



EB-2011-0076
EB-2011-0077
EB-2011-0078
EB-2011-0285

AMENDED NOTICE OF APPLICATIONS

FOR THE DESIGNATION OF TWO PROPOSED NATURAL GAS STORAGE POOLS, THE BAYFIELD POOL AND THE STANLEY 4-7-XI POOL IN THE GEOGRAPHIC TOWNSHIP OF STANLEY, MUNICIPALITY OF BLUEWATER, COUNTY OF HURON BY TRIBUTE RESOURCES INC. AND BAYFIELD RESOURCES INC., ON BEHALF OF HURON BAYFIELD LIMITED PARTNERSHIP;

FOR AUTHORITY TO INJECT GAS INTO, STORE GAS IN AND REMOVE GAS FROM DESIGNATED STORAGE AREAS;

FOR LICENCES TO DRILL WELLS IN DESIGNATED STORAGE AREAS;

FOR LEAVE TO CONSTRUCT A NATURAL GAS TRANSMISSION PIPELINE IN THE COUNTY OF HURON AND IN THE COUNTY OF MIDDLESEX BY BAYFIELD PIPELINE CORPORATION;

FOR A DETERMINATION IN RESPECT OF COMPENSATION PAYABLE UNDER SECTION 38(3) OF THE *ONTARIO ENERGY BOARD ACT*, 1998.

Tribute Resources Inc. and Bayfield Resources Inc., on behalf of Huron Bayfield Limited Partnership and Bayfield Pipeline Corp. (the "Applicants") filed applications with the Ontario Energy Board (the "Board"), dated April 20, 2011. The applications were filed under sections 36.1(1), 38(1), 38(3), 40(1) and 90(1) of the *Ontario Energy Board Act*, 1998, S.O. 1998, c.15, Schedule B (the "Act"). By letter dated May 4, 2011, the Ministry of Natural Resources, Petroleum Resources Centre, referred to the Board, pursuant to section 40 of the Act, an application by Bayfield Resources Inc. for licences to drill injection/withdrawal wells within the proposed gas storage areas. The Board assigned File Nos. to the applications as follows:

- Stanley Pool Application consisting of applications to designate the proposed Stanley Pool, authority to operate the pool and licences to drill wells (EB-2011-0076);
- Bayfield Pool Application consisting of applications to designate the proposed Stanley Pool, authority to operate the pool and licences to drill wells (EB-2011-0077);
- Leave to Construct about 70 km of 16 inch diameter pipeline to connect these two storage pools to Union's transmission system (EB-2011-0078).

The Board issued a Notice of Application on May 10, 2011. On June 6, 2011 the Board issued a revised Notice of Application to address an error in the description of the proposed pool boundaries.

On August 4, 2011 the Board received an amended application from Tribute related to the Stanley 4-7-XI Pool application which expanded the scope of the relief sought in the originally filed applications, dated April 21, 2011. Tribute's additional request filed on August 4, 2011 is for an order determining compensation payable to landowners under section 38(3) of the Act. The Board assigned the application for compensation payable to landowners File No. EB-2011-0285. Upon review, the Board determined that application EB-2011-0285 was incomplete as Tribute had not filed any evidence in support of the section 38(3) request. By way of letter, dated August 9, 2011, the Board stayed all the applications and stated that a new "Notice of Applications" would be issued only when Tribute filed sufficient evidence in support of its request under section 38(3) of the Act.

On August 24, 2011, the Applicants filed with the Board pre-filed evidence in support of the EB-2011-0285 application. The additional pre-filed evidence makes the application complete and the Board is issuing this Amended Notice of Application to include all four applications, namely EB-2011-0076, EB-2011-0077, EB-2011-0078, and EB-2011-0285.

If granted, the Applicants would be allowed to develop natural gas storage pools located in the geographic area of the County of Huron and in the County of Middlesex Ontario (the "Project"). The Project includes the designation and development of two proposed gas storage pools in Huron County, the Bayfield Pool and Stanley 4-7-XI ("Stanley") Pool and the construction and operation of a transmission pipeline to connect these proposed storage pools with Union Gas Limited's pipeline system.

Maps showing the location of the Project are attached as Appendix "A" in this Notice.

