

June 18, 2019

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 WEST $\frac{1}{4}$ OF SECTION 29 TOWNSHIP 84 RANGE 18 WEST OF THE
6TH MERIDIAN PEACE RIVER DISTRICT EXCEPT PLAN PGP38817
(The "Lands")

BETWEEN:

Rory Walter Henderson and
Eleanor Rhoda Lynne Chapple

(APPLICANTS)

AND:

Predator Oil BC Ltd.

(RESPONDENT)

BOARD ORDER

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

The Applicants, Eleanor Rhoda Lynne Chapple and Rory Walter Henderson, are the persons entitled to receive 50% of the rents payable under a Surface Lease on the Lands described as THE NORTH WEST ¼ OF SECTION 29 TOWNSHIP 84 RANGE 18 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT EXCEPT PLAN PGP38817 entered August 30 1990 effective February 26, 1991 (the Surface Lease) in accordance with an Assignment of Rents entered May 1, 1991 (the Assignment). The Respondent, Predator Oil BC Ltd., conducts an oil and gas activity on the Lands. The Respondent's right of entry to the Lands for the conducting the oil and gas activity is pursuant to the Surface Lease.

In accordance with the Assignment and the Surface Lease, Predator Oil BC Ltd., is required to make annual payments of \$2,200.00 to Eleanor Rhoda Lynne Chapple and Rory Walter Henderson. Predator Oil BC Ltd. failed to make the annual payment required by February 26, 2019.

The Board finds that Predator Oil BC 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 Predator Oil BC Ltd. owes Eleanor Rhoda Lynne Chapple and Rory Walter Henderson \$2,200.00 in unpaid rent plus interest from February 26, 2019. The Applicants are entitled to costs of this application.

The Board orders as follows:

1. Predator Oil BC Ltd. shall forthwith pay to Eleanor Rhoda Lynne Chapple and Rory Walter Henderson the sum of \$2,200.00 plus interest calculated in accordance with the *Court Order Interest Act* from February 26, 2019.

DATED: June 18, 2019

FOR THE BOARD



Cheryl Vickers, Chair