



## LAND AND PROPERTY RIGHTS TRIBUNAL

**Date:** 2023-07-12

**File No.:** RCR2022.3213

**Order No.:** LPRT904509/2023

**In the matter of a proceeding commenced under** section 36 of the *Surface Rights Act*, RSA 2000, c S-24 (the “Act”)

**And in the matter of** land in the Province of Alberta within the:

NW 1/4-10-21-27-W4M as described in Certificate of Title No. 161 188 686 (the “Land”), particularly the area granted for Alberta Energy Regulator Licence No. 0331016 (the “Site”).

**Between:**

Lexin Resources Ltd.,

Operator,

- and -

William Russell Foose,

and

Joseph Edward Foose

Applicants.

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### DIRECTION TO PAY PURSUANT TO SECTION 36(7) OF THE ACT

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The Tribunal directs the Minister to pay out of the General Revenue Fund the sum of FIVE THOUSAND SEVEN HUNDRED and 00/100 DOLLARS (\$5,700.00) to William R Foose of Calgary, and FIVE THOUSAND SEVEN HUNDRED and 00/100 DOLLARS (\$5,700.00) to Joseph E Foose of Calgary in the Province of Alberta for compensation that became due in the years 2021, 2022 and 2023.

**Reasons:**

[1] The Minister has previously made a payment to the Applicants under section 36 of the Act for the annual compensation due under a right of entry instrument dated March 29, 2005.

[2] The Applicants seek compensation for 2020-2023, in reviewing the matter, the Tribunal confirmed that the 2020 compensation was previously directed for payment under Order No. 2392/2021.

[3] The Applicants provided evidence that subsequent annual compensation is unpaid in relation to the same site for the years 2021, 2022 and, 2023.

[4] The parties remain the same, the Site has not been reclaimed and the Panel is satisfied that the payment is justified in this case.

Dated at the Town of Okotoks in the Province of Alberta this 12th day of July 2023.

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Dierdre Mullen, Member