



**LAND AND PROPERTY RIGHTS TRIBUNAL**

**Citation:** Tithecott v NEO Exploration Inc., 2025 ABLPRT 905156

**Date:** 2025-08-06  
**File No:** RCR2025.0987  
**Order No:** LPRT905156/2025  
**Municipality:** Mountain View County

**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:

SE 27-30-1-W5M as described in Certificate of Title No. 001 237 507 (the “Land”), particularly the area granted for a well site in L.S. 2 by Alberta Energy Regulator Licence No. 0048046 (the “Licence”), collectively (the “Site”).

**Between:**

NEO Exploration Inc.,

Operator,

- and -

Raymond Ernest Tithecott  
and  
Natonnia Ann Tithecott,

Applicants.

**Before:** Dierdre Mullen (“the Panel”)

**Appearances by written submissions:**

For the Applicants: Ray and Natonnia Tithecott

For the Operator: None

**BACKGROUND/OVERVIEW**

[1] The Applicants filed an Application dated January 17, 2025, under section 36 of the *Act* seeking recovery of unpaid compensation due under a Surface Lease Agreement dated November 5, 1973, in the amount of \$2,200.00 for unpaid compensation due in 2024.

[2] Reclamation Certificate No. 32742784 dated November 3, 2024, issued by the Alberta Energy Regulator (AER) shows that the surface of the land held by NEO Exploration Inc. in connection with Well Licence No. 0048046 including a well site and access road complies with the conservation and reclamation requirements of section 138 of the *Environmental Protection and Enhancement Act* (EPEA).

**ISSUE**

Is there money due that has not been paid by the Operator to the Applicants and, if so, should the Panel direct the Minister to make payment?

**DECISION**

Money is not due nor payable by the Operator to the Applicants and the Panel will not direct the Minister to make payment. The Application is dismissed.

**REASONS**

[3] The Reclamation Certificate is issued pursuant to section 138 of the *Environmental Protection and Enhancement Act*. It eliminates access for the Operator, ending the obligation to pay compensation under the Surface Lease. The OneStop Report for the Site issued by the AER shows the licence status as of November 4, 2024, as "RecCertified". The Panel finds that the obligation of the Operator to pay compensation under the terms of a Surface Lease came to an end prior to the 2024 anniversary date. As a result, there is no money past due and unpaid by the Operator to the Applicants.

[4] Section 36(7) of the *Act* prescribes the Tribunal may direct the Minister to make payments until the transfer or reclamation of the site is complete. Based on the Reclamation Certificate, the Panel finds that reclamation of the site is complete, therefore, it does not direct the Minister to make payment.

Dated at the Town of Diamond Valley in the Province of Alberta this 6<sup>th</sup> day of August, 2025.

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Dierdre Mullen, Member