

FORM 1B – APPLICATION FORM FOR RIGHTS HOLDER, FREE MINER, RECORDED HOLDER



Surface Rights Board
1270 – 605 Robson Street
Vancouver, BC V6B 5J3

Phone: 604-775-1740
Toll-free: 1-888-775-1740
Fax: 604-775-1742
Toll-free Fax: 1-888-775-1742

Email: office@surfacerightsboard.bc.ca
Website: www.surfacerightsboard.bc.ca

Instructions

Read and review Information Sheets #1 and #2 found on the Board website. Include all applicable documents listed in the checklist at the end of this form.

Purpose of form: This form is for **Rights Holders, Free Miners, and Recorded Holders** to apply for mediation and arbitration services. Landowners must use Form 1A. Occupants and Adjacent Landowners must use Form 1C.

1. Applicant Contact Information

Name and contact information of person who is making this claim.
If applicable, state any representative. Note: A representative will be the primary contact and could be an agent, legal counsel, other etc.

Applicant name(s):		Representative / Contact name:	
Applicant / Firm Name:		Representative / Firm Name:	
Contact Address:		Contact Address:	
City:		City	
Province:	Postal Code:	Province:	Postal Code:
Email:		Email:	
Phone:	Fax:	Phone:	Fax:

2. Respondent Contact Information

Name and contact information of person/company that you are making this claim against.

If applicable, state any representative. Note: A representative will be the primary contact and could be an agent, legal counsel, other etc.

Respondent name(s):		Representative / Contact name:	
Respondent / Firm Name:		Representative / Firm Name:	
Contact Address:		Contact Address:	
City:		City:	
Province:	Postal Code:	Province:	Postal Code:
Email:		Email:	
Phone:	Fax:	Phone:	Fax:

3. Other interested parties

A. Does the Crown have a direct interest? Yes / No

B. Others (if applicable)

State any other materially interested or directly affected parties by name, contact information or description. (Attach a list if space needed.)

Name(s):		Firm name:	
Contact Address:		City:	
Province:		Postal Code:	
Email:		Phone:	Fax:

4. Lands in Issue

Box expands. Attach pages if spaced needed.

Legal Description all parcels that are the subject of this dispute:	PID:
---	------

5. Nature of Application

What are you seeking? Why are you filing this application?

A. Dispute is under:

- Petroleum and Natural Gas Act
- Geothermal Resources Act
- Mineral Tenure Act
- Mining Right of Way Act
- Coal Act

B. Activity Involved: (Select all applicable, then explain in "Description of Dispute")

- Oil and Gas
 - Wellsite
 - Flowline
 - Access Road
 - Other Oil and Gas installation
- Geothermal exploration or production
- Mining exploration or operation (including coal)
- Other (Explain in "Description of Dispute")

C. Dispute is about: (Select all applicable, then explain in "Description of Dispute")

- Right of Entry to lands – establishing terms and compensation (PNGA section 158)
- Rent Review of a surface lease or order (PNGA sections 165 and 166)
- Terms Review of surface lease due to substantially different oil and gas storage or related activity [PNGA s.164(1)(b)]
- Compliance (disagreements on the operation of, or compliance with, the terms of surface lease or order) (PNGA sections 164 and 176))
- Termination of Surface lease or order (PNGA section 167)
- Use of Road for mining purposes (new or existing) – establishing terms and compensation (MRWA)

Project Area in Hectares or Acres:

If this project is regulated by the BC Energy Regulator, do you have a permit granted by the BCER?

- Yes
- No

If not, have you applied for a permit?

- Yes
- No

6. Description of Dispute

Describe the issues between you and the Respondent.
What do you want? What specific issues do the parties disagree on?
Box expands. Attach pages if space needed. For disputes about non-payment of rent, be specific as the date rent was owed and the amount owed.

7. Chief Gold Commissioner

Option A or B must be completed for applications under the *Mineral Tenure Act* or *Mining Right of Way Act*.

A.	<input type="checkbox"/> Attached is a written statement by the Chief Gold Commissioner advising or confirming as expressed in "B" below.
OR the following statement must be signed by the Chief Gold Commissioner:	
B.	With respect to the dispute identified in this application, I confirm that I have been <i>unable to settle the dispute</i> , after consultation under the applicable <i>Mineral Tenure Act</i> or the <i>Mining Right of Way Act</i> .
	Signature: _____
Chief Gold Commissioner	Date: _____

8. Signature - Certification

By signing below, **I certify** that:

I am an authorized signatory to make this application, and that it is complete and accurate.

Signature:

Date:

Name (printed):

Company (if applicable):

9. Submitting your application to the Board and serving other parties

Submitting your application to the Board:

Applications must be delivered to the Board by email, fax, mail or directly through any Service BC Center (Government Agent). An application must include a copy of each of the documents required as specified in the "Checklist of Documents" for this form.

Email: office@surfacerightsboard.bc.ca

Fax: 604-775-1742

Toll-free Fax: 1-888-775-1742

Mail or in person: 1270 – 605 Robson Street, Vancouver, BC V6B 5J3

Serving other parties:

You must send a copy of your application (with attached documents) to the Respondent and all materially interested or directly affected parties. The package must be sent by mail, email, fax or in person. Afterward you must send to the Board:

A completed **Confirmation of Service Form** for each:

- Respondent and
- materially interested or directly affected party

If the Crown is likely to be directly affected by an order of the Board, you must serve your application by registered mail on the BC Energy Regulator and the Minister responsible for the Land Act and provide an affidavit of service.

FORM 1B – APPLICATION FORM FOR RIGHTS HOLDER, FREE MINER, RECORDED HOLDER



Surface Rights Board
1270 – 605 Robson Street
Vancouver, BC V6B 5J3

Phone: 604-775-1740
Toll-free: 1-888-775-1740
Fax: 604-775-1742
Toll-free Fax: 1-888-775-1742

Email: office@surfacerightsboard.bc.ca
Website: www.surfacerightsboard.bc.ca

Checklist of documents

All applications must include the 'standard checklist' of documents as identified below. Then depending on the type of application filed, additional documents must be included in the application package as identified below.

1. Standard Checklist of documents for all applications:

- Completed **Confirmation of Service** (Form 6) for each Respondent or person affected
- If the application is filed by an Agent, a **letter of authorization** to act on behalf of the Applicant

2. Additional documents required if your application is:

- **For right of entry, compensation and terms under the Petroleum and Natural Gas Act or as that Act is incorporated into the Geothermal Resources Act**

- Plan or area map showing existing and proposed activities by location. All submissions are subject to added detail or specific request by the Board.

- **For right of entry, compensation and terms under the Petroleum and Natural Gas Act as that Act is incorporated into the Mineral Tenure Act, Mining Right of Way Act, or Coal Act**

- Federal topographical map of the affected area
- Copy of Notice to Landowner

- **For Rent Review:**

- Copy of surface lease or Board order establishing rent and all amendments
- Copy of Form 2 – Notice of Rent Renegotiation

- For **Terms Review** of surface lease due to substantially different oil and gas or storage or related activity
 - A Copy of any permit issued by the British Columbia Energy Regulator for the oil and gas activity at issue
 - Copy of surface lease and any amendments

- For **Compliance** with the terms of surface lease or order:
 - A Copy of the surface lease or order

- For **Termination** of Surface lease or order:
 - A Copy of Form 7 – Notice of Termination