

I will Not “Synergize” or Settle & Gag

by Jessica Ernst
Courtenay, BC, May 24, 2014
www.ernstversusencana.ca

Synergy:


"Synergy means behavior of whole systems unpredicted by the behavior of their parts taken separately."

In my community,
shales, sands and coals are frac'd



Wells are horizontal, deviated, slant, vertical,
deep, shallow and **ultra shallow**

... and ... directly into drinking water aquifers!

<p>Own: <u>EnCana Corporation</u> [unknown], AB</p> <p>Contractor: [unknown saskatchewan contractor]</p> <p>Well Name: ECA ECOG HUSSAR 5-14-27-22</p>	<table border="1"><thead><tr><th colspan="2">METRIC REPORT</th></tr></thead><tbody><tr><td>Easting (m):</td><td>139.003 ** 84/83</td></tr><tr><td>Northing (m):</td><td>5,683,326 **</td></tr><tr><td>Elevation (m):</td><td>868.5 ***</td></tr><tr><td colspan="2">Google Earth</td></tr></tbody></table>	METRIC REPORT		Easting (m):	139.003 ** 84/83	Northing (m):	5,683,326 **	Elevation (m):	868.5 ***	Google Earth		<p>05-14-027-22 W4M</p> <table border="1"><tr><td>M38268.500313</td></tr></table> 	M38268.500313		
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Google Earth															
M38268.500313															
<p>Work Type: <u>Gas Well</u></p> <p>Drilling Method: <u>Drilled</u></p> <p>Proposed Use: <u>Industrial</u></p> <p>Completion Type: <u>Casing/Perforated Liner</u></p>	<p>Date Started: <u>Oct 13, 2003</u></p> <p>Date Completed: <u>Oct 13, 2003</u></p> <p>Elog Taken: <u>No</u></p> <p>Gamma Taken: <u>No</u></p> <p>Flowing: <u>No</u></p>														
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Why are so few talking about this?

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**

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October 13, 2003 Encana's 5-14 vertical unconventional gas well filed on Alberta's public **water well** database!

General Comments / Observations

HC well added to be included in a x-sec for 04-510. Perforations are representative of coal layers. Perforations performed with nitrogen gas. Objective of perforations was to obtain coal bed methane gas production.

Oil Present: *No*

Gas Present: *No*

Examples of Unconventional Resources

- › Coalbed methane (CBM)
- › Tight gas
- › Tight oil
- › Shale gas

Encana slant rig at Rosebud drilling deviated CBM well to be frac'd above Base of Groundwater Protection



What is hydraulic fracturing?

- 》 Fluid is pumped into wellbore to create enough pressure to crack, or fracture, the rock
- 》 Fluid often contains “proppant,” like sand, to help prop open the fractures and allow oil and gas to be produced to surface

What is hydraulic fracturing? Continued

- » Can be one “stage” in vertical wells or “multistaged” in horizontal wells
- » More than 174 000 wells fractured in Alberta since 1950s*
- » Horizontal multistage fracturing has been used in over 7700 wells*

*As of March 31, 2013

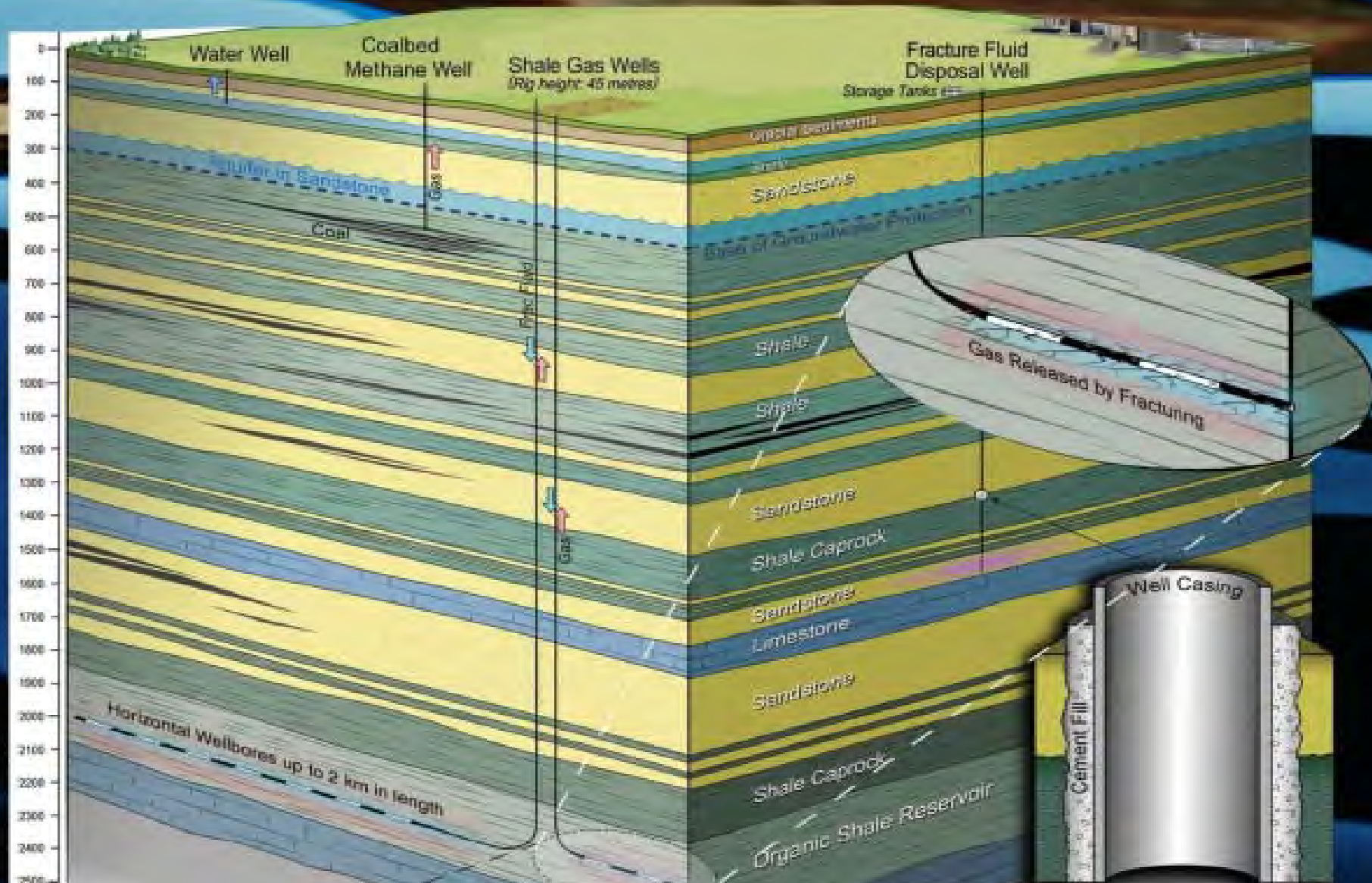


“Synergized” NGO’s in Canada
wrongly define unconventional frac’ing and
only ask for a ban/study on:

