

The Oil Shale Regulations, 1964

being

Saskatchewan Regulations 555/64 (effective November 2, 1964)
as amended by Saskatchewan Regulations 46/87, 75/92, 24/
2002, 32/2007; and by the *Statutes of Saskatchewan*, 2006, c.25.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

SASKATCHEWAN REGULATION 555/64
under *The Mineral Resources Act, 1959 – Section 10*

THE OIL SHALE REGULATIONS
MADE UNDER THE MINERAL RESOURCES ACT, 1959

PART I

Title

- 1 These regulations may be cited as The Oil Shale Regulations, 1964.
- 2 **Repealed.** 11 May 2007 SR 32/2007 s3.

Definitions

- 3 In these regulations unless the context otherwise requires:
 - (a) “**adjoin**” or “**adjoining**” where used in connection with subdivisions of land means touching at one or more points and subdivisions that are separated by a correction line, road allowance, railway or other right of way, river or stream shall be deemed to be adjoining;
 - (b) **Repealed.** 11 May 2007 SR 32/2007 s4.
 - (c) “**director**” means the Director of Geology and Petroleum Lands of the department;
 - (d) “**grantee**” means the holder of a permit, lease or other disposition issued under these regulations;
 - (e) “**lease**” means “**oil shale lease**”;
 - (f) **Repealed.** 11 May 2007 SR 32/2007 s4.
 - (g) “**oil shale**” means shale or tar sands from which oil shale products as hereinafter defined may be produced or any such other substance that the minister may define as oil shale;
 - (h) “**oil shale products**” means hydrocarbon gas or oil and includes all minerals and substances that may be produced from oil shales or tar sands in association with the production of hydrocarbon gas or oil;
 - (i) “**tar sands**” means all sands and rocks in the sedimentary basin of Saskatchewan lying north of fifty-five degrees and twenty minutes north latitude, and west of the third meridian, and lying above the top of the Devonian formation;

(j) “**work**” means geological and geophysical surveys, drilling, coring, logging, mining, constructing and operating a pilot plant for experimentation and testing, constructing processing plant and any other work approved by the minister for the purpose of exploring for, developing or mining oil shales and carried on in the disposition area or, with the written consent of the minister, carried on in any other place;

(k) “**year**” means the twelve month period from the date of issue of the permit, lease or other disposition from the Crown or from the anniversary date thereof, as the case may be.

13 Nov 64 SR 555/64 s3; 11 May 2007 SR 32/
2007 s4.

Application

4(1) Subject to subsections (1.1) and (2), these regulations shall apply to the rights to oil shales that are the property of the Crown in the right of Saskatchewan and to the disposition thereof as follows:

(a) Part II shall apply to dispositions of Crown rights to oil shales made heretofore or hereafter by means of permits under these or any other regulations;

(b) Part III shall apply to dispositions of Crown rights to oil shales by means of leases;

(c) Part IV shall apply to all permits, leases or other dispositions of Crown rights to oil shales granted heretofore or hereafter.

(1.1) These regulations do not apply to dispositions issued pursuant to The Petroleum and Natural Gas Regulations, 1969, being Saskatchewan Regulations 8/69.

(2) Notwithstanding subsection (1), Part V shall apply to all lands situated in Saskatchewan except freehold lands where the owner of the surface rights is also the owner of all the rights to the oil shales thereunder.

13 Nov 64 SR 555/64 s4; 11 May 2007 SR 32/
2007 s5.

No new permits to be issued

4.1(1) In this section, “**existing permit**” means a permit issued under Part II of these regulations that was still in effect immediately before the coming into force of this section.

(2) Notwithstanding any other provision of these regulations, on the coming into force of this section:

(a) no person may apply for a permit pursuant to Part II of these regulations; and

(b) the minister shall not issue any new dispositions pursuant to these regulations other than a lease issued in accordance with section 27 to the holder of an existing permit that has not expired, been surrendered or otherwise terminated in accordance with these regulations.

11 May 2007 SR 32/2007 s6.

PART II
Permits

Application for permit

5 An application for a permit to explore for oil shales shall be submitted to the department, and the minister may issue a permit in accordance with these regulations for an area of land not exceeding 40 469 hectares in respect of which the rights to oil shales are the property of the Crown in the right of Saskatchewan.