Development of Stanley Pool (Board File No. EB-2011-0076)

The following has been applied for to allow for development and operation of the proposed gas storage Stanley Pool:

- (i) an Order designating the area containing a gas reservoir known as the Stanley 4-7-XI Pool located in Lots 6, 7 and 8, Concession 11; and Lots 6, 7 and 8, Concession 12, in the geographic Township of Stanley, in the Municipality of Bluewater, in the County of Huron, as a designated gas storage area pursuant to section 36.1(1) of the Act;
- (ii) authority to inject gas into, store gas in, and remove gas from the Stanley Pool pursuant to subsection 38(1) of the Act;
- (iii) a favourable report of the Board under subsection 40(1) of the Act, to the Minister of Natural Resources to whom Bayfield Resources Inc. has applied for licences to drill four (4) injection/withdrawal wells within the proposed Stanley Pool as follows: (1) Bayfield Resources et al #3 (Horizontal # 1), Stanley 3-7-XI (2) Bayfield Resources et al #3 (Horizontal # 1-Lateral #1), Stanley 3-7-XI (3) Tribute et al #25 (Horizontal # 1), Stanley 3-7-XI (4) Bayfield Resources et al # 4 (Horizontal # 1), Stanley 4-7-XI.

Development of the Bayfield Pool (Board File No. EB-2011-0077)

The following has been applied for to allow for development and operation of the proposed gas storage Bayfield Pool:

- (i) an Order designating the area containing a gas reservoir known as the Bayfield Pool located in the geographic Township of Stanley, in the Municipality of Bluewater, in the County of Huron, Province of Ontario, being composed of part of Lots 7, 8 and 9 of Bayfield Road North Concession and Lots 7, 8 and 9 of Bayfield Road South Concession, as a storage area pursuant to section 36.1(1) of the Act;
- (ii) authority to inject gas into, store gas in, and remove gas from the Bayfield Pool, pursuant to subsection 38(1) of the Act; and
- (iii) a favourable report of the Board under subsection 40(1) of the Act, to the Minister of Natural Resources to whom Bayfield Resources Inc. has applied for licences to drill four

(4) injection/withdrawal wells within the proposed Bayfield Pool as follows: (1) Bayfield Resources et al #1, Stanley 9-7-NBR; (2) Bayfield Resources et al #1 (Horizontal # 1), Stanley 9-7-NBR; (3) Bayfield Resources et al # 2 (Horizontal # 1), Stanley 9-8-NBR; (4) Bayfield Resources et al # 2 (Horizontal # 1-lateral #1) Stanley 9-8-NBR.

Leave to Construct a Natural Gas Pipeline (Board File No. EB-2011-0078)

The Applicants seek leave to construct approximately 70 kilometres of 406 millimetre or 16 inch diameter transmission pipeline and approximately 700 metres of 304.8 millimetre or 12 inch diameter pipeline (the “transmission pipeline”) to connect the proposed natural gas storage pools to the Ontario natural gas pipeline network through an interconnection with the Union Gas Limited system pursuant to subsection 90(1) of the Act.

It is planned that the entire transmission pipeline be located within municipal road allowances in the County of Huron and the County of Middlesex with the exception of the portion to be located on the Union Gas Limited property at the Lobo Compressor Station.

Request for Determination of Compensation (Board File No. EB-2011-0285)

The Applicants have requested an Order determining just and equitable compensation payable to any owner of any gas or oil rights or the right to store gas within Stanley 4-7-XI Pool with whom the Applicants do not have an agreement, and compensation for damage resulting from the exercise of authority given by the order under section 38(1) of the Act.

How to see the Applicants’ Pre-filed Evidence

Copies of the applications and the pre-filed evidence in support of the applications will be available for public inspection at the Board’s offices, at the Tribute Resources Inc. office in London and in the case of the application for licences to drill wells, at the office of Petroleum Resources Centre in London (addresses below).

How to Participate

You may participate in this proceeding in one of three ways:

1. Become an Intervenor

Intervenors participate actively in the proceeding (i.e., submit written questions, evidence, and arguments, and cross-examine witnesses at an oral hearing).

The Board acknowledges that, in response to the service of the first Notice of Applications which was issued on May 22, 2011, certain parties applied for and were granted intervenor status. This status remains active in this proceeding for the **EB-2011-0076 / EB 2011-0077 / EB-2011-0078 / EB-2011-0285** applications. A current list of registered intervenors is included at Appendix B to this notice. This list will be expanded as appropriate if any new intervention or observation status is granted.