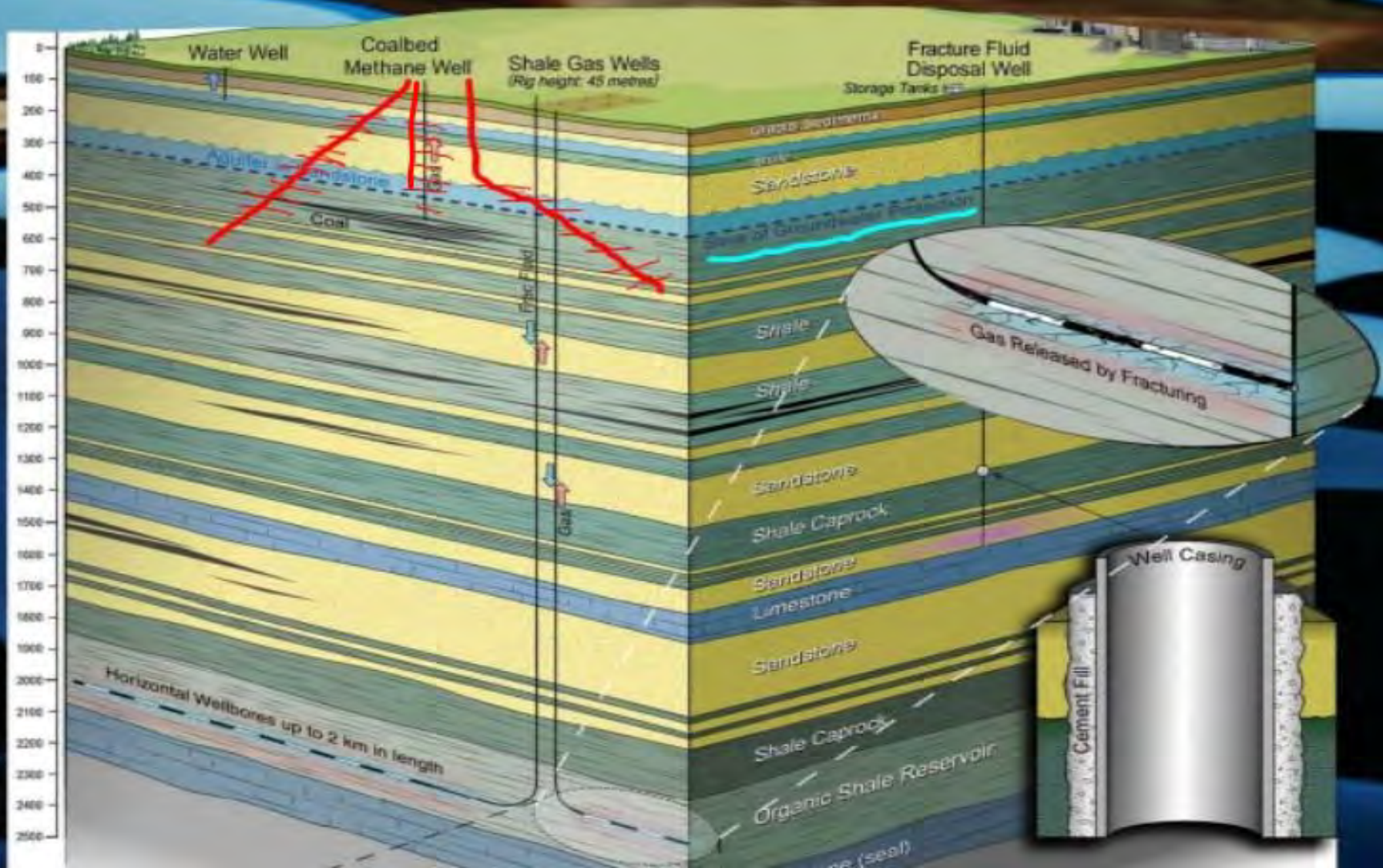
“deep multistage horizontal hydraulic fracturing”

Harmed voices under Synergy chant,
“We are not opposed”

2011 Alberta regulator brochure on unconventional fracing



Why not show the CBM fracs above Base of Groundwater Protection?



Why are NGOs and regulators making
us chase our tails?



Synergy Alberta is largely controlled by the ERCB, CAPP and Encana:



Historic Data on some Rosebud water wells

Gas Present: Yes or No?

1977 Paterson well: *No*

1986 Ernst (Feckly) well: *No*

1987 County well, near Ernst: *No*



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: 1986/05/14
Received:
Measurements: Imperial

1. Contractor & Well Owner Information

Company Name: UNKNOWN DRILLER Drilling Company Approval No.: 99999
Mailing Address: UNKNOWN City or Town: UNKNOWN AB CA Postal Code:
Well Owner's Name: FECKLEY, F.L. Well Location Identifier:
P.O. Box Number: 723 Mailing Address: ROSEBUD Postal Code: T0J 2T0
City: Province: Country:

2. Well Location

1/4 or Sec Twp Rge West of
LSD SE 13 027 22 4
Location in Quarter
0 FT from Boundary
0 FT from Boundary
Lot Block Plan
Well Elev: How Obtain:
FT Not Obtain

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
Proposed well use:
Domestic
Anticipated Water
Requirements/day
0 Gallons

6. Well Yield

Test Date Start Time:
(yyyy/mm/dd):
Test Method:
Non pumping FT
static level:
Rate of water Gallons/Min
removal:
Depth of pump FT
intake:
Water level at FT
end of
pumping:
Distance from Inches
top of casing to
ground level:
Depth To water level (feet)
Elapsed Time
Drawdown Minutes:Sec Recovery

4. Formation Log

Depth
from
ground
level (feet) Lithology Description

5. Well Completion

Date Started(yyyy/mm/dd): Date Completed(yyyy/mm/dd):
Well Depth: 190 FT Borehole Diameter: 0 Inches
Casing Type: Liner Type:
Size OD: 0 Inches Size OD: 0 Inches
Wall Thickness: 0 Inches Wall Thickness: 0 Inches
Bottom at: 0 FT Top: 0 FT Bottom: 0 FT
Perforations Perforations Size:
from: 0 FT to: 0 FT 0 Inches x 0 Inches
from: 0 FT to: 0 FT 0 Inches x 0 Inches
from: 0 FT to: 0 FT 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: Screen ID: 0 Inches
from: 0 FT to: 0 FT Slot Size: 0 Inches
Screen Type: Screen ID: 0 Inches
from: 0 FT to: 0 FT Slot Size: 0 Inches
Screen Installation Method:
Fittings
Top: Bottom:
Pack:
Grain Size: Amount:
Geophysical Log Taken:
Retained on Files:
Additional Test and/or Pump Data
Chemistries taken By Driller: No
Held: 1 Documents Held: 1
Pitless 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 pump test 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

Method of Drilling

Flowing Well:

Gas Present: No

~ 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

Husky, 1993

Industry Gas Migration Research Study in Alberta & Saskatchewan

Big problem

Expensive to fix

Difficult to completely stop

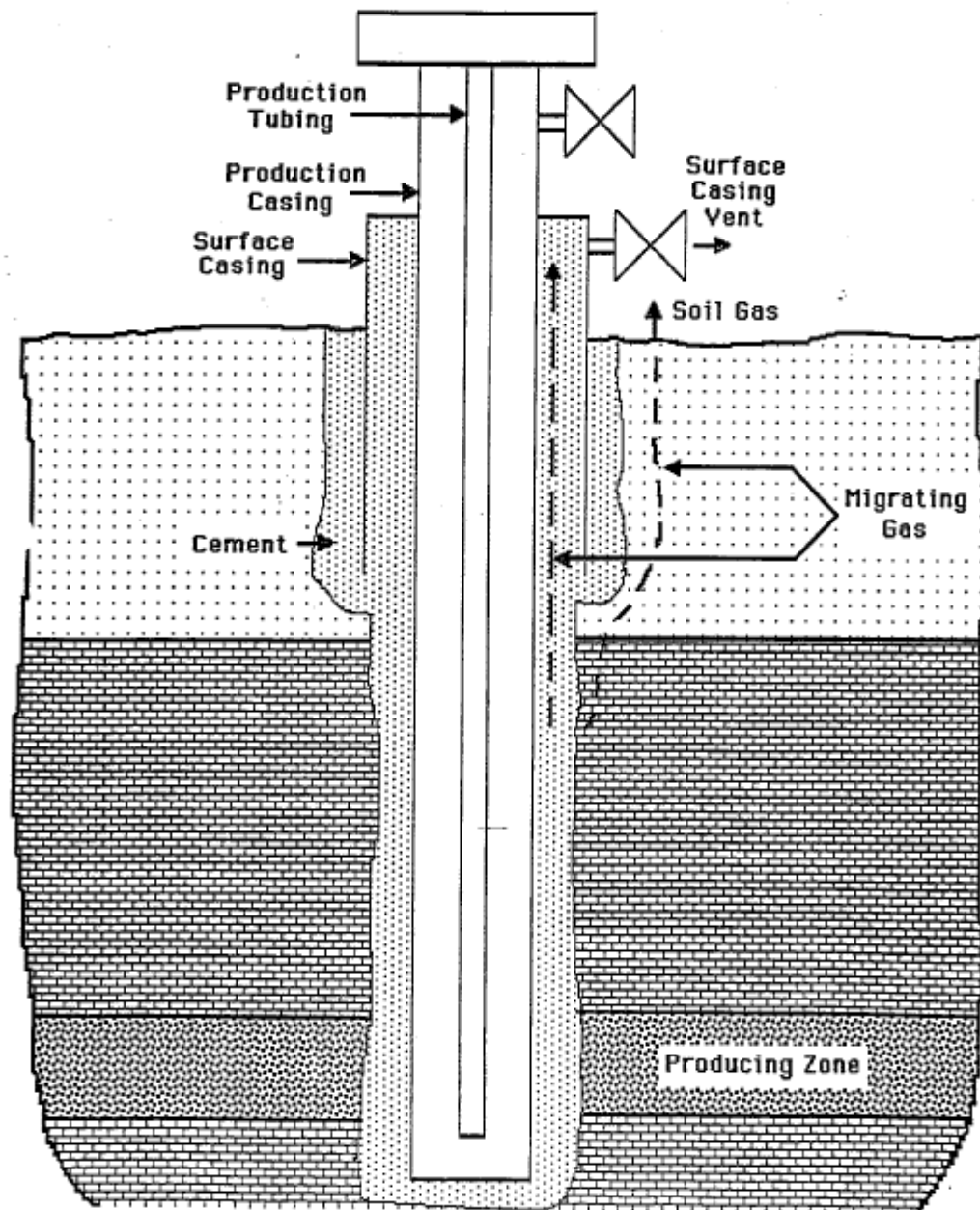
Husky defines gas migration:

“The leakage of gas from outside the production and/or surface casing of **oil** and gas wellbores.

...

...in the Lloydminster area the source of the gas and its path to surface are **rarely** clear.”

FIGURE 1 GAS MIGRATION SCHEMATIC



Husky Report
1993:

46% energy
wells tested
had gas
migration

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

CAPP Gas Migration Study (Final Report 1995)

~24,000 historic Alberta water well records were
reviewed by the regulator

17 (0.07%) reported “gas” present before
oil & gas development (1935-53)

41 (0.17%) reported “gas” present after (1960-95)

Table 13. Water wells in study area in which gas was noted to be present (Alberta Environmental Protection waterwell database).

Q or LSD	Sec	T	R W4	Well Owner	Depth (m)	Year Reported	Q or LSD	Sec	T	R W4	Well Owner	Depth (m)	Year Reported
Reported between 1935 and 1953							Reported between 1960 and 1995						
NE	32	41	2	Feero	117.3	1935	NE	29	36	5	Provo Gas Prod.	237.7	1960*
SW	4	42	2	McMann	114.3	1935	NE	31	37	9	G. Hewitt	42.7	1960
NW	6	42	7	S. McLaughlin	19.8	1935	NW	28	41	13	D. Bownes	73.2	1979
SW	3	43	4	S.V. Snyder	3.0	1935		34	37	8	S. Twa	160.0	1988
SW	11	44	3	A. Cooper	97.5	1935	NW	23	37	13	R. Holloway	142.0	1964*
12	3	48	12	F. Ploc	45.4	1935	SW	15	50	2	W. Ulan	87.8	1964*
8	35	49	1		6.1	1935	SE	24	36	12	H. Plehnert	132.6	1965*
14	36	49	1		38.7	1935	SW	22	37	13	H. Wideman	189.0	1965*
1	3	50	1	Blackwell	50.6	1935	14	20	46	2	J. W. Gordon	106.7	1966*
15	23	50	1	K. Parr	34.1	1935	NW	30	43	9	Mon-Max Services	67.1	1967*
SE	34	50	2		28.3	1935	SW	4	39	13	D. Coppack	106.7	1968*
15	34	52	4	Hodgson	47.2	1935	NE	32	36	12	S. Mereski	82.3	1969*
4	36	52	4	R. Seville	102.4	1935	9	25	42	10	Hardisty Storage	125.3	1969*
SE	4	53	4	G. Brett	71.9	1935	SE	14	36	12	A. McRae	118.9	1970*
NE	16	45	11	G.F. Albrecht	115.8	1936	NW	4	57	3	North School (Frog L. IR)	56.4	1970*
SW	14	50	2	Plater	63.4	1949	SE	19	43	2	R. Morrison	71.9	1971*
4	7	45	12	Seman Engin.	54.9	1953	NE	3	40	5	H. Tennant	167.6	1972*
							11	25	50	5	Water Res.	51.8	1972*
								19	36	11	D.&E. Dennis	173.7	1973*
							NE	8	48	11	J. Veestra	106.7	1973*
							SE	36	36	12	A. Bye	137.2	1974*
							NW	20	40	8	L. Crone	192.0	1974*
							SW	9	39	8	R. Gilbertson	152.4	1975*
							SE	18	51	2	General Crude Oil	91.4	1975*
							SE	6	36	3	R. Worobo	184.1	1976*
							NW	8	36	6	K. Gilmer	160.3	1976*
							NE	22	36	12	C. Plehnert	137.2	1976*
							SE	28	37	8	J. Ekro	177.4	1977*
							SW	36	41	9	B. Cullen	169.5	1977*
							SW	16	38	13	A. Engel	117.7	1978*
							NW	11	59	9	A. Severin	68.3	1978*
							NW	25	36	2	J. Scheck	142.0	1979*
							10	28	60	3	World Wide Energy	109.7	1982*
							SW	6	41	12	P. Spady	125.6	1986*
							NW	26	50	2	L. Gnyra	109.7	1989*
							NW	2	53	12	E. Horon	103.6	1989*
							NE	19	53	7	Jacula Farms	85.3	1990*
							4	21	38	1	Pan Cdn.	218.8	1992*
							8	33	42	11	C. Davidson	65.5	1994*
							NE	17	42	13	B. Kuefler	76.2	1994*
							SW	33	52	2	M. Hames	97.5	1995*

*reported by driller at time of well installation

I bought my place at Rosebud
in 1998



2002 Report by The Canadian Council of Ministers of the Environment **and Dr. John Cherry (Chair, Council Canadian Academies):**

Little is known about integrity of seals & casings in
abandoned hydrocarbon wells across Canada
600,000 in Alberta alone

Industry's future impact on
groundwater could be immense

Chapter 4.

Groundwater Quality Issues in Canada: Problem Status and Some Implications by Dr. John A. Cherry, Professor and NSERC Chair in Contaminant Hydrogeology

The following is a summary of Dr. John Cherry's after-dinner presentation during the workshop. It incorporates issues raised during the question-and-answer period following his presentation and follow-up discussions with colleagues at the workshop.

Problem status:

Our groundwater resources provide drinking water for 8 million Canadians. These resources have suffered from long-term neglect in nearly all parts of Canada. This neglect stems from a weak government framework and regulations for groundwater monitoring, management and protection in Canada. However, out of the recent tragedies has come an exceptional circumstance. There is now real interest at the political level in taking action to improve the role of government in groundwater management. This provides exceptional opportunity for the policy and research communities to cause long-term improvements in the Canadian groundwater situation. Several recommendations for action that could be taken at minimal cost are presented.

Canada in the environmental context

2. There is no anticipation or prediction of problems by assessing the record of contamination events in other countries.
3. Causing groundwater contamination beneath private property is not strictly illegal and therefore there are no strong incentives to avoid such events. This is a problem because nearly all on-property groundwater contamination eventually causes off-property contamination after years or decades pass.
4. Laws and regulations for groundwater protection are often weak and/or unenforced in most areas of Canada. Lack of enforcement is often related to inadequate numbers of government staff or lack of political will.
5. There is avoidance of minimum national standards or regulations for groundwater quality; each province does its own thing, with large gaps in performance between the worst and the best.
6. Huge gaps exist between the actual scientific knowledge used in policy and decision making and the knowledge available from the research community.



