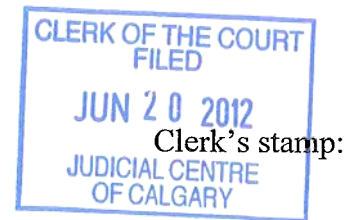


Form 7
[Rule 3.8]



COURT FILE NUMBER

1201-07570

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

Calgary

APPLICANT(S)

ALBERTA WILDERNESS ASSOCIATION,
TROUT UNLIMITED CANADA and WATER
MATTERS SOCIETY OF ALBERTA

RESPONDENT(S)

THE ENVIRONMENTAL APPEALS BOARD and
THE MINISTER OF JUSTICE AND ATTORNEY
GENERAL FOR ALBERTA

DOCUMENT

ORIGINATING APPLICATION FOR JUDICIAL
REVIEW

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS
DOCUMENT

Barry Robinson
Barrister & Solicitor
Suite 900, 1000 – 5th Avenue SW
Calgary, Alberta T2P 4V1
Tel. 403-705-0202
Fax 403-264-8399
Email brobinson@ecojustice.ca

NOTICE TO RESPONDENT(S)

This application is made against you. You are a respondent.

You have the right to state your side of the matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Date: Thursday, August 23, 2012
Time: 10:00 a.m.
Where: Calgary Court Centre, 601 – 5th Street SW, Calgary, AB T2P 5P7
Before: Justice in Motions Court

Go to the end of this document to see what you can do and when you must do it.

Basis for this claim:

1. The Environmental Appeals Board (the “Board”) erred in law or jurisdiction or otherwise made unreasonable findings in its Notice of Decision in Appeal Nos. 10-053-055 and 11-009-014 (the “Appeals”) dated January 9, 2012 (the “Notice”) and in its Decision dated April 10, 2012 (the “Decision”) including:
 - (a) the Board erred in law or jurisdiction in determining that the Board did not have jurisdiction to grant public interest standing;
 - (b) the Board erred in law or jurisdiction in unreasonably fettering its discretion to grant public interest standing to the Applicants in the Appeals;
 - (c) the Board erred in law or jurisdiction in determining that the Board cannot hear justiciable matters;
 - (d) the Board erred in law or made an unreasonable finding that the Appellants do not have a genuine interest in the Licence Amendments that are the subject of the Decision;
 - (e) the Board erred in law or made an unreasonable finding that there was a reasonable and effective alternative manner to bring the matter before the Board other than by granting the Applicants public interest standing; and
 - (f) the Board erred in law or made an unreasonable finding that the Appellant’s intent in bringing the Appeals was to have legislation or policies changed.

Remedy sought:

2. An Order adjourning the Application to a Justice Chambers Special Date;
3. An Order in the nature of *certiorari* quashing the Notice and Decision and remitting the matter to a new panel of the Board for determination in accordance with the directions of this Honourable Court;
4. A declaration that the Board has the jurisdiction to grant public interest standing in Appeals before the Board;
5. A declaration that the Board has the jurisdiction to hear justiciable matters;
6. A declaration that the Board erred in law or made an unreasonable finding that the Applicants do not have a genuine interest in the Licence Amendments that are the subject of the Decision;

7. A declaration that the Board erred in law or made an unreasonable finding that there was a reasonable and effective alternative manner to bring the matter before the Board other than by granting the Applicants public interest standing;
8. A declaration that the Board erred in law or made an unreasonable finding that the Appellants' intent in bringing the Appeals was to have legislation or policies changed;
9. In the alternative, a declaration that where there is an allegation that the Director has erred in law or jurisdiction and there is no party directly affected by the Decision, any genuinely interested party may proceed by way of an application for judicial review to this Honourable Court without first bringing the matter before the Board;
10. An Order granting the Applicants costs; and
11. Such further or other Orders or Directions as this Honourable Court deems appropriate.

Affidavit or other evidence to be used in support of this application:

12. The Record of proceedings before the Board; and
13. Such further and other materials as counsel may advise and this Honourable Court may allow.

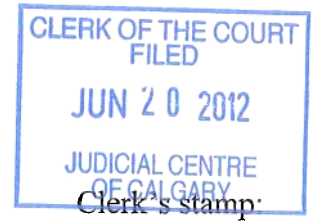
Applicable Acts and regulations:

14. The *Environmental Protection and Enhancement Act*, RSA 2000, c. E-12, the *Environmental Appeal Board Regulation*, AR 114/93, the *Water Act*, RSA 2000, c. W-3, the *Public Health Act*, SA 1984, c. P-27.1, the *Alberta Rules of Court*, and such other Acts and Regulations as counsel may advise and this Honourable Court may permit.

WARNING

You are named as a respondent because you have made or are expected to make an adverse claim in respect of this originating application. If you do not come to Court either in person or by your lawyer, the Court may make an order declaring you and all persons claiming under you to be barred from taking any further proceedings against the applicant(s). You will be bound by any order the Court makes, or another order might be given or other proceedings taken which the applicant(s) is/are entitled to make without any further notice to you. If you want to take part in the application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of this form. If you intend to rely on an affidavit or other evidence when the originating application is heard or considered, you must reply by giving reasonable notice of that material to the applicant(s).

Form 8
[Rule 3.18]



COURT FILE NUMBER 1201-07570

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE Calgary

APPLICANT(S) ALBERTA WILDERNESS ASSOCIATION,
TROUT UNLIMITED CANADA and WATER
MATTERS SOCIETY OF ALBERTA

RESPONDENT(S) THE ENVIRONMENTAL APPEALS BOARD and
THE MINISTER OF JUSTICE AND ATTORNEY
GENERAL FOR ALBERTA

DOCUMENT NOTICE TO OBTAIN RECORD OF PROCEEDINGS

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
Barry Robinson
Barrister & Solicitor
Suite 900, 1000 – 5th Avenue SW
Calgary, Alberta T2P 4V1
Tel. 403-705-0202
Fax 403-264-8399
Email brobinson@ecojustice.ca

NOTICE TO THE ENVIRONMENTAL APPEALS BOARD

Requirement

You are required to provide the following or an explanation as to why they, or any of them, cannot be provided:

- (i) the decision or written record of the act that is the subject of the originating application for judicial review,
- (ii) the reasons given for the decision or act, if any,
- (iii) the document starting the proceeding,

- (iv) the evidence and exhibits filed with you, if any, and
- (v) anything else in your possession relevant to the decision or act.