

FREEHOLD PETROLEUM & NATURAL GAS OWNERS ASSOCIATION

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*FHOA - a Volunteer Organization Committed
to Addressing the Concerns of Individual
Owners of Freehold Minerals in Canada*

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Alberta Energy & Utilities Board
640-5th Ave SW
Calgary, AB
T2P 3G4

May 15, 2006

Attn: Karine Fisher, *Applications Coordinator*

Re: Request for Intervener Status
Hearing – Proceeding No 1457147

Bearspaw Petroleum Ltd., Devon Canada Corporation, EnCana Corporation, Fairborne Energy Ltd. And Luscar Ltd.
Clive, Ewing Lake, Stettler and Wimborne Fields

**By e-mail
Hard copy to follow**

Dear Ms. Fisher,

The Freehold Petroleum & Natural Gas Owners Association (FHOA) represents the interests of individual freehold mineral owners (“freeholders”) throughout Alberta. Approximately 3,000 members representing more than 12,000 individual freeholders have joined FHOA to date. FHOA provides information and education to freehold owners, researches issues of concern to freeholders and acts as their common voice.

Of particular concern to many of FHOA’s members is the ownership and the development of coal bed methane on split-title lands, where individual freeholders owns the gas rights and companies such as EnCana and Luscar own the corresponding coal rights. Due to uncertainty as to who owns coal bed methane, the gas owner or the coal owner, these split-title freehold lands are, in most cases, effectively in limbo often being drained by development on offsetting Crown lands where ownership is clearly defined as belonging to the lessee of the Crown’s natural gas.

With regard to Proceeding #1457147, the individual freehold mineral owners who comprise FHOA’s membership may collectively be impacted to a greater extent than any of the parties thus far involved in the hearing.

In our view, both Part 1 and Part 2 of the subject proceeding impact our membership and, as such, we request intervener status in both. We will present the viewpoint that coal bed methane is owned by those holding title to all mines and minerals except coal or all mines and minerals except coal and petroleum.

Thank you for your attention to this matter.

Regards,

(signed)
Else Pederseon,

President, Freehold Petroleum & Natural Gas Owners Association