



How Much Abuse of Power Does it Take to Cover-up Frac'ing Pollution?

by Jessica Ernst

October 9, 2017 . Malton . North Yorkshire . UK

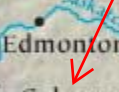
*Gold Standard
Best-in-the-World ... Best-in-Class*



Do Regulations Protect Us & Our Water or
Only Corporate Polluters and their Enablers?



Rosebud is about 100 km north east of Calgary



Calgary

Alberta's fresh water regulator:

was

Alberta Environmental Protection

changed to



Alberta Environment

changed to

Alberta Environment and Water

changed to

Alberta Environment and Sustainable Resource
Development

2013 all water, including drinking, moved under

AER

Energy Resources Conservation Board (ERCB)

govt changed to

Energy Utilities Board (EUB)

after breaking the law & spying on Albertans

changed back to

Energy Resources Conservation Board

after my lawsuit goes public, govt changed to



Alberta Research Council

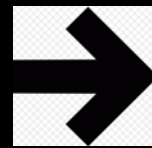
“meeting the priorities of industry”



=



Encana VP Gerard Protti appointed to the Board by gov't



Canadian Association
of Petroleum Producers



Migration of Methane into
Groundwater from Leaking
Production Wells near
Lloydminster

Report for Phase 2 (1995)

March 1996
CAPP Pub. #1996-0003

1986 Historic Record on Ernst Well Filed with Alberta Environment



Water Well Drilling Report

The data contained in this report is supplied by the Driller. The province disclaims responsibility for its accuracy.

Well I.D.:	0123548
Map Verified:	Map
Date Report Received:	1986/05/14
Measurements:	Imperial


1. Contractor & Well Owner Information			2. Well Location				
Company Name: UNKNOWN DRILLER	Drilling Company Approval No.: 99999		1/4 or LSD SE	Sec 13	Twp 027	Rge 22	West of M 4
Mailing Address: UNKNOWN	City or Town: UNKNOWN AB CA	Postal Code:	Location in Quarter				
Well Owner's Name: FECKLEY, F.L.	Well Location Identifier:		0 FT from			Boundary	
P.O. Box Number: 723	Mailing Address: ROSEBUD	Postal Code: T0J 2T0	0 FT from			Boundary	
City:	Province:	Country:	Lot	Block	Plan		
3. Drilling Information			Well Elev: FT	How Obtain: Not Obtain			
Type of Work: Chemistry Reclaimed Well	Proposed well use: Domestic		6. Well Yield				
Date Reclaimed:	Materials Used:	Anticipated Water Requirements/day	Test Date (yyyy/mm/dd):	Start Time:			
Method of Drilling: Drilled	Rate: Gallons Oil Present: No		Test Method:				
Flowing Well: Gas Present: No	0 Gallons		Non pumping static level:	FT			

Method of Drilling

Flowing Well:

Gas Present: No

Historic Alberta Water Well Records:

 Water Well Drilling Report <small>The data combined in this report is supplied by the Driller. The province disclaims responsibility for its accuracy.</small>		Well I.D.: 0123548 Map Verified: Map Date Report Received: 1988/05/14 Measurements: Imperial	
1. Contractor & Well Owner Information		2. Well Location	
Company Name: UNKNOWN DRILLER Mailing Address: UNKNOWN Well Owner's Name: PECKLEY, F.L. P.O. Box Number: 729 City:		Drilling Company Approval No.: 00000 City or Town: UNKNOWN AB CA Well Location Identifier: Mailing Address: ROSESUD Province:	
3. Drilling Information Type of Work: Chemistry Reclaimed Well Date Reclaimed: Method of Drilling: Drilled Flowing Well: Gas Present: No		Proposed well use: Domestic Anticipated Water Requirements/day 0 Gallons	
4. Formation Log		6. Well Yield	
Depth from ground level (feet)	Lithology Description	Test Date: (yyyy/mm/dd) Test Method: Non pumping static level: Rate of water removal: Gallons/Min	Start Time: (yyyy/mm/dd) Test Method: FT Not Obtain
5. Well Completion		Depth of pump intake: FT Water level at end of pumping: FT Distance from top of casing to ground level: Inches Depth To water level (feet) Elapsed Time Drawdown Minutes:Sec Recovery	
Date Started (yyyy/mm/dd): Date Completed (yyyy/mm/dd): Well Depth: 190 FT Casing Type: Size OD: 0 Inches Well Thickness: 0 Inches Bottom at: 0 FT Perforations: from: 0 FT to: 0 FT from: 0 FT to: 0 FT from: 0 FT to: 0 FT Perforations Size: 0 Inches x 0 Inches 0 Inches x 0 Inches 0 Inches x 0 Inches Perforated by: Seal: from: 0 FT to: 0 FT Seal: from: 0 FT to: 0 FT Seal: from: 0 FT to: 0 FT Screen Type: from: 0 FT to: 0 FT Screen ID: 0 Inches Slot Size: 0 Inches Screen Type: from: 0 FT to: 0 FT Screen ID: 0 Inches Slot Size: 0 Inches Screen Installation Method: Fittings: Top: Pack: Grain Size: Amount: Geophysical Log Taken: Retained on File: Additional Test and/or Pump Data Chemistry taken by Driller: No Vols: 1 Documents Held: 1 P/Bless Adapter Type: Drop Pipe Type: Length: Diameter: Comments:		Total Drawdown: FT If water removal was less than 2 hr duration, reason why: Recommended pumping rate: Gallons/Min Recommended pump intake: FT Type pump installed: Pump type: Pump model: H.P.: Any further pumped information?	
7. Contractor Certification			
Driller's Name: UNKNOWN DRILLER Certification No.: This well was constructed in accordance with the Water Well regulation of the Alberta Environmental Protection & Enhancement Act. All information in this report is true. Signature: Yr Mo Day			

About time frac'ing started,
0.18% had methane present

Natural gas in fresh water wells

Usually at low levels, does not dramatically change.

Dr. Muehlenbachs: Microbial gas doesn't produce ethane

CAPP "baseline" study, dissolved levels very low, **most < 1 mg/l**
(Risk of explosion at 1 mg/l if water passes confined space)

Regulator study: methane/ethane not detected in 90% water wells in coal.

Dr Bernard Mayer: free gas seldom in water wells

1998: Ernst moves to Rosebud



~ 2300 historic water well records 50 km²
around my home completed prior to the
arrival of shallow frac'd Coalbed Methane
(~2001)

4 (0.17%) noted the presence of a gas that
could be methane

The Canadian Council of Ministers of the
Environment 2002 report:

Unconventional natural gas drilling poses a
real threat to groundwater
quality & quantity

Canada needs “baseline hydrogeological
investigations....to be able to recognize and
track groundwater contaminants.”

Instead,



Encana's secret frac experiments into drinking water aquifers begin without "baseline" hydrogeological assessments

2003 – Frac'd Life begins

With Noise

**EnCana continues to violate my legal right
to quiet enjoyment of my home & land**

2003: Test by EnCana on my well

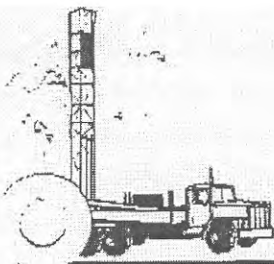
Water appearance: *Clear*

Tester did not report visible gas in my water

M & M Drilling Co. Ltd.

Box 1, Site 22, RR 2, Strathmore, AB T1P 1K5

(403) 934-4271 • Fax (403) 934-4865



Name: ERNST, JESSICA **Test #:** 1061 - 2211
Address: BOX 753 **Date:** 6/20/2003
Location: ROSEBUD, ALBERTA **Start Time:** 8:45 AM
Post. Code: T0J 2T0 **Phone:** 677-2074 **Static Level:** 28' 5"
Tested For: ENCANA CORP., G. PEKRUL **Well Name:** ECA/ECOG REDLANDS
Well Location/Description: SE-13-27-22-W4 HOUSE WELL **Land Location:** 14-12-27-22-W4
Pumping Rate: STATIC & SAMPLES ONLY **AFE Number:** CD05391
GPS: N-51-18-02.2 W-112-57-41.1 **Readings By:** DAVID SAWYER
 PRE-TEST POST TEST REALESTATE

Well Location On Site: IN OLD BARN NORTH OF HOUSE

Pit Type: WELL HEAD

Pit Condition: N/A

Pump Size and Type: 2 WIRE SUBMERSIBLE

Tank Size and Type: MARK IV CONSTANT PRESSURE

Casing Size and Type:

Liner Size and Type: N/A

Well Depth: N/A

Water: - Appearance

Clear Colour

- Odor

None Yes

SLIGHT H2S

- Suspended Solids:

None Yes

FEW BLACK PARTICLES

Pumping Procedure: - Open Discharge:

No Yes

- Pressure Tank

No Yes

- Pressure Reading

N/A

- Special Fitting

None Yes

3/4" PUMP OUT HOSE

Samples Taken: Chemical23:

Other Sample

Chemical51:

Coliform Bacteri.

Heavy Metals:

TOC

H2S:

OilAndGrease:

Lab where samples were tested:

WSH Other

Measurement Taken From:

CASING TOP

Miscellaneous test information:

SAMPLES TAKEN FROM PUMP OUT HOSE
WELL OFF FOR ONE HOUR BEFORE STATIC TAKEN

Well Depth: N/A

Water: - Appearance

Clear Colourt

WELL ID: 00 / 05-14-027-22 W4 / 0

EUB COMPANY INFORMATION
CURRENT TO June 29, 2007

ENCANA CORPORATION

Box 2850, 150 - 9 Avenue SW Calgary, AB T2P 2S5

403-645-2000

BUSINESS ASSOCIATE CODE:

00

EUB WELL PRODUCTION DATA
CURRENT TO MAY 25, 2007

AVERAGE DAILY PRODUCTION RATE

JANUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
	0	0	0	0	0	96	0	0	0	0

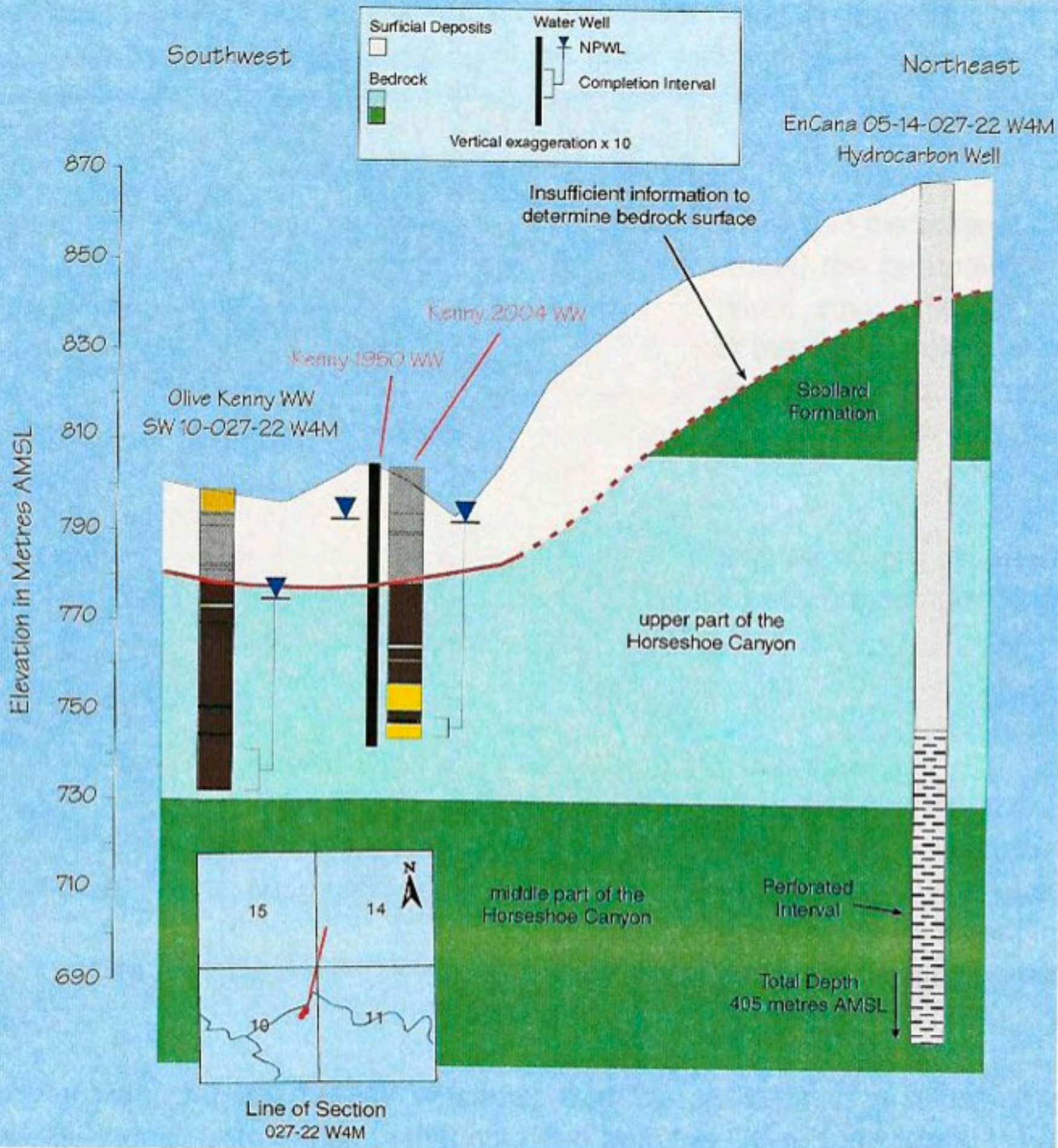
EUB WELL LICENSING DATA

	0274221405000	WELL LICENCE NUMBER:	0293679
	Section 2.020	WELL LICENCE DATE:	SEPTEMBER 24, 2003
	05-14-027-22 W4	SURFACE OFFSETS:	N 570 E 40
DE:	51.304912	LONGITUDE:	113.004771
ATITUDE:	0	LONGITUDE:	0
	ENCANA CORPORATION		

EUB WELL TOUR - PERFORATION / TREATMENT DATA

DATE	TYPE	INTERVAL TOP	INTERVAL BASE	SHOT
Feb 15 2004	JET PERFORATION	418.9	419.9	13
Feb 15 2004	JET PERFORATION	415.5	416.5	13
Feb 15 2004	JET PERFORATION	374.3	375.3	13
Feb 15 2004	JET PERFORATION	371.7	372.7	13
Feb 15 2004	JET PERFORATION	358.4	359.4	13
Feb 15 2004	JET PERFORATION	354.5	355.5	13
Feb 15 2004	JET PERFORATION	347.8	348.8	13
Feb 15 2004	JET PERFORATION	342.6	343.6	13
Feb 15 2004	JET PERFORATION	284.9	286.9	13
Feb 15 2004	JET PERFORATION	283.5	284.5	13
Feb 15 2004	JET PERFORATION	259.3	260.3	13
Feb 15 2004	JET PERFORATION	248	250	13
Feb 15 2004	JET PERFORATION	244.9	245.9	13
Feb 15 2004	JET PERFORATION	238.6	239.6	13
Feb 15 2004	JET PERFORATION	234.6	235.6	13
Feb 15 2004	JET PERFORATION	228.7	230.7	13
Feb 15 2004	JET PERFORATION	222	223	13
Feb 15 2004	JET PERFORATION	220.1	221.1	13
Feb 15 2004	JET PERFORATION	186.1	187.1	13
Feb 15 2004	JET PERFORATION	177.1	178.1	13
Feb 15 2004	JET PERFORATION	141.4	142.4	13
Feb 15 2004	JET PERFORATION	133	134	13
Feb 15 2004	JET PERFORATION	131.7	132.7	13
Feb 15 2004	JET PERFORATION	125.5	126.5	13
Mar 2 2004	FRACTURED	131.7	419.9	0
Jul 12 2004	CEMENT SQUEEZE	141.4	142.4	0

Intervals**(Liner Bottom at: 463.0 m****-- Completion Interval(s) --****Slotted: 121.5 to 122.5 m - 2 - Method: Other****Slotted: 127.7 to 130.0 m - 2 - Method: Other****Slotted: 137.4 to 138.4 m - 2 - Method: Other****Slotted: 173.1 to 174.1 m - 2 - Method: Other****Slotted: 182.1 to 183.1 m - 2 - Method: Other****Slotted: 216.1 to 219.0 m - 2 - Method: Other**



South-North Cross-Section

Encana Manager Mark Taylor

Now on AER
Executive

The screenshot shows the Alberta Energy Regulator (AER) website. At the top left is the AER logo, and at the top right are links for "SYSTEMS & TOOLS" and "FORMS". Below the header is a navigation bar with "ENERGY DEVELOPMENT PROCESS" and two numbered steps: "1 Applications & Notices" and "2 Compliance & Enforcement". A blue banner below the navigation bar displays "Mark Taylor". On the left, a white sidebar menu titled "ABOUT AER" lists several categories: "Who we are", "What we do", "Governance", "Board of Directors", "Executive", "Jim Ellis", "Carol Crowfoot", "Jennifer Steber", and "Mark Taylor". The "Executive" and "Mark Taylor" items are circled in pink. On the right, a portrait of Mark Taylor is shown above a text snippet that reads "and gas assets in west... Horn River shale, Mont... Mr. Taylor has served o... and as the chair of botl...".



Open House Oct 21, 2004

EnCana promised that they would only frac
far below our fresh water aquifers
and below the impermeable layer to prevent
gas migration into our water.

\$150,000 promise to Rosebud Theatre

January 11, 2005, Rosebud water tower blows up in an explosion

“Investigators say an accumulation of gases appears to have caused the Jan. 11 explosion that destroyed the Rosebud water reservoir building and sent a Wheatland County employee to hospital with injuries.”

Strathmore Standard, Jan 27, 2005

My water dramatically changed

Whistling taps/blowing gas

Caustic burns to skin/irritated eyes.

Painful cracks on hands after doing dishes

Soaps/shampoos no longer make suds

Gas spurting water out of tub & toilets

Dogs repulsed by the water





November 24, 2005: Instead of Regulating Law-Violating Encana, EUB (now AER):

Lies and deregulates to match Encana's non-compliances

**Tries to intimidate Ernst into obedient
Alberta silence**

November 24, 2005

Jessica Ernst
Box 753
Rosebud AB T0J 2T0

NOISE CONTROL DIRECTIVE


Dear Ms. Ernst:

It is clear that over the past several months you have undertaken an intensive letter writing campaign as a means to pressure the Alberta Energy and Utilities Board (EUB) to rule that EnCana has not met the regulatory requirements for noise control in the Rosebud region. As you know, compliance with the EUB *Noise Control Directive (Directive)* can only be determined using the results of a "representative" comprehensive noise survey. Consequently, even though two previous surveys conducted by a reputable acoustical engineering firm were technically defensible and did demonstrate that EnCana was compliant, the EUB agreed to not accept those results for your residence to demonstrate the fairness of the EUB regulatory process. In fact, the EUB offered to conduct a separate noise survey at your residence, at the time of your choosing, placing the microphone where you want, and without the knowledge of EnCana to determine compliance at your residence.

Rather than accept this offer, you have chosen to perpetuate accusations that the EUB has not been responsive to your concerns. In fact, the EUB has tried to be very accommodating to you and even provided you with a copy of the current draft of the *Directive* so that you may provide comments for the multi-stakeholder review committee to consider. I believe that you know quite well that as a draft, the *Directive* is still subject to change. Rather than raise any concerns about the draft *Directive* with our staff as requested, you chose to circulate widely through the internet untruths that the EUB has unilaterally made significant changes to the *Directive* that would result in higher noise levels for rural residents. Your statement about the EUB raising the acceptable noise levels for winter operations is not true. In fact, this option has been in the *Directive* since 1988. While I again may find this approach disappointing, it is your right to free speech.

What I cannot and will not accept is your threat, veiled as something someone said to you, as a means to incite people to resort to the "Wiebo Way". Criminal threats will not be tolerated, and we are deciding on how best to work with the office of the Attorney General of Alberta and the RCMP to register our concern and to ensure the protection of the public including our staff. Until the safety and security issues have been satisfactorily addressed and resolved, I have instructed my staff to avoid any further contact with you. The EUB Field Surveillance Branch have been made aware of this situation as well.

Sincerely yours,



Jim Reid
Manager
Operations Group
Compliance and Operations Branch

pc: RCMP Drumheller Detachment
Ron Paulson, Manager, EUB Field Surveillance Branch
Al Palmer, Manager, EUB Security



CANADIAN
CHARTER OF RIGHTS
AND FREEDOMS

EUB judges Ernst a criminal & punishes her without evidence or due process, copies RCMP, AB AG & EUB security

Violates Ernst's Charter Rights

Interrogates Ernst 6 months later, tries to fabricate evidence

“Criminal threats will not be tolerated, and we are deciding how best to work with the Attorney General of Alberta and the RCMP”



Ernst never arrested/charged

3 Blood Tribe women arrested, charged with criminal intimidation for protesting frac'ing



Kimberly Mildenstein arrested, charged for faxing threat to ERCB

RCMP try to fingerprint Wiebo Ludwig's corpse

2005 Wetaskiwin Alberta: Zimmerman's water contaminated with methane & ethane after frac'ing



Feb 28, 2006

Alberta Legislature



Environment Minister
promised affected
families

safe alternate water
“now and into the future”

regardless if
the methane is from
“natural flow”
or not.

