKenzie	699155
a	Samson Canada	0NX9	County of Lethbridge	663211
a	Samson Canada	0NX9	County of Lethbridge	663214
a	Shiningbank Energy Ltd.	0TR8	County of Grande Prairie	642560

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
a	Sogar Resources	0NX1	Mountain View County	576499
a	Sogar Resources	0NX1	Mountain View County	607708
a	Sogar Resources	0NX1	Red Deer County	619960
a	Summit Resources Limited	0L06	County of Camrose	626176
a	Summit Resources Limited	0L06	M.D. of Taber	647493
a	Summit Resources Limited	0L06	M.D. of Taber	647494
a	Summit Resources Limited	0L06	Vulcan County	646487
a	Suncor Energy Inc.	0054	M.D. of Greenview	556539
a	Suncor Energy Inc.	0054	M.D. of Greenview	556540
a	Transwest Energy Inc. c/o Jordan Petroleum Ltd.	0382	M.D. of Bonnyville	625374
a	Transwest Energy Inc. c/o Jordan Petroleum Ltd.	0382	M.D. of Bonnyville	625806
a	Transwest Energy Inc. c/o Jordan Petroleum Ltd.	0382	Special Areas Board	685834
a	Triumph Energy Corporation	0DX8	County of Forty Mile	602478
a	Triumph Energy Corporation	0DX8	County of Forty Mile	647480
a	Triumph Energy Corporation	0DX8	Cypress County	602460
a	Ulster Petroleums Ltd.	0K16	Lacombe County	617666
a	Ulster Petroleums Ltd.	0K16	Lacombe County	619310
a	Ulster Petroleums Ltd.	0K16	Lacombe County	633282
a	Ulster Petroleums Ltd.	0K16	Lacombe County	633309
a	Ulster Petroleums Ltd.	0K16	Lacombe County	633313
a	Ulster Petroleums Ltd.	0K16	Lacombe County	666469
a	Ulster Petroleums Ltd.	0K16	Sturgeon County	654978
a	Ventus Energy Inc./Inuvialuit	0TX8	County of Camrose	647760
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of East Peace	643719
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of East Peace	643721
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569484
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569488
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569489
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569496
a	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569499
a	Viking Energy Acquisitions Ltd.	0XE8	M.D. of Brazeau	595379
a	Viking Energy Acquisitions Ltd.	0XE8	Westlock County	579286
a	Westrock Energy Resources Corp.	0KR9	M.D. of Bonnyville	628983
a	Westrock Energy Resources Corp.	0KR9	Red Deer County	644432
b	AEC Oil & Gas Ltd.	0R61	R.M. of wood Buffalo	695673
b	Baytex Energy	0RL9	County of Stettler	660219
b	Baytex Energy	0RL9	M.D. of East Peace	696804
b	Bonavista Petroleum	0MD6	M.D. of Clear Hills	698851
b	Marathon Canada Limited	0AL2	M.D. of Opportunity	627214
b	NAL Resources	0TM9	Red Deer County	593183

