

COURT OF APPEAL OF ALBERTA

Form AP-1
[Rules 14.8 and 14.12]

COURT OF APPEAL FILE NUMBER: 2601-0036AC
TRIAL COURT FILE NUMBER: B301-276975
REGISTRY OFFICE: CALGARY
PLAINTIFF/APPLICANT: HIS MAJESTY THE KING IN
RIGHT OF ALBERTA AS
REPRESENTED BY THE
MINISTER OF ENERGY AND
MINERALS



STATUS ON APPEAL: APPELLANT
DEFENDANT/RESPONDENT: CANADIAN NATURAL
RESOURCES LIMITED

STATUS ON APPEAL: RESPONDENT
DOCUMENT: **CIVIL NOTICE OF APPEAL**

APPELLANT'S ADDRESS FOR SERVICE AND CONTACT INFORMATION: P2 Regulatory Solutions
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WARNING

To the Respondent: If you do not respond to this appeal as provided for in the Alberta Rules of Court, the appeal will be decided in your absence and without your input.

1. Particulars of Judgment, Order or Decision Appealed From:

Date pronounced: **January 26, 2026**

Date entered:

Date served:

Official neutral citation of reasons for decision, if any: **N/A**
(do not attach copy)

(Attach a copy of order or judgment: Rule 14.12(3). If a copy is not attached, indicate under item 14 and file a copy as soon as possible: Rule 14.18(2).)

2. Indicate where the matter originated:

Court of King's Bench

Judicial Centre: **Calgary**

Justice: **The Honourable Justice M.H. Bourque**

On appeal from a King's Bench Applications Judge or a Justice of the Court of Justice?:

No

Official neutral citation of reasons for decision, if any, of the Applications Judge or Justice of the Court of Justice: (do not attach copy) – **No written decision**

(If originating from an order of a King's Bench Applications Judge or a Justice of the Court of Justice, a copy of that order is also required: Rule 14.18(1)(c).)

Board, Tribunal or Professional Discipline Body

Specify Body: **N/A**

3. Details of Permission to Appeal, if required (Rules 14.5 and 14.12(3)(a)).

Permission not required

Date:

4. Portion being appealed (Rule 14.12(2)(c)):

Whole

(Where parts only of a family law order are appealed, describe the issues being appealed, e.g. property, child support, parenting, etc.)

5. Provide a brief description of the issues:

1. Applicability and impact of a Stay of Proceedings under the *Bankruptcy and Insolvency Act*, RSC 1985, c. B-3 with respect to claims against solvent third parties who are jointly and severally liable for royalties under the *Mines and Minerals Act*, RSA 2000, c. M-17;
2. Interpretation of the *Mines and Minerals Act*, RSA 2000, c. M-17;

3. Interpretation of the provisions of the *Natural Gas Royalty Regulation*, 2009, Alta Reg 221/2008 and *Natural Gas Royalty Regulation*, 2017, Alta Reg 211/2016 and the *Mines and Minerals Act*, RSA 2000, c. M-17, specifically whether Co-lessee's are only responsible for payment of outstanding Crown Royalties if there is a failure by a Royalty client as defined in the Regulations to pay such amounts at first instance;
 4. Interpretation of Crown Agreements and specifically whether Co-lessees are in essence "involuntary lenders" with respect to outstanding royalties on Crown Leases;
 5. Whether Alberta Energy is required to pursue "cure costs" under the *Bankruptcy and Insolvency Act*, RSC 1985, c. B-3;
 6. Whether the "single proceeding model" prevents Alberta Energy from collecting outstanding royalties on Crown Agreements from Co-lessees; and
 7. Such further issues as counsel may advise.
- 6. Provide a brief description of the relief claimed:**
1. Reversal of the Decision granted January 26, 2026, by the Honourable Justice M.H. Bourque; and
 2. Such further relief as counsel may seek and this Honourable Court deem just.
- 7. Is this appeal required to be dealt with as a fast track appeal? (Rule 14.14)**
- No**
- 8. Does this appeal involve the custody, access, guardianship, parenting time, decision-making responsibility, contact or support of a child? (Rule 14.14(2)(b))**
- No**
- 9. Will an application be made to expedite this appeal?**
- Yes**
- 10. Is Judicial Dispute Resolution with a view to settlement or crystallization of issues appropriate? (Rule 14.60)**
- No**
- 11. Could this matter be decided without oral argument? (Rule 14.32(2))**
- No**
- 12. Are there any restricted access orders or statutory provisions that affect the privacy of this file? (Rules 6.29, 14.12(2)(e), 14.83)**

No

If yes, provide details:
(Attach a copy of any order.)

13. List respondent(s) or counsel for the respondent(s), with contact information:

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If specified constitutional issues are raised, service on the Attorney General is required under s. 24 of the Judicature Act: Rule 14.18(1)(c)(viii).

14. Attachments (check as applicable)

- Order under appeal will be filed as soon as it becomes available (Rule 14.12(3))

Earlier order of Applications Judge, etc. (Rule 14.18(1)(c))

Order granting permission to appeal (Rule 14.12(3)(a))

Copy of any restricted access order (Rule 14.12(2)(e))

If any document is not available, it should be appended to the factum, or included elsewhere in the appeal record.