File No. 2085
Board Order No. 2085-1

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 ¼ OF SECTION 29 TOWNSHIP 84 RANGE 18 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT EXCEPT PLAN PGP38817
(The "Lands")

BETWEEN:

Estate of James Frederick Gibson

(APPLICANT)

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 Applicant, Estate of James Frederick Gibson, is the person 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 April 26, 1989 (the Surface Lease) in accordance with an Assignment of Rents entered January 6, 1997 (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 $1,267.50 to the Estate of James Frederick Gibson. Predator Oil BC Ltd. failed to make the annual payment required by April26, 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 the Estate of James Frederick Gibson $1,267.50 in unpaid rent plus interest from April 26, 2019. The Applicant is entitled to costs of this application.

The Board orders as follows:

1. Predator Oil BC Ltd. shall forthwith pay to the Estate of James Frederick Gibson the sum of $1,267.50 plus interest calculated in accordance with the *Court Order Interest Act* from February 26, 2019.

DATED: June 18, 2019

FOR THE BOARD



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Cheryl Vickers, Chair