

File No. 1488
Board Order # 363M-amd

April 23, 2013

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
A PORTION OF THE NORTH EAST ¼ OF SECTION 18 TOWNSHIP 82 RANGE 13
WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT**

(The "Lands")

BETWEEN:

**Bonavista Energy Corporation
(previously Taurus Exploration)**

(APPLICANT)

AND:

Earl Thomas Marshall

(RESPONDENT)

BOARD ORDER

By Order dated November 21, 2002 (attached to this Order as Appendix "A"), the Mediation and Arbitration Board (now the Surface Rights Board) granted Taurus Exploration right of entry to the Lands to construct and operate an access road and well site, and ordered the amount payable to the landowner, Earl Thomas Marshall on an initial and annual basis. Bonavista Energy Corporation is the successor to Taurus Exploration and currently uses and occupies that portion of the Lands for which right of entry was granted to Taurus Exploration for the purpose of an access road and well site, and operates the well site on the Lands.

Bonavista Energy Corporation and Earl Thomas Marshall have entered an agreement for revised annual rent payable to Earl Thomas Marshall for Bonavista Energy Corporation's continued use and occupation of the Lands. Pursuant to section 165(6) of the *Petroleum and Natural Gas Act*, the parties ask the Board to amend its Order to reflect their agreement for revised annual rent payable to Earl Thomas Marshall.

The Surface Rights Board Orders as follows:

Bonavista Energy Corporation shall pay to Earl Thomas Marshall annual rent in the amount of \$5,000 commencing November 22, 2012 and payable on the 22nd day of November annually thereafter until otherwise agreed or ordered by the Board.

DATED: April 23, 2013

FOR THE BOARD



Cheryl Vickers, Chair

MEDIATION AND ARBITRATION BOARD

**Under the Petroleum and Natural Gas Act
#114, 10142 - 101 Avenue
Fort St. John, BC V1J 2B3**

Date: 21 November 2002

File No. 1488

Board Report No. 363M

BEFORE THE MEDIATOR:

**IN THE MATTER OF THE PETROLEUM AND
NATURAL GAS ACT BEING CHAPTER 361 OF
THE REVISED STATUTES OF BRITISH
COLUMBIA AND AMENDMENTS THERETO:
(THE ACT)**

**AND IN THE MATTER OF A PORTION OF THE
NORTH EAST ¼ SECTION 18, TOWNSHIP 82,
RANGE 13 WEST OF THE SIXTH MERIDIAN
PEACE RIVER DISTRICT
(LS 9 - 18 - 82 - 13 W6M)
(THE LANDS)**

BETWEEN:

**TAURUS EXPLORATION
1000, 630-6TH AVENUE SW
CALGARY, ALBERTA
T2P 0S8
(THE APPLICANT)**

**EARL THOMAS MARSHALL
C/O CARTER LOCK & HARRIGAN
9803 101 AVENUE
GRANDE PRAIRIE, AB
T8V 0X6
(THE RESPONDENT)**

*when bearing original
signature in blue ink*

AND:

Certified a true
copy this 21st day

of November 2002

The original being in
the custody of the
Mediation and Arbitration

Board under the

"Petroleum and Natural Gas
Act, 1996"

MEDIATION ORDER

Colleen Colwell

Colleen Colwell
Board Administrator

BACKGROUND:

Rodney J. Strandberg, Chairman of the Mediation and Arbitration Board on November 21, 2002, conducted a mediation regarding an application by Taurus Exploration Limited dated November 14, 2002. Ms. Mikle Carter, articling student appeared by telephone on behalf of the landowner Earl Marshall. Mr. Bob Leitch appeared by telephone as agent for Taurus Exploration Ltd.

Mr. Leitch advised that the Registered Mail proof of service had been received by his office and forwarded by courier to the office of the Mediation and Arbitration Board on November 19, 2002. Ms. Carter confirmed that she was appearing on Mr. Marshall's behalf and, based on these representations, the mediator considered that the application was properly brought before the Board.