13 Nov 64 SR 555/64 s5; 11 May 2007 SR 32/
2007 s7.

Requirements for application

6 An application for a permit shall be accompanied by:

- (a) a plan and description of the lands applied for satisfactory to the minister;
- (b) a program of work that the applicant intends to carry out in respect thereof;
- (c) a statement proving the applicant's ability to have the proposed work done where such proof is not already on record in the department;
- (d) the rent for the first year, and such rent shall be retained by the department if the permit is granted, or returned to the applicant if the application is rejected; and
- (e) the names and addresses of the directors and officers of the applicant if the applicant is a corporation and if such information is not on record in the department.

13 Nov 64 SR 555/64 s6.

Rights granted

7 The permit shall, subject to these regulations, grant to the permittee the right, licence, privilege and authority to explore, mine, quarry and work the permit lands for oil shales but not to remove, produce or recover, except for test purposes, oil shale products from such shales until a lease pursuant to these regulations has been granted.

13 Nov 64 SR 555/64 s7.

Term of permit

8(1) Subject to subsections (2) and (3), the term of a permit is for a maximum of five years from the date it is issued.

(2) On an application by the permittee to the minister received before the expiry of the permit, the minister may grant up to three one-year extensions to the term of an oil shale permit if the minister approves an exploration program that:

- (a) is submitted in the application; and
- (b) is to be performed by the permittee who applied for the extension.

(3) On the request of a permittee, the minister may extend the term of the permit if:

- (a) the exploratory work required to be carried out pursuant to these regulations is delayed by an action of a government agency or a member of the Executive Council for environmental, regulatory, jurisdictional or consultation purposes with respect to the surface of the land; and
- (b) the delay is for a period greater than 60 days.

(4) Pursuant to subsection (3), the minister may extend the term of the permit for a period equivalent, in the minister's opinion, to the period of the delay.

11 May 2007 SR 32/2007 s8.

Permit rent

9(1) During the term of the permit, the permittee shall pay an annual rent of \$0.25 per hectare to the department.

(2) The permittee shall pay the rent required pursuant to subsection (1) before the anniversary date of the permit.

11 May 2007 SR 32/2007 s8.

10 Repealed. 11 May 2007 SR 32/2007 s9.

Minimum expenditure requirements

11 Every permittee shall expend at least the following amounts exploring for oil shales in the permit land during the term of the permit:

- (a) \$1.00 per hectare for each of the first two years of the permit;
- (b) \$2.00 per hectare for each of the last three years of the permit; and
- (c) \$3.00 per hectare for each year that the permit has been extended.

11 May 2007 SR 32/2007 s10.

Proof of expenditures

12(1) The permittee shall, within thirty days next following the anniversary date of each year of the term of the permit, submit to the minister a statement setting forth the estimated sums of money expended during such year in carrying out the work with respect to the permit.

(2) The permittee shall, within four months next following the anniversary date of each year of the term of the permit, submit to the minister a detailed statement setting forth the sums of money expended in carrying out the work with respect to the permit; and such statement shall be certified by a member in good standing of a recognized accounting profession that is regulated by an Act who is satisfactory to the minister, or verified by statutory declaration by a person with personal knowledge of the facts and accompanied by original vouchers or certified copies thereof, verifying the expenditures provided that, if the minister in any particular case so requires, the statement shall be certified by a member in good standing of a recognized accounting profession that is regulated by an Act who is satisfactory to the minister.

(3) If there is a deficiency in the amount of expenditures required to be made pursuant to section 11, the permittee may in order to maintain the permit in good standing:

(a) make a cash payment equivalent to the amount of such deficiency;

(b) make a cash deposit equivalent to the amount of the deficiency and such deposit shall be refunded upon proof shown by the permittee that he has expended during any subsequent year in the first five years of the term of the permit an amount equivalent to the amount of the expenditures required by section 11 up to and including such subsequent year; and, if the permittee has not expended the amount equivalent to such expenditures, the minister may refund a portion of the cash deposit equivalent to the amount of the actual expenditures, if any, made during such subsequent year in excess of the amount of expenditures required by section 11 up to and including such subsequent year; and the balance of the deposit shall, at the end of the said five year period, become the property of the Crown.

