

2014 ABEAB 35**Appeal No. 12-047**

Appellant – Lloyd Blimke and Citizens Power & Gas Ltd., **Operator** – Lloyd Blimke and Citizens Power & Gas Ltd., **Location** – Spruce Villa Estates in the County of Grande Prairie

On March 28, 2013 the Board received a Notice of Appeal dated March 28, 2013 from Lloyd Blimke and Citizens Power & Gas Ltd. with respect to the March 12, 2013 decision of Alberta Environment and Sustainable Resource Development (AESRD) to issue Enforcement Order No. EO-2013/01-NR and WA-EO-29013/01-NR to Mr. Lloyd Blimke and Citizens Power & Gas Ltd. for failing to obtain water licences and registering the waterworks system for the Spruce Villa Estates in the County of Grande Prairie.

The appeal was filed past the 7 day deadline stipulated in the *Water Act*. The Board asked Mr. Blimke to explain why he filed the appeal late and found that there were circumstances to consider extending the appeal period. The Board gave AESRD an opportunity to respond. Mr. Blimke contacted and had discussions with AESRD as soon as the enforcement order was issued. AESRD had different opportunities, including discussions held within the appeal period, to explain the appeal period was 7 days. The Board granted the request to extend the time for the Appellant to file its Notice of Appeal.

Cite as: *Blimke v. Director, Northern Region, Operations Division, Alberta Environment and Sustainable Resource Development, re: Blimke and Citizens Power & Gas Ltd.* (7 June 2013), Appeal No. 12-047-D (A.E.A.B).

The Appellant engaged in ongoing efforts to comply with the Enforcement Order and discussions with AESRD. The parties provided the Board with continual status reports on their discussions and progress. On June 19, 2014 AESRD issued Amendment No. 1 to the Enforcement Order which required the Appellant to reclaim the Waterworks System in accordance with specific requirements as set out in the Enforcement Order. On September 24, 2014 AESRD advised that the Appellant had been provided with written authorization to carry out the decommissioning and reclamation plan that was submitted pursuant to the Enforcement Order (as amended).

On December 19, 2014, AESRD advised that the Enforcement Order had been closed and the Appellant withdrew their appeal. Based upon the withdrawal of the appeal, the Board discontinued its proceedings on December 19, 2014 and closed its file.