

File No. 1963
Board Order No. 1963-1

April 4, 2018

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

BLOCK A OF SECTION 28 TOWNSHIP 88 RANGE 16 WEST OF THE 6TH
MERIDIAN PEACE RIVER DISTRICT, EXCEPT THE EAST 80 FEET;
BLOCK B OF SECTION 28 TOWNSHIP 88 RANGE 16 WEST OF THE 6TH
MERIDIAN PEACE RIVER DISTRICT, EXCEPT THE EAST 80 FEET
(The "Lands")

BETWEEN:

Frank C. Cooper and
Elizabeth A. Duperon

(APPLICANTS)

AND:

Quattro Exploration and Production Ltd.

(RESPONDENT)

BOARD ORDER

This is an application brought under sections 164 and 176 of the *Petroleum and Natural Gas Act*.

The Applicants, Frank C. Cooper and Elizabeth A. Duperon, are the Assignees under Assignment of Rent Agreements with respect to rents payable for entry to and occupation of Lands described as: BLOCK A OF SECTION 28 TOWNSHIP 88 RANGE 16 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT, EXCEPT THE EAST 80 FEET and BLOCK B OF SECTION 28 TOWNSHIP 88 RANGE 16 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT, EXCEPT THE EAST 80 FEET.

The Respondent, Quattro Exploration and Production Ltd., is the operator of wells and other oil and gas operations located on the Lands. The Respondent's right of entry to the Lands for the purpose of operating the wells is pursuant to various surface leases and a Board Order. Pursuant to the surface leases and Board Order, and pursuant to the Assignment of Rent Agreements, Quattro Exploration and Production Ltd., is required to make annual payments to Frank C. Cooper and Elizabeth A. Duperon. The Board finds that Quattro Exploration and Production Ltd. failed to make the annual payments set out below as of the dates set out below:

Date of Surface Lease/Board Order	Annual Rent	Dates Owing	Amount Owing
May 29, 1989	\$5,675.00	May 29, 2016 and May 29, 2017	\$11,350.00
June 29, 1998	\$3,000.00	June 29, 2016 and June 29, 2017	\$6,000.00
July 12, 1999	\$2,574.00	July 12, 2016 and July 12, 2017	\$5,148.00
November 3, 1995	\$2,900.00	November 3, 2016 and November 3, 2017	\$5,800.00
November 27, 1990	\$1,100.00	November 27, 2016 and November 27, 2017	\$2,200.00
Board Order #273M April 1996	\$750.00	November 15, 2016 and November 15, 2017	\$1,500.00

Pursuant to section 176(a) of the *Petroleum and Natural Gas Act*, the Board suspends the rights of entry held by Quattro Exploration and Production Ltd. to the Lands in accordance with the surface leases and Board Order noted above.

Pursuant to section 176(b) of the *Petroleum and Natural Gas Act*, the Board determines that Quattro Exploration and Production Ltd. owes Franck C. Cooper and Elizabeth A. Duperon unpaid rent as set out in the column "Amount Owing" above, plus interest on the Annual Rent as of the dates set out in the columns "Dates Owing" above.

The Applicants are entitled to costs of this application.

The Board orders as follows:

1. The rights of entry granted to Quattro Exploration and Production Ltd. to the Lands in accordance with surface leases dated May 29, 1989; June 29, 1998; July 12, 1999; November 3, 1995; and November 27, 1990; and Board Order #273 M are suspended.
2. Quattro Exploration and Production Ltd. shall forthwith pay to Frank C. Cooper and Elizabeth A. Duperon the sums of:
 - a) \$5,675.00 plus interest calculated in accordance with the *Court Order Interest Act* from May 29, 2016;
 - b) \$5,675.00 plus interest calculated in accordance with the *Court Order Interest Act* from May 29, 2017;
 - c) \$3,000.00 plus interest calculated in accordance with the *Court Order Interest Act* from June 29, 2016;
 - d) \$3,000.00 plus interest calculated in accordance with the *Court Order Interest Act* from June 29, 2017;
 - e) \$2,574.00 plus interest calculated in accordance with the *Court Order Interest Act* from July 12, 2016;
 - f) \$2,574.00 plus interest calculated in accordance with the *Court Order Interest Act* from July 12, 2017;
 - g) \$2,900.00 plus interest calculated in accordance with the *Court Order Interest Act* from November 3, 2016;
 - h) \$2,900.00 plus interest calculated in accordance with the *Court Order Interest Act* from November 3, 2017;
 - i) \$1,100.00 plus interest calculated in accordance with the *Court Order Interest Act* from November 27, 2016;
 - j) \$1,100.00 plus interest calculated in accordance with the *Court Order Interest Act* from November 27, 2017;
 - k) \$750.00 plus interest calculated in accordance with the *Court Order Interest Act* from November 15, 2016;
 - l) \$750.00 plus interest calculated in accordance with the *Court Order Interest Act* from November 15, 2017.

DATED: April 4, 2018

FOR THE BOARD



Cheryl Vickers, Chair