13 Nov 64 SR 555/64 s12; 2006, c.25, s.9.

Credit for expenditures

13(1) The amount of expenditures approved by the minister in respect of the work carried out by the permittee during any year of the term of the permit shall be credited to the permittee against the amount of the expenditures required to be made during such year.

(2) If the permittee expends during any year an amount of money greater than that which he is required to expend pursuant to section 11, such excess expenditures shall be deemed to have been expended in work in the succeeding year or years of the term of the permit or may, at the option of the permittee, be applied for credit against lease rents pursuant to section 18.

13 Nov 64 SR 555/64 s13.

Information and material to be submitted

14(1) The permittee shall, within six months after the end of each year of the term of the permit, submit to the minister a detailed statement setting forth full particulars of the work and operations conducted during the preceding year and specifically setting forth the following information and accompanied by the following material:

- (a) the nature of the work and operations performed;
- (b) the extent to which drilling operations were carried out;
- (c) where a gravity meter survey has been made:
 - (i) a clear sepia copy of a map showing the location and ground elevation of each station;
 - (ii) a clear sepia copy of a map showing the final corrected value at each station contoured on 0.5 milligals or less; and
 - (iii) a translucent copy of the complete report on the survey signed by a qualified geophysicist, geologist or engineer;
- (d) where a geophysical survey approved by the minister or an aerial magnetometer or ground magnetometer survey has been made:
 - (i) a clear sepia copy of a map contoured on a suitable scale, showing the location of each station and the corresponding observed value; and
 - (ii) a translucent copy of the complete report of the survey signed by a qualified geophysicist, geologist or engineer;
- (e) where a seismic survey has been made:
 - (i) a clear sepia copy of a map showing on the map, or in a suitable translucent tabular form, the location and ground elevation of each shot hole and the depth of the over-burden, glacial drift, water, sand, gravel coal, clay, and other minerals encountered;
 - (ii) a clear sepia copy of maps for the most dependable and continuous reflecting horizon above, at and below the top of the Palaeozoic group where information at such levels is available, based on the best current interpretation of all the seismograms obtained in the permit area indicating the correction datum and velocity functions applied, showing at each shot point the corrected time values or corresponding depths and contoured on the basis of these values, employing a contour interval of 0.010 seconds or less if the value at the shot point is represented in corrected time and fifty feet or less if the value at the shot point is given in feet; and

(iii) a translucent copy of the complete report of the survey submitted by the contracting seismograph company to the operator or by the operator's own seismograph department;

(f) where maps are required to be submitted to the minister or copies thereof under this section, the paper on which such maps are printed shall not be larger in size than forty inches by forty-eight inches; and

(g) in addition to the information requested under subclause (ii) of clause (e), the minister may request clear copies of the seismograms taken at each shot point, with the necessary computational data included on the face of each record and a departmental employee authorized by him may at any time examine the original seismograms and any pertinent data related to them.

Release of information

(2) No information submitted pursuant to subsection (1), except information with respect to the surrendered lands, shall be made available to the public without the consent of the permittee.

13 Nov 64 SR 555/64 s14.

Surrender of permit lands

15 The permittee shall have the right to surrender all or any part of the permit lands at any time during the term of the permit, but no refund of rent shall be made and the expenditure requirements shall be based upon the acreage of permit lands at the commencement of each rental year.

13 Nov 64 SR 555/64 s15.

Right to lease

16 The permittee shall, subject to compliance with sections 11 and 12, have the exclusive right at any time during the term of the permit and during the period of sixty days after the end of the term of the permit, unless it is terminated for any default on the part of the permittee, to apply for and obtain one or more leases of permit lands or portion thereof.

13 Nov 64 SR 555/64 s16.

Part III to apply in lease selections

17 An application for and granting of a lease pursuant to section 16 shall be in accordance with Part III.

13 Nov 64 SR 555/64 s17.

Lease rental credits

18 The minister shall, if he is satisfied that the permittee has fulfilled all the requirements of these regulations during the term of the permit, credit the permittee with the amount by which the expenditures approved by the minister exceed the expenditures required to be made pursuant to section 11 and such credit shall be applied toward the rent for the first twenty-four months or any portion thereof on a pro rata basis, or at the option of the permittee, for the first twenty-four months or any portion thereof on a pro rata basis, of the term commencing from the first day of April, of any lease that may have been, or may thereafter be, granted to the permittee in respect of any permit lands.