March 3 2006: Alberta Environment tests Ernst's water. Al Straus blames her for the contamination (before results in) because she doesn't run cattle, doesn't use enough water



Alberta Environment Testing Ernst Water 2006

March 3

Alarmed how much gas
is in my water

I am to blame because I
don't run cattle, thus
use too little water

March 6

Meeting with Minister
& staff

I am to blame, because
I use too much water

2006: Blame Nature Fraud

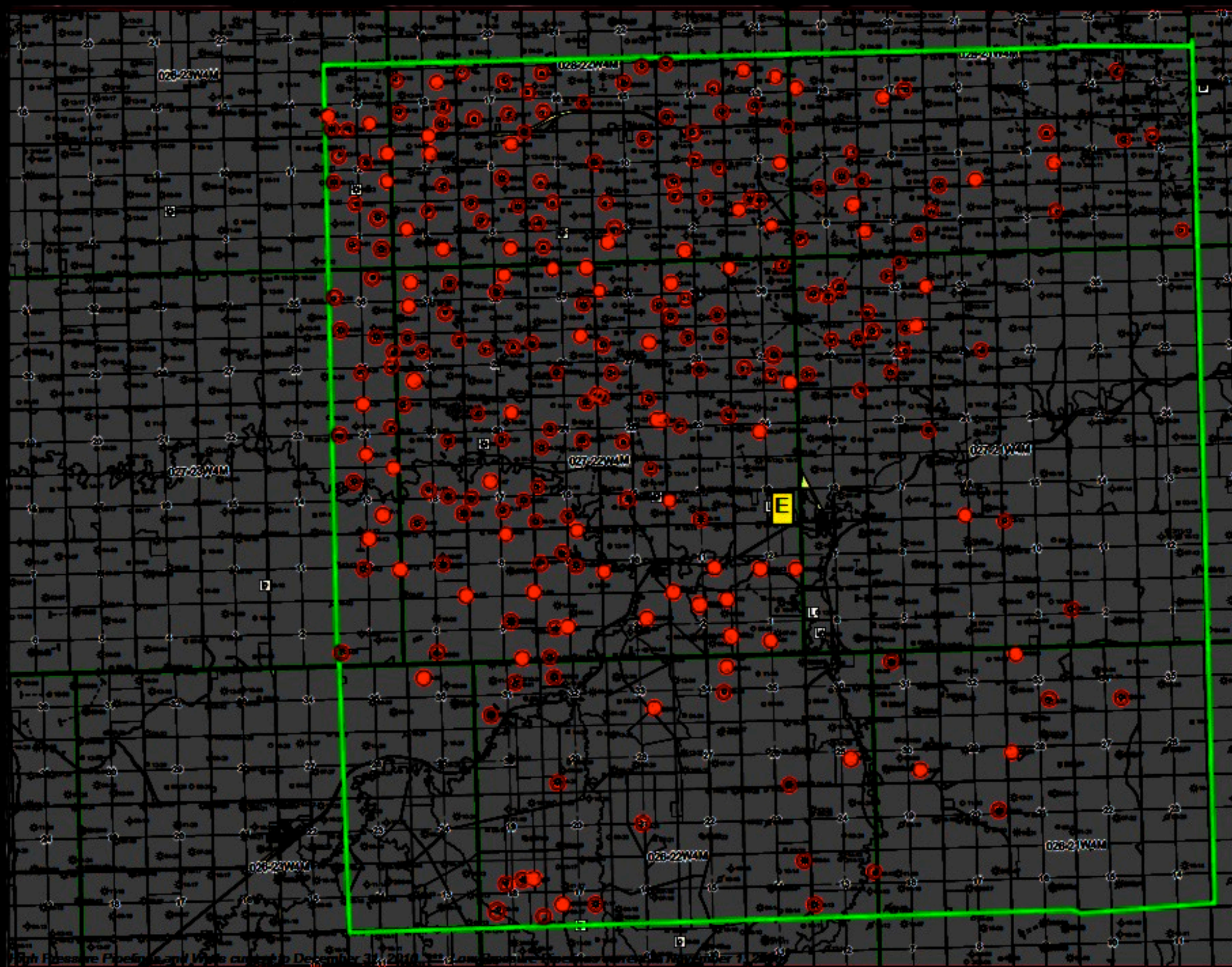
After Ernst went public with Encana's data proving Encana broke the law and frac'd Rosebud's drinking water aquifers,

Regulators & politicians tell harmed citizens & the public

most water wells are "naturally" contaminated with methane

○ Circles with black dots: EnCana Wells Perforated and/or Hydraulically Fractured Above the Base of Groundwater Protection before April 2006

● Solid Circles: EnCana Wells Perforated and/or Hydraulically Fractured Above 200m before April 2006



E = approximate location of Ernst property Wells within ~6 miles, a small portion of the sacrifice zone

April 2006: Regulators *knew* Encana had contaminated our water!!



Two Labs:

- 1) Maxxam: “(3-14-27-22-w4m and 102/8-27-22-w4m) it is a likely source of this water well gas”
- 1) Dr. Karlis Muehlenbachs: “indicates a source from or near the shallower wells, 27-22-W4M”

(obtained via FOIP, 2 years later)

2006: Toxic chemicals found by the regulator in Rosebud Hamlet water:

Petroleum distillates,
bromodichloromethane,
phenanthrene,
toluene,
methyl ethyl ketone,
xylene,
benzene,
butylbenzyl phthalate,
di-ethyl phthalate,
di-n-butyl phthalate,
bis(2-ethyhexyl) phthalate and
benzothiazole.

Hexavalent chromium (of Erin Brokovich fame) was found by the regulator in a monitoring well in the Hamlet [via FOIP results]

Toxic Chemicals found by the regulator in my water

- March 3, 2006: 0.21 mg/L of F-2 petroleum hydrocarbons (primary components of various fuels including gasoline, kerosene, diesel fuel and jet fuel);
- **March 3, 2006: Chromium increased in my water by factor of 45 after EnCana fractured the aquifer that supplies my well.**
- June 6, 2007: 2.0 µg/L of 2-Propanol 2-Methyl. 2-Propanol 2-Methyl is a product of degrading methyl *tert*-butyl (MTBE), and may indicate MTBE contamination. Both 2-Propanol 2-Methyl and MTBE are hazardous;
- June 6, 2007: 3.6 µg/L of Bis (2-ethylhexyl) phthalate (BEHP). BEHP can cause cancer as well as damage to the liver after prolonged exposure.

**Standard for Baseline Water-Well Testing for
Coalbed Methane/Natural Gas in Coal Operations**

April 2006



May 8, 2006, Spirit River, Alberta

Bruce Jack's water well erupting after nearby frac'ing *and* professional venting of industry's migrating gas

May 9, 2006 Bruce Jack in hospital



Canada-wide:

No testing required for the
chemicals injected in drilling,
cementing, acidizing, frac'ing,
servicing

[Fracfocus Fraud created by industry 6 years later]

John McDougall, President & CEO
Alberta Research Council
(No MSc or PhD) 1997 - 2009



2006 CEO John McDougall Briefing Note:

To blame bacteria *before* Research Council is retained to review the cases, ***after*** regulator tests showed Encana guilty!

“landowners may not willingly accept the findings determined by Alberta Environment and Alberta Research Council”

[Ernst obtained by FOIP in 2008]

EnCana frac'd & still frac's biogenic naturally occurring methane

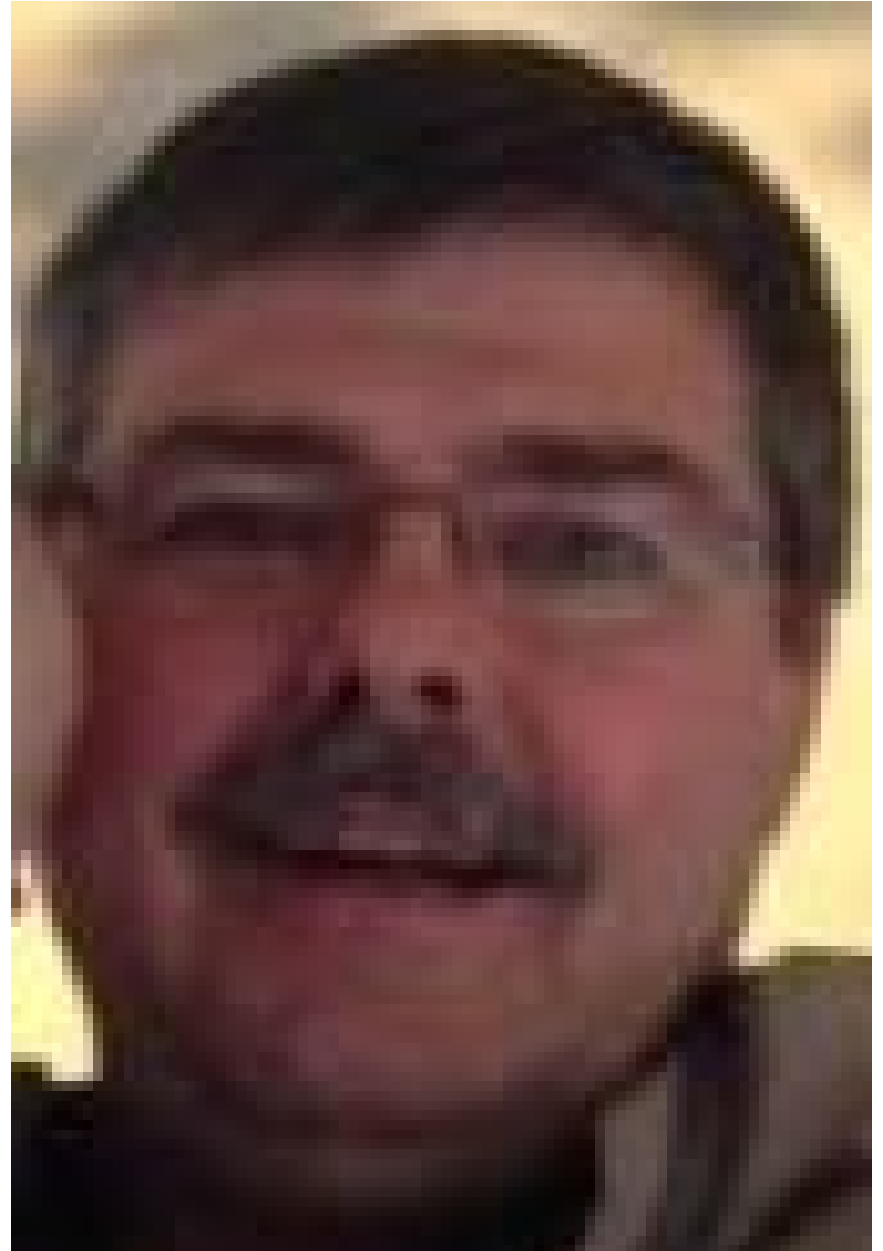


Kevin Pilger, Alberta Environment
Lead Investigator on **community-wide**
drinking water **contamination** at Rosebud



Kevin Pilger, 20 years experience:

Refused to
review *any*
Encana shallow
frac data
because the
company
promised it only
frac'd deep



Alberta Environment **Lead Investigator** Kevin Pilger:
“We can’t look at Encana’s data at the ERCB
because you broke in and altered it all”



Kevin Pilger said he could not read the hydrogeological report that admitted Encana frac'd our aquifers because



Prepared by
Hydrogeological Consultants Ltd.
1-800-661-7972
Our File No.: 04-510

January 2005

PERMIT TO PRACTICE
HYDROGEOLOGICAL CONSULTANTS LTD.
Signature _____
Date 13 Apr 05
PERMIT NUMBER P 385
The Association of Professional Engineers,
Geologists and Geophysicists of Alberta

A large, illegible handwritten signature in blue ink, likely a forgery, is written on the right side of the document.

© 2005 hydrogeological consultants ltd.

Ernst fraudulently fabricated it and forged the signatures and professional seal!



2006 Kevin Pilger's Gopher Shit Sampling of Signer's Drinking Water

No *E. coli* detected in Pilger's 1st sampling
of Signer's water

After Pilger introduced
mud with gopher feces

into Signer's well, *E. coli* detected



This fraudulent data from 1 sampling event on 1 citizen water well was used to dismiss contamination in everyone's contaminated water citing:

“naturally occurring methane”

“maintenance issues”

“bacteria”

June 8, 2006

Interrogation of Ernst by ERCB Lawyer



Admitted on tape, the ERCB never considered me a threat

September 2006

The international *2nd Well Bore Integrity Network Meeting's* first key conclusion:

“There is clearly a problem with well bore integrity in existing oil and gas production wells, worldwide....”

