

December 13, 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
LOT 2 SECTION 10 TOWNSHIP 80 RANGE 16 WEST OF THE 6TH MERIDIAN
PEACE RIVER DISTRICT, EXCEPT PLAN EPP22404
(The "Lands")

BETWEEN:

David Raymond Miller

(APPLICANT)

AND:

Dolomite Energy Inc.

(RESPONDENT)

BOARD ORDER

This is an application brought under sections 164 and 176 of the *Petroleum and Natural Gas Act*. It was received by the Board November 24, 2016. The application includes proof of service by registered mail on Virginia Hills Oil Corp. who is the administrator for Dolomite Energy Inc.

The Applicant, David Raymond Miller, is the owner of the Lands described as: LOT 2 SECTION 10 TOWNSHIP 80 RANGE 16 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT, EXCEPT PLAN EPP22404.

The Respondent, Dolomite Energy Inc., has a well located on the Lands. The Respondent's right of entry to the Lands for the purpose of an oil and gas activity is pursuant to a surface lease agreement entered October 11, 2005 as amended by Board Order 1813-1amd (the Surface Lease).

Pursuant to the Surface Lease, Dolomite Energy Inc., is required to make annual payments of \$5,500.00 to David Raymond Miller. Dolomite Energy Inc. failed to make the annual payment required by October 11, 2016. The administrator, Virginia Hills Oil Corp. does not oppose this Order.

The Board finds that Dolomite Energy Inc. 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 Dolomite Energy Inc. owes David Raymond Miller \$5,500.00 in unpaid rent plus interest from October 11, 2016. The Applicant is entitled to costs of this application.

The Board orders as follows:

1. Dolomite Energy Inc. shall forthwith pay to David Raymond Miller the sum of \$5,500.00 plus interest calculated in accordance with the *Court Order Interest Act* from October 11, 2016.
2. Dolomite Energy Inc. shall forthwith pay to David Raymond Miller \$15.44 in costs plus interest calculated in accordance with the *Court Order Interest Act* from the date of this Order.

DATED: December 13, 2016

FOR THE BOARD



Cheryl Vickers, Chair