13 Nov 64 SR 555/64 s18.

Other parts applicable to permits

19 All permits shall be subject to Parts IV and V.

13 Nov 64 SR 555/64 s19.

PART III

Leases of Crown Lands

Granting of lease

20 The minister may grant to an applicant a lease of the rights to oil shales in accordance with these regulations.

13 Nov 64 SR 555/64 s20.

Lease area

21 Subject to section 27, the area that may be included in any one lease shall be not less than one legal subdivision or 16 hectares and all lands in the lease shall be adjoining or shall form a solid block.

13 Nov 64 SR 555/64 s21; 11 May 2007 SR 32/
2007 s11.

Application

22 An application for a lease shall be accompanied by:

- (a) a plan showing the area applied for and the lands in the area within which the rights to oil shales are the property of the Crown in the right of Saskatchewan;
- (b) a legal description of such lands if they are in a surveyed territory;
- (c) subject to section 18, the rent at the rate of \$0.25 per hectare for each month or portion thereof, if any, between the effective date of the lease and the first day of April next following;

- (d) an application fee as prescribed in item 1 of Schedule "B"; and
- (e) the names and addresses of the directors and officers of the applicant if the applicant is a corporation and if such information is not already on record in the department.

13 Nov 64 SR 555/64 s22; 12 Jne 87 SR 46/87
s3; 11 May 2007 SR 32/2007 s12.

Term of lease

23(1) The lease shall be for a term commencing on the effective date thereof and extending to the first day of April next following and thenceforth for a period of twenty-one years unless the effective date of the lease is the first day of April in which case the term of the lease shall be twenty-one years from the effective date of the lease.

(2) Upon the expiration of the twenty-one year period mentioned in subsection (1), the lease shall be renewable for successive terms of twenty-one years each upon the application of the lessee, provided that the lessee has complied fully with the conditions of the lease or renewal thereof and with the provisions of these regulations as amended or substituted from time to time.

13 Nov 64 SR 555/64 s23.

Annual rent

24(1) The rent subsequent to the rent referred to in clause (c) of section 22 shall be at the rate of \$3.50 per hectare per annum, and subject to section 18, is payable yearly in advance on or before the first day of April of each year.

(2) Notwithstanding subsection (1), if a lessee elects to apply rental credits in lieu of cash rent covering the first twenty-four months of the lease or portion thereof as provided for in section 18, the rent for that portion of the year from the termination of the credit period to the next succeeding rent anniversary date of April 1 shall be due and payable on the termination date of such credit period on a pro rata basis.

13 Nov 64 SR 555/64 s24; 11 May 2007 SR 32/
2007 s13.

What lease conveys

25 Subject to these regulations, the lease shall grant to the lessee the exclusive right, licence, privilege and authority to search, dig, bore and drill for and work the oil shales within the lands described in the lease and to win, get, recover, procure, work, carry away, dispose of and sell the oil shale or oil shale products extracted from the oil shales found within such lands.

13 Nov 64 SR 555/64 s25.

Surrender whole or part of a lease

26(1) The lessee may surrender the whole or part of the lands covered by his lease provided that:

- (a) the surrendered portions conform to legally described parcels of land and include all the rights granted in the original lease with respect to the surrendered portions; and
 - (b) the retained portion of the lease is not less than one legal subdivision or 16 hectares.
- (2) Where lands are surrendered there shall be no refund of rent.

13 Nov 64 SR 555/64 s26; 11 May 2007 SR 32/
2007 s14.

Maximum lease area

27(1) Notwithstanding anything contained in these regulations but subject to subsections (2) to (6), the maximum area that the permittee may lease from the permit lands in any one permit is 2 023 hectares.

(2) If the necessary arrangements for custom processing of oil shales have been made to the satisfaction of the minister by the permittee with another person for producing oil shale products in a processing plant or production and upgrading facility located in Saskatchewan, the maximum area that the permittee may lease from the permit lands in any one permit is 10 117 hectares.