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
b	Primewest Energy Inc.	0N00	Clearwater County	559818
b	Primewest Energy Inc.	0N00	Clearwater County	559820
b	Primewest Energy Inc.	0N00	Cypress County	632980
b	Primewest Energy Inc.	0N00	M.D. of Taber	638173
b	Primewest Energy Inc.	0N00	Red Deer County	559818
b	Primewest Energy Inc.	0N00	Red Deer County	559820
b	Probe Exploration Inc.	0M66	Leduc County	594176
b	Probe Exploration Inc.	0M66	Leduc County	594183
b	Probe Exploration Inc.	0M66	Leduc County	609486
b	Probe Exploration Inc.	0M66	Leduc County	609665
b	Probe Exploration Inc.	0M66	Leduc County	609670
b	Probe Exploration Inc.	0M66	Leduc County	697394
b	Probe Exploration Inc.	0M66	Leduc County	697404
b	Samson Canada	0NX9	M.D. of MacKenzie	590667
b	Ulster Petroleums Ltd.	0K16	Kneehill County	559319
b	Ulster Petroleums Ltd.	0K16	Kneehill County	690496
c	Diaz Resources Ltd.	0XH8	Special Areas Board	655754
c	Diaz Resources Ltd.	0XH8	Special Areas Board	655755
c	Diaz Resources Ltd.	0XH8	Special Areas Board	655756
d	ARC Resources	0G30	County of Athabasca	588248
d	ARC Resources	0G30	County of Athabasca	590441
d	ARC Resources	0G30	Lakeland County	589923
d	ARC Resources	0G30	Lakeland County	589926
d	ARC Resources	0G30	Special Areas Board	624028
d	Baytex Energy	0RL9	County of Minburn	573642
d	Baytex Energy	0RL9	County of Two Hills	578042
d	Baytex Energy	0RL9	County of Two Hills	578043
d	Baytex Energy	0RL9	Sturgeon County	587959
d	Baytex Energy	0RL9	Sturgeon County	558451
d	Baytex Energy	0RL9	Sturgeon County	610932
d	Baytex Energy	0RL9	Sturgeon County	629166
d	Baytex Energy	0RL9	Sturgeon County	654869
d	Bonavista Petroleum	0MD6	M.D. of Fairview	600554
d	Bonavista Petroleum	0MD6	M.D. of Northern Lights	589474
d	Bonavista Petroleum	0MD6	Special Areas Board	687197
d	Bonavista Petroleum	0MD6	Special Areas Board	687205
d	Bonavista Petroleum	0MD6	Special Areas Board	688199
d	Bonavista Petroleum	0MD6	Special Areas Board	688200
d	Bonavista Petroleum	0MD6	Special Areas Board	688204
d	Bonavista Petroleum	0MD6	Special Areas Board	688205
d	Bonavista Petroleum	0MD6	Special Areas Board	566641
d	Bonavista Petroleum	0MD6	Special Areas Board	685605

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Category	Linear Owner/Operator	Code	Municipality	PPI-ID
d	Canadian Forest Oil Ltd.	0T82	County of Stettler	627781
d	Canadian Forest Oil Ltd.	0T82	Special Areas Board	687464
d	Coparex Canada Ltd.	0KN8	M.D. of Greenview	660766
d	Marathon Canada Limited	0AL2	County of Thorhild	622027
d	Marathon Canada Limited	0AL2	Kneehill County	581458
d	Marathon Canada Limited	0AL2	Kneehill County	581487
d	Marathon Canada Limited	0AL2	Kneehill County	634527
d	Marathon Canada Limited	0AL2	Kneehill County	581494
d	Marathon Canada Limited	0AL2	Kneehill County	588533
d	Marathon Canada Limited	0AL2	Kneehill County	597779
d	Marathon Canada Limited	0AL2	Kneehill County	576850
d	Marathon Canada Limited	0AL2	M.D. of East Peace	622212
d	Marathon Canada Limited	0AL2	M.D. of East Peace	622216
d	Marathon Canada Limited	0AL2	M.D. of East Peace	693458
d	Marathon Canada Limited	0AL2	M.D. of East Peace	629282
d	Marathon Canada Limited	0AL2	M.D. of Opportunity	648433
d	Marathon Canada Limited	0AL2	Special Areas Board	580886
d	Marathon Canada Limited	0AL2	Vulcan County	609786
d	Marathon Canada Limited	0AL2	Vulcan County	638250
d	Marathon Canada Limited	0AL2	Vulcan County	654424
d	Marathon Canada Limited	0AL2	Vulcan County	639159
d	Probe Exploration Inc.	0M66	Leduc County	609666
d	Probe Exploration Inc.	0M66	Leduc County	632646
d	Probe Exploration Inc.	0M66	Leduc County	556221
d	Probe Exploration Inc.	0M66	Leduc County	572767
d	Ranger Oil Limited	0035	County of Paintearth	645689
d	Ranger Oil Limited	0035	County of Paintearth	645691
d	Samson Canada	0NX9	Clearwater County	637543
d	Samson Canada	0NX9	M.D. of Big Lakes	628811
d	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569476
d	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569479
d	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569481
d	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569482
d	Ventus Energy Inc./Inuvialuit	0WN5	M.D. of MacKenzie	569493

The assessor shall submit to the MGB the recalculated assessments by PPI-ID, company and municipality within three weeks of the receipt of this Board Order. The MGB will issue a supplementary Board Order identifying all the resultant changes to the assessments.

