

ALBERTA
ENVIRONMENTAL APPEALS BOARD

Discontinuance of Proceedings

Date of Discontinuance of Proceedings – February 14, 2006

IN THE MATTER OF sections 91, 92 and 95 of the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, and section 115 of the *Water Act*, R.S.A. 2000, c. W-3;

-and-

IN THE MATTER OF an appeal filed by Rock Ranches Ltd. with respect to *Water Act* Licence No. 00220551-00-00 issued to Rock Ranches Ltd. by the Director, Southern Region, Regional Services, Alberta Environment.

Cite as: *Rock Ranches Ltd. v. Director, Southern Region, Regional Services, Alberta Environment* (14 February 2006), Appeal No. 05-072-DOP.

I. BACKGROUND

[1] On December 23, 2005, the Director, Southern Region, Regional Services, Alberta Environment (the “Director”) issued Licence No. 00220551-00-00 (the “Licence”) under the *Water Act*, R.S.A. 2000, c. W-3, to Rock Ranches Ltd., authorizing the operation of a works, and the diversion of up to 1,136.4 cubic metres of water annually from the source of water for the purpose of watering livestock, near Sundre, Alberta.

[2] On February 3, 2006, the Environmental Appeals Board (the “Board”) received a Notice of Appeal from Rock Ranches Ltd. (the “Appellant”), appealing the Licence.

[3] On February 3, 2006, the Board wrote to the Appellant and the Director (collectively the “Parties”) acknowledging receipt of the Notice of Appeal and notifying the Director of the appeal. The Board also requested the Director provide the Board with a copy of the records (the “Record”) relating to this appeal, and that the Parties provide available dates for a mediation meeting, preliminary meeting or hearing.

[4] According to standard practice, the Board wrote to the Natural Resources Conservation Board and the Alberta Energy and Utilities Board asking whether this matter had been the subject of a hearing or review under their respective legislation.

[5] On February 10, 2006, the Board received an e-mail from the Appellant withdrawing the appeal.

II. DECISION

[6] Pursuant to section 95(7) of the *Environmental Protection and Enhancement Act*, and based on the withdrawal of the appeal by the Appellant, the Board hereby discontinues its proceedings in Appeal No. 05-072 and closes its file.

Dated on February 14, 2006, at Edmonton, Alberta

“original signed by”

Steve E. Hrudehy, D.Sc. (Eng.), P.Eng.
Chair