

**File No. 1892**  
**Board Order No. 1892-1**

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**March 30, 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 SOUTH EAST  $\frac{1}{4}$  OF SECTION 31 TOWNSHIP 84 RANGE 20 WEST OF THE  
6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT  
(The "Lands")

BETWEEN:

Philip Nathaniel Bell and  
Anne-Mari Kimberly Bell

(APPLICANTS)

AND:

Terra Energy Corp.

(RESPONDENT)

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**BOARD ORDER**

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This is an application brought under sections 164 and 176 of the *Petroleum and Natural Gas Act*. It was received by the Board March 29, 2016. The application includes proof of service by registered mail on the Respondent.

The Applicants, Philip Nathaniel Bell and Anne-Mari Kimberly Bell, are the owners of the Lands described as: THE SOUTH EAST ¼ OF SECTION 31 TOWNSHIP 84 RANGE 20 WEST OF THE 6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT. The Respondent, Terra Energy Corp., is the operator of a well located on the Lands. The Respondent's right of entry to the Lands for the purpose of operating the well is pursuant to a surface lease agreement entered July 11, 2006 and last amended effective July 11, 2015. (the Surface Lease).

Pursuant to the Surface Lease, Terra Energy Corp., is required to make an annual payment of \$6,232.00 to Philip Nathaniel Bell and Anne-Mari Kimberly Bell. Terra Energy Corp. made partial payment of \$4,300.00 in December 2015 of the lease payment owing as of July 11, 2015, but has failed to make payment of \$1,932.00 owing as of July 11, 2015.

The Board finds that Terra Energy Corp. 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 Terra Energy Corp. owes Philip Nathaniel Bell and Anne-Mari Kimberly Bell \$1,932.00 in unpaid rent plus interest from July 11, 2015. The Applicants are entitled to costs of this application.

The Board orders as follows:

1. Terra Energy Corp. shall forthwith pay to Philip Nathaniel Bell and Anne-Mari Kimberly Bell the sum of \$1,932.00 plus interest calculated in accordance with the *Court Order Interest Act* from July 11, 2015.
2. Terra Energy Corp. shall forthwith pay to Philip Nathaniel Bell and Anne-Mari Kimberly Bell \$261.34 in costs plus interest calculated in accordance with the *Court Order Interest Act* from the date of this Order.

DATED: March 30, 2016

FOR THE BOARD



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Cheryl Vickers, Chair