

Clerk's Stamp

COURT FILE NO. 2001-13391

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

APPLICANT ORPHAN WELL ASSOCIATION

RESPONDENT BOW RIVER ENERGY LTD.

DOCUMENT **ORDER RE: TALLAHASSEE ENERGY**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **BENNETT JONES LLP**
Barristers and Solicitors
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Attention: Keely Cameron/Jeffrey Westman
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Client File No.: 68775.5

DATE ON WHICH ORDER WAS PRONOUNCED: April 3, 2023

LOCATION OF HEARING OR TRIAL: Calgary, Alberta

NAME OF JUDGE WHO MADE THIS ORDER: Justice C. Dario

UPON THE APPLICATION OF BDO Canada Limited (the "**Application**") in its capacity as the Court-appointed receiver (the "**Receiver**" or "**BDO**") of Bow River Energy Ltd. ("**Bow River**"); AND UPON reading the Fourth Report of the Receiver dated March 27, 2023 ("**Fourth Report**") and the Affidavit of Ghazanfar Zafar sworn March 31, 2023 (the "**Zafar Affidavit**"); AND UPON hearing counsel for Receiver and counsel for Tallahassee Exploration Inc. ("**Tallahassee**" and together with the Receiver, the "**Parties**");

AND UPON noting that Tallahassee had notice of the Receiver's application since February 28, 2023 and did not provide a formal response to requests for payment nor request further specifics underlying the Tallahassee Epcor Charges in response to the Receiver's requests in respect of the costs incurred by the Receiver during the Interim Period until Friday March 31, 2023;

IT IS ORDERED AND DECLARED THAT:

DEFINITIONS

1. All capitalized terms used but not defined herein shall bear their meanings as defined in the Fourth Report.

SERVICE

2. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, and no other person is required to have been served with notice of this application, and time for service of the Application is abridged to that actually given.

ADJOURNMENT

3. Notwithstanding any other provision of this Order, the portion of the Receiver's Application seeking relief as against Tallahassee, including but not limited to the Proposed Tallahassee Order, is adjourned *sine die*.

INFORMATION TO BE PROVIDED

4. By no later than 5:00 pm on April 17, 2023, with respect to the Amisk Power Sites listed in **Schedule "A"** hereto ("**Amisk Sites**"):
 - (a) For the period of December 2021 through June 2022 (the "**Interim Period**") and for the three months prior to the Interim Period, the Receiver shall provide, or shall make reasonable efforts to obtain, the following documents or information within the control of the Receiver or Veracity:
 - (i) all invoices from Epcor not already provided in the Fourth Report;
 - (ii) all information regarding the existence of, and information generated from, a Cathodic Rectifier Panel (if any), including Monthly Cathodic Rectifier Readings and such other information related to charges for specific activities or assets on the Amisk Sites which are not evident on the face of invoices;

- (iii) particulars of all other electrical charges incurred by the Receiver with respect to the Amisk Sites, including details of any minimum demand charges not already provided in the invoices;
 - (iv) details, if any, with respect to consideration of site decommissioning or electricity use reduction; and
 - (v) any other information that the Receiver or Veracity believes supports the reasonableness of the Amisk Sites Tallahassee Epcor Charges,

(collectively, the "**Receiver's Information**")
- (b) Tallahassee shall provide the following documents in its control:
- (i) invoices from Epcor (or its equivalent) in respect of the Amisk Sites for the months of July and August 2022 as well as January, February and March 2023; and
 - (ii) to the extent possible, Tallahassee's good faith estimate of the costs that it anticipated would be incurred with respect to the Amisk Sites during the Interim Period.
5. Notwithstanding paragraph **Error! Reference source not found.** hereof, Tallahassee has no obligation to make available the statement for the month of March 2023 until five (5) days after such statement has been delivered to Tallahassee.
6. Following the provision of information from the Receiver pursuant to paragraph **Error! Reference source not found.** hereof in the absence of Tallahassee and the Receiver's entering into a Consent Order regarding payment of the Tallahassee Epcor Charges by April 28, 2023, the Receiver may reschedule its application for the Proposed Tallahassee Order.

COSTS

7. The Receiver is awarded its legal costs on a solicitor and own client basis in respect of the Application, provided that such costs are only in respect of the Receiver's legal costs that are directly attributable to the portion of the Application related to the Proposed Tallahassee Order.

MISCELLANEOUS

8. This Order must be served only upon those interested parties attending or represented at the within application and service may be effected by Facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following the transmission or delivery of such documents.
9. Service of this Order on any party not attending this application is hereby dispensed with.

J.C.K.B.A.

APPROVED AS TO FORM AND CONTENT this 10th day of April 2023.

BURNET, DUCKWORTH & PALMER LLP

Per:



Ryan Algar
Counsel to Tallahassee Exploration Inc.

SCHEDULE "A"

Amisk Power Sites

Site ID	Location	Epcor Account
0040180063005	04-34-40-7 W4	34326017
0040398722006	06-34-40-7 W4	34326017