A request for intervenor status must be made by letter of intervention and be received by the Board no later than **7 days** from the publication or service date of this notice. A letter of intervention must include: (a) a description of how you are, or may be, affected by the outcome of this proceeding; (b) if you represent a group, a description of the group and its membership; and (c) whether you intend to seek an award of costs and the grounds for your cost award eligibility.

You must provide a copy of your letter of intervention to the Applicants.

Everything an intervenor files with the Board, including the intervenor's name and contact information, will be placed on the public record, which means that all filings will be available for viewing at the Board's offices and will be placed on the Board's website.

If you already have a user ID, please submit your intervention request through the Board's web portal at www.errr.ontarioenergyboard.ca. Additionally, two paper copies must be submitted to the address set out below.

If you do not have a user ID, visit the Board's website under e-Filing Services and complete a user ID/password request form. For instructions on how to submit documents and naming conventions please refer to the RESS Document Guidelines found at www.ontarioenergyboard.ca/OEB/Industry, e-Filing Services.

The Board also accepts interventions by e-mail, at the address below, and again, two additional paper copies are required. Those who do not have internet access are

required to submit their intervention request on a CD in PDF format, along with two paper copies.

2. Send a Letter with your Comments to the Board

If you wish to comment on the proceeding without becoming an intervenor, you may submit a letter of comment to the Board Secretary.

All letters of comment sent to the Board will be placed on the public record, which means that the letters will be available for viewing at the Board's offices and will be placed on the Board's website.

Before placing the letter of comment on the public record, the Board will remove any personal (i.e., not business) contact information from the letter of comment (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the letter of comment will become part of the public record.

A complete copy of your letter of comment, including your name, contact information, and the content of the letter, will be provided to the applicant and the Hearing Panel.

Your letter of comment must be received by the Board no later than **10 days** from the publication or service date of this notice. The Board accepts letters of comment by either post or e-mail at the addresses below.

3. Become an Observer

Observers do not participate actively in the proceeding but receive documents issued by the Board in the proceeding. There is no fee for observers to receive documents issued by the Board.

A request for observer status must be made in writing and be received by the Board no later than **7 days** from the publication or service date of this notice. The Board accepts observer request letters by either post or e-mail at the addresses below.

All letters requesting observer status will become part of the public record, which means that the letters will be available for viewing at the Board's offices and will be placed on the Board's website.

Before placing the request for observer status on the public record, the Board will remove any personal (i.e., not business) contact information from the request (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the request for observer status will become part of the public record.

Observers may also request documents filed by the applicant and other parties to the proceeding but must request these documents directly from the relevant party.

Observers may be required to pay for the costs of reproducing and delivering the material.

Most documents filed in this application will also be available on the Board's website.

How to Contact Us

In responding to this Notice, please reference Board file number **EB-2011-0076 / EB 2011-0077 / EB-2011-0078 / EB-2011-0285** in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

Need More Information?

Further information on how to participate may be obtained by visiting the Board's website at www.ontarioenergyboard.ca/OEB/Industry or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

IF YOU DO NOT REQUEST TO PARTICIPATE IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE OF THESE PROCEEDINGS.

Addresses

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

Attention: Ms. Kirsten Walli
Board Secretary

Tel: 1-888-632-6273 (toll free)
Fax: 416 440-7656
Email: Boardsec@ontarioenergyboard.ca

Tribute Resources Inc.
309-D Commissioners Road West
London, Ontario N6J 1Y4

Attention: Mr. Chris Butler
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Fax: (519) 657-4296

Giffen and Partners LLP
465 Waterloo Street,
London, Ontario N6B 1Z4

Attention: Mr. C. A. Lewis
Counsel for the Applicants

e-mail: lewis@giffens.com

Tel: (519) 679-4700
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Petroleum Resources Centre
Ministry of Natural Resources
659 Exeter Road
London, ON N6E 1L3