(3) The maximum area that the permittee may lease is the area mentioned in subsection (4), if:

(a) the permittee has expended at least \$30 million towards the construction of a processing plant or production and upgrading facility in Saskatchewan for commercial production of oil shale products that is satisfactory to the minister; or

(b) the permittee:

(i) has satisfied the minister that a plant or facility described in clause (a) will be built by the permittee; and

(ii) undertakes in writing to expend, within three years after the effective date of the lease that was applied for, not less than \$30 million towards the construction of the plant or facility described in clause (a), unless the permittee has already expended that sum of money for that purpose.

(4) In the circumstances mentioned in subsection (3), the maximum area that the permittee may lease from the permit lands held by the permittee under one or more permits is:

(a) 10 117 hectares for each permit; and

(b) an additional acreage not exceeding an aggregate acreage calculated on the basis of one hectare for every \$14,826 of the capital expenditures made or to be made, as the case may be, for the plant or facility mentioned in clause (3)(a).

(5) The additional acreage mentioned in clause (4)(b) is to be applied over the permits held by the permittee, and is not an additional acreage for each permit.

(6) Notwithstanding subsections (1) to (5), the total acreage of Crown lands that may be held under lease in Saskatchewan by any one lessee is not to exceed 101 173 hectares.

11 May 2007 SR 32/2007 s15.

Form of lease

28 The minister shall prescribe the form of lease in accordance with these regulations.

13 Nov 64 SR 555/64 s28.

Royalties

29 A lessee shall pay a royalty on all oil shale products produced from any lease in accordance with *The Crown Oil and Gas Royalty Regulations*, and those regulations apply, with any necessary modification to the calculation and payment of royalties.

11 May 2007 SR 32/2007 s16.

No lease or assignment for person in default

30(1) No person who owes to the Crown any royalty shall be entitled to acquire any further lease from the Crown or acquire any further Crown lease by assignment unless settlement of such royalty payment is made in full except as provided herein.

(2) No person who owes to the Crown any royalty in respect of an operation for oil shale products shall assign any lease unless settlement of such royalty payment is made in full except as provided herein.

13 Nov 64 SR 555/64 s30.

PART IV
Conditions Applicable to Permits and Leases

Manner of applying

31 The application for a permit or lease may be filed by the applicant in person or by his agent or may be sent by mail to the department.

13 Nov 64 SR 555/64 s31.

Not binding until documents executed

32 No application for a lease or permit shall be binding on the Crown until the document of disposition in respect of the rights applied for has been executed by the minister.

13 Nov 64 SR 555/64 s32.

Application in unsurveyed territory

33 An application for a permit or lease situated in an unsurveyed territory shall contain a plan and land description satisfactory to the minister.

13 Nov 64 SR 555/64 s33.

Good practices

34 The grantee shall carry out all his operations in accordance with the best accepted geological, geophysical and engineering practices applicable to such operations.

13 Nov 64 SR 555/64 s34.

Accurate records

35 The grantee shall at all times keep accurate and detailed records, books and accounts of his operations hereunder and of the expenditures made in connection with such operations and shall, whenever requested by the minister to do so, furnish to the director with true copies of such records verified by affidavit.

13 Nov 64 SR 555/64 s35.

Examine records

36(1) The minister or any person authorized by him may at any time and from time to time enter upon the lands of the grantee and into the office or other place where the grantee's books and records are kept, and inspect and examine the operations of the grantee and the plant, works, books and records used or kept in connection with or having any reference to the operations, examine samples of mineral and other substances encountered during the operations and make copies of such books and records or of any part thereof.

(2) The grantee shall give or cause to be given all such assistance as the minister or the person authorized by him may reasonably require for the purpose of effecting subsection (1).

(3) No information obtained pursuant to subsection (1) shall be made available to the public without the consent of the grantee.

13 Nov 64 SR 555/64 s36.

Assignments, subleases and transfers

37(1) Every grantee of an assignment, sublease or transfer of a lease or permit shall submit to the department for registration such assignment, sublease or transfer within sixty days of the date of execution thereof.

(2) Two signed copies of the assignment, sublease or transfer shall be submitted to the department.

(3) Upon registration one signed copy of the assignment, sublease or transfer shall be retained by the department.

(4) No assignment, sublease or transfer shall be registered in the department unless it is submitted by or on behalf of a person or company who or which has registered in the department an interest in the lease or permit assigned, subleased or transferred.