Experimental, Risky Shallow Hydraulic Fracturing at Rosebud (~6 mi around my well):

Gas wells completed above
Base of Groundwater Protection
in secret

2001: 3
2002: 6
2003: 17
2004: 40
2005: 94



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: ENCAN CORP., G. PEKRIJ

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:

☐ Oil And Grease:

Lab where samples were tested: ☒ WSH ☐ Other

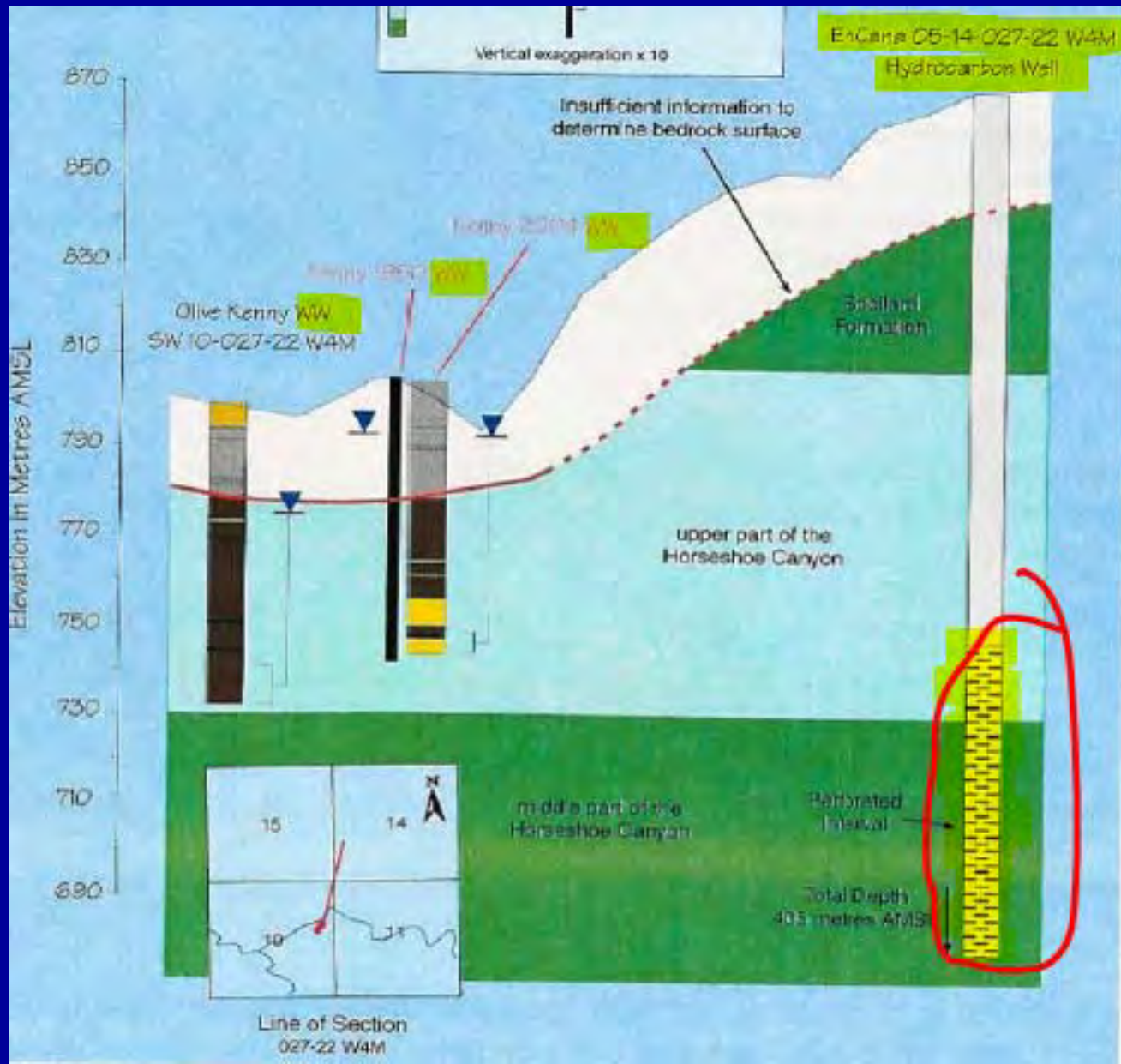
Measurement Taken From: CASING TOP

Miscellaneous test information: SAMPLES TAKEN FROM PUMP OUT HOSE
WELL OFF FOR ONE HOUR BEFORE STATIC TAKEN

Well Depth: N/A

Water: - Appearance ☒ Clear ☐ Colour

October 3, 2003, Encana 5-14 gas well drilled March 2, 2004 frac'd into Rosebud drinking water aquifers





Owner: **EnCana Corporation**
[unknown], AB

Contractor: **[unknown saskatchewan contractor]**

Well Name: **ECA ECOG HUSSAR 5-14-27-22**

METRIC REPORT	
Easting (m):	139,003 ** 84/83
Northing (m):	5,683,326 **
Elevation (m):	868.5 ***
Google Earth	

05-14-027-22 W4M

M38268.500313

Work Type: **Gas Well**

Drilling Method: **Drilled**

Proposed Use: **Industrial**

Completion Type: **Casing/Perforated Liner**

Date Started: **Oct 13, 2003**

Date Completed: **Oct 13, 2003**

Elog Taken: **No**

Gamma Taken: **No**

Flowing: **No**

General Details

Depth Completed (m): **219.0**

Depth Drilled (m): **463.0**

Completion Interval (m): **121.5 — 219.0 ***

Completion Details

Surface Casing: **[unknown] — 177.8 mm (O.D.) x 2.00 mm (thick) x 81.00 m (bottom)**

Liner: **[unknown] — 114.3 mm (O.D.) x 2.00 mm (thick)**

Intervals (Liner Bottom at: 463.0 m)

-- Completion Interval(s) --

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Slotted: **127.7 to 130.0 m - 2 - Method: Other**

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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**

Chemistry Summary Details (mg/L) (most recent first)

Lithology Details

Elevation (AMSL)	Depth (BGL)	Lithology Descriptions (1)
405.5	463.0	[unknown]

General Comments / Observations

HC well added to be included in a x-sec for 04-510. Perforations are representative of coal layers. Perforations performed with nitrogen gas. Objective of perforations was to obtain coal bed methane gas production.

Oil Present: **No**

Gas Present: **No**

Observations (water): Colour: ; Odor: ; Quality:

Aquifer Tests

Alias IDs

* TGWC calculated or determined value.

** 84 - Surveyed (other) — 10TM NAD83

*** 83 - Surveyed (other) — {Ground ; AMSL}

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



ENCANA™



ALBERTA
RESEARCH
COUNCIL



will not disclose what
chemicals were injected

Summer 2004

Water wells start to go bad

EnCana investigated itself, declares itself innocent.

EnCana & Alberta Environment blamed our local water well driller!

August 2004: EnCana Landman

EnCana's inappropriate
blanket approval type document

EnCana's land manager:

**“If we can get them to sign this, we
don't need to consult”**

He refuses to consult. We chat a long time.
He finally agrees to hold an open house

A few days later ...

Encana's landman back at it with
same document

September 9, 2004:
I resigned from Encana

How could I ethically work for a company
lying to me and my community?



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

October 2005: My water post-frac'd



Colleagues advised me to get my water
tested for methane

Encana's Noise Continues

**The ERCB deregulates to match
Encana's non-compliance**

**I warn Albertan's and dash off to
speak to First Nations
communities in the Yukon**

Nov 24 2005: Banished!

**“I have instructed my staff to avoid
any further contact with you.”**

Jim Reid, Regulator Manager

November 24, 2005

Jessica Ernst
Box 753
Rosebud AB T0J 2T0

NOISE CONTROL DIRECTIVE

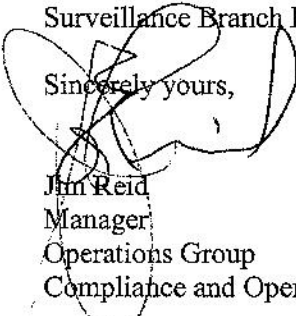
Dear Ms. Ernst:

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

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



XPRESSPOST

TM
MC



Fold Here Plier ici

ATTENTION



PP 209 463 669 CA
T0J2T0+B

REG
RÉG

CANADA
POST



POSTES
CANADA

LETTER CARRIER DEPOT #1

POSTE DE FACTEURS

DEC - 6 2005

CALGARY, AB T2P 1J0

Enveloppe

Standard 152 x 260 mm

RETURN TO SENDER

REVENIR À L'EXPÉDITEUR

Fill in your address and the receiver's address on the Xpresspost label (or apply your own pre-printed label(s) onto the shipping copy).

