

**January 3, 2017**

**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 WEST ¼ OF SECTION 9 TOWNSHIP 80 RANGE 16 WEST OF THE  
6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT, EXCEPT PLAN PGP42340  
(The "Lands")

BETWEEN:

Richard Ernest Miller

(APPLICANT)

AND:

Dolomite Energy Inc.

(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 December 28, 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, Richard Ernest Miller, is the owner of the Lands described as: THE SOUTH WEST ¼ OF SECTION 9 TOWNSHIP 80 RANGE 16 WEST OF THE 6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT, EXCEPT PLAN PGP42340.

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 September 7, 2005 (the Surface Lease).

Pursuant to the Surface Lease, Dolomite Energy Inc., is required to make annual payments of \$2,800.00 to Richard Ernest Miller. Dolomite Energy Inc. failed to make the annual payment required by September 7, 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 Richard Ernest Miller \$2,800.00 in unpaid rent plus interest from September 7, 2016. The Applicant is entitled to costs of this application.

The Board orders as follows:

1. Dolomite Energy Inc. shall forthwith pay to Richard Ernest Miller the sum of \$2,800.00 plus interest calculated in accordance with the *Court Order Interest Act* from September 7, 2016.
2. Dolomite Energy Inc. shall forthwith pay to Richard Ernest Miller \$10.80 in costs plus interest calculated in accordance with the *Court Order Interest Act* from the date of this Order.

DATED: January 3, 2017

FOR THE BOARD



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Cheryl Vickers, Chair