



Mineral Titles

Information Update

No. 39 – Researching Crown Granted 2 Post Mineral Claims

Revision Date: May 7, 2019

The purpose of this Information Update is to guide the reader through the steps required to research a crown granted 2 post mineral claim to determine if the crown grant is in good standing, reverted to the crown, disposed of or the sub-surface rights are available under the Mineral Tenure Act.

Important: This Information Update is provided only as general guide to researching a CG. Independent legal advice may be sought for any questions related to rights that are granted in a Crown Grant. The province is unable to provide such advice.

BACKGROUND

In British Columbia, a Crown granted 2 post mineral claim [hereinafter “CG”] refers to a mineral claim issued under one of the predecessor *Mineral Acts* or *Taxation Acts*; where the mineral claim was located, surveyed, and then converted to a CG. CGs were issued from 1874 to 1960. A CG may hold sub-surface rights to the land within the surveyed lot, and therefore may have an impact on the mineral rights acquired in any overlying mineral or placer cell claim.

The majority of CGs were granted lode mineral rights. However, there are a few CGs that are understood to hold both lode mineral rights as well as placer mineral rights. They are found primarily in the Barkerville/Wells region and can be identified by the suffix “B” or “F” in the lot number. These are some of the oldest Crown granted lots in the province, issued in the late 1800s. A mineral or placer cell claim registered over one of these lots would acquire none of the rights to minerals or placer minerals as listed in the grant.

A CG is maintained by payment of an annual tax under [section 3](#) of the *Mineral Land Tax Act* which is administered by the Mineral, Oil and Gas Revenue Branch of the Ministry of Finance (not the Ministry of Energy, Mines and Low Carbon Innovation).

Prior to 1960, a CG that escheated, forfeited, reverted, or was surrendered to the Crown could be re-issued as a new Crown Grant.

In the event of a discrepancy between this information and the provisions in the *Mineral Tenure Act* and Regulation, the provisions in the statute and regulations will apply.

Ministry of Energy, Mines and Low Carbon
Innovation
Mineral Titles

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Between 1960 and 1987, a CG that escheated, forfeited, reverted or was surrendered to the Crown could be acquired as a mineral claim according to the surveyed boundary of the reverted CG, unless the survey had been cancelled by the Surveyor General.

After 1987, the *Mineral Tenure Act* required that a CG that escheated, forfeited, reverted or was surrendered to the Crown be disposed of as a new mineral claim in accordance with the locating of claims. In other words, the new mineral claim acquired, was not issued according to the original survey boundary of the CG.

Today, when a CG escheats, forfeits, reverts or is surrendered, the rights revert back to the Crown, and they must be Gazetted prior to the rights being made available as mineral claims. Prior to Gazetting, Mineral Titles Branch researches each lot to confirm its termination and to confirm that the mineral rights are unfettered prior to a disposition. Once termination is confirmed, the CG is made available for disposition under [section 26](#) of the *Mineral Tenure Act* and on a specified date. The date of the disposition is advertised in the [BC Gazette](#).

The Mineral Tenure Act Regulation provides that upon disposition, the recorded holder of a cell claim overlying the CG area automatically acquires the right to minerals as defined in the *Mineral Tenure Act* that may have been held by the reverted CG.

INSTRUCTIONS

IMPORTANT: The following instructions are limited to the research of “Crown Granted 2 Post Mineral Claims”. These instructions do not include the research of private mineral rights not associated with a Crown granted mineral claim.

I. Research and Required Information

The minimum information you must have to research a CG is:

- The district lot (DL) number; and
- The land district.

Research should determine one or more of the following:

- Is a CG currently active, or not;
- What mineral rights may still be held by an active CG; and
- The current registered owner of an active CG.

Multiple databases are accessed to conduct this research and you may need to consider all of the information found to ensure data corresponds and refers to the same CG.

Databases that may be searched are:

1. Mineral Titles Branch – A search of a compiled listing of all CGs that have reverted and have been gazetted since August 15, 1988 to present day;

2. Tantalus GATOR – A free search of the Tantalus GATOR database (Crown land) to find the original CG document to determine what mineral rights were granted, any reversions of mineral rights, and if the survey is still active; and
3. Land Title & Survey Authority (LTSA) – A search of the LTSA (private land) to find any notations or changes to sub-surface mineral rights that may exist and to find the current registered owner(s) of the sub-surface rights.