2. Peel and apply the label to the space indicated on the back. Retain your copy.

3. Deposit this envelope in any street letter box, at any postal outlet or designated Canada Post facility.

☐ Adresse inexistante

☐ Adresse incomplète

☐ Adresse incomplète

☐ Moved / Unknown

☐ Déménagé / Inconnu

☐ Bureau inexistant

☒ Refused by addressee

☐ Refusé par le destinataire

☐ Decedent

☐ Décédé

Xpresspost

1



PP 209 463 66

DETACH HERE ▼ DÉTACHEZ ICI

Signature

Signature à

Comment utiliser les produits prépayés Xpresspost

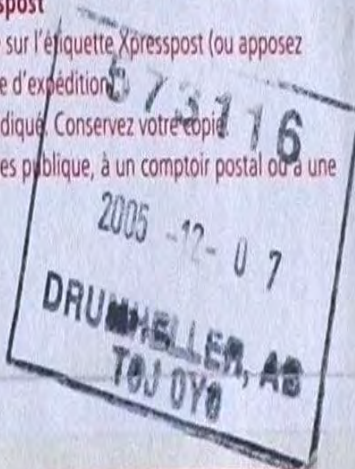
1. Indiquez votre adresse et l'adresse du destinataire sur l'étiquette Xpresspost (ou apposez vos propres étiquettes préimprimées sur l'étiquette d'expédition).

2. Décollez l'étiquette et apposez-la dans l'espace indiqué. Conservez votre copie.

3. Déposez cette enveloppe dans une boîte aux lettres publique, à un comptoir postal ou à une installation désignée de Postes Canada.

Enveloppe

Formel standard 152 x 260 mm



SHIPPING COPY
Detach and
apply to item

ÉTIQUETTE D'EXPÉDITION
Détachez et apposez
sur l'article

Date
Year Année MM DJ
2005 12 07

From / Expéditeur
Customer No. / N° du client
Name / Nom
Box 753
Address / Adresse
ROSEBUD AB
City / Prov. / Postal Code
T0J 0Y0

Xpresspost

1

Return to Sender Renvoi à l'expéditeur

Manifest or Collect
Postage Due
Manifeste ou

STAMPED: "REFUSED BY ADDRESSEE"

REGIONAL - FOR USE WITHIN A REGION OF CANADA
LETTER CARRIER DEPOSIT #1
POSTE DE DÉPÔT #1

1. Fill in your address and the receiver's address on the Xpresspost label (or apply your own pre-printed label(s) onto the shipping copy).

2. Peel and apply the label to the space indicated on the back. Retain your copy.

3. Deposit this envelope in any street letter box, at any postal outlet or designated Canada Post facility.

Enveloppe
Standard 152 x 260 mm

CALGARY, AB T2P 1J0

RÉGIONAL - LIVRAISON D'UN POINT À UN AUTRE D'UNE MÊME RÉGION AU CANADA
Comment utiliser les produits prépayés Xpresspost

1. Indiquez votre adresse et l'adresse du destinataire sur l'étiquette Xpresspost (ou apposez vos propres étiquettes préimprimées sur l'étiquette d'expédition).

2. Décollez l'étiquette et apposez-la dans l'espace indiqué. Conservez votre copie.

3. Déposez cette enveloppe dans une boîte aux lettres publique, à un comptoir postal ou à une installation désignée de Postes Canada.

Enveloppe
Forme standard 152 x 260 mm

2005 12 07
DRUMHELLER, AB
T0J 0Y0



Xpresspost

1

SHIPPING COPY
Detach and
apply to item

ÉTIQUETTE D'EXPÉDITION
Détachez et apposez
sur l'article

Date
Year Année MM DJ
2005 12 07

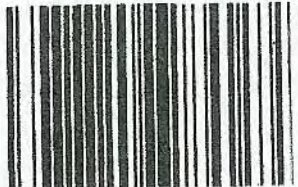
Telephone No. N° de téléphone

From
Customer No. N° du client
Expéditeur
Box 753

Name
Address
Rosedale AB

City / Prov. / Postal Code
T0J 0Y0

DETACH HERE ▼ DÉTACHEZ ICI



PP 209 463 666

Signature
on delivery?

Signature à
la livraison?

Sender warrants that this item
does not contain dangerous goods and
agrees with the terms and conditions
on the reverse.

L'expéditeur garantit que cet envoi
ne contient pas de matières
dangereuses et accepte les conditions
à l'envoi.

Xpresspost

1

Return to Sender Renvoi à l'expéditeur

Manifest or Collect
Postage Due
Manifeste ou
percevoir le port dû



December 13, 2005

Edmonton Journal

edmontonjournal.com

EDMONTON'S NEWSPAPER SINCE 1913

Tainted water lights fire under gas fears



February 6, 2006
EnCana CBM Technical Briefing

“If water supply is a concern, EnCana will supply necessary water.”

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.