It is so ordered.

REASONS

Application of Depreciation Schedule and Assessment Definitions

The AEUB records in themselves and the Pipeline Act including the definitions in the Pipeline Act, do not determine what is assessable and how depreciation is to be applied. The MGB accepts that by way of an amendment in 1999, the legislators intended that the AEUB records be the initial source of data for the preparation of linear property assessments in place of a self-assessment by the property owner.

As a result the MGB turns to the direction contained in the Act, the Regulations, the Minister's Guidelines, the Manual, and the Handbook for direction as to how the subject property is to be assessed and what, if any, depreciation is to be applied. The assessor solely relied on the registration status of the pipeline at the AEUB. He concluded that, since the pipeline was not registered in the AEUB records as discontinued or abandoned, the pipeline was operational. The assessor indicated that since abandoned wells were not assessed, he did not examine the AEUB records to see if pipeline was attached to an abandoned well.

In relation to this practice, the MGB carefully reviewed Section 298 and concluded that nowhere in the section are abandoned wells indicated as being non-assessable. An examination of the Manual reveals that abandoned wells are identified as an assessable item and that Schedule D assigns a depreciation factor of 0 (zero). The Act, the Minister's Guidelines, and the Manual do not identify abandoned wells as being non-assessable, therefore these are properties that are identifiable. As a result the pipeline attached to the abandoned well is also identifiable. A fact scenario of an operational pipeline attached to the abandoned well, both on record at the AEUB, should draw the attention of the DLA.

In coming to its decision, the MGB placed the greatest weight on the definitions in the Act and associated Regulations as it is these statutes which have as their prime purpose the setting out of the legislative direction for the assessment of properties. The key definition in deciding this case is the definition of a non-producing well in the Manual. (Emphasis added.)

" 'Non-producing well' means **a well that did not produce in the 12 months preceding October 31** of that assessment year determined on the record at Alberta Energy and Utilities Board or as determined by the assessor designated by the Minister of Municipal Affairs."

The MGB does not focus on the term non-operational pipeline but rather on the term non-producing well. The MGB accepts the argument of the Complainants that non-producing well includes an abandoned well. The focus of the definition of non-producing well is on the production status, not the registered classification. The definition simply refers to a well that did not produce in the 12 months preceding October 31. A discontinued well and an abandoned well meet this criteria. The subject

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pipeline is attached to wells that are on record at AEUB. The MGB applies a plain meaning to this definition. If the definition of a non-producing well were to exclude an abandoned well or discontinued well the legislation would have so stated.

The MGB does not ignore the definitions of “abandoned” and “discontinued” in the Minister’s Guidelines as these definitions have a specific reference to pipeline also, but examines these definitions in the context of how they are used in Schedule D – Additional Depreciation (Schedule D) in the Manual. The depreciation schedule is quoted below.

<i>Code</i>	<i>Pipe</i>	<i>Depreciation Factor</i>
<i>PLW</i>	<i>Pipe that has a facility code WE and the to or from location is within an LSD that has a non-producing well</i>	<i>0.10</i>
<i>PLD</i>	<i>Discontinued</i>	<i>0.10</i>
<i>PLA</i>	<i>Abandoned</i>	<i>0</i>
<i>PLO</i>	<i>Pipe constructed prior to 1940*</i>	<i>0.50</i>

The MGB concludes from the schedule that if abandoned pipeline has been registered as such at the AEUB it will be clearly identified as such and be given a 100% depreciation. Similarly with discontinued pipeline, however, it will only receive a 90% depreciation. There is very little dispute by the parties over this application of the Schedule, however, there is considerable dispute over the application of the PLW Code.

For the purposes of its reasons, the MGB substitutes the definition of a non-producing well into the PLW code. The result would be as follows.