Attention: Mr. Dan Elliott
Manager

Tel: (519) 873-4635
Fax: (519) 873-4645

DATED at Toronto, September 2, 2011

ONTARIO ENERGY BOARD

Original Signed By

John Pickernell
Assistant Board Secretary

APPENDIX A

Maps showing the location of the proposed project

EB-2011-0076

EB-2011-0077

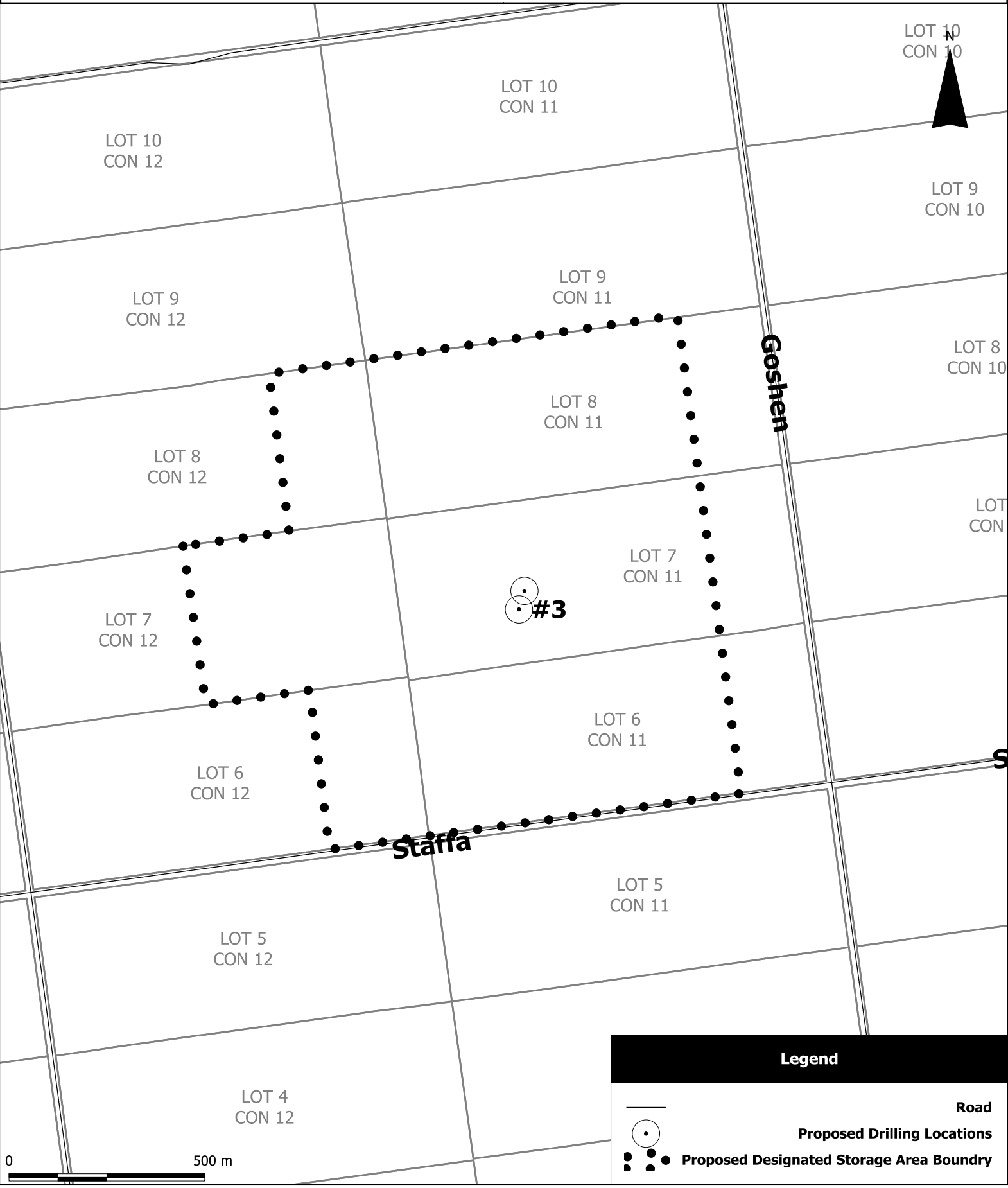
EB-2011-0078

EB-2011-0285

September 2, 2011

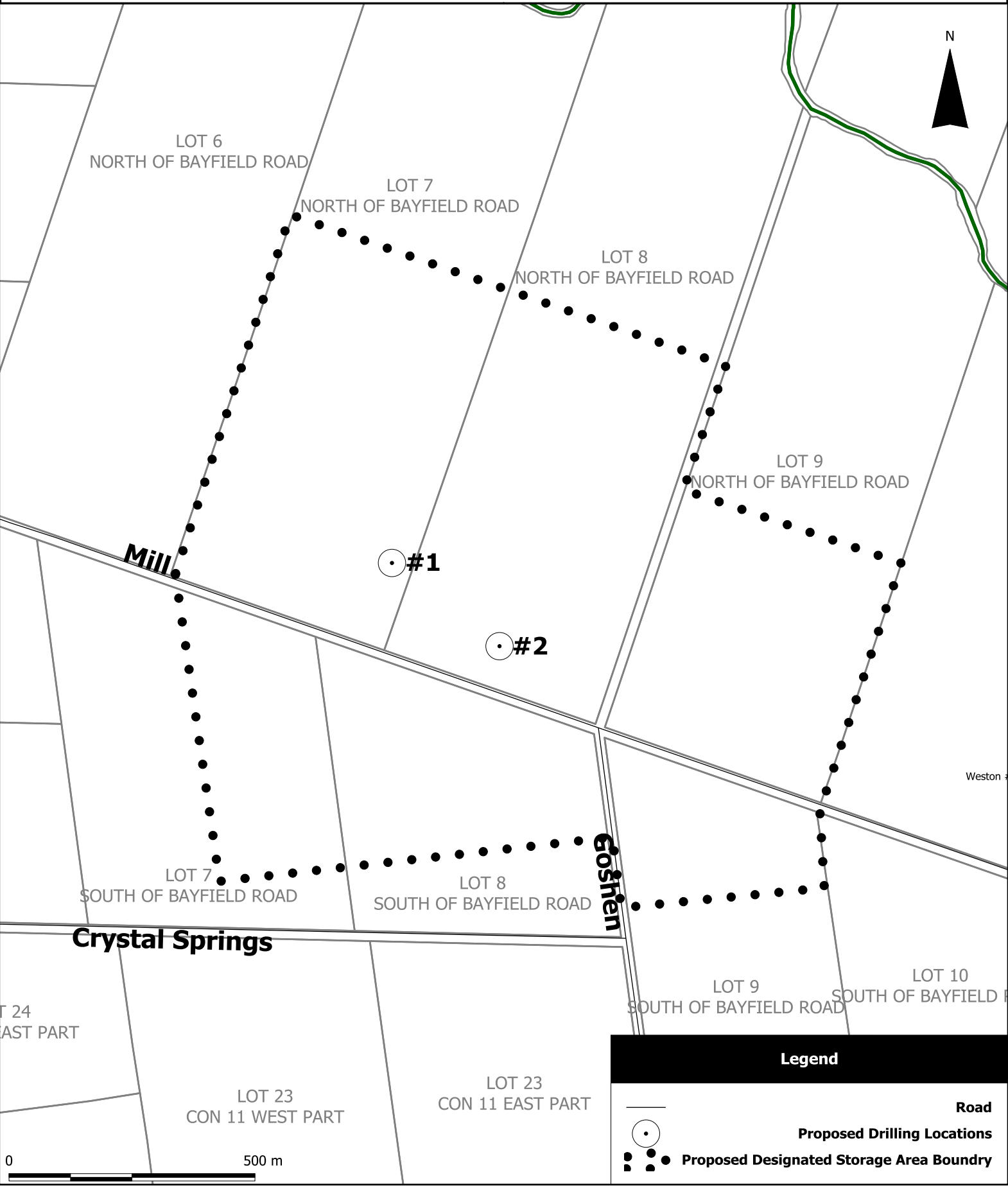
Stanley 4-7-XI Pool - Proposed Designated Storage Area and Wells