Methane in Rosebud Water

30 – 110 mg/l

Risk of Explosion at 1 mg/l (if water passes confined space, CAPP Gas Migration Report 1996)

Compare to Ernst Historic Record on File
with Alberta Environment: **Gas Present No**

CAPP Testimony to Parliamentary Committee, Environment & Sustainable Development, Evidence, May 8, 2007

On testing for methane in water wells:

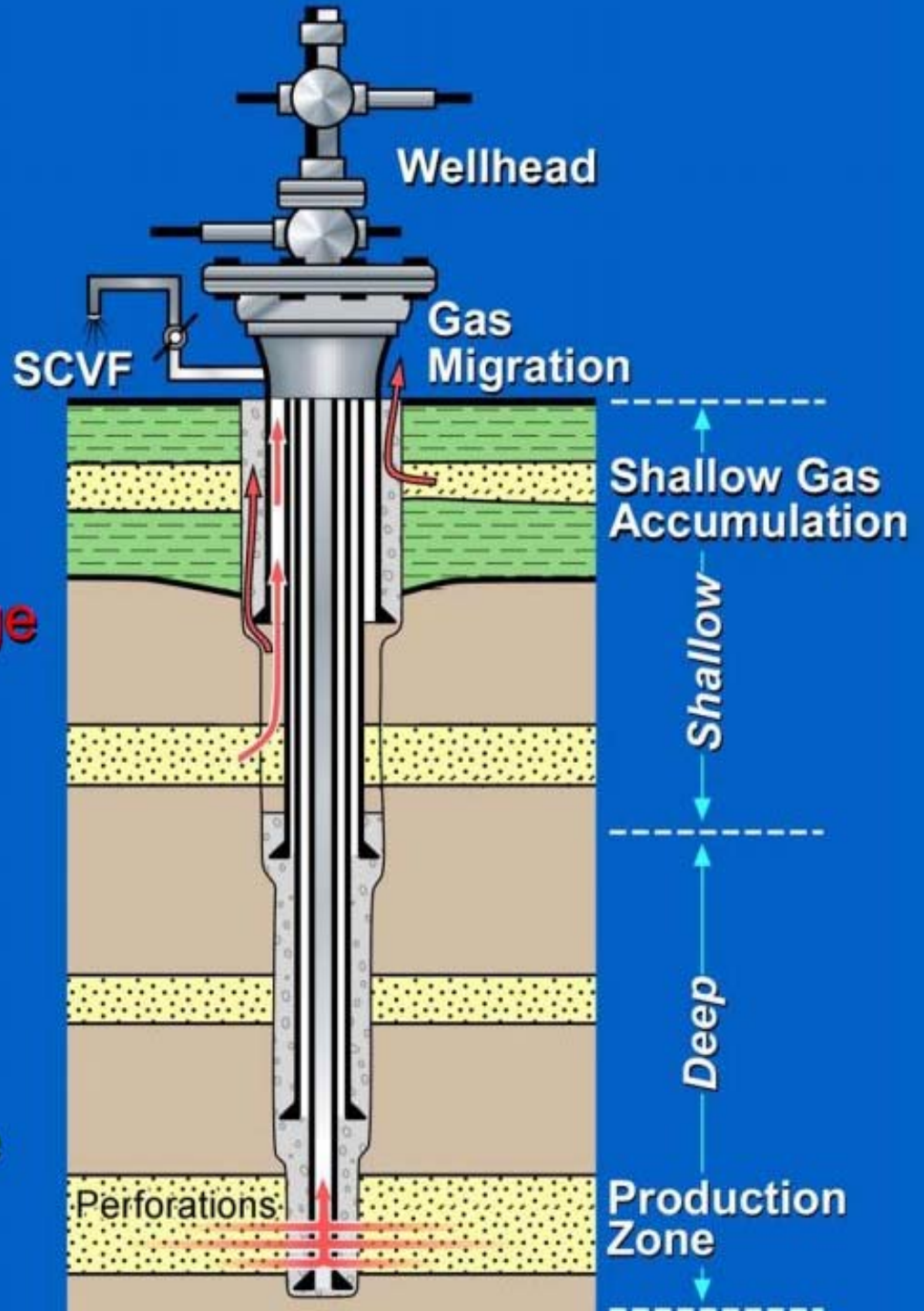
Mr. David Pryce, CAPP:

“If it is present, the **presumption** is that it’s
naturally occurring....”

Leakage Potential along a Well

Shallower, upper part
Higher potential for leakage

Deep, lower part
completed in
producing zones
Less potential for leakage



2007: Regulator's Monitoring Fraud

3 monitoring water wells drilled 6 years too late, after Encana illegally frac'd aquifers

Data collected to be used as "baseline" to "monitor" frac impacts to groundwater



2007 Regulator Lab Switch Fraud

Finally commits to comprehensive investigation,
but, switches to U of C lab with least accurate
equipment to avoid fingerprinting ethane in
contaminated water wells

GCHEM Thermo MAT 253 needs 5ppm v/v ethane

U of A Thermo MAT 252 needs 10ppm v/v ethane

U of C Thermo Delta needs 300ppm v/v ethane

Harmed citizens ask regulator for duplicate
samples, sent to U of A for ethane
fingerprinting

Regulator gas samples from contaminated Rosebud water wells, **ethane** fingerprinted by U of A:

2006 before regulator lab switch

Dahm	-44.27
Kenney	-41.66
Ricard	-42.00

2007 after lab switch, duplicates

Lauridsen	-41.26
Signer	-40.40
Ernst	-44.70

Hamlet water: Regulator collected too little to analyze, refused to collect more

Regulator study industry wells **-38.95 to -45.89**

Encana gas well frac'd in fresh water zone **-43.33**

(Only sampled 1/200 gas wells frac'd into fresh water zones)

Microbial gas in fresh groundwater **No ethane**



2007

Alberta Environment retains
the Alberta Research Council

to review the 5 water well
contamination cases
that had been reported in the
media

2007 10: After searching 2 years,
Ernst finds lawyers, they advise:

Ernst & her community's drinking water will
most likely never see justice

It will cost 10-12 years &
More than \$1 Million in legal costs

To *maybe* win \$20,000.

It gets worse:

Because Ernst will not settle & gag (water belongs to all),

court rules dictate that she must pay her legal costs and the defendants' - *even if she wins*, if she wins less in court than offered to gag and she declines to gag.

2007 10 30: Bandit killed



2007 12 03: Ernst files lawsuit against AER, Alberta Environment & Encana

Action No. 0702-00120

IN THE COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL DISTRICT OF DRUMHELLER/HANNA

BETWEEN:

**JESSICA ERNST and
611640 ALBERTA INC. d.b.a. ERNST ENVIRONMENTAL SERVICES**

Plaintiffs

and

**ENCANA CORPORATION, ALBERTA ENERGY AND UTILITIES BOARD,
NEIL McCRANK, JIM REID, ALBERTA ENVIRONMENT, KEVIN PILGER,
ALBERTA HEALTH AND WELLNESS, and
HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA**

Defendants

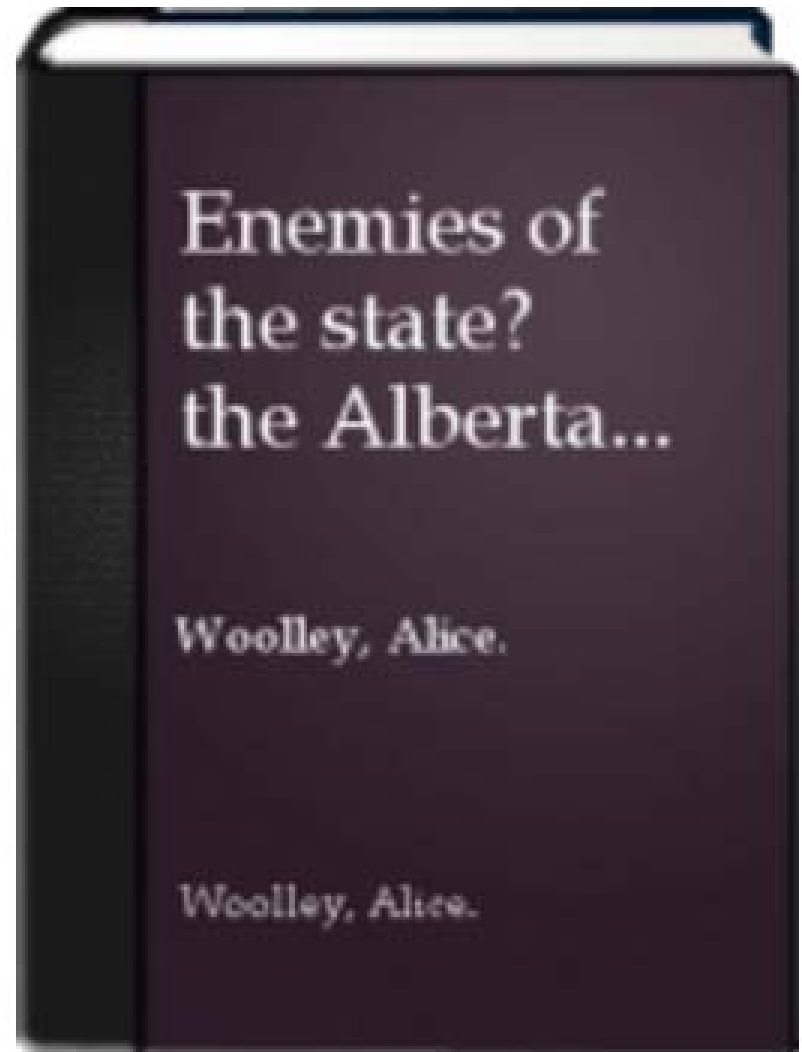
STATEMENT OF CLAIM

2007 12: Frac'd Academics

U Calgary **Law** Prof
Alice Woolley:

Reports hearsay
without interviewing
Ernst, ignores that
official hearing
transcripts contradict
the hearsay.

Defames Ernst in a
published technical
paper on policy.



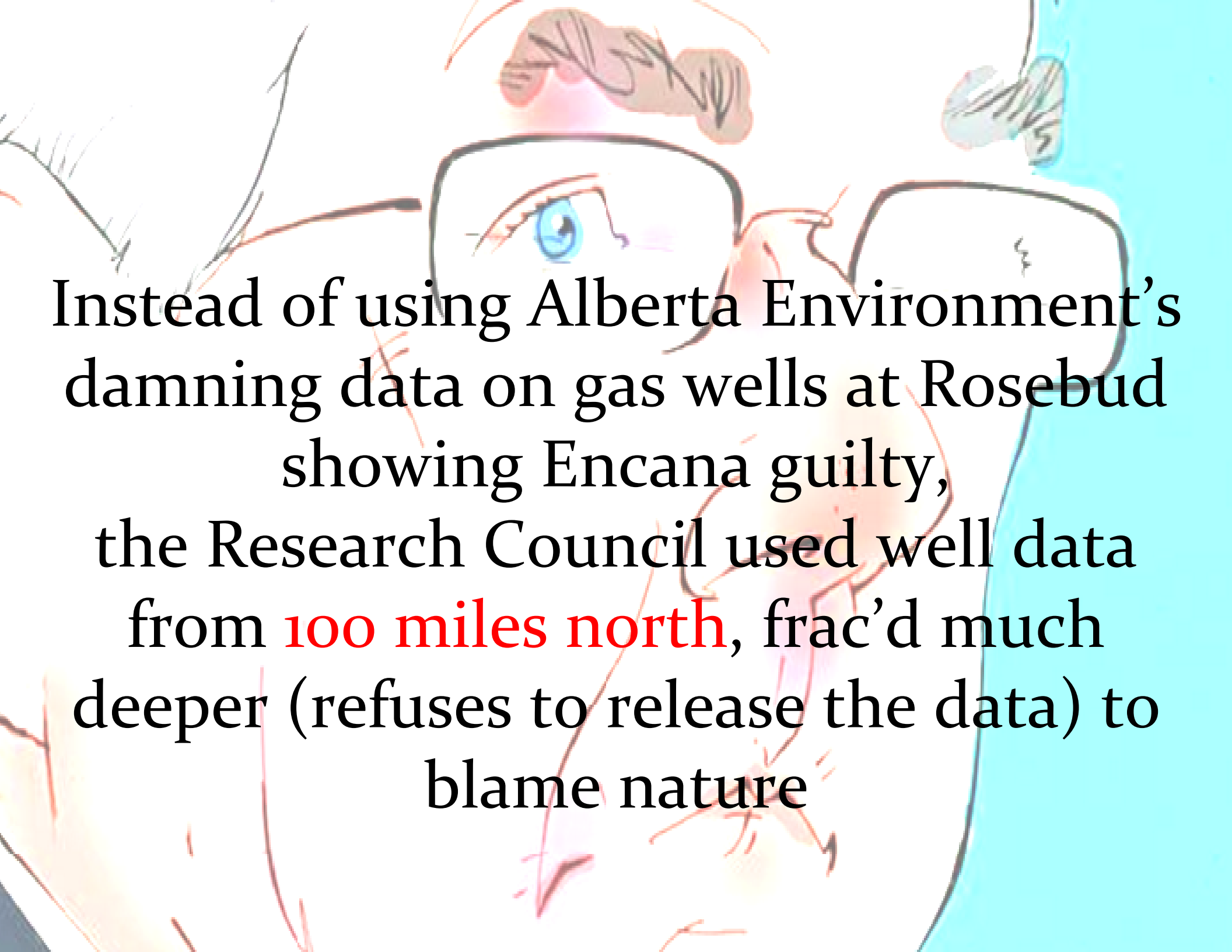
2007 Alberta Environment's Editing Fraud: Steve Wallace secretly edited Research Council's "independent" reports, even the conclusions