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Code	Pipe	Depreciation Factor
PLW	Pipe that has a facility code WE and the to and from location is within an LSD that has “a well that did not produce in the 12 months preceding October 31” as determined on the record of the Alberta, Energy and Utilities Board or as determined by the assessor designated by the Minister of Municipal Affairs.	0.10

In the view of the MGB the PLW code requires the assessor to make a link between the pipeline and a non-producing well in an LSD. For the application of depreciation in this category the assessor cannot simply apply the registered status of the pipeline. The assessor must do some analysis of the AEUB data related to wells and pipeline. In the case of PLW Code, the assessor did indicate that an examination of AEUB records occurred, but that examination was limited to "non-producing wells". However, the assessor used a limited definition of "non-producing wells" which excluded abandoned wells.

The AEUB uses the definitions “abandoned” to mean permanent deactivation and “discontinue” as temporary deactivation. Under the assessment legislation, and specifically Schedule D the definition of "non-producing well" has a specific meaning to include wells that did not produce in the 12 months preceding October 31. The MGB accepts the argument of the Complainants that for the determination of the PLW Code pipeline can be attached to either “abandoned” wells or “discontinued” wells as registered at AEUB and as a result qualify for a PLW Code for assessment purposes. Both these types of wells meet the criteria of not producing within the 12 month period. It is common logic that pipeline attached to these wells would also not be utilized in this period and would then qualify for a PLW Code. The MGB disagrees with the DLA that there is no category for pipeline from an abandoned well, as the category exists in the PLW Code.

Application of Handbook

The MGB examined the instructions in the Handbook and the assessor’s argument related to the Handbook. Firstly the MGB did not give the Handbook the same legislative status as the Act, the Regulations and the Manual because of the nature of the content of the Handbook and its more informal method of adoption. The Handbook reads as a set of instructions for the implementation of the Minister's Guidelines and not as legislation or regulations in itself.

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The MGB does not accept the proposition that the Handbook has legislative authority.

Pipeline Transition Committee

The MGB acknowledges the argument of the DLA related to the Pipeline Transition Committee (PTC). However, the MGB can accept only that the PTC was an advisory committee and, since the committee has no legislative authority, the MGB places no weight on the recommendations of the committee. The DLA provided no case law to convince the MGB that any weight should be provided to the recommendations of the Committee. As a result, Schedule D of the Manual must stand on its own.

Additional Depreciation

The DLA argues that the PLW Code has a restricted meaning while the Complainants argue a broader definition of a non-producing well. Clearly the PLW Code is capable of two meanings. The MGB provides a plain meaning to the definition of non-producing well and, simply stated, it is a well that has not produced for a period of 12 months within which an abandoned or discontinued well would meet this criteria. There are no clear words to exclude an abandoned well, as suggested by the DLA, that should be read into the definition.

In coming to this conclusion the MGB finds direction in Section 293 and 499 of the Act. The MGB concludes the best interpretation is one that results in a fair and equitable assessment. The interpretation which includes an abandoned well within the meaning of non-producing well leads to a fair and equitable result. The MGB expands on the latter in its reasons.

The MGB concludes that the Complainants are not asking for any additional depreciation beyond that offered in Schedule D of the Manual. The Complainants are asking only for additional depreciation as allowed in Schedule D of the Manual which is more depreciation than granted by the DLA for the specific property. In fact the DLA applied no depreciation.

Fairness and Equity

The MGB also accepts the argument of the Complainants that fairness and equity are not achieved by classifying pipeline that is not being used as being operational. The DLA has argued that fairness and equity were achieved by the proper application of the valuation standards. As described in the first part of these reasons, the MGB has concluded that the valuation standards were not correctly applied and, therefore, fairness and equity were not achieved.

More fundamentally, the MGB has concluded that fairness and equity are not achieved where pipeline attached to an abandoned well is given the same depreciation as pipeline that is fully operational,

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compared to pipeline attached to a discontinued well which receives a 90% depreciation when given a PLW Code.

The MGB accepts the argument of the Complainants that actual use must prevail and that the Act, the Regulations, the Minister's Guidelines, and the Manual do not divert from this principle. The Act, the Regulations, the Minister's Guidelines, and the Manual do not prescribe that pipeline attached to an abandoned well should be treated like fully operational pipeline. Examination of the depreciation schedules confirms this proposition as the depreciation schedule recognizes actual use for abandoned pipeline, actual use for discontinued pipeline, and actual use for pipeline attached to a non-producing well with a PLW Code.

