

# Guide for Wells

Abandoned wellbores on leased rights, the impact that cancelling an agreement has on different types of wells, and approval for linking and re-entry authorizations.

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## Abandonment of Wells

The well licensee owns an abandoned well if it remains in an active agreement and has not vested to the Crown. If the agreement is cancelled or the portion of land has been deleted from the active agreement, the well drilled on these lands vests to the Crown pursuant to *section 32* of the *Mines and Minerals Act* (the Act). There is no cost to acquire the use of a well that has vested.

When Tenure cancels an agreement or deletes a portion of land from an agreement that contains a well, the lessee is advised that the well can no longer be used. Since you no longer hold an active agreement, the well vests to the Crown. The Alberta Energy Regulator (Regulator) will advise the well licensee of the options. Abandonment is one option, which is covered under [Directive 20](#).

When you receive an abandonment request from the Regulator there is an option in the abandonment notification letter to link the well to another active agreement located on the same land **the well** was drilled on.

The well licensee must submit a Well Linking application listed under Crown Mineral Activity on our [Electronic Transfer System \(ETS\)](#). Once the application is received and reviewed, the department will ensure the well is linked to the agreement listed in the application.

## Water Disposal, Injection, Source, Observation Wells

All operations in undisposed Crown Mineral rights must cease when the agreement is cancelled due to a rental or royalty default. This includes active disposal, injection, source and observation wells. All wells are identified to the Regulator for abandonment.

When expired, cancelled or surrendered rights contain an active disposal, injection, source, or observation well, Crown Mineral Activity (CMA) authorization is required. CMA applications must be submitted through the [Electronic Transfer System \(ETS\)](#) in accordance with the Regulator timelines described in the abandonment request to avoid potential trespass under *section 54(1)* of [the Act](#).

## Crown Mineral Activity Application

When an agreement or portion of an agreement is cancelled, the well vests immediately to the Crown under *section 32* of [the Act](#).

The following table determines which CMA application is required to submit through [ETS](#) based on the well status.

Well Status	Additional Requirements
Abandoned	Applicant must have all surface approvals (Mineral Surface Lease, Emergency Response Plans etc.) before applying for re-entry approval.

Well Status	Additional Requirements
Any well status with the exception of "Abandoned"	Applicant must be the well licensee. Alberta Energy will not link the well to another active agreement until the Regulator has transferred the well licence.

If you cannot meet the conditions set out in your approval letter, you must advise Alberta Energy prior to expiry, indicating the circumstances. As there is no extension section in the Act for these type of approvals you will need to re-apply through [ETS](#) and subsequent approval may be granted.

If two applications are received, both companies are contacted to determine who holds the surface lease. The approval is issued to the holder of the surface lease, since without that lease, the well cannot be accessed. If neither holds the surface lease, authorization is granted to the applicant who submitted their application first.

## Approval to Re-enter an Abandoned Well

If the well has not vested to the Crown, you need to contact the well licensee.

- In the absence of a well licensee or if well has been recertified, then you must contact the Regulator at [Directive56.help@aer.ca](mailto:Directive56.help@aer.ca).
- If the agreement has been cancelled or expired, or the portion of land that the well was drilled on has been deleted from the agreement, the well immediately vested in the Crown.
- [Information Letter 1997-26](#) outlines the criteria required for applying to re-enter a Crown well. Applications must be submitted through [ETS](#). You must tell us what you wish to use the well for and you must indemnify the Crown.

## Useful Links:

### Crown Mineral Activity Applications/Authorizations

(previously known as Well Authorizations) are now available through [Electronic Transfer System \(ETS\)](#)

### [Online Learning Course – Crown Mineral Activity](#)

This online learning course is available to assist you in making this application through ETS.

### [ETS Apply for Access](#)

In order to do an e-submission Crown Mineral Activity applications, you will need to have an ETS account.

For reference, please view the *ETS Account Setup and Preferences* module under [Accounts in ETS](#) in the Online Learning portal.

To access ETS, you will need to apply for an account setup so that you can do business electronically with Alberta Energy. Please contact Crown Land Data at (780) 644-2300 or email [crownlanddatasupport@gov.ab.ca](mailto:crownlanddatasupport@gov.ab.ca)