

File No. 2121
Board Order No. 2121-1

November 13, 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 EAST $\frac{1}{4}$ OF SECTION 31 TOWNSHIP 81 RANGE 17 WEST OF THE
6TH MERIDIAN PEACE RIVER DISTRICT
(The "Lands")

BETWEEN:

Peace River Greenhouses Ltd.

(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, Peace River Greenhouses Ltd., is an owner of the Lands described as THE NORTH EAST ¼ OF SECTION 31 TOWNSHIP 81 RANGE 17 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT. 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 a Surface Lease (the Surface Lease).

In accordance with the Surface Lease, Predator Oil BC Ltd., is required to make annual payments of \$7,000.00 to Peace River Greenhouses Ltd.. Predator Oil BC Ltd. failed to make the annual payments required by October 1, 2018 and October 1, 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 Peace River Greenhouses Ltd. \$7,000.00 in unpaid rent plus interest from October 1, 2018 and October 1, 2019 . The Applicant is entitled to costs of this application.

The Board orders as follows:

1. Predator Oil BC Ltd. shall forthwith pay to Peace River Greenhouses Ltd. the sum of \$7,000.00 plus interest calculated in accordance with the *Court Order Interest Act* from October 1, 2018;
2. Predator Oil BC Ltd. shall forthwith pay to Peace River Greenhouses Ltd. the sum of \$7,000.00 plus interest calculated in accordance with the *Court Order Interest Act* from October 1, 2019.

DATED: November 13, 2019

FOR THE BOARD



Cheryl Vickers, Chair