

COURT FILE NUMBER	2003-06728
COURT	COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE	EDMONTON
PLAINTIFFS (DEFENDANTS BY COUNTERCLAIM)	ROMSPEN MORTGAGE LIMITED PARTNERSHIP AND ROMSPEN INVESTMENT CORPORATION
DEFENDANTS (PLAINTIFFS BY COUNTERCLAIM)	3443 ZEN GARDEN LIMITED PARTNERSHIP, LOT 11 GP LTD., LOT 11 LIMITED PARTNERSHIP, ECO-INDUSTRIAL BUSINESS PARK INC., ABSOLUTE ENERGY RESOURCES INC., ABSOLUTE ENVIRONMENTAL WASTE MANAGEMENT INC. AND DANIEL ALEXANDER WHITE
PLAINTIFFS BY COUNTERCLAIM	3443 ZEN GARDEN LIMITED PARTNERSHIP, LOT 11 GP LTD, LOT 11 LIMITED PARTNERSHIP, ECO-INDUSTRIAL BUSINESS PARK INC, ABSOLUTE ENERGY RESOURCES INC, ABSOLUTE ENVIRONMENTAL WASTE MANAGEMENT INC and DANIEL ALEXANDER WHITE
DEFENDANTS BY COUNTERCLAIM	ROMSPEN MORTGAGE LIMITED PARTNERSHIP, ROMSPEN INVESTMENT CORPORATION, RICHARD WELDON and WESLEY ROITMAN

.....
Clerk's Stamp

COURT FILE NUMBER	1903-21473
COURT	COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE	EDMONTON
APPLICANTS	LOT 11 LIMITED PARTNERSHIP by its general partner LOT 11 GP LTD., ECO-INDUSTRIAL BUSINESS PARK INC., ABSOLUTE ENERGY RESOURCES INC., ABSOLUTE ENVIRONMENTAL WASTE MANAGEMENT INC. AND DANIEL ALEXANDER WHITE.
RESPONDENT (S)	ROMSPEN INVESTMENT CORPORATION

DOCUMENT

AFFIDAVIT

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF PARTY
FILING THIS DOCUMENT

BORDEN LADNER GERVAIS LLP
1900, 520 Third Avenue S.W.
Calgary, Alberta T2P 0R3

Josef Krüger, QC/Kevin E. Barr
Telephone: 403.232.9563/9786
Facsimile: 403.266.1395
Email: jkruger@blg.com/kbarr@blg.com
File Number: 443063-000012



AFFIDAVIT OF WESLEY ROITMAN
Sworn on November 16, 2020

I, WESLEY ROITMAN, of Toronto, Ontario, SWEAR AND SAY THAT:

A. Introduction

1. I am Managing General Partner of Romspen Investment Corporation, the manager and administrative agent for Romspen Mortgage Limited Partnership. As such, I have personal knowledge of the matters and facts hereinafter sworn to, except where stated to be based on information and belief, and where so stated, I verily believe the same to be true.
2. I have sworn a series of Affidavits in these proceedings filed on the following dates:
 - (i) March 31, 2020;
 - (ii) April 1, 2020;
 - (iii) April 20, 2020;
 - (iv) April 22, 2020;
 - (v) April 28, 2020;
 - (vi) June 15, 2020;
 - (vii) not yet filed (sworn on November 16, 2020).

3. Capitalized terms not defined herein shall have the same meaning as those terms that have been expressly defined in my Affidavit sworn on November 16, 2020.

B. The Alberta Energy Regulator

4. On October 28, 2020, the Alberta Energy Regulator (the "AER") advised Eco-Industrial that it was initiating an audit and requested a response no later than November 10, 2020 (the "Audit Letter"). Attached hereto and marked as Exhibit "A" to this my Affidavit is a true copy of the Audit Letter.

5. On November 17, 2020, having received no response to Audit Letter, the AER wrote to Eco Industrial requesting an immediate response. Attached hereto and marked as Exhibit "B" to this my Affidavit is a copy of an email from the AER to Eco-Industrial dated November 17, 2020.

C. Conclusion

6. I am authorized to swear this Affidavit on behalf on Romspen.

7. I make this Affidavit for no improper purpose.

8. I make this Affidavit supplemental to my Affidavit sworn on November 16, 2020.

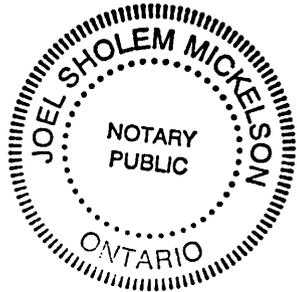
SWORN BEFORE ME at Toronto, Ontario, this)
14 day of November, 2020.)



A Notary Public in and for the Province of)
Ontario)



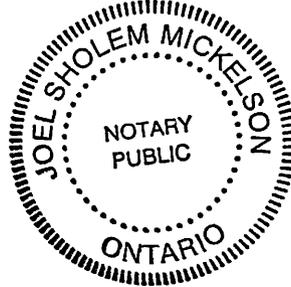
WESLEY ROITMAN



This is Exhibit "A" referred to
in the Affidavit of Wesley Roitman
Sworn before me this 16 day of November, 2020



A Notary Public in and for
the Province of Ontario



DELIVERED VIA EMAIL ONLY

October 28, 2020

Calgary Head Office
Suite 1000, 250 – 5 Street SW
Calgary, Alberta T2P 0R4
Canada

www.aer.ca

Sunil Etikela
Eco-Industrial Business Park Inc. (A519)
1250 Hayter Road
Edmonton, AB T6S 1A2

AER Approval Audit
Amendment B to Approval No. WM 154
Oilfield Waste Management Facility
Edmonton Area
Facility Location: 11-17-053-23W4M

Dear Mr. Etikela:

The Alberta Energy Regulator (AER) has commenced an audit on **Eco-Industrial Business Park Inc's (Eco)** Oilfield Waste Management Facility Amendment B to Approval No. WM 154.