(5) The minister may in his discretion refuse to register an assignment, sublease or transfer.

13 Nov 64 SR 555/64 s37.

New lease where partial surrender, etc.

38 Where an assignment, transfer, surrender or cancellation of a lease affects or relates to only a portion of the lands included in the lease the minister shall, upon registration of the assignment, transfer, surrender or cancellation grant to the assignee, transferee or lessee a new lease in respect of the lands, included in the assignment or transfer or excepted from the assignment, transfer, surrender or cancellation, for the unexpired term of the original lease and these regulations shall mutatis mutandis apply to the new lease.

13 Nov 64 SR 555/64 s38.

Company registered in Saskatchewan

39 No permit or lease shall be granted to a corporation or partnership and no consent to the assignment of a permit or lease to a corporation or partnership shall be given unless the laws of Saskatchewan respecting registration of corporations or partnerships have been complied with.

13 Nov 64 SR 555/64 s39.

Assignment to bank

40(1) Notwithstanding anything contained in these regulations, a copy of an assignment of a permit or lease by way of security given to a chartered bank under section 427 of the *Bank Act* (Canada), certified by an officer of the bank to be a true copy, may be registered in the department.

(2) Except as provided for in subsection (3) a bank shall not sell or assign or otherwise dispose of any interest of any person, including itself, in a permit or lease without the prior written consent of the minister.

(3) Where the moneys borrowed have been repaid to the bank by the assignor together with such other sums as the bank may be entitled thereto, as soon as may be possible thereafter the bank shall execute and the assignor shall register in the department a disclaimer of interest under the assignment or a reassignment of the permit or lease, or such other document as may be necessary to effectually place the original assignor with respect to the permit or lease in the same position in relation to the bank as he was before the assignment to the bank was executed. Such disclaimer of interest, reassignment or other document shall be in such form as may be approved by the minister.

13 Nov 64 SR 555/64 s40; 11 May 2007 SR 32/
2007 s17.

Failure to register

41 Failure to register in the department any assignment or transfer of a permit or lease, whether by way of mortgage or otherwise, shall not invalidate the same as between the parties thereto, but such documents as to other assignees and transferees shall take effect from the date of registration and not from the date of the document.

13 Nov 64 SR 555/64 s41.

Document register

42(1) The director shall be responsible for registering in the department assignments and other documents pertaining to Crown lands that have been approved and he shall keep a book to be called the "Document Register" in which he shall make an entry of each assignment and each other document received by him that is in proper form. Such entry shall contain a short description of the assignment or other document, together with the day, hour and minute of the receipt thereof.

(2) For purposes of priorities among assignees and transferees the time entered pursuant to subsection (1) with respect to assignments and transfers shall be taken as the time of registration.

(3) In addition to the documents registered pursuant to this section, the director may accept for filing but not for approval or registration certain other documents such as trust agreements that are in proper form.

(4) The director shall make such other entries and keep such other records of assignments and other documents registered or filed pursuant to these regulations as he may deem necessary.

13 Nov 64 SR 555/64 s42.

Cancellation of permit or lease

43(1) If the grantee fails to fulfill, perform or observe any provision of these regulations, the minister may give the grantee written notice of his intention to cancel the permit or lease and if the grantee fails to remedy or commence to remedy the default to the satisfaction of the minister within sixty days after receiving such notice the minister may cancel the permit or lease.

(2) The notice shall be sent by registered mail addressed to the grantee at his last known address according to the records of the department, and such notice shall be deemed to have been received by the grantee within three days after the mailing thereof.

13 Nov 64 SR 555/64 s43.

Address for service

44 Every grantee shall file with the department an address for service in Saskatchewan unless otherwise approved by the minister.

13 Nov 64 SR 555/64 s44.

Delivery of notices

45 Any notice, document or communication required to be given or delivered pursuant to these regulations shall be sufficiently given if served upon or delivered personally to the minister or the grantee, as the case may be, or if it is mailed to the minister at Regina, Saskatchewan, or if it is left at the address filed pursuant to section 44 or mailed to the grantee at such address.

