



Bearspaw Petroleum Ltd.

Application for Compulsory Pooling
Ewing Lake Field

April 21, 2009

ENERGY RESOURCES CONSERVATION BOARD

Decision 2009-032: Bears paw Petroleum Ltd., Application for Compulsory Pooling, Ewing Lake Field

April 21, 2009

Published by

Energy Resources Conservation Board
640 – 5 Avenue SW
Calgary, Alberta
T2P 3G4

Telephone: 403-297-8311
Fax: 403-297-7040
E-mail: infoservices@ercb.ca
Web site: www.ercb.ca

ENERGY RESOURCES CONSERVATION BOARD

Calgary Alberta

**BEARSPAW PETROLEUM LTD.
APPLICATION FOR COMPULSORY POOLING
EWING LAKE FIELD**

**Decision 2009-032
Application No. 1597984**

DECISION

The Energy Resources Conservation Board grants the applicant's request to withdraw Application No. 1597984 and directs that the public hearing scheduled to consider the application be cancelled and the application be closed, as recommended in the following examiner report.

Dated in Calgary, Alberta, on April 21, 2009.

ENERGY RESOURCES CONSERVATION BOARD

<original signed by>

Dan McFadyen
Chairman

ENERGY RESOURCES CONSERVATION BOARD

Calgary Alberta

EXAMINER REPORT RESPECTING BEARSPAW PETROLEUM LTD. APPLICATION FOR COMPULSORY POOLING EWING LAKE FIELD

**Decision 2009-032
Application No. 1597984**

1 RECOMMENDATIONS

The examiners recommend that the request by Bearspaw Petroleum Ltd. (Bearspaw) to withdraw Application No. 1597984 be granted, the hearing scheduled to consider the application be cancelled, and the application be closed.

2 INTRODUCTION

2.1 Application

Bearspaw applied to the Energy Resources Conservation Board (ERCB/Board), pursuant to Section 80 of the *Oil and Gas Conservation Act*, for an order prescribing that all tracts within the drilling spacing unit comprising Section 30 of Township 37, Range 20, West of the 4th Meridian, be operated as a unit for the production of gas from the sands and coals of the Mannville Group through two wells, one to be drilled in Legal Subdivision 8 and one in Legal Subdivision 13. Bearspaw requested that it be named operator of the proposed wells.

2.2 Intervention

Trident Exploration Ltd. (Trident) is the lessee of rights to produce gas from the sands and coals of the Mannville Group for a tract within the subject drilling spacing unit. Trident objected to the application because it opposed Bearspaw being named operator of wells drilled to produce coalbed methane from the Mannville Group.

2.3 Hearing

The application was scheduled to be considered at a public hearing in Calgary, Alberta, on May 28, 2009, before Board-appointed examiners B. C. Hubbard, P.Eng. (Presiding Member), G. W. Dilay, P.Eng., and R. A. Marsh, P.Geol.

3 DISCUSSION

On April 15, 2009, Bearspaw filed a submission with the ERCB stating that Bearspaw and Trident had agreed to voluntarily enter into a pooling agreement for the subject drilling spacing unit and that Bearspaw therefore wished to withdraw the application. The existence of that agreement means that the application no longer satisfies Subsection 80(2)(c) of the *Oil and Gas Conservation Act* and that there is no longer a need for the ERCB to issue a pooling order. The examiners therefore recommend that Bearspaw's request to withdraw the application be granted and the scheduled hearing be cancelled.

Dated in Calgary, Alberta, on April 20, 2009.

ENERGY RESOURCES CONSERVATION BOARD

<original signed by>

B. C. Hubbard, P.Eng.
Presiding Examiner

<original signed by>

G. W. Dilay, P.Eng.
Examiner

<original signed by>

R. A. Marsh, P.Geol.
Examiner