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

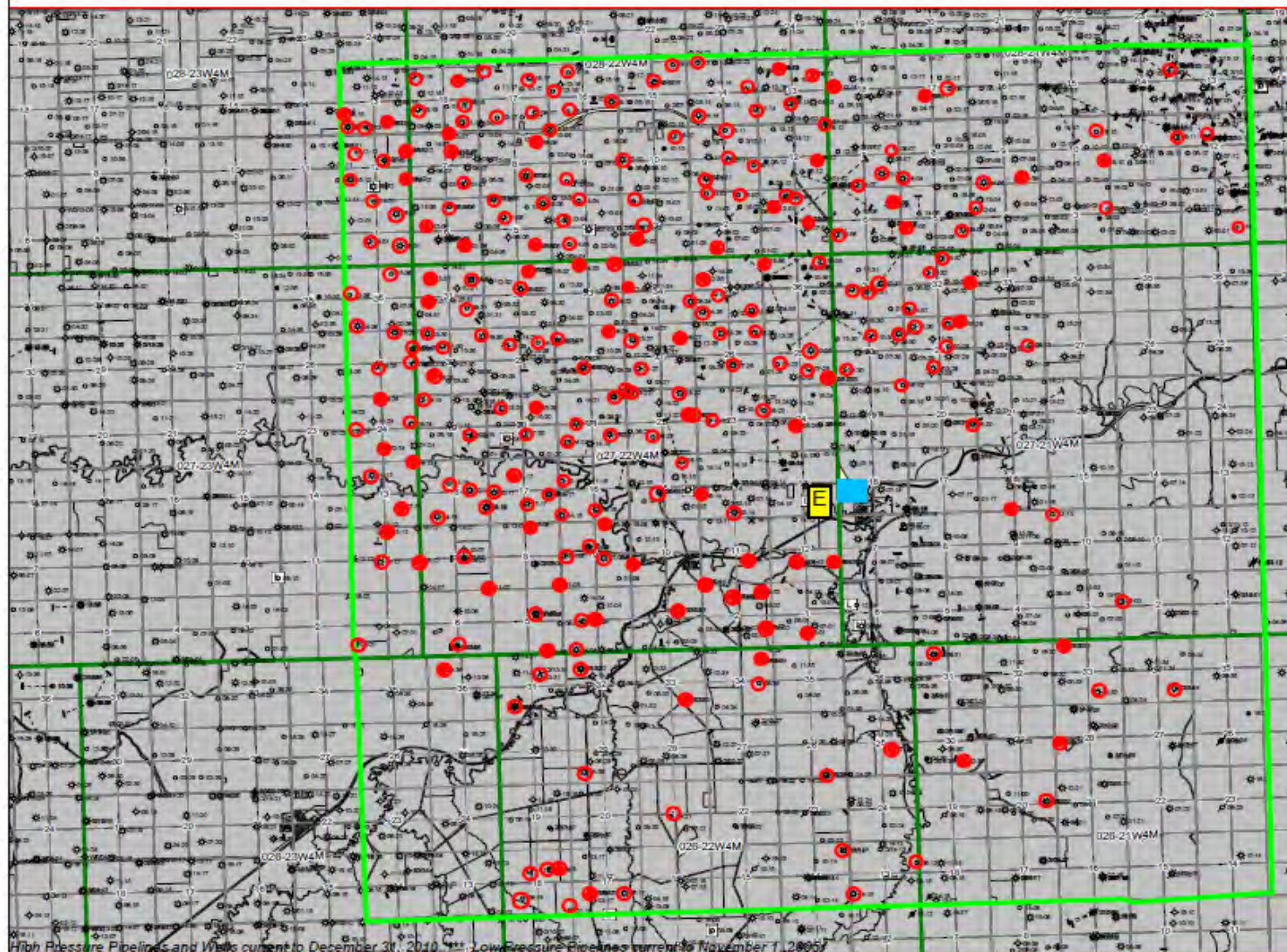
March 6

Meeting with Minister
& staff

I am to blame, because
I use too much water

Shallow Gas Wells Drilled and Frac'd Near Rosebud, Alberta

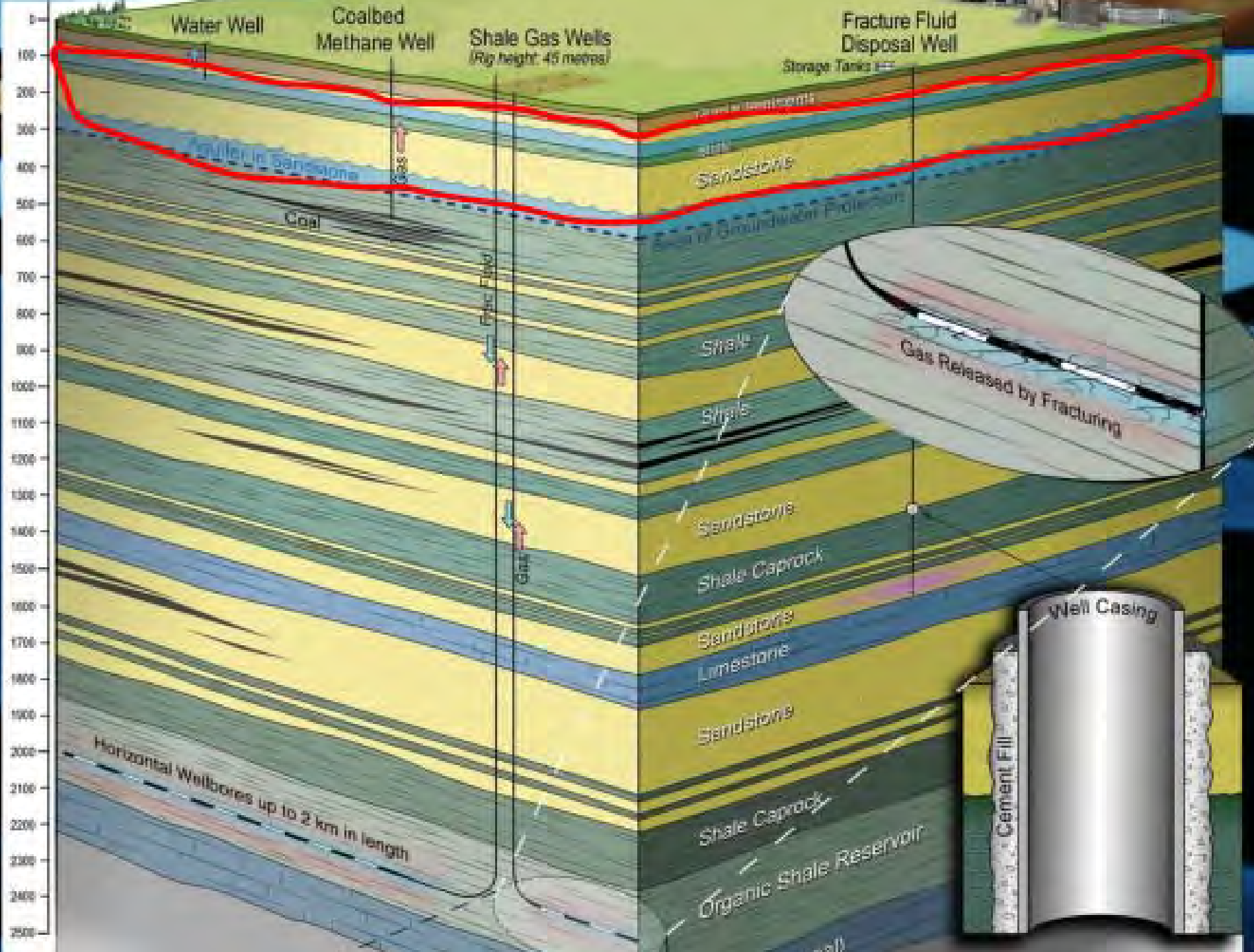
Circles: EnCana Wells Perforated and or Hydraulically Fractured Above the Base of Groundwater Protection before April 2006
Solid dots: EnCana Wells Perforated and or Hydraulically Fractured Above 200m before April 2006



E = approximate location of Ernst property

■ = Rosebud Community Water Tower that exploded in 2005

~ 1 mile



April 12 2006, The Alberta Government knew!!



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.





Methane in Rosebud Water

30 – 66 mg/l

Risk of explosion at **1** mg/l

(if water passes confined space in CAPP Gas Migration Report, 1996)

Compare to historic data:

My water well: Gas Present: **No**

CAPP 1996: most < 0.05

June 8, 2006

Interrogation of Ernst by ERCB Lawyer



Admitted on tape, the ERCB never considered me a threat

April 2008: Alberta Environment Breaks Legislature Made Promise

Takes away the water deliveries

Declares our dangerously
explosive & toxic water safe



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





My turn. 185 gal tank.





Water tanks
in my
house

I had to give
up my
storage
and
laundry
room

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

October 2009

Harper Government appoints Honourable Neil C. Wittmann as Chief Justice



[Home](#) > PM announces Alberta Judicial Appointments

PM announces Alberta Judicial Appointments

23 October 2009

Ottawa, Ontario

Prime Minister Stephen Harper announced today the following appointments:

The Honourable Neil C. Wittmann, Associate Chief Justice of the Court of Queen's Bench of Alberta, is appointed Chief Justice to replace the Honourable Chief Justice A

April 27, 2011

**Ernst Lawsuit against
EnCana, ERCB & Alberta Government
goes public**

**All allegations remain to be proven in court, all parties will
be able to respond to the allegations**

May 9, 2011 Jackson *et al's*
(Duke University) Peer Reviewed Study

17x more methane in water wells near
drilled & fractured energy wells

June 24, 2011

The Harper Government



Appoints

Justice Barbara L. Veldhuis
to the Court of Queen's Bench



October 30, 2011 EnCana Drilling under my land

Encana Waste Dumping Rosebud, October 30, 2011







Metal Concentrations



Table #1 – Average Metals Concentrations in Recycled WBFF and Drilling Waste

Parameter	Recycled WBFF (mg/L)	Drilling Waste (mg/L)
Arsenic	0.0617	0.507
Barium	1.44	13.01
Beryllium	0.0629	0.00263
Cadmium	0.00	0.00213
Cobalt	0.0328	0.315
Chromium (total)	0.091	0.857
Copper	0.133	1.174
Mercury	0.0078	0.0214
Molybdenum	0.0218	0.0294
Nickel	0.0121	1.13726
Lead	0.0894	0.137
Antimony	0.004	0.00121
Selenium	0.0171	0.055
Tin	0.00167	0.0105
Thallium	0.0004	0.00263
Vanadium	0.172	1.94
Zinc	0.544	3.29





April 26, 2012

Drumheller Court

Justice Barbara L. Veldhuis requests a shortened statement of claim and volunteers as case manager.

ERCB demands that my full statement of claim is removed from the court and public record.

Denied.