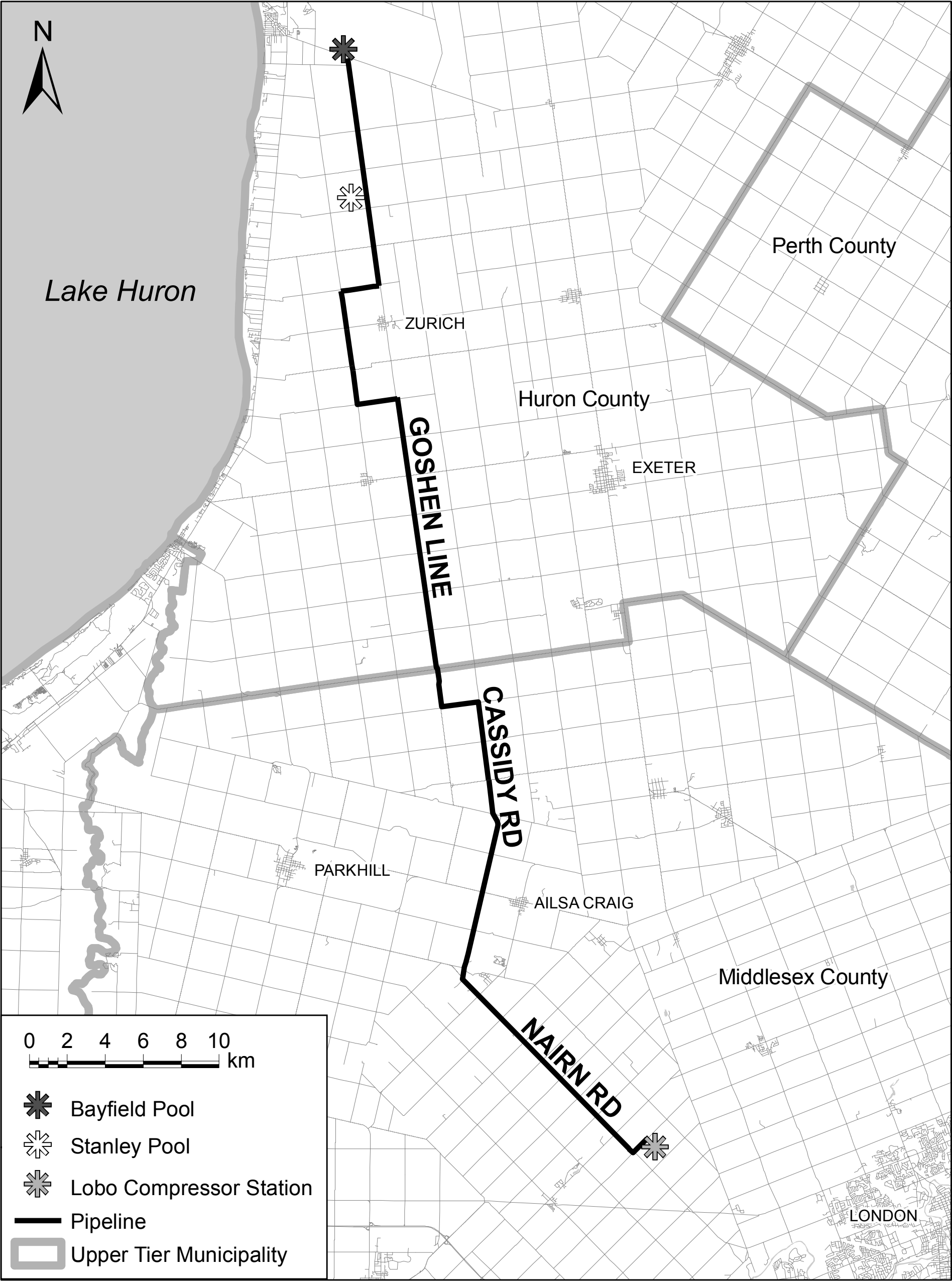
Geographic Township of Stanley, Huron County



Bayfield Pool - Proposed Designated Storage Area and Wells

Geographic Township of Stanley, Huron County





APPENDIX B

List of Registered Parties (as of August 10, 2011)

EB-2011-0076

EB-2011-0077

EB-2011-0078

EB-2011-0285

September 2, 2011

**Tribute Resources Inc.
EB-2011-0076**

APPLICANT & LIST OF INTERVENORS

September 2, 2011

APPLICANT

Rep. and Address for Service

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INTERVENORS

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Tribute Resources Inc.

EB-2011-0076

APPLICANT & LIST OF INTERVENORS

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September 2, 2011

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Agriculture**

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Philip Pothen

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Municipality of Bluewater

Lori Wolfe

CAO
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Tribute Resources Inc.

EB-2011-0076

APPLICANT & LIST OF INTERVENORS

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September 2, 2011

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Tribute Resources Inc.

EB-2011-0076

APPLICANT & LIST OF INTERVENORS

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September 2, 2011

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**Zurich Landowners
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