January 2008 Alberta Research Council's "edited" reports:

Ignored:

- The damning **ethane** data
- 1986 historic record on Ernst well: *Gas Present **No*** (used unsubstantiated stories of historic methane in water wells elsewhere)
- 2003 Encana testing of Ernst water well
- Encana illegally fractured the aquifer supplying Ernst's water well



Instead of using Alberta Environment's damning data on gas wells at Rosebud showing Encana guilty, the Research Council used well data from **100 miles north**, frac'd much deeper (refuses to release the data) to blame nature

April 2008: Alberta Environment Breaks Legislature Made Promise

Takes away the water deliveries

**Declares our dangerously
explosive & toxic water safe**



Some days, there's a line up



**2 thousand gallons takes about an hour to fill
I forgot to bring a book**



My turn. 185 gal tank.



WARNING



Water tanks
in my
house

I had to give
up my
storage
and
laundry
room

June 2008, *WorldOil.com*

“Gas migration can occur any time the seal of a gas-bearing zone is disturbed”.

***i.e.*, every frac!**

December 2008

**Legal papers served
on the defendants**

**Feb 7, 2009 CTV W5
National News**

**Aired segment on my water and
the ERCB's treatment of me**

The next week ...

The Intimidation of Ernst









**If the contamination in my water is natural,
would they send the RCMP?**

RCMP = Royal Canadian Mounted Police

2009 NE British Columbia: Encana's massive deadly sour gas leak caused by frac sand

Residents rescue themselves

Regulator & Encana's *World Class* regulations
failed

Encana buys off criminal charges with \$250,000
gift to community

February 2010
Schlumberger Chairman &
CEO Andrew Gould to Investors:

**“we're doing it by brute force
and ignorance”**

2010: Regulator Changing History Fraud

Removed historic water well records that said:

3. Drilling Information	
Type of Work: Chemistry	
Reclaimed Well	
Date Reclaimed:	Materials Used:
Method of Drilling: Drilled	
Flowing Well:	Rate: Gallons
Gas Present: No	Oil Present: No

Replaced with:

<i>Did you Encounter Saline Water (>4000 ppm TDS)</i>	_____	<i>Depth</i>	_____	<i>ft</i>	
	<i>Gas</i>	_____	<i>Depth</i>	_____	<i>ft</i>

Records above on Ernst Water Well

2011 09 22: Caltex/Crew **accidentally** fracs gelled propane into fresh groundwater in Alberta, contaminating it

Regulators knew, continued to lie to the public for over a year







2012: Lining up to get water for frac'ing, Just NW of Calgary Alberta









50











Water Trucks: Who pays for the Road Damages?

Photo by Pierre Bluteau, Leclercville, Quebec

April 2012, Justice Barbara Veldhuis

Harper/Encana Directed Delay & Cost Increase Tactics?

- Asks for shorter Statement of Claim (Court of Appeal of Alberta complained 2 years later the shortened claim was not long enough)
- Volunteers to be Case Management Judge (which makes cases languish in expensive nowhere land)

October 1, 2012

Case Management Call

The Defendants want my case moved to Calgary

“It clearly tips in favour of the defendants’ position, that it ought to be in Calgary and not in Drumheller”

Justice Veldhuis: According to Alberta’s Chief Justice, the case is to be heard in Drumheller



Encana's Drumheller Office

Encana lawyers: will not drive to Drumheller
The case is subsequently moved to Calgary.

Encana drilling waste Rosebud, November 2012







2012 December Official Court Filing: Energy regulator asked for my case to be thrown out:

Changed me being a criminal to a **terrorist** - without any evidence, no charges, no fingerprinting, no trial.

Argued terrorists have no Charter rights.

“No duty of care” to Albertans, groundwater.

Legally immune from all acts and omissions, gross negligence, bad faith, deliberate acts.

2013 Alberta: **Fracfocus Fraud**

Industry created & controlled

- Trade Secrets allowed
- 30 days **post** frac'ing, too late for "baseline" water well testing
- Drilling, acidizing, perforating, cementing servicing chemicals **not** disclosed
- Zero disclosure for the 100,000's of frac'd wells before Jan 1, 2013, including into drinking water aquifers.

January 18, 2013 . 10AM–4PM
Hearing in Calgary Court

Encana rig near my home
Encana argued **nothing** in court!



Court is packed, not enough seats

**Ernst attends Drumheller Court 10AM-4PM
where by law the hearing would ordinarily be heard**



Alberta Environment

Argued to have “contamination”
removed from my statement of claim

And, all paragraphs mentioning the
other contaminated water wells at
Rosebud

EU 2012 Report:

**25% to 100% of water used is
lost permanently**



Taking water for frac'ing from the Red Deer River, Alberta, 2013

February 8, 2013

The Harper Government

Appoints Justice Barbara L. Veldhuis to
the Court of Appeal of Alberta

Rule on the Jan 18 hearing? “Not an option”

Department of Justice Canada / Ministère de la Justice Canada

Canada

Department of Justice
www.justice.gc.ca

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Home > NewsRoom > Judicial Appointments

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- Latest News
- News Releases
- Media Notices
- Judicial Appointments
- Contacts for the Media
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ALBERTA JUDICIAL APPOINTMENTS ANNOUNCED

OTTAWA, February 8, 2013 – The Honourable Rob Nicholson, P.C., Q.C., M.P. for Niagara Falls, Minister of Justice and Attorney General of Canada, today announced the following appointments:

The Honourable Barbara L. Veldhuis, a judge of Her Majesty's Court of Queen's Bench of Alberta in Calgary, is appointed a judge of the Court of Appeal of Alberta to replace Mr

2013: Deregulating Regulator Fraud Encana VP Gerard Protti to Chair AER



Gerard J. Protti

Executive Vice-President, Corporate Relations
President, Offshore & International Division
EnCana Corporation



Gerard Protti is Executive Vice-President, Corporate Relations, and President, Offshore & International Division, for EnCana Corporation. His Corporate Relations responsibilities include regulatory services and international, aboriginal, public and community relations. In addition, he is accountable for EnCana's programs regarding corporate responsibility, environment, health and safety, and security.

2013: REDA - Responsible Energy Development Act

Public Interest Mandate Removed from AER

No Public Health Mandate

How can AER rule hydraulic fracturing is safe with no health mandate, no health studies, no impact assessments, no complete chemical disclosure?

Ponoka Alberta: Frac traffic at Campbells,
after their water dangerously contaminated
with industry's methane, ethane, propane,
butane, pentane, etc



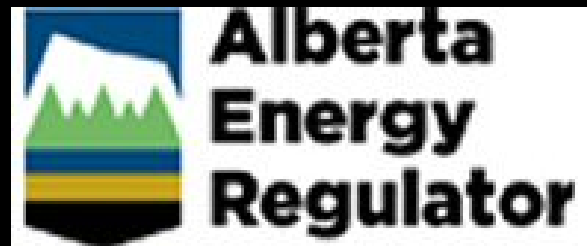


September 19, 2013

Chief Justice Neil Wittmann rules

Regulator judged me a terrorist

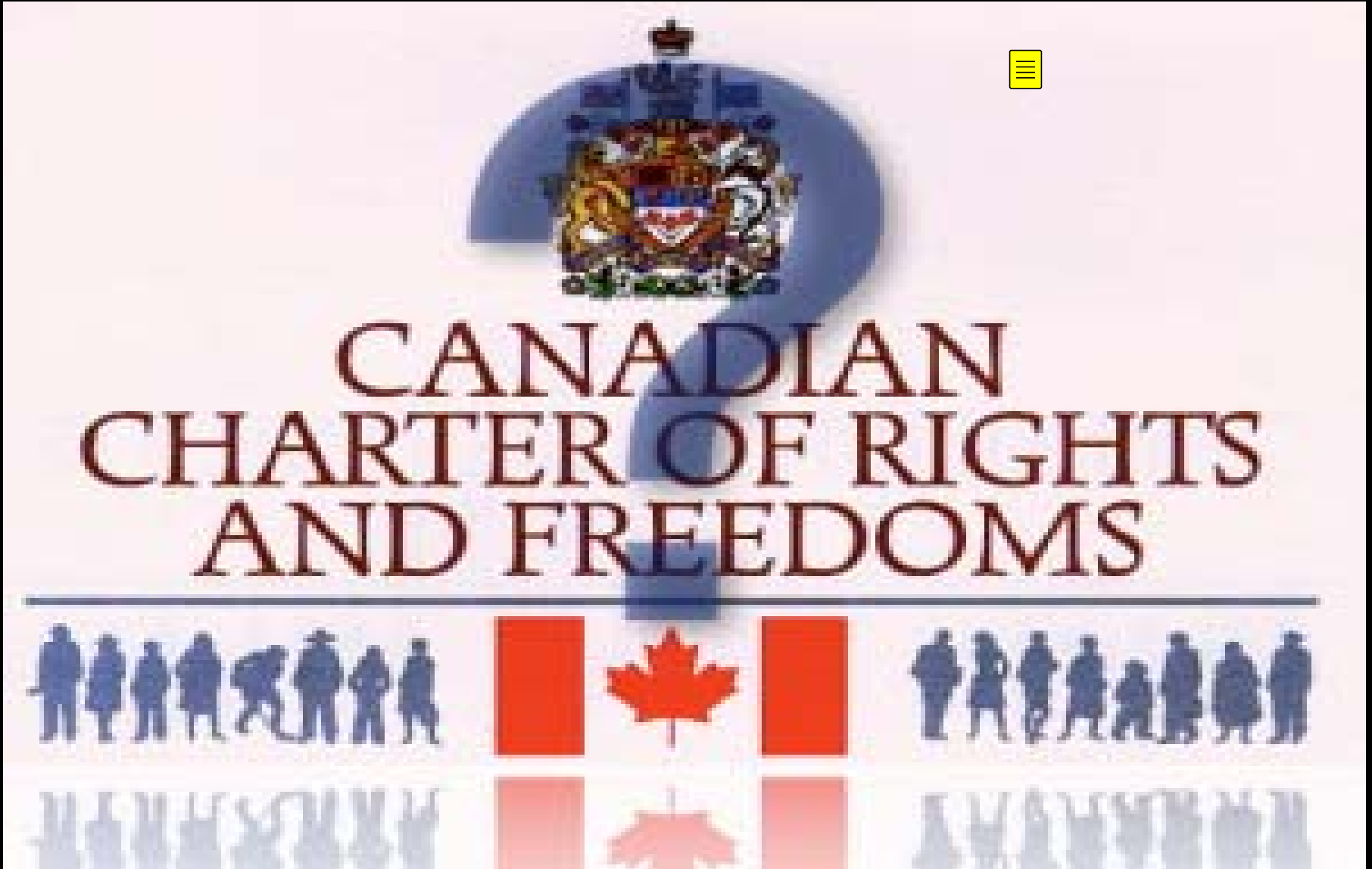
“in the **total** absence of evidence. There is none.”