The MGB finds it to be only common sense that pipeline attached to an abandoned well has the same utility as the abandoned well. Thus, the state of utility of a pipeline attached to an abandoned well is less than pipeline attached to a discontinued well. If both types of pipeline can be classified with a PLW Code, then both types of pipeline should have fair and equitable treatment with respect to the application of a 90% depreciation. Since the MGB has concluded that the definition of a non-producing well does not exclude an abandoned well, then fairness and equity can result only when a 90% depreciation is applied to pipeline attached to an abandoned well. In order for the Complainants to achieve the 100% depreciation the Complainants must ensure that the pipeline has been fully registered as abandoned in the AEUB records, this was not the case with the subject property.

AEUB Records v. Discretion to Request a Report

With respect to the four subcategories of complaints evolving around the attachment of pipeline to an abandoned well, the MGB has concluded it is not necessary to address the issue of the interpretation of the word "or" in Section 292. Although the parties to the complaint provided considerable argument on their opposing views as to the interpretation of the "or", the MGB has concluded that the resolution of these matters turns on the definition of "non-producing well" and not on the interpretation of "or a report requested by the assessor pursuant to subsection (3)".

Conclusion

The MGB is not suggesting in this decision that the legislation contemplates that the DLA is required to inspect all linear property in the Province. In this case the DLA needs to carefully examine the AEUB records especially in the case of the PLW Code where there is a non-producing well (discontinued or abandoned) with pipeline attached. The DLA must examine the records of the AEUB carefully and apply the depreciation schedule in such a manner that the correct meaning of "non-producing well" is applied. Non-producing wells include abandoned wells, therefore, according to the Manual pipeline attached to an abandoned well receives a 90% depreciation.

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The MGB, in examining the legislation specific to this case, gave the legislation and specifically the definition of non-producing well a plain meaning. In addition, the MGB applied a purposeful approach to its interpretation of the key parts of the legislation. Both the plain meaning and the purposeful approach lead the MGB to the conclusion that within the regulated scheme for linear property, the utility and use of the property is recognized in the depreciation schedules. Section 292 does not stop at AEUB records nor takes away the consideration of the utility of the property.

As a result the MGB, in concluding this decision, focuses on the definition of non-producing well and the depreciation chart (Schedule D) in the Manual. The depreciation chart establishes specific categories to the application of depreciation. In order to qualify for the depreciation factor of 0 (zero), the pipeline must be abandoned and on record as such at the AEUB. This can happen any time before October 31. If pipeline is only temporarily abandoned or discontinued it qualifies only for a 90% depreciation. If it is pipeline associated with a non-producing well (discontinued or abandoned well) then a 90% depreciation can be applied providing that the additional criteria, that the well is non-producing for 12 months, is achieved. The MGB sees fairness and equity built into the depreciation chart which recognises the utility of the pipeline in question. As a result the subject properties must also fall into this logic, to do otherwise would not result in the correct application of the Manual nor produce a fair and equitable result.

PART II - REPLACEMENT PIPE

BACKGROUND

At issue in these complaints is category (e), which does not involve pipeline attached to an abandoned well. These complaints involve pipeline that has been replaced in 1982 by another pipeline to an active well. These complaints involve three PPI-IDs (669850, 669851, 584336). The first two are owned by Canadian Forest Oil Ltd. in Parkland County and the latter by Enermark Inc. in the M.D. of Brazeau. The subject steel pipeline was replaced by plastic pipeline and is no longer in use. The Enermark linear property is now owned and operated by Crazy Hill Resources Ltd. Similar circumstances regarding replacement affect the other two properties.

ISSUES

1. Is the subject pipeline abandoned or operational?
2. If abandoned, is it eligible for the 100% depreciation allowed in Schedule D of the Manual?

