

Via Email Only

January 25, 2016

Nickerson Roberts Holinski Mercer
Attention: Mr. O'Connor

Application No. 1844573 and 1844701 from Baytex Energy Limited
Statement of Concern No. 30106

Dear Mr. O'Connor:

You are receiving this letter because you filed a statement of concern on behalf of Mark Roberts about the subject applications. The Alberta Energy Regulator (AER) has reviewed your statement of concern, along with the applications, the applicable requirements, and other submissions or information about the application and has decided that a hearing is not required under an enactment or otherwise necessary to consider the concerns outlined in your statement of concern.

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

- Baytex Energy Limited (Baytex) has applied for two new injection wells at the surface location 12-21-79-20W5 (12-21) and 7-15-21-79-20W5 (7-15).
- Mr. Roberts' property is located about 6.12 km and his residence 6.52 km northwest from the proposed 12-21 injection well. The proposed 7-15 injection well is more than 9 km away from his lands and residence.
- Mr. Roberts' farms are located about 1.4 km south of the 7-15 well site and about 3.6 km south of the 12-21 well site.
- Mr. Roberts is concerned about atmospheric venting of gas and chemicals from Baytex wells and facilities; however, the applied for injection wells will not result in any venting.
- Mr. Roberts is concerned about existing wells and the addition of new wells and production equipment; however, the subject applications relate only to water injection wells. No new production equipment has been applied for and no bitumen production will be authorized or facilitated by the approval of the subject applications.
- Concerns about venting, increases in Baytex's bitumen production in the area, and existing production wells and facilities are unrelated to and outside of the scope of the subject applications.
- Mr. Roberts is concerned about surface and subsurface impacts from the injection wells are general in nature. No specific information has been provided to support

that Mr. Roberts, who resides several kilometers away from the proposed injection wells, might be directly and adversely affected by these alleged potential surface and subsurface impacts. In any event, the AER has numerous requirements relating to injection and disposal wells which are protective of the surface and subsurface environment.

Based on all the above, you have not demonstrated that Mr. Roberts may be directly and adversely affected by the application for the new injector well licence. The AER has issued the applied-for licences and this is your notice of that decision. Copies of the licences are 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 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 www.aer.ca under Applications & Notices: Appeals. If you have any questions, contact Judith Zatzek at _____ or e-mail _____

inquiries 1-855-297-8311
24-hour
emergency 1-800-222-6514

Sincerely,

<Original signed by>

Shelley Youens
Director, Infrastructure Authorizations (Oil and Gas)

Enclosures (2): Licences

cc: Shane Koss, Baytex Energy Limited
AER Grande Prairie Field Centre