Nature of Application

This application relates to a right of entry for the purpose of constructing road access to a well site known as Taurus et al Clayhurst, 9-18-82-13-W6M on property owned by Mr. Marshall.

The proposal is to construct an access road from an existing high-grade road through the property, which is pasture, to the well location. The parties confirmed that the access road route had been determined after consultation with the landowner and that the route, which was not the most direct route affecting the least amount of land, offered some advantages to the landowner.

The total area of the land impacted by the access road and well site is 6.03 acres.

Compensation

The parties advised that they were in agreement that first year compensation should be \$9000.00 with an annual rental to be \$3500.00. The parties also advised that there was agreement on fencing or gates for the road and well. No other representations were made to the mediator regarding this application.

Based on the agreement of the parties that a right of entry order should be granted and agreement on first year and annual compensation, the mediator concluded that an Order should issue under Section 19 of the Petroleum and Natural Gas Act

IT IS HEREBY ORDERED THAT;

- 1) Pursuant to Section 19(1) of the Act, and subject to this Order, Taurus Exploration Ltd. is granted the right to enter upon the property legally described as the North East ¼ of Section 18, Township 82, Range 13 West of the 6th Meridian, Peace River District for the purpose of constructing an access road and well site at the location shown on the Individual Ownership Plan prepared by Richard Redfern, British Columbia Land

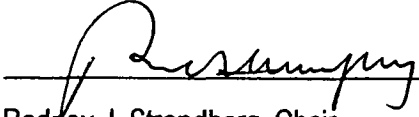


Surveyor dated September 19, 2002, a copy of which is attached to and incorporated by reference into this Order,

- 2) Prior to entering the land Taurus Exploration Ltd. must pay, pursuant to Section 19(2)(b) of the Act, to Earl Thomas Marshall the sum of \$9000.00 and provide proof of this payment to the Board;
- 3) Taurus Exploration Ltd. will pay to Earl Thomas Marshall the sum of \$3,500.00 on the 22nd day of November, 2003 and the 22nd day of November in every year thereafter until further Order of the Board or agreement of the parties;
- 4) Prior to entering the land Taurus Exploration Ltd. must pay, pursuant to Section 19(2)(a) of the Act, the sum of \$9000.00 by way of cheque made payable to the Minister of Finance and delivered to the office of the Board;
- 5) Taurus Exploration Ltd. must, pursuant to Section 19(2)(c) of the Act, serve a copy of this Order on Earl Thomas Marshall by sending a copy by ordinary mail to his counsel, Messrs. Carter, Lock and Horrigan;
- 6) Nothing in this Order is or operates as a consent, permit or authorization that by any enactment a party is required to obtain in addition to this Order.

Dated at the City of Fort St. John, British Columbia, this 21st day of November 2002.

