

The Subsurface Mineral Conservation Regulations

being

[Chapter M-16.1 Reg 5](#) (effective March 26, 2015).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER M-16.1 REG 5
The Mineral Resources Act, 1985

Title

1 These regulations may be cited as *The Subsurface Mineral Conservation Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Mineral Resources Act, 1985*;
- (b) “**subsurface disposition**” means a subsurface disposition as defined in *The Subsurface Mineral Tenure Regulations*;
- (c) “**subsurface disposition lands**” means any Crown mineral lands included within a subsurface disposition;
- (d) “**subsurface minerals**” means all natural mineral salts of boron, calcium, lithium, magnesium, potassium, sodium, bromine, chlorine, fluorine, iodine, nitrogen, phosphorus and sulfur, and their compounds, occurring more than 60 metres below the surface of the land;
- (e) “**well licence**” means a well licence issued pursuant to *The Oil and Gas Conservation Act*.

2 Apr 2015 cM-16.1 Reg 5 s2.

Drilling and boring

3(1) No person shall drill or bore for the purposes of exploring for subsurface minerals without a well licence.

(2) No holder of a well licence shall commence to drill a well within 3 000 metres of any subsurface disposition lands without first providing 30 days’ written notice to the minister and to the holder of the subsurface disposition.

2 Apr 2015 cM-16.1 Reg 5 s3.

Solution mining

4(1) A holder of a well licence who intends to drill a well for the purpose of mining subsurface minerals in solution shall apply to the minister in an approved form and manner for permission to drill the well if any portion of the well is located within 600 metres of the outer boundary of any subsurface disposition.

(2) On receipt of an application pursuant to subsection (1), the minister may:

- (a) approve the drilling of the well;
- (b) approve the drilling of the well subject to any additional terms and conditions that the minister considers appropriate; or
- (c) refuse to approve the drilling of the well.

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(3) If the minister makes a decision pursuant to subsection (2), the minister shall notify the holder of the well licence of the decision and, in the case of a decision pursuant to clause (2)(c), provide written reasons for the decision.

2 Apr 2015 cM-16.1 Reg 5 s4.

Release of well information

5 Notwithstanding sections 112 and 113 of *The Oil and Gas Conservation Regulations, 2012*, any information with respect to the Prairie Evaporite required to be submitted for a well drilled pursuant to a well licence within any subsurface disposition lands remains confidential until the earlier of:

- (a) five years from the finished drilling date; and
- (b) the expiry of the subsurface disposition.

2 Apr 2015 cM-16.1 Reg 5 s5.

Coming into force

6 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

2 Apr 2015 cM-16.1 Reg 5 s6.