

10-051

Appellants – James Badger and the Sucker Creek First Nation, **Operator** – Her Majesty the Queen in Right of Alberta as represented by the Minister of Environment and Sustainable Resource Development, **Location** – Lesser Slave Lake

On March 14, 2011 a Notice of Appeal was received from James Badger and the Sucker Creek First Nation with respect to the March 2, 2011 decision of Alberta Environment and Sustainable Resource Development (AESRD) to issue *Water Act* Approval No. 00283963-00-00 to Her Majesty the Queen in Right of Alberta as represented by the Minister of Environment and Sustainable Resource Development for the construction and operation of a weir modification at section 07-073-05-W5M of the Lesser Slave River.

In consultation with the parties, the Board advised on June 20, 2011 that a mediation meeting was scheduled for September 27, 2011, in Peace River. Pre-mediation telephone calls were held with between the mediator and the parties in early September 2011.

On September 14, 2011 the Board received a letter from the Appellants advising the parties were making progress in their discussions and requested an abeyance of the mediation meeting. On September 15, 2011 the Board advised that since the parties were in agreement with the abeyance, the Board cancelled the mediation meeting scheduled for September 27, 2011 and requested the parties provide regular status reports on their discussions. Regular updates were provided and the Appellants and ESRD advised that an agreement was reached that was subject to approval and funding from the Government of Alberta. The Appellants stated that once the terms of the agreement were met, they would withdraw their appeal.

On March 15, 2014 the Appellants advised the Board they were withdrawing their appeal. Based on the withdrawal of the appeal, the Board discontinued its proceedings and closed the file on April 3, 2014.