

February 23, 2012

SURFACE RIGHTS BOARD

IN THE MATTER OF
THE MINERAL TENURE ACT, RSBC 1996, C. 292 AS AMENDED, AND THE
PETROLEUM AND NATURAL GAS ACT, RSBC 1996, C. 361 C. 361 AS AMENDED

AND IN THE MATTER OF
THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 23,
RANGE 21WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT

(The "Lands")

BETWEEN:

Absorbent Products Ltd.

(APPLICANT)

AND:

Carolyn Bepple

(RESPONDENT)

BOARD ORDER

Absorbent Products Ltd. asks the Board to reconsider Board Order 0016A-1 and to vary the Order:

- To change the company name from Western Industrial Clay Products Ltd. ("Western") to Absorbent Products Ltd. ("Absorbent");
- To remove the requirement for fencing between the Absorbent lands and lands to the north and east owned by a related company, 0820443 BC Ltd.

The Board's jurisdiction to reconsider an order is found in Section 155 of the *Petroleum and Natural Gas Act*:

155 (1) The board, on its own motion or on application, may reconsider an order of the board, and may confirm, vary or rescind the order.

Absorbent has produced proof to the Board of the sale of the mineral tenure from Western to Absorbent. The other party to the Order, Ms. Carolyn Bepple, does not object to the name change.

The lands to the north and east were independently owned when the Board issued Order 0016A-1 requiring a fence between them. Currently, 0820443 BC Ltd., a company related to Absorbent owns the lands to the north and east. In the current circumstances the Board accepts that the lands are owned by related companies, who agree there is no requirement for a fence between them. The other party to the Order, Ms. Carolyn Bepple, does not object to varying the Order to reflect the change in ownership and lack of requirement for a fence between the Lands subject to the right of entry and the adjacent property owned by 0820443 BC Ltd.

ORDER

1. Pursuant to Section 155(1) of the *Petroleum and Natural Gas Act*, the Board amends Order 0016A-1 to change Western Industrial Clay Products Ltd. to Absorbent Products Ltd.
2. Pursuant to Section 155(1) of the *Petroleum and Natural Gas Act*, the Board varies the fencing requirements in Order 0016A-1 to remove Absorbent's obligation to maintain fencing between the Lands owned by the Respondent and subject to Absorbent's right of entry and the adjacent property owned by 0820443 BC Ltd.

Dated: February 23, 2012

FOR THE BOARD



Rob Fraser, Vice Chair