But grants regulator **complete legal immunity**
even for violating my Charter Rights

Justice Wittmann:

Ernst has valid Charter claim against the ERCB



To prevent others
coming “to the
litigation process
dressed in their
Charter clothes
whenever possible”

Justice
Wittmann
ruled
against
Ernst



“Contamination” stays in my Statement of Claim



Justice Wittmann rejected the Alberta government’s attempt to attack parts of the lawsuit, my claim against the government can proceed

2013 09 23: Settle & Shut Up Legal Advice
to frac impacted Albertan by AER's outside
counsel Glenn Solomon



But, again,
most of these cases resolve.

Okay, we damaged your water well.



2:48 / 4:43



We'll just set you up with potable water through a tank system forever, because, you know, we just spent a million dollars drilling this well that we made a hundred million on. And ... **Yeah.** ... it's costing us an extra \$ 300,000. **Yeah.**



2:53 / 4:43



And by the way by doing that you shut up,
the regulators stay off our back,
we get to do it again down the street.

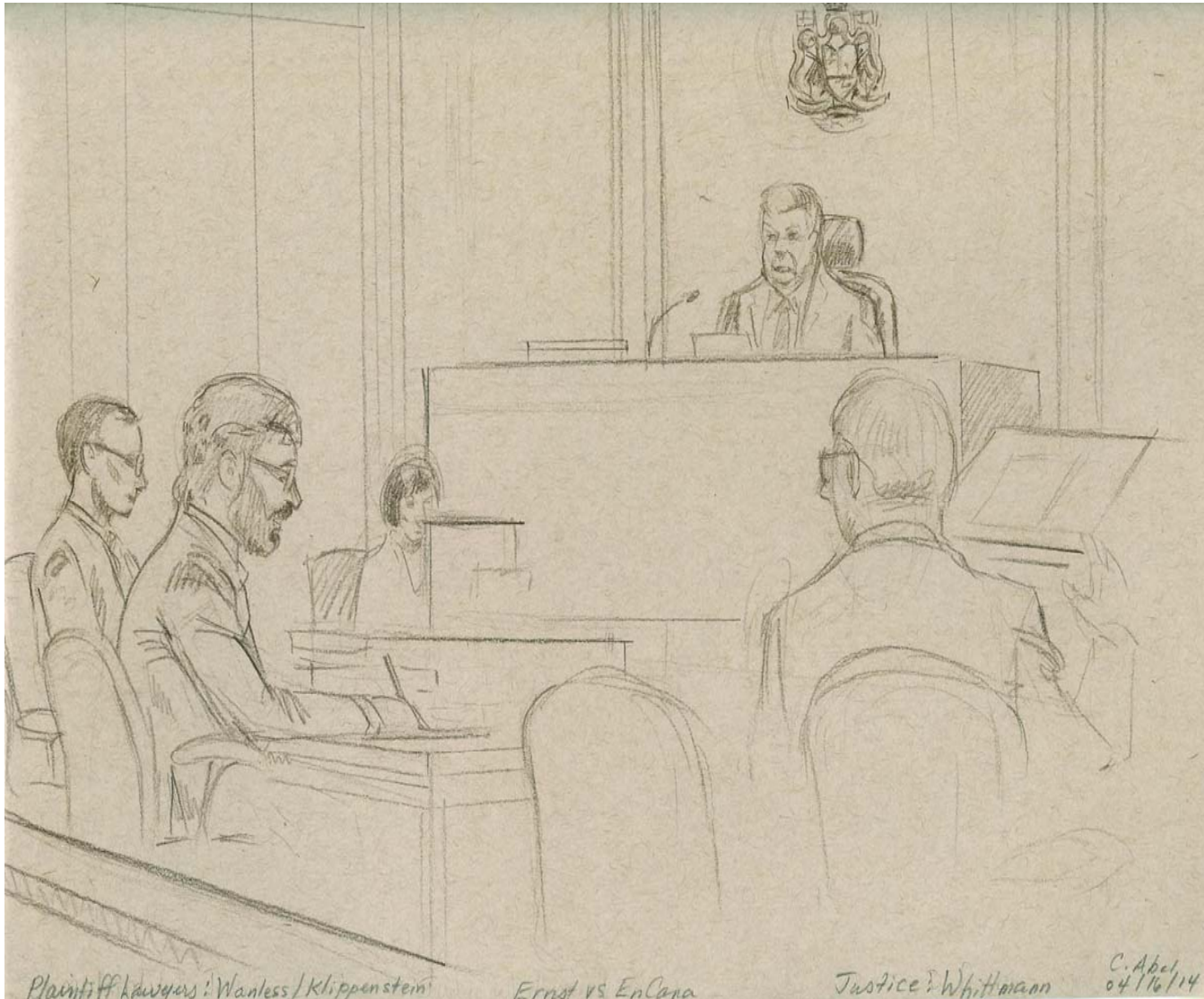
And so,
that's the oil company approach on these.



3:17 / 4:43

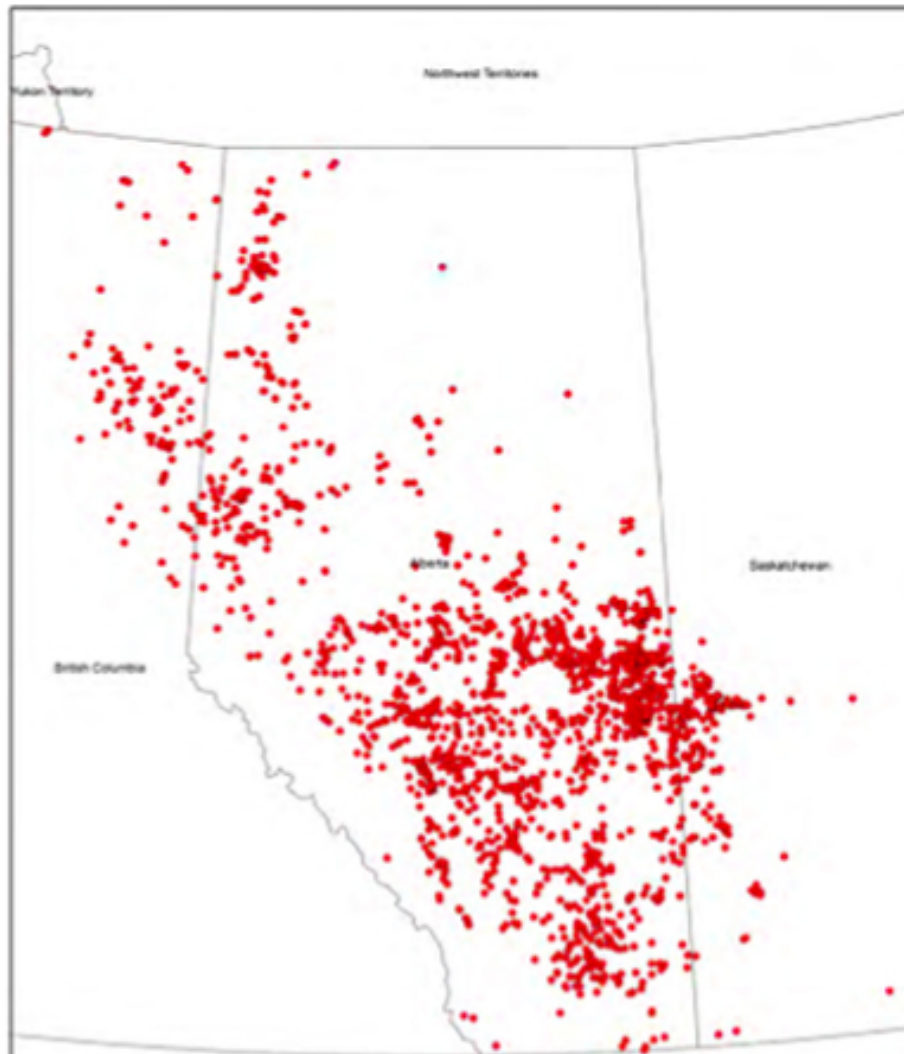


“There could be millions or billions of dollars worth of damages”



April 16, 2014
Crown Counsel
Neil Boyle's
3rd attempt to
get Ernst
lawsuit tossed

2014 British Columbia & Alberta: Reported leaking wells



n = 3304

2014 08 24 CAPP Confession by Alex Ferguson in Calgary Herald:

“[CBM fracking] did occasionally contaminate water resources, he says. **In some of the more infamous instances, affected landowners could light their well water on fire.**”

Ferguson was [Commissioner and CEO of BC Oil and Gas Commission](#) 2007-2011

CAPP = The Canadian Association of Petroleum Producers,
Canada's largest oil & gas lobby group

Fall 2014:

- Alberta Court of Appeal rules Ernst can **not** sue **industry-funded** AER, upholds immunity. (Ernst ordered to pay regulator \$22,000 in costs)
- Justice Wittmann rules Ernst **can** sue **taxpayer-funded** Alberta Environment, even though it also has immunity.
- Ernst files Leave to Appeal, Supreme Court of Canada

Frac'ing the Caprock across Alberta

The tarsands are frac'd too



2014 10 29: CNRL at Cold Lake

Fresh groundwater contaminated 10
km away from bitumen seepage to
surface.

How far from injection site?

2014 Calmar Alberta: Homes, school at risk Imperial Oil's "repaired" leaks still leaking

Homes face wrecking ball



Heavy loads of Calmar residents are back home. To the left, an underground pipe in a subdivision shows a leaking gas well. Prepared for gas to detonate, families' houses and four others, being in a big, modern-pipe property with the well.

