

BY E-MAIL ONLY

May 25, 2017

BIGSTONE CREE NATION

**RE: CANADIAN NATURAL RESOURCES LTD.
WATER ACT APPLICATION NO. 001-00329572
STATEMENT OF CONCERN NO. 29921**

Dear Troy Stuart:

You are receiving this letter because you filed a statement of concern about Application No. 001-00329572. The Alberta Energy Regulator (AER) has reviewed your statement of concern, along with the application, the applicable requirements, and other submissions or information about the application. The AER has decided that a hearing is not required under an enactment, or necessary, to consider the concerns outlined in your statement of concern.

In its review of your concerns, the AER considered the following:

- Aboriginal Consultation Office has issued First Nation Consultation Adequacy; FNC 201510256 on November 3, 2015.
- Bigstone Cree Nation's (BCN) lands border the south west boundary of Canadian Natural Resources Ltd.'s (CNRL) Brintnell project.
- The water supply wells (WSWs) will withdraw water from two deep aquifers within the Empress Formation in the Wabasca Channel. The two shallowest wells are ~160 m deep, with an additional well 220 m deep, and these are isolated from shallow aquifers by at least two aquitards. There are no nearby wells that draw water from these deep aquifers and there does not appear to be any impacts on other groundwater users.
- In regards to concerns about impacts on future use of groundwater by the BCN, the AER will monitor water levels in CNRL's source aquifers, as per the *Water Act*, the AER may reduce the volume of the withdrawals under the licence or

cancel the licence for operational concerns such as exceedances of limits, or unreasonable or undue impacts on other uses in the vicinity.

- In regards to your concern about surface water impacts, the AER has reviewed the information and due to the depth and isolation by at least two aquitards between ground surface and the WSWs, there is virtually no opportunity for groundwater withdrawals to affect nearby lakes and rivers.
- Regarding contamination concerns, there does not appear to be the potential for contamination of the subject aquifers from the WSWs because, there are no man-made contaminants or sources of contamination near the WSWs; thus there is no risk of contaminating the WSWs.
- The *Water Conservation and Allocation Guideline for Oilfield Injection (WCAGOI, 2006)* and the *Guide to Groundwater Authorizations (GGA, 2011)* requirements are compliant.

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Based on the above, it has not been demonstrated that the BCN may be directly and adversely affected by approval of the application.

The AER has issued the applied-for approval and this is your notice of that decision. A copy of the approval is attached. Under the *Responsible Energy Development Act* an eligible person may file a request for a regulatory appeal on an appealable decision. Eligible persons and appealable decisions are defined in section 36 of the *Responsible Energy Development Act* and section 3.1 of the *Responsible Energy Development Act General Regulation*. If you wish to file a request for regulatory appeal, you must submit your request in the form and manner and within the timeframe required by the AER. You can find filing requirements and forms on the AER website, <http://www.aer.ca/applications-and-notices/appeals>.

If you have any questions, contact _____ or e-mail _____.

Sincerely,

<original signed by>

Andrew MacPherson,
Director, Authorizations

Attachment: Licence Approval

cc: Canadian Natural Resources, Nelson Lord,
AER Indigenous Relations