October 1, 2012 Case management call
The defendants want my case moved to Calgary
(moving my case was not on the agenda)

Alberta Environment: “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



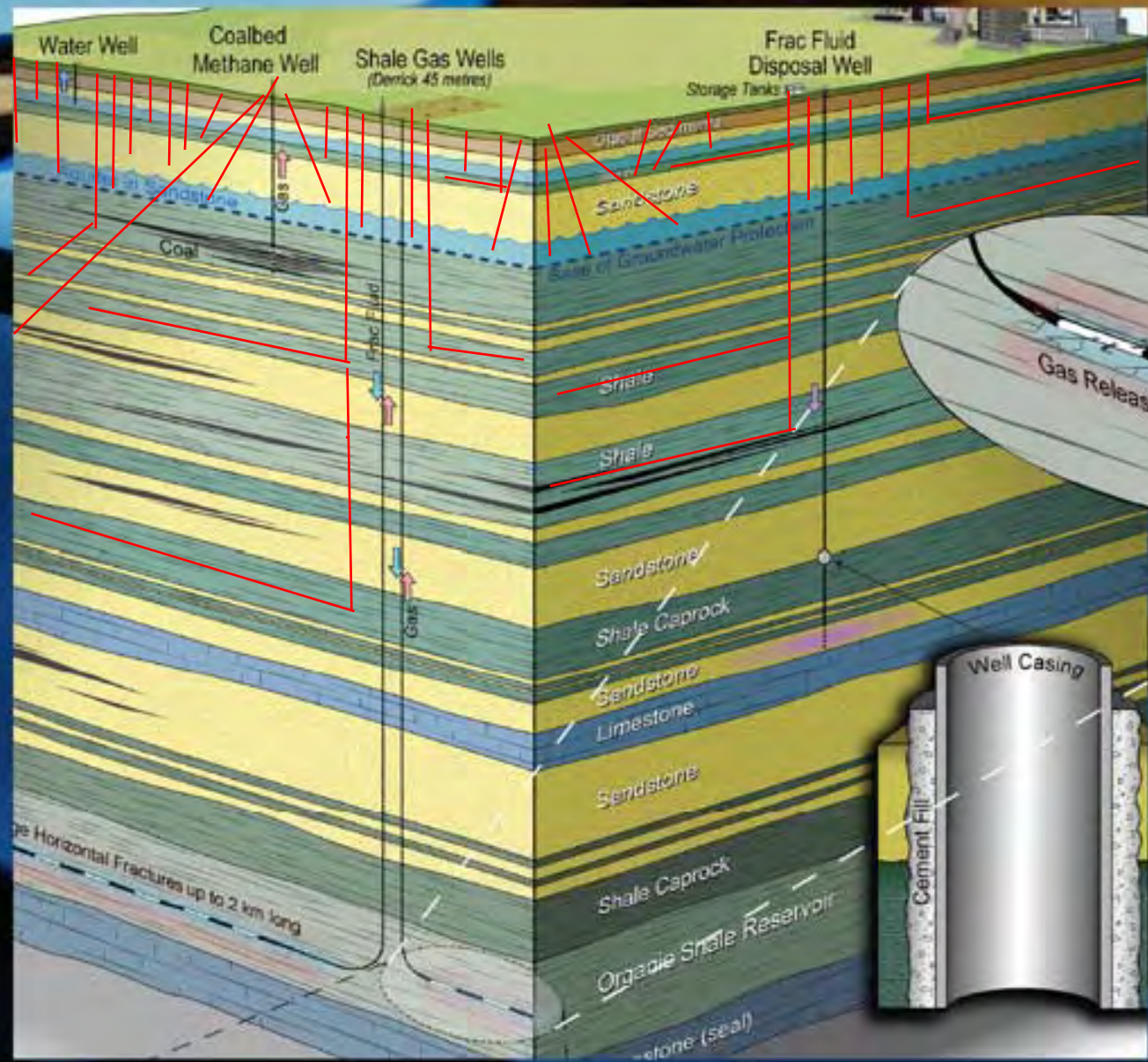


December 6, 2012

ERCB releases draft frac regulations



RED LINES =
What Alberta's
frac regulations allow



Encana frac'ing above the Base of Groundwater Protection near my land, December 15, 2012



They frac you, and then, they frac you again
and again and again and again and again

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

Best in the World, World Class

ERCB argued for my case against them to be thrown out:

I am a terrorist, they can violate my rights

“No duty of care” to Albertans and groundwater;

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

Alberta Environment

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

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

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



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”



The screenshot shows the official website of the Department of Justice Canada. At the top, there are logos for the Department of Justice Canada in English and French, and the word "Canada" with the national flag. Below this is a green banner with a red maple leaf and the text "Department of Justice" and "www.justice.gc.ca". A navigation bar contains links for "Français", "Home", "Contact Us", "Help", "Search", and "canada.gc.ca". Below the navigation bar, a breadcrumb trail reads "Home > NewsRoom > Judicial Appointments". The main content area features a green header for "ALBERTA JUDICIAL APPOINTMENTS ANNOUNCED". The text below states: "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". A sidebar on the left lists various newsroom links.

Department of Justice Canada
Ministère de la Justice Canada

Canada

Department of Justice
www.justice.gc.ca

Français Home Contact Us Help Search canada.gc.ca

Home > NewsRoom > Judicial Appointments

Newsroom
Latest News
News Releases
Media Notices
Judicial Appointments
Contacts for the Media
Links

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

February 15, 2013

Alberta Court of Queen's Bench
Chief Justice Neil Wittmann
Volunteers to take over

How does a plaintiff say no to that?



August 19, 2013, Encana files Statement of Defence:

“Encana states that both Encana wells were stimulated, but neither was hydraulically fractured”



5-14 (2004)

JET PERFORATION

JET PERFORATION

JET PERFORATION

JET PERFORATION

JET PERFORATION

FRACTURED

02-06-04 (2001)

JET PERFORATION

JET PERFORATION

JET PERFORATION

JET PERFORATION

JET PERFORATION

FRACTURED



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



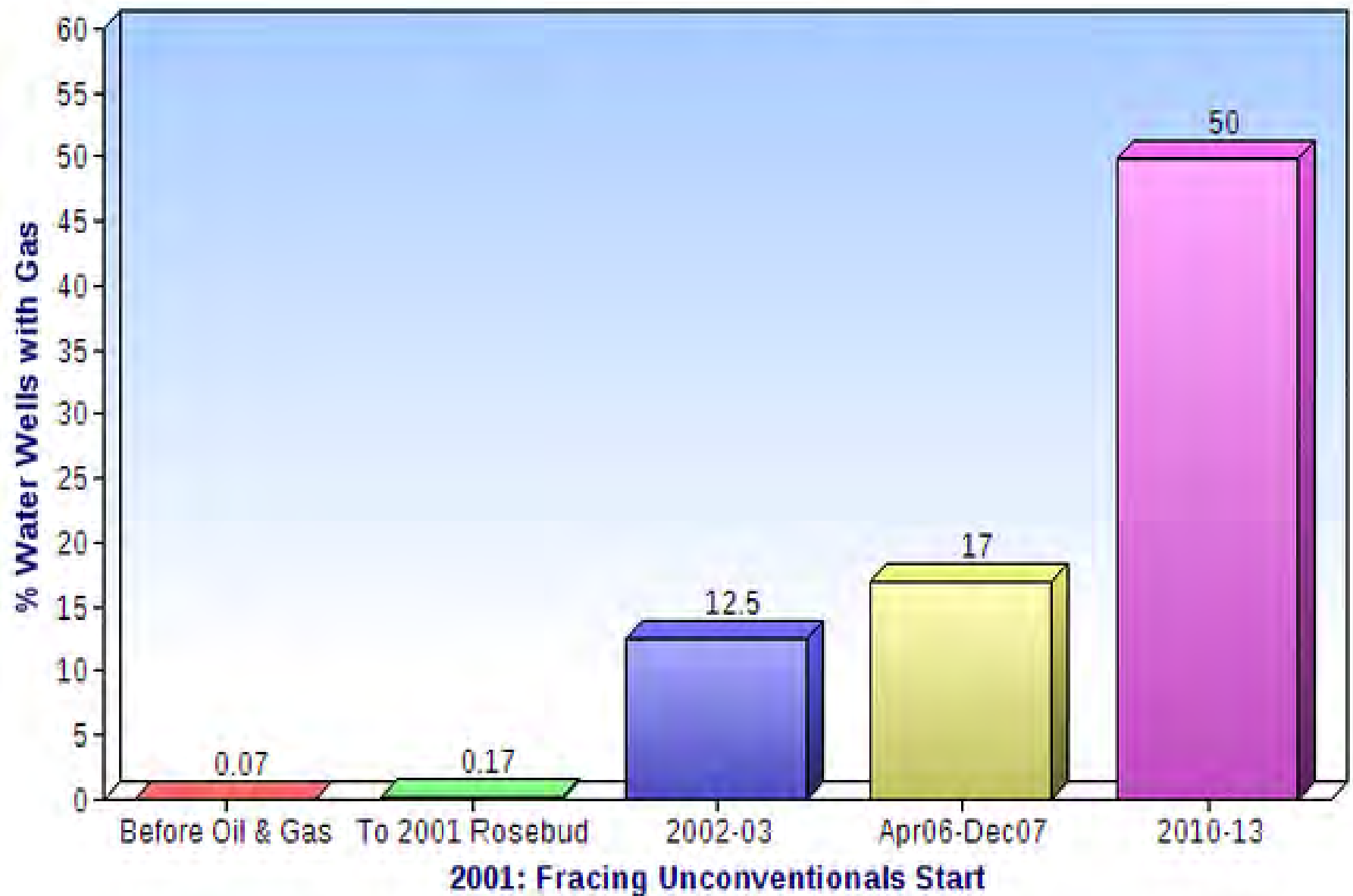
“Contamination” stays in my Statement of Claim



