

COURT FILE NUMBER **Q.B. No. 733 of 2021**

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN  
IN BANKRUPTCY AND INSOLVENCY

JUDICIAL CENTRE **SASKATOON**  
APPLICANTS **RURAL MUNICIPALITY OF LACADENA No. 228**  
**RURAL MUNICIPALITY OF MIRY CREEK No. 229**  
**GOVERNMENT OF SASKATCHEWAN, as represented by the**  
**Minister of Energy and Resources**  
RESPONDENT **ABBEY RESOURCES CORP.**

**IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
RSC 1985, c C-36, AS AMENDED**

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF ABBEY  
RESOURCES CORP.**

**NOTICE OF APPLICATION**

**NOTICE TO THE RESPONDENT**

This application is made against you. You are the Respondent.

You have the right to state your side in this matter before the Court. To do so, you must be in Court when the application is heard as shown below:

Where: Court of Queen's Bench for Saskatchewan  
520 Spadina Crescent East  
Saskatoon, SK S7K 3G7

Date: Thursday, January 27, 2022

Time: 10:00 a.m. or so soon thereafter as counsel may be heard.

**NOTICE:**

Due to the health risks posed by the COVID-19 pandemic, all chambers applications will be heard by telephone unless the presiding judge has decided otherwise. To confirm the telephone number where you can be reached on the date of this application, you must immediately contact the office of the local registrar at (306) 953-3200 and provide your telephone number. You must remain available by telephone at that number on that date until your matter is heard.

## Relief Sought

1. The Applicants seek the following in this proceeding:
  - (a) An Order lifting the stay of proceedings as provided for in paragraphs 14-16 of the Initial Order of the Honourable Justice Meschishnick granted August 13, 2021, as extended and amended by the Order dated November 24, 2021 (the “**Initial Order**”) to allow for:
    - (i) The Rural Municipality of Lacadena No. 228 and Rural Municipality of Miry Creek No. 229 to service Notices of Intention to Enforce Security pursuant to section 244 of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3; and
    - (ii) The Applicants to issue an Originating Application seeking relief including, but not limited to the appointment of a Receiver over Abbey Resources Corp. (“**Abbey**”);
  - (b) Subject to paragraph 1(a) herein, an Order extending the Initial Order, and the stay of proceedings provided for therein, until such time as to be agreed upon by counsel, in coordination with the hearing date referred to herein, such extension date to not be later than February 18, 2022 at 11:59 PM;
  - (c) An Order permitting this matter to be returned, and the Originating Application to be heard, at such a date and time as to be fixed by the Local Registrar and counsel;
  - (d) An Order abridging time for service of this application; and
  - (e) Such further and other reliefs as counsel may request and this Honourable Court may allow.

## Grounds for making this application:

### Background

2. Abbey is an Alberta Corporation, registered extra-provincially in Saskatchewan. Abbey’s primary business is in Saskatchewan, extracting natural gas from shallow gas wells in Southeastern Saskatchewan.
3. The Rural Municipalities of Lacadena No. 258 and Miry Creek No. 229 (collectively the “**RMs**”) are secured creditors of Abbey as defined under the *BIA* by reason of statutory liens

securing unpaid taxes created by ss.282 and 320 of *The Municipalities Act*, RSS 1978 c M-36.1.

4. The Government of Saskatchewan as represented by the Minister of Energy and Resources is the regulator of Abbey's gas extraction business and is a presently unsecured creditor of Abbey.
5. The Applicants wish to bring an application to terminate the proceedings brought under the *Companies Creditors Arrangement Act* and further, seek the imposition of a Receiver over Abbey.

**Material or evidence to be relied on:**

6. This Notice of Application, with proof of service;
7. Draft Order;
8. Affidavit of Kathryn A. Black sworn January, 25, 2022;
9. Affidavit of Brad Wagner sworn January 25, 2022;
10. The pleadings and proceedings already on file; and
11. Such further and other material as counsel may advise and this Honourable Court may allow.

**Applicable Rules:**

None.

**Applicable Acts and Regulations:**

12. Section 11.02(2) of the Companies' Creditors Arrangement Act, RSC 1985, c C-36.

DATED at Saskatoon, Saskatchewan this 26<sup>th</sup> day of January, 2022.

**MILLER THOMSON LLP**

Per:   
Solicitors for the RM of Ladacena No. 228

DATED at Regina, Saskatchewan this 26<sup>th</sup> day of January, 2022.

**KANUKA THURINGER LLP**

Per:   
Solicitors for the RM of Miry Creek No. 229

DATED at Saskatoon, Saskatchewan this 26<sup>th</sup> day of January, 2022.

**ROBERTSON STROMBERG LLP**

Per:   
Solicitors for the Government of Saskatchewan

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