Gas leak forces out families

Someone found well while subdivision being built, but kept quiet: town official



A drilling rig working to fix an old leak looms above houses in a residential area in Calmar, Alta., in this 2011 file photo. JOHN LUCAS/POSTMEDIA NEWS/FILES

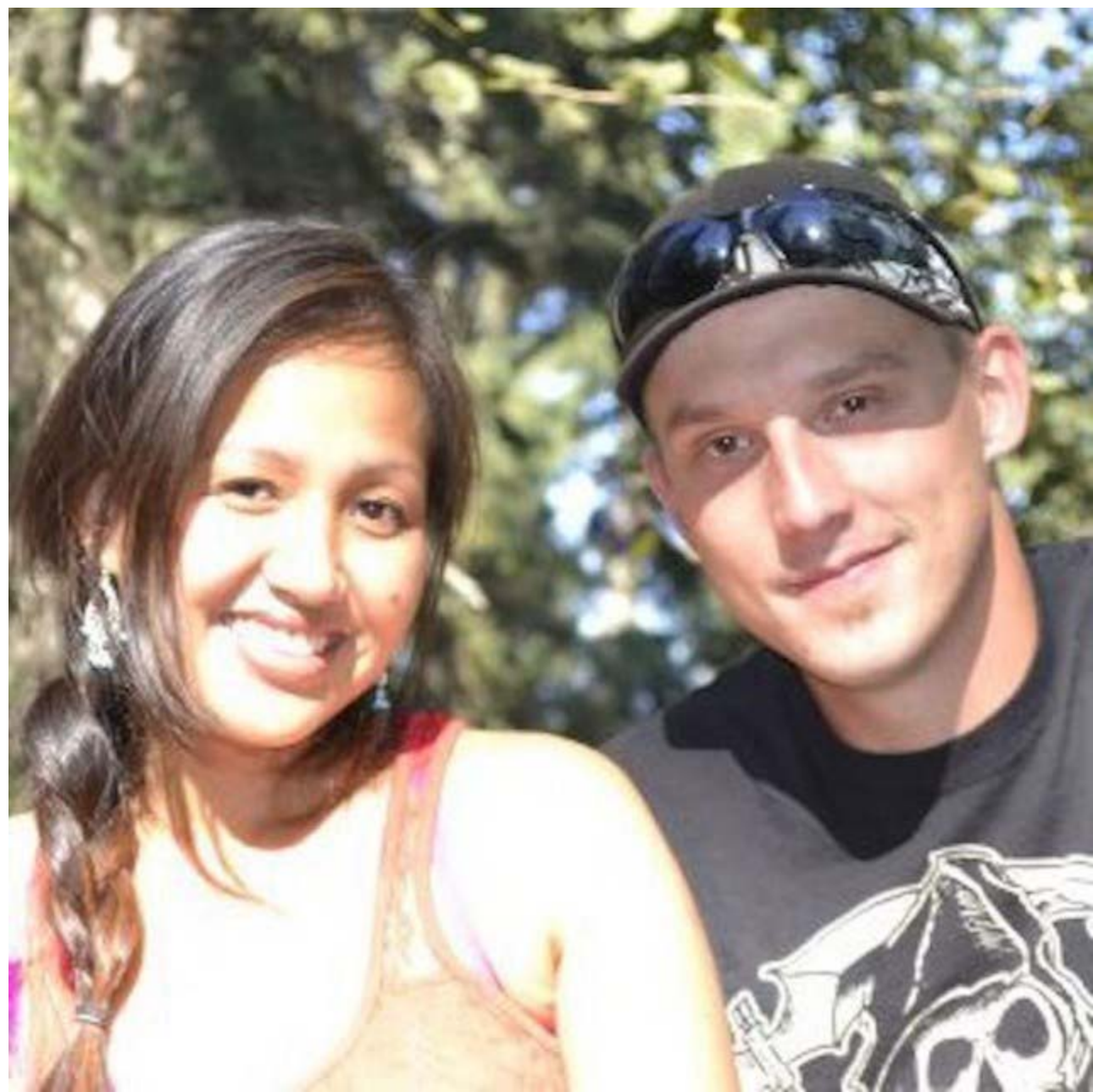
Fracking Kills

2015 03 11

28 year old Jack Shawn Eyles

Killed in NE British Columbia directly by Calfrac (Nitrogen Pumping Div) fracking for Progress Energy Canada Ltd.

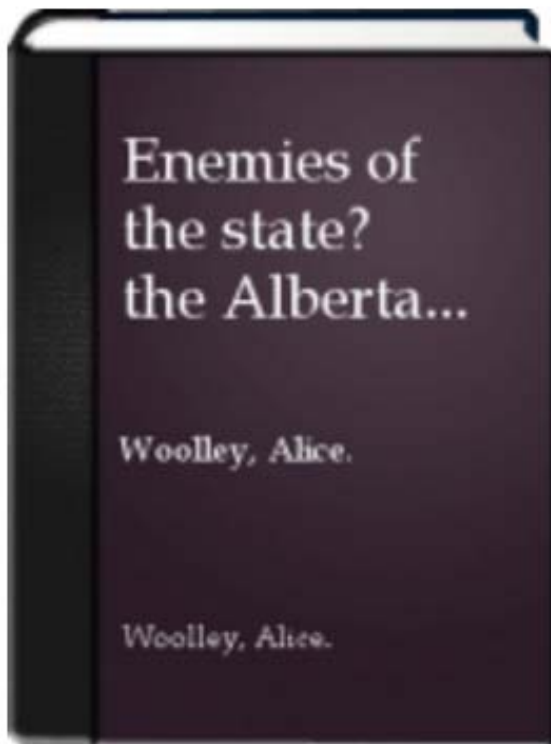
“Not an explosion as we usually think, but an explosive or sudden release of extremely high pressure”



2015 04 30: Supreme Court of Canada
agrees to hear Ernst vs AER

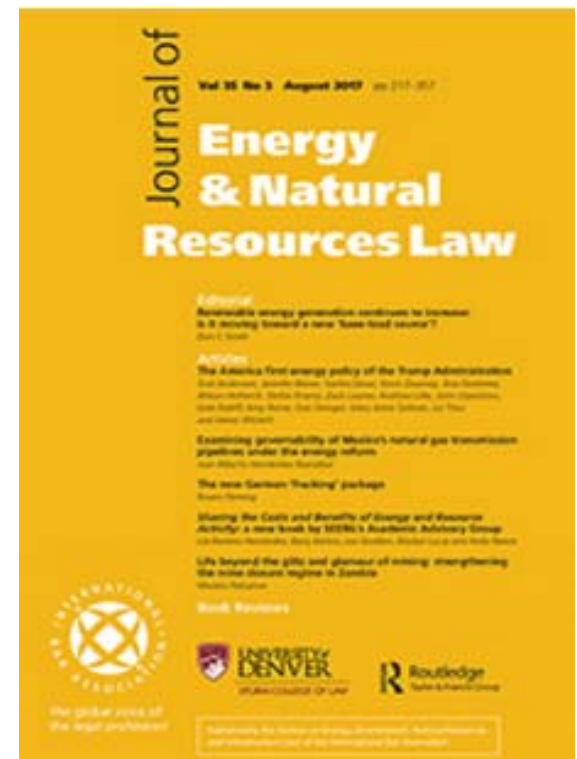


2015 06 01: **Law** Prof Alice Woolley's Defamation of Ernst published In *Journal of Energy and Natural Resources Law*



Why **8 years** after originally published in 2007?

Because Ernst vs AER had reached the Supreme Court of Canada?



2015: Most of the people in Rosebud sign petition to Supreme Court of Canada in support of my case.



2016 January 12: Supreme Court of Canada (SCC) hearing Ernst vs AER



PM Steve Harper, after I filed my lawsuit:

- Created anti-terrorist squad that harassed & intimidated Ernst
- Appointed Justice Veldhuis to AB Court of Queen's Bench
- Appointed Justice Neil C Wittmann Chief Court of Queen's Bench
- Promoted Justice Veldhuis, removing her from Ernst case
- Appointed 7/9 of SCC justices that heard Ernst case against AER.





May 2016: Justice Wittmann Rules against Albertans/Environment, for Banks in AER vs Redwater, Contradicts His Ruling in Ernst

- In Ernst, Wittmann ruled Alberta law trumps federal laws
- In Redwater, Wittmann ruled federal law trumps Alberta laws
- Our Charter trumps all laws in Canada!


Waiting...

Canadian Judicial Council:
Court rulings to be released
within 6 months

2.5 yrs later,
still waiting
on complete
disclosure
from Encana

SCC took 1 year & a day
on merely a
preliminary
motion
in Ernst
vs AER!





2017 January 13: SCC Rules **4/1/4** Against Ernst & all Canadians

- Ernst can't sue AER for her **valid** Charter claim. SCC orders Ernst to pay AER's legal costs even though her case is clearly in the public interest

Damaging the Charter: *Ernst v. Alberta*

Energy Regulator

Damaging Canada's Charter is Not Enough. SCC Also Defames Ernst

Publishes fabricated facts:

- Justice Rosalie Abella ruled AER found Ernst to be a “vexatious litigant” when documented evidence shows AER finding **Ernst to be a criminal, then terrorist.**

**SCC judged & punished Ernst without due process, without any evidence,
Just like AER did!**

Ernst's water too dangerous to use
for even flushing toilets





2017 03 01: Third Energy's John Dewar: "Zero chance of groundwater contamination"



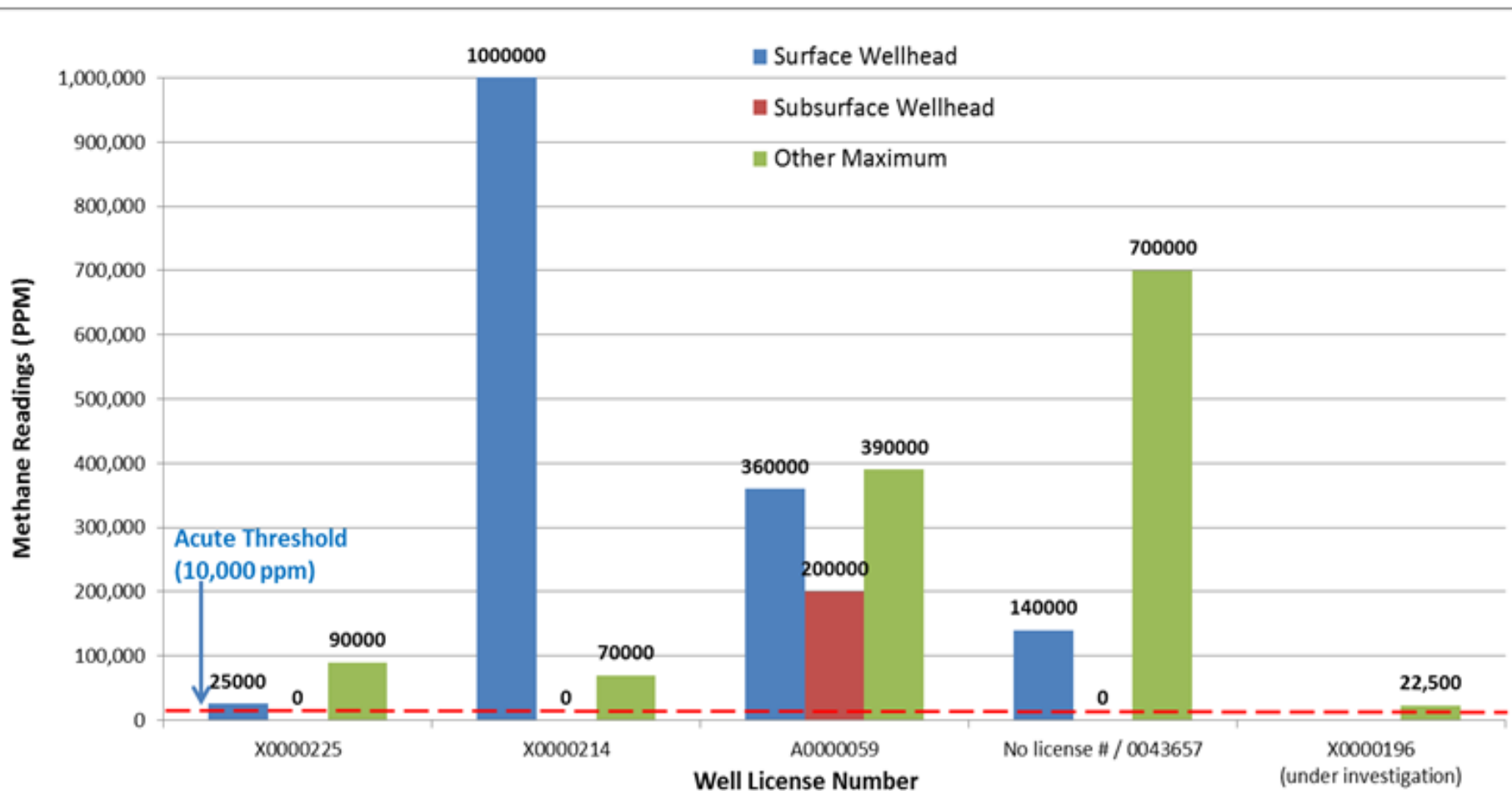
John Dewar Director of Operations Third Energy in Kirby Misperton (Danny Lawson/PA)

2017 04: After decades of lies by regulators, companies, politicians and lobby groups ...Cahill *et al* peer-reviewed paper published **proving**:

“Potentially explosive methane gas leaking from energy wells may travel extensively through groundwater and pose a safety risk”

2017 Public Health Harm: AER's secret leaking well report, withheld from the public even to those living in danger

Figure 1. Abandoned wells in urban centres that exceed acute health based methane thresholds



How many harmed?

