

2014 ABEAB 31**Appeal No. 14-013**

Appellant – Ernie Toews, **Operator** – 1196679 Alberta Ltd., Mary Low Erik and Ernie Domshy,
Location – Calgary

A Notice of Appeal was received on September 5, 2014 from Ernie Toews, in relation to a June 20, 2014 letter from Dam Safety, Alberta Environment and Sustainable Resource Development (AESRD) to 1196679 Alberta Ltd., Ms. Mary Lou Erik and Mr. Ernie Domshy, with respect to deficiencies in relation to the dam located at NE 19-25-2W5M (mistakenly identified as SE30-25-2-5/SANTIN in the letter).

On September 11, 2014 the Board also advised that it appeared that the June 20, 2014 letter was not appealable. The decisions appealable to the Board are listed in Part 9 of the *Water Act*, and Part 4, section 91 of the *Environmental Protection and Enhancement Act*. The Board requested Mr. Toews provide any further information detailing the decision being appealed prior to making a decision on whether the appeal was properly before it. On September 29, 2014, Mr. Toews advised he had decided not to pursue the appeal. Based on the withdrawal of the appeal, on September 30, 2014 the Board discontinued its proceedings and closed its file with respect to Mr. Toews' appeal.