II. Finding a CG and its legal description by using Mineral Titles Online (MTO) Map Viewer:

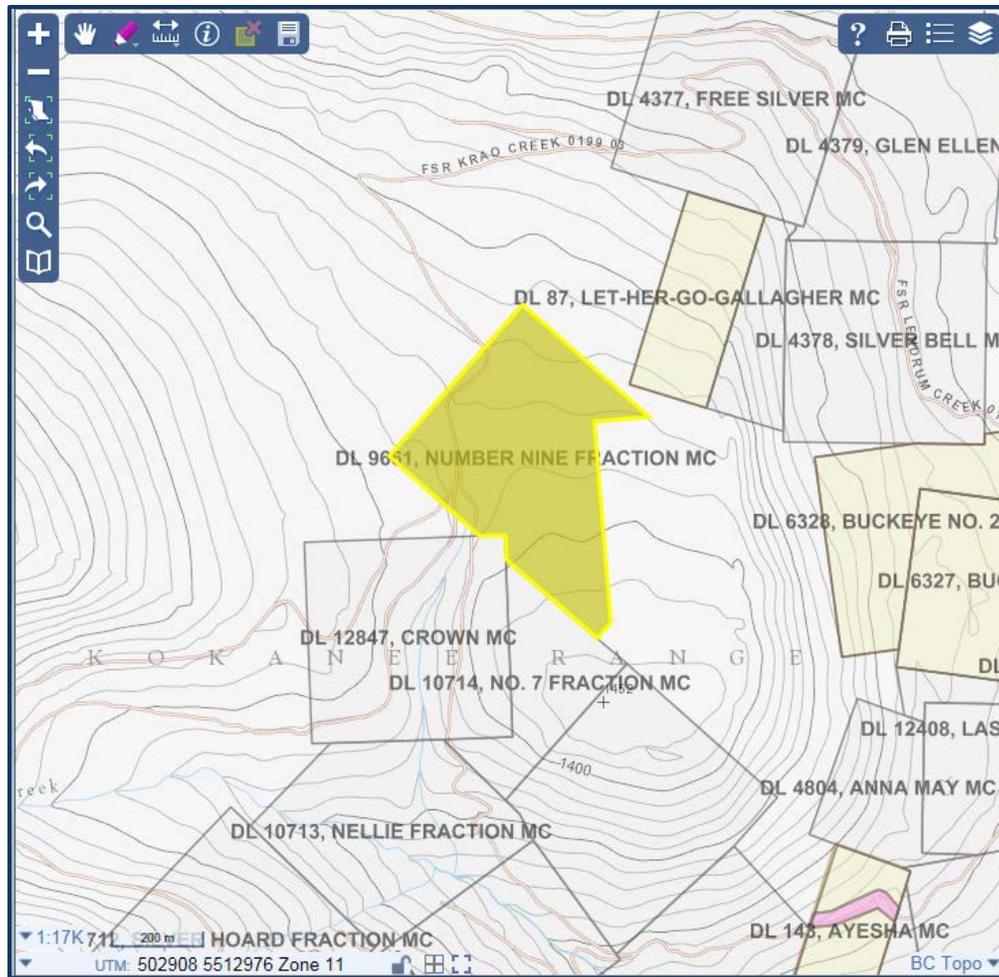
In order to search a CG, you must know the legal description which consists of a DL number and land district. If you already have a district lot and land district that you wish to search, proceed to Section III.

Note: No mapping is currently available that displays only good standing CG titles. The MTO map viewer shows all primary survey parcels, only some of which are CG lots in good standing.

Step 1: Open MTO (www.mtonline.gov.bc.ca) in a web browser. Click on the CWM mineral map or placer map button to open a MTO map viewer. Zoom or navigate to your area of interest. CGs can have irregular shapes and will be 20.9 hectares or less in size.

Hint: If you turn off the “MTO Grid” and “Title (current)” mapping layers then the survey parcels may be easier to see.

