

Questions and Answers

Designated Subsurface Development Areas (DSDA)

1. Why would someone apply for a DSDA?

An applicant would request a DSDA after all other avenues to find and confirm private mineral owners have failed, and when private mineral owners are unreasonably impacting an applicant's ability to explore for or produce minerals in Saskatchewan in an efficient and effective manner.

2. Can I apply for a DSDA for my oil and gas operations?

For anyone considering applying for a DSDA for oil and gas exploration and development, first consult *The Oil and Gas Conservation Act* (OGCA) and the Energy Regulation Division within the Ministry of Energy and Resources (ER) at ER.servicedesk@gov.sk.ca or 1-855-219-9373.

The OCGA's compulsory pooling and unitization provisions should prevail over *The Mineral Resources Act, 1985* and any DSDA applications for oil and gas operations.

3. Where do I send applications, forms, and general inquiries about DSDAs?

You can send all questions, applications, requests and inquiries specific to DSDAs to mineralland@gov.sk.ca.

For all other inquiries, contact the ER service desk at ER.servicedesk@gov.sk.ca or 1-855-219-9373.

4. What are the confidentiality requirements and provisions governing the submission of information for a DSDA application?

Information submitted under a DSDS application may be subject to a request for access to records under *The Freedom of Information and Protection of Privacy Act* (FOIP), which applies to and binds ER to the requirements of this Act.

Where a DSDA applicant considers any portion of its submission to constitute third-party information that should properly be withheld pursuant to section 19 of FOIP, the applicant should clearly identify the relevant portions as confidential.

While identifying and marking information as confidential assists ER in processing access requests, it is not determinative of whether an exception applies under FOIP. ER will respond to access requests in accordance with FOIP and applicable guidance from the Office of the Saskatchewan Information and Privacy Commissioner, including providing any requested third-party notice(s). ER will refuse disclosure where FOIP requires non-disclosure, including under section 19 of FOIP.

5. Is there a maximum or minimum term length for DSDAs?

There is no outlined term length for a DSDA. Generally, DSDAs will have similar terms as standard Crown dispositions, and will be subject to the same rules for continuance.

6. Who is a DSDA operator and what is their role?

A DSDA operator could be the applicant or the applicant's chosen representative acting on behalf of the applicant. The DSDA operator will be responsible for administering the privately owned minerals under a DSDA.

7. Can the applicant replace the DSDA operator?

An application to replace an operator should be submitted to mineralland@gov.sk.ca using the form located [here](#). Upon receiving the request, the minister may make the appropriate updates to the DSDA operator designation.

8. Where is the location of the public notices indicating that a DSDA has been approved and is in effect?

Public notices concerning DSDAs will be posted on the Government of Saskatchewan website [here](#).

9. For how long will ER post public notices?

Public notices attempting to inform affected persons of a proposed DSDA will be posted for a minimum of 30-days. Public notices confirming DSDA approval for a particular area will be posed indefinitely until operations with the DSDA cease.

10. What does the appeal process look like for a denied DSDA application?

ER will provide applicants with written reasons as to why a DSDA application has been denied. The applicant may contact ER to appeal the denial and provide additional information. The minister will then review the amended application and make a final determination.

11. Can a competitor apply for a DSDA on mineral parcels in or around my mineral development project?

A competing application will not be accepted if a person were to attempt to encroach upon an unrelated person or company's existing development area. Any such applications would be denied during ER's land review/check process.

12. Can a DSDA be obtained where there is an existing disposition?

A DSDA application for a certain commodity will be rejected if an application overlaps with an existing disposition, such as a mineral permit, licence, or lease. An existing disposition implies there is an **active** interest in specific lands, and a person or entity has exclusive rights and access to the area for the particular mineral commodity in question for as long as the disposition remains in good standing.

13. What do I need to do to confirm my mineral ownership and claim my funds?

Please contact the following email address to make a claim to the funds:
mineralland@gov.sk.ca.