



SAMSON CREE NATION

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Overview of the Settlement of Federal Court Action No. T-2022-89 Agreed to in Principle Between Samson Cree Nation and Canada Schedule of Related Claims

Buffalo v Canada et al, Alberta Court of Queen’s Bench, Action No. 9903-03798 (but not with respect to Traditional Lands Claim off-reserve)

This claim was filed in 1999 in the Alberta Court of Queen’s Bench. The claim is against Canada only. The primary claim is Samson Cree Nation’s aboriginal title, aboriginal rights and treaty rights to the natural resources within Samson Cree Nation’s traditional lands. In the alternative, Samson Cree Nation repeats its claims from the Breach of Trust Action for Canada’s mismanagement of Samson Cree Nation’s oil and gas interests in its reserve lands.

Canada requests that those portions of the claim dealing with on reserve oil and gas interests be discontinued because these are the issues to be settled in the Breach of Trust Action. The claims with respect to natural resources in the traditional lands remain available to pursue.

Buffalo v Canada and Alberta et al, Alberta Court of Queen’s Bench, Action No. 9603-05665 (but not with respect to Ma-Me-O Beach surrender itself)

This claim was filed in 1996 in the Alberta Court of Queen’s Bench against both Canada and Alberta. The claim is with respect to the 1923 surrender of Ma-Me-O beach and Canada’s subsequent transfer of the mineral rights to Alberta. Samson Cree Nation would release Canada only with respect to any potential claims that may overlap with the Breach of Trust Action while the claim with respect to the surrender itself would remain available to pursue.

Buffalo v Canada and Imperial Oil Resources Limited, Alberta Court of Queen’s Bench, Action No. 9901-03802; Buffalo v Amoco Canada Petroleum Company Ltd. and Canada et al, Action No. 9901-03800; Statement of Defence and Counterclaim in Chevron Canada Resources v Canada, Action No. 9701-07434, and Appeal 1901-0211AC

These three claims were filed by Samson Cree Nation in the Alberta Court of Queen’s Bench in response to Chevron’s lawsuit against Samson Cree Nation for overpaid royalties. These claims also name Canada as a defendant. The claims are in relation to underpaid royalties from the Pigeon Lake Reserve and mirror the Breach of Trust Action except in this case Samson Cree Nation also claims damages directly

against the three primary producers for breach of the oil and gas leases and breach of the *Indian Oil and Gas Regulations*. These claims have been stayed until resolution of the Breach of Trust Action. Canada seeks a release with respect to any claims against Canada only. Samson Cree Nation may be able to pursue these claims against the three producers for any potential short fall in the settlement.

Buffalo v Canada and Alberta, Alberta Court of Queen's Bench, Action No. 9903-03870 and Buffalo v Canada and Alberta, Alberta Court of Queen's Bench, Action No. 9903-03868

Both claims were filed by Samson Cree Nation in Alberta Court of Queen's Bench against both of Canada and Alberta. Both claims are very similar to each other and seek recognition of Samson Cree Nation's unextinguished Aboriginal title and existing Aboriginal and Treaty rights over all the traditional lands, including the natural resources and that Canada and Alberta are in breach of trust regarding the traditional lands and natural resources. To the extent that Samson Cree Nation's reserve lands are included in the traditional lands, Canada would be released from any claim specific to the reserve lands.

Chief and Council of Samson Cree Nation v Attorney General of Canada and Minister of Indigenous Services, T-1437-19, and related thereto the September 17, 2019 request for a Ministerial Review of the August 1, 2019 decision, contained in a letter from Rae & Company.

This is a judicial review application filed in the Federal Court and its related Ministerial review application with respect to Indian Oil and Gas Canada's decision that an oil pipeline tariff used by Imperial to reduce the royalties owing to Samson Cree Nation was a proper deduction. Both were filed because the original tariff was deducted under one set of *Indian Oil and Gas Regulations* and the decision by IOGC was purported to be made under another set of *Indian Oil and Gas Regulations*. Each set of regulations has its own appeal provisions. These two matters are directly related to Canada's claim against Imperial for underpaid royalties. Imperial has asked Canada to release Imperial from this claim in exchange for 50% of the oil pipeline tariff moneys that are currently in suspense. These two applications have been held in abeyance as the parties have worked towards a settlement.

Attorney General of Canada v Imperial Oil Resources Ltd., Alberta Queen's Bench Action No. 0901-08509

This is Canada's claim against Imperial and not a Samson claim. Canada does expect Samson to release Canada of any obligations. See above.