COMPLAINANTS POSITION

The Complainants argue that logically there is no Replacement Cost value associated with an abandoned line because if it were destroyed there would be no utility gained from replacing it. The

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Complainants testified that the subject steel pipeline in question was abandoned many years ago (1982) and the AEUB records were corrected to reflect this abandoned status. Further this pipeline had been replaced by plastic pipeline because the steel pipeline was deficient and caused leaks. The subsequent change by the AEUB to the records resulted in the subject pipeline being identified as operational. There was no indication as to why this change occurred as it was not generated by the Complainants. The Complainants became aware of this change when they received the assessment notice. The Complainants approached the AEUB to make a correction but the AEUB would not recognize the request because the Complainants were not recognized as the licensed operator at the time of the request for change. The position of the Complainants is that the subject pipeline has been abandoned for years and replaced by other pipeline. Therefore, the original pipeline is abandoned and should have a depreciation of 100%.

RESPONDENT'S POSITION

The Respondent indicated that according to the AEUB records the subject pipeline is operational and attached to an active well. The Respondent submitted that as of October 31, 1999 the subject pipeline was filed as operational with the AEUB. Further, that the license was transferred on March 12th, 2001 from Enermark to the new owner. The transfer occurred after the year-end assessment date. The Respondent emphasized, as in the case with the other categories, that it is the record of the AEUB which determines the status of the pipeline for assessment purposes.

FINDINGS

1. During the period of assessment the subject pipeline was abandoned.
2. Non-operational pipelines to an active well that have been replaced by another pipeline have no use, therefore, they are to receive a 100% depreciation.

DECISION

The following subject pipeline shall receive a depreciation allowance of 100%.

Category	Linear Owner/Operator	Code	Municipality	PPI-ID
e	Canadian Forest Oil Ltd.	0T82	Parkland County	669850
e	Canadian Forest Oil Ltd.	0T82	Parkland County	669851
e	Enermark Inc.	0P34	M.D. of Brazeau	584336

REASONS

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The MGB observed that the parties did not dispute the fact that there were two lines to the active well. The MGB accepts the testimony of the Complainants that the subject pipeline was abandoned prior to the assessment year and is no longer in active use. The Respondent did not present any evidence that the subject pipeline was not abandoned. In the absence of any contradictory evidence by the Respondent the accuracy of the AEUB record is questioned in these specific circumstances. As a result the MGB was convinced that the AEUB record was in error. Therefore, the subject pipeline is declared abandoned and is subject to receiving a 100% depreciation allowance according to Schedule D of the Manual.

No costs to either party.

Dated at the City of Edmonton, in the Province of Alberta, this 26nd day of November 2001.

MUNICIPAL GOVERNMENT BOARD

(SGD.) C. Bethune, Presiding Officer

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APPENDIX "A"

APPEARANCES

NAME	CAPACITY
Gilbert J. Ludwig	Solicitor for the Complainants
Brian Dell	Lawyer with Wilson Laycraft
Melodie Merrick	Representative of Newell Group, a division of Deloitte & Touche for various companies and Witness for the Complainants
Ken Shaw	Representative of Newell Group, a division of Deloitte & Touche for various companies and Witness for the Complainants
Terry Stowell	Representative for the Suncor Energy and Witness for the Complainants
Allen Vogel	Owner of Crazy Hill Resources and Witness for the Complainants
Vivian Wahby	Representative for AEC Oil & Gas Co. Ltd., AEC Oil & Gas Ltd. and Amber Energy
Jim Weston	Representative of J.C. (Jim) Weston for various companies and Witness for the Complainants
Barbara A. Mason	Solicitor for the Respondent
Doug McLennan	Designated Linear Property Assessor, AMA
Greg Johnson	Linear Property Assessor, AMA
Jim McMillan	Senior Property Tax Advisor, Imperial Oil Limited and Witness for the Respondent

APPENDIX "B"

DOCUMENTS RECEIVED AT THE HEARING AND CONSIDERED BY THE MGB:

NO.	ITEM
Exhibit 1	Brief of Complaints and Will Say Statements
Exhibit 2	Details of Complaints
Exhibit 3	Brief of Respondent
Exhibit 4	Evidence Documents from the Respondent
Exhibit 5	Rebuttal of Complainants

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Exhibit 6
Exhibit 7

License Transfer Application
Ms. Merrick's Sorted Data