

File No. 1924
Board Order No. 1924-1

December 29, 2016

SURFACE RIGHTS BOARD

IN THE MATTER OF THE PETROLEUM AND NATURAL GAS
ACT, R.S.B.C., C. 361 AS AMENDED

AND IN THE MATTER OF
THE NORTH ½ OF SECTION 35 TOWNSHIP 85 RANGE 15 WEST OF THE
6TH MERIDIAN PEACE RIVER DISTRICT
(The "Lands")

BETWEEN:

Donna Victoria Velandar

(APPLICANT)

AND:

Sun Oil Fund Ltd.

(RESPONDENT)

BOARD ORDER

This is an application brought under sections 164 and 176 of the *Petroleum and Natural Gas Act*.

The Applicant, Donna Victoria Velander is the owner of the Lands described as: THE NORTH ½ OF SECTION 35 TOWNSHIP 85 RANGE 15 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT. The Respondent, Sun Oil Fund Ltd., is the operator of a well located on the Lands known as Titan W Boundary 13-35-85-15. The Respondent's right of entry to the Lands for the purpose of operating the well is pursuant to a surface lease dated December 2, 2005 between Donna Victoria Velander and Titan Exploration Ltd. (the Surface Lease).

Pursuant to the Surface Lease as amended, Sun Oil Fund Ltd., is required to make annual payments of \$6,705.00 to Donna Victoria Velander. Sun Oil Fund Ltd. failed to make the annual payments required by December 2, 2015 and December 2, 2016.

Sun Oil Fund Ltd. failed to appear at telephone conference calls scheduled by the Board to deal with this application, and failed to provide any documentation or information to dispute the claim.

The Board finds that Sun Oil Fund Ltd. has failed to pay rent owing under a surface lease. Pursuant to section 176 of the *Petroleum and Natural Gas Act*, the Board determines that Sun Oil Fund Ltd. owes Donna Victoria Velander \$13,410.00 in unpaid rent, and orders as follows:

1. Sun Oil Fund Ltd. shall forthwith pay to Donna Victoria Velander the sum of \$6,705.00 plus interest calculated in accordance with the *Court Order Interest Act* from December 2, 2015.
2. Sun Oil Fund Ltd. shall forthwith pay to Donna Victoria Velander the sum of \$6,705.00 plus interest calculated in accordance with the *Court Order Interest Act* from December 2, 2016.
3. Sun Oil Fund shall forthwith pay to Donna Victoria Velander costs of \$11.34 plus interest calculated in accordance with the *Court Order Interest Act* from the date of this order.

DATED: December 29, 2016

FOR THE BOARD



Cheryl Vickers, Chair