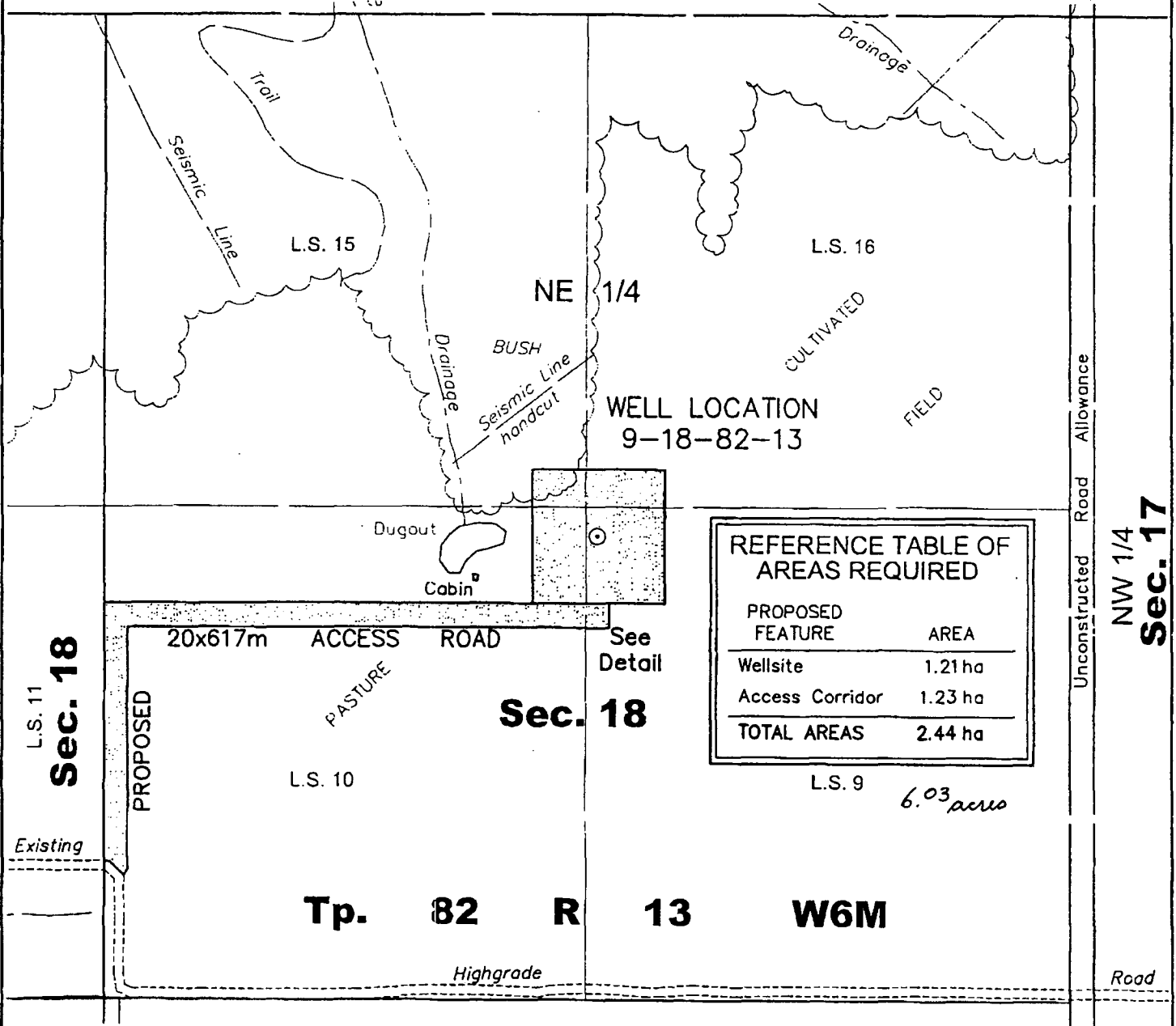
MEDIATION AND ARBITRATION BOARD
UNDER THE
PETROLEUM AND NATURAL GAS ACT



Rodney J. Strandberg, Chair

TAURUS EXPLORATION LTD.

WELLSITE AND ACCESS ROAD
 INDIVIDUAL OWNERSHIP PLAN
 THE NORTH EAST 1/4 OF SECTION 18 TOWNSHIP 82
 RANGE 13 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT

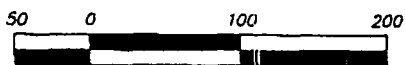


OWNER : EARL THOMAS MARSHALL

CERT. OF TITLE NO: PC28395

AREA: 2.44 ha (6.03 ac)

SCALE 1: 5000



Portions referred to shown thus:

Certified correct this 19th day of September, 2002

Richard Redfern, BCLS



WABERSKI DARROW SURVEY GROUP
 10720 - 100th Avenue,
 Fort St. John, B.C., V1J 1Z3
 Ph. (250)787-0300 Fax (250)787-1611

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