13 Nov 64 SR 555/64 s45.

PART V Surface Rights

No surface rights conveyed by disposition

46 A disposition under these regulations shall not convey any right or interest in the surface of the land under which the oil shales occur.

13 Nov 64 SR 555/64 s46.

Compensation for surface rights

47 The grantee shall pay compensation to the owner of the surface rights for any loss or damage that may be caused to the surface of the land by the grantee entering upon, locating, using or occupying such surface for his purposes.

13 Nov 64 SR 555/64 s47.

Restricted or prohibited areas

48(1) No operator shall conduct any work with respect to oil shales on:

- (a) patented land, without the consent of the person named in the title issued with respect to the surface of the land as the registered owner or of any person who has the right of possession to the surface of the land;
 - (b) land owned or occupied by the Crown in the right of Canada, without the consent of the Government of Canada;
 - (c) occupied public land, without the consent of the person who has a right of possession under a disposition made by the Crown;
 - (d) land within a provincial park designated pursuant to *The Parks Act*, without the consent of the minister responsible for the administration of that Act;
 - (e) land within a provincial forest designated pursuant to *The Forest Resources Management Act*, without the consent of the minister responsible for the administration of that Act;
 - (f) land within the boundaries of a community, without the consent of the community concerned;
 - (g) land owned or occupied by the Crown, without the consent of the Crown;
 - (h) land defined as a restricted area by the minister.
- (2) In obtaining any consent required by clause (a), (c) or (g) of subsection (1), the operator shall describe accurately on a plan the location of all his operations thereon.

13 Nov 64 SR 555/64 s48; 22 Mar 2002 SR 24/
2002 s17; 11 May 2007 SR 32/2007 s18.

49 Repealed. 11 May 2007 SR 32/2007 s19.

SCHEDULE B
FEES

The following fees are required to be paid to the department with respect to work or services provided pursuant to these regulations:

| <i>ITEM</i> | <i>AMOUNT</i> |
|--|---------------|
| 1 Application for lease | \$28.00 |
| 2 Registration of assignment or disclaimer of interest, per permit or lease | 55.00 |
| 3 Registration of partial assignment of permit or lease, including issuing new permit or lease covering assigned portion and amending original permit or lease | 55.00 |
| 4 Division of lease by issue of new lease and amending original lease ... | 28.00 |
| 5 Amending permit or lease on withdrawal of portion of land or surrender of rights covered thereby | 11.00 |
| 6 Registration of sublease or other agreement where no change in registered ownership results, per permit or lease | 11.00 |
| 7 Filing of document pursuant to subsection 42(3) | 11.00 |
| 8 Preparing certified copy of lease | 11.00 |
| 9 Preparing photocopy of any document, each page, (unless otherwise authorized by the minister) | 1.00 |
| 10 Preparing plans, maps, etc., per hour | 2.00 |
| minimum charge | 1.00 |
| 11 Search as per SCHEDULE "C" | 11.00 |
| in person | 2.00 |
| 12 Historical abstract as per SCHEDULE "D" | 11.00 |
| 13 Special case requiring Order-in-Council | 55.00 |
| 14 Change of name, per document | 39.00 |

SCHEDULE "C"

Search of Permit/Lease

No

Name of Present Permittee/Lessee address:

Commencement Date of Permit or Lease:

Total Acreage in Permit or Lease:

Land Description of Lease:

(If permit schedule is required, additional fee of \$1.00 will be charged):

Remarks:

Dated at Regina, Saskatchewan, this day of, 19

.....
Director of Petroleum Lands

(This information is provided for the convenience of the public and the Department of Mineral Resources does not assume any liability for any errors or omissions).

SCHEDULE "D"
GOVERNMENT OF SASKATCHEWAN
Department of Mineral Resources

Abstract of Oil Shale Permit or Lease

Abstract of the Records of Oil Shale

Issued to:

Permit/Lease No.

Land Description:

Acres:

Commencement date:

Term:

ASSIGNMENTS, AGREEMENTS, LIENS AND ENCUMBRANCES REGISTERED

| Document Number | Date of Instrument | Date Registered | Nature Instrument | From | To | Remarks |
|-----------------|--------------------|-----------------|-------------------|------|----|---------|
| | | | | | | |

Searched by:

Time:

Checked by:

Date:

.....
Director of Petroleum Lands

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