Eco is required to provide a copy of the applicable audit documentation outlined below:

1. Confirm the operational status of the site, and
2. PETRINEX shows that Eco received 5105.5 m³ and 5324.6 m³ water from the injection facility (ABIF0131675) to the Waste Plant (ABWP0131676) in July and August 2020, respectively. Normally, reporting shows a receipt of fluid at the ABWP and then a receipt to the ABIF. Provide rationale why Eco received water at their ABWP from their ABIF.

The AER notes that Condition 19 in Amendment B to Approval No. WM 154 states that Eco must measure the groundwater elevation at the facility from each monitoring well to determine the hydraulic and contaminant migration rate and the information must be made available upon AER request. Eco is reminded to provide the information in 2021 groundwater monitoring report submission.

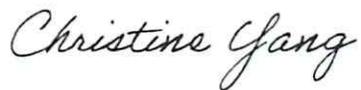
The requested information must be submitted by email to directive058@aer.ca **by no later than November 10, 2020.**

Failure to fulfill the requirements outlined in this letter in both timing and content may result in consequences under the AER's regulatory authority.

inquiries 1-855-297-8311
24-hour
emergency 1-800-222-6514

Questions concerning this letter may be directed to the undersigned by email at Christine.Yang@aer.ca.

Yours truly,



Christine Yang

Waste Management and Storage

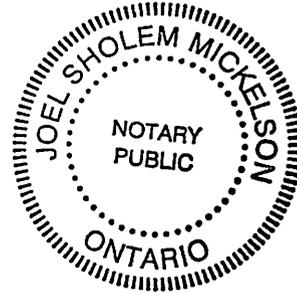
Regulatory Applications

Cc: AER Edmonton Field Centre

This is Exhibit "B" referred to
in the Affidavit of Wesley Roitman
Sworn before me this 18 day of November, 2020



A Notary Public in and for
the Province of Ontario



From: Christine Yang <Christine.Yang@aer.ca>
Date: November 17, 2020 at 18:22:53 AST
To: setikela@symmetryinc.com
Subject: RE: RE: AER Approval Audit-Amendment B to Approval No. WM 154

Good afternoon,

I am following up the audit letter sent on October 28. Please provide requested information ASAP.

Regards,

Christine Yang P.Geol.
Specialist, Remediation & Contamination, Hydrogeologist
Waste Management and Storage, Oil & Gas Subsurface, Regulatory Applications

Alberta Energy Regulator
e christine.yang@aer.ca tel 403-297-8561
Suite 1000, 250 – 5 Street SW, Calgary, Alberta T2P 0R4

[inquiries 1-855-297-8311](tel:1-855-297-8311) [24-hour emergency 780-422-4505](tel:780-422-4505) www.aer.ca

From: Christine Yang
Sent: Wednesday, October 28, 2020 5:01 PM
To: setikela@symmetryinc.com
Cc: EdmontonFieldCentre <Edmonton.FieldCentre@aer.ca>
Subject: RE: AER Approval Audit-Amendment B to Approval No. WM 154

Hello Mr. Etikela,

The AER is conducting an audit on Eco-Industrial Business Park Inc's Oilfield Waste Management Facility Amendment B to Approval No. WM 154. Please see the attached letter for requested information in

details. Please note that The requested information must be submitted by email to directive058@aer.ca by no later than November 10, 2020.

Regards,

Christine Yang P.Geol.
Specialist, Remediation & Contamination, Hydrogeologist
Waste Management and Storage, Oil & Gas Subsurface, Regulatory Applications

Alberta Energy Regulator
e christine.yang@aer.ca tel 403-297-8561
Suite 1000, 250 – 5 Street SW, Calgary, Alberta T2P 0R4

inquiries 1-855-297-8311 24-hour emergency 780-422-4505 www.aer.ca

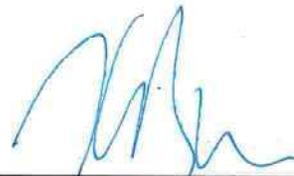
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CERTIFICATE OF COMMISSIONER

I, Kevin Barr, lawyer, of the City Calgary, in the Province of Alberta, do hereby certify that:

1. On December 18, 2020 I was present by video technology and did see the affiant, Wesley Roitman (the “**Affiant**”), swear and sign the Affidavit annexed hereto;
2. The Affiant showed me the front and back of his current government-issued photo identification, being his driver’s license, and I have taken a screenshot of same;
3. I have compared the video image of the Affiant and information on the said photo identification, and believe it to be the same person and that the photo identification is valid and current;
4. Both the Affiant and I had a paper copy of the Affidavit, including all exhibits, before us while connected via video technology. The Affiant and I reviewed each page of our respective copy of the Affidavit, including the exhibits together, and verified that they are identical and have initialed each page in the lower right corner;
5. The Affidavit was sworn and signed by the Affiant at City of Calgary, in the Province of Alberta, and I am the Commissioner thereof;
6. The steps taken by myself as Commissioner follows the process for remote commissioning of affidavits as set out in the Notice to the Profession & Public – Remote Commissioning, issued by the Court of Queen’s Bench of Alberta. This process was necessary as it is unsafe, for medical reasons, for the Affiant and I to be physically present together.

DATED on the 18th day of December, 2020 in the City of Calgary, in the Province of Alberta



KEVIN BARR

KEVIN E. BARR
Barrister & Solicitor