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



Gas in Alberta Water Wells



February 25, 2014

Craig Knaus Compliance Manager Calgary

on Albertans asking for help because of frac'ing
stated with gleeful animation:

“These people will get nowhere”



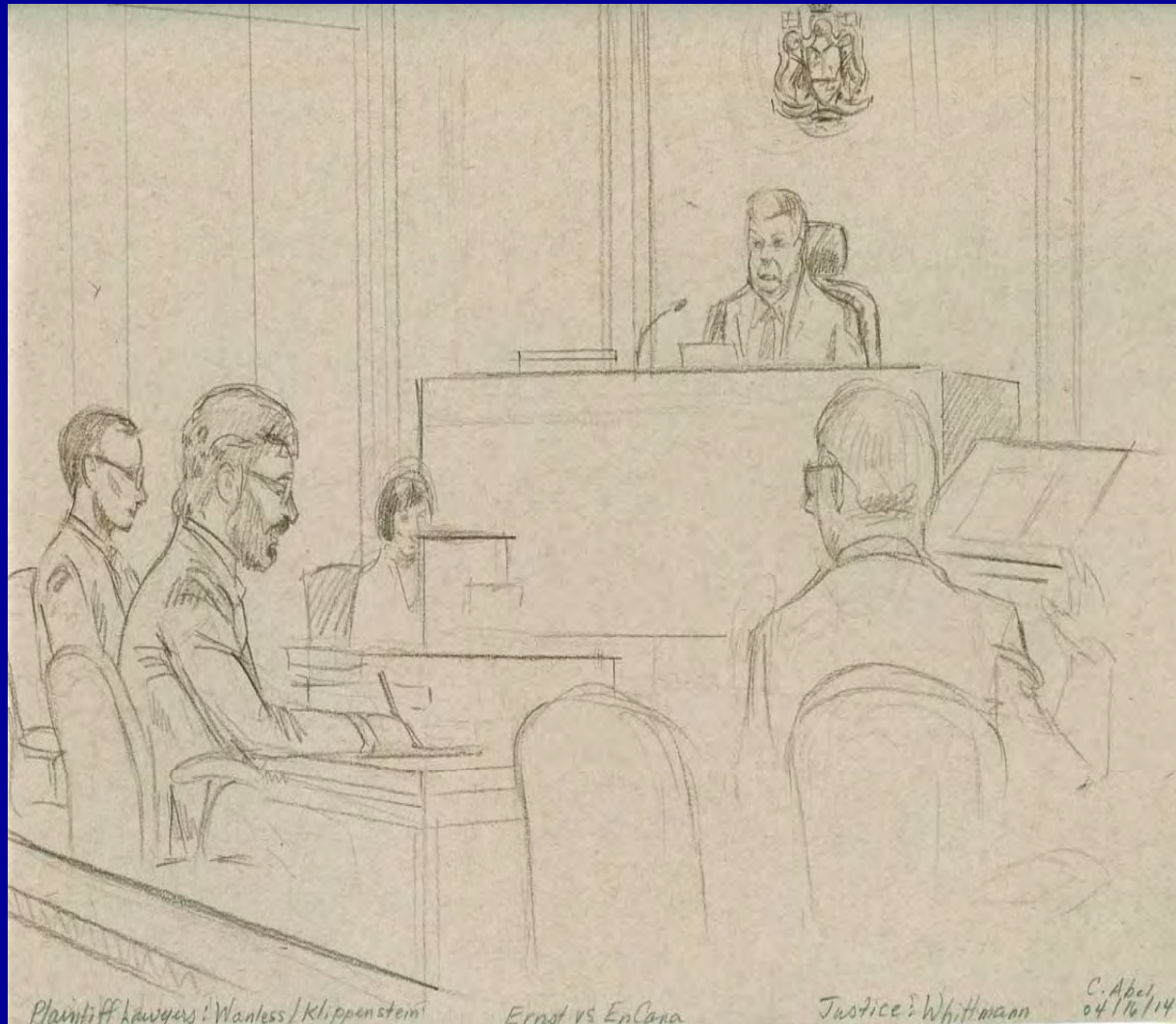
April 16, 2014: **3 years of motions** Hearing in Drumheller Court

Alberta government
argues to
strike my entire case
against them

claiming
“no duty of care”
“immunity”



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



April 16, 2014
Crown Counsel
Neil Boyle
in
Alberta Court of
Queen's Bench

April 30, 2014


Council of Canadian Academies

Chair: Dr. John Cherry
&

2013 appointed by Harper Govt to
Board of Governors:

Ted Morton

Refused Albertans 2011 demand for
frac moratorium
(punted by Alberta voters in 2012!)



ENVIRONMENTAL IMPACTS OF SHALE GAS EXTRACTION IN CANADA

The Expert Panel on Harnessing Science and
Technology to Understand the Environmental
Impacts of Shale Gas Extraction



Council of Canadian Academies
Conseil des académies canadiennes

Science Advice in the Public Interest

Council of Canadian Academies Expert Panel Frac Report:

Provides more questions than answers
Science to be determined **after** we're frac'd



The CCA Expert Panel ignored the 2002 CCME & Dr. John Cherry report:

Chapter 4.

Groundwater Quality Issues in Canada: Problem Status and Some Implications
by Dr. John A. Cherry, Professor and NSERC Chair in Contaminant Hydrogeology

- ④ Laws and regulations for groundwater protection are often weak and/or unenforced in most areas of Canada. Lack of enforcement is often related to inadequate numbers of government staff or lack of political will.

2002 Dr. John Cherry in the CCME report:

“there are no strong incentives to avoid contaminating groundwater”

6. Huge gaps exist between the actual scientific knowledge used in policy and decision making

12 years later and still at the table



May 1, 2014: Abita Springs and other Communities in Oil & Gas Soaked Louisiana say No



What's made in Abita?



May 8, 2014

Ernst v ERCB Appeal Hearing

Appealing Justice Wittmann granting ERCB
no duty of care, legal immunity, even for
Charter violations

My lawyers given 45 minutes; questions
took us to 110 minutes



Alberta Courts
Court of Appeal

**My talk today is for:
Water,
Children
Everywhere,
Mothers & Fathers,
Grandparents &
Great Grandparents,
Aunts, Uncles, Siblings
Communities & Friends & Breweries**