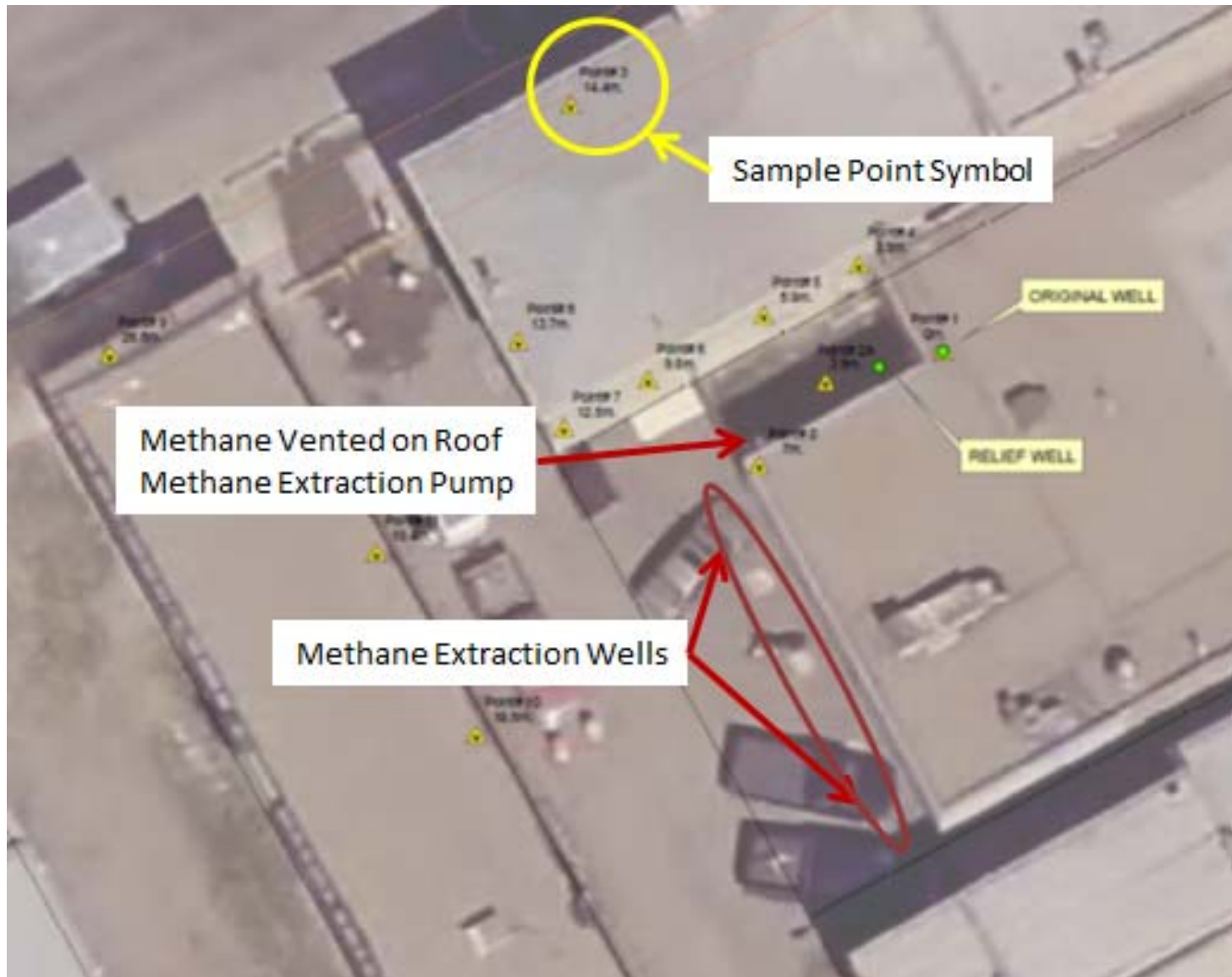
Health based thresholds provided by Alberta Health for assessing risk from exposure to methane.

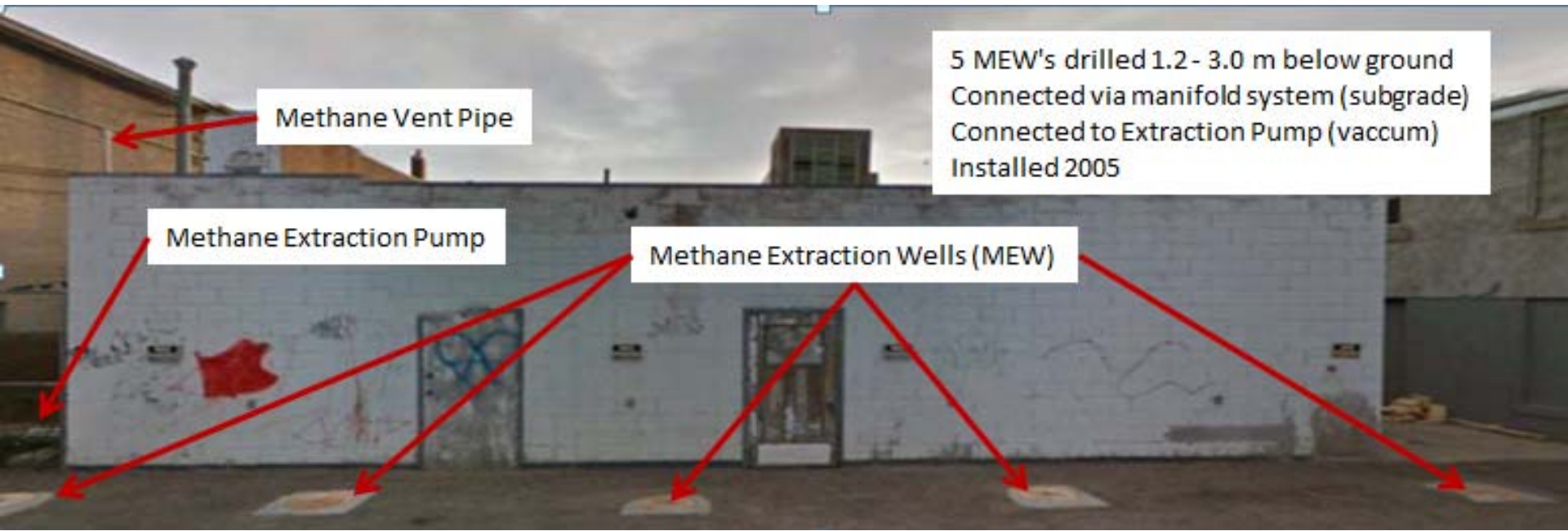
Threshold (ppm)	Duration	Endpoint
1000	Short term (months to years)	neurological effects
10000	Acute – Life threatening, Emergency evacuation threshold	Emergency evacuation (20% of the LEL = 1%)





Under an abandoned hotel





Methane Vent Pipe

Methane Extraction Pump

Methane Extraction Wells (MEW)

5 MEW's drilled 1.2 - 3.0 m below ground
Connected via manifold system (subgrade)
Connected to Extraction Pump (vacuum)
Installed 2005

Inside a Medicine Hat church, currently used

Fifth Avenue United Church
476 - 4 Street SE, Medicine Hat
(403) 526-2237

● Outside Test Points

● Inside Test Points





10 St NE

Division Ave NE

4-6

1 Ave NE

9 St NE

City of Airdrie, Alberta, shopping mall



City of Calgary: Under the new international terminal. Most urban leakers not tested yet.

In Calgary: risk level of well 8-13-25-1W5

Image from Abadata



Abandoned in 1961

Surface casing depth 191.7: there is NO OTHER casing in this well

There is no cementing, plug back OR abandonment data for this well

Lies UNDERNEATH airport building

ARE THEY UPSET
ABOUT THE LEAKS,
OR THE LEAKS
ABOUT THE LEAKS?



BANNERMAN

Fracking Kills

2017 08 03

36 year old father of two, Charles Oba

Killed by fracking by Karve Energy near
Consort Alberta



2017 09 19: Ex-Encana VP led AER taps Encana with \$7500 penalty for sour gas frac blowout at Fox Creek, Alberta





OEPA Oklahoma oil & gas company group:

“hundreds **if not thousands of wells are
being destroyed by horizontal frac jobs.”**

What else is frac'ing destroying?

Aquifers?

Caprock?

Dams?

Home foundations?

2017 09 23: in *Blackpool Gazette*



“The decommissioning of our sites is an important part of the regulatory system **which we take extremely seriously.**”

So What?

Alberta companies, lobby groups & politicians do too, while hanging citizens with reportedly \$300 Billion in liabilities.

Desperate men must take desperate insane measures

- Will Koop, 2017 Vancouver Quadra's Hidden Hero Award
Winner

The following photos were taken by Mr. Koop in NW Alberta &
NE British Columbia, 2017

Shared on this UK speaking tour, with permission

Fox Creek Alberta World Record 4.8M Frac Quake



Fox Creek, Frac Trucks Run 24 / 7, even when parked in town





Buy & Propagadize Parks & Schools



And buy/bribe/divide our
communities



Frackers intentionally contaminate
& permanently remove billions of
gallons of drinking water



Water lines everywhere, Not a drop to drink ...





Hoarded for frac'ing



Apache
CANADA LTD.

**06-22 062-20 W5M
PAD**



**MAXIMUM
30
Km/hr**

SECURE
**PRESSURIZED
WATER
LINE**

30







WATER, is what THEY are after!

NORTH KAYBOB BHL UNIT #1

← **FRESH WATER INJ. FACILITY 1 km**
→ **NORTH KAYBOB 'B' BATTERY 6.5 km**

Operated by



TRILOGY

ENERGY

IN CASE OF EMERGENCY CALL:

(780)622-3739 (403)290-2900

Encana frac water lines, Farmington BC

























Talisman frac waste water storage “ponds”
Now Progress Energy
One leaked, contaminating groundwater





Talisman's frac waste pond that leaked.
How many others are leaking?



NE British Columbia







PROGRESS
ENERGY
04-31-83-25W6
FUEL GAS







Another Progress Energy Frac Waste “Pond”



PROGRESS ENERGY
CANADA LTD

**THIS SITE IS
MONITORED
BY 24 HR.
VIDEO SURVEILLANCE**









E
RR 24
24 hour phone
1-844-299-2566

Progress
**TRAILING
TRAIL**
0 ↓

 Progress
N. JULIENNE
c-41-G/94-G-2
24 HOUR PH (1-844-299-2566)

 **PROGRESS ENERGY
CANADA LTD**
**PROGRESS
LILY CAMP
AHEAD**
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HIGH
PRESSURE
WATER
PIPELINE

 PROGRESS ENERGY
CANADA LTD.

24 HR PHONE: (844) 299-2560







DANGER
OPEN EXCAVATION



Butler Ridge

Energy Services

2007-2013

Yet another by Progress Energy, reportedly many of their water source “ponds” were built without approval





FRESH WATER ENERGY
FRESH WATER INTAKE
NO SWIMMING
NO BOATING
NO SKIING



Another by Progress Energy



And yet another



And another







When you're frac'd, **there's no after care**, not even in Canada's legal system for ten years and spending > \$380,000 in legal costs (so far)

Ernst lawsuit against the Alberta water
regulator & Encana continues,
soon into it's 11th year



七転び八起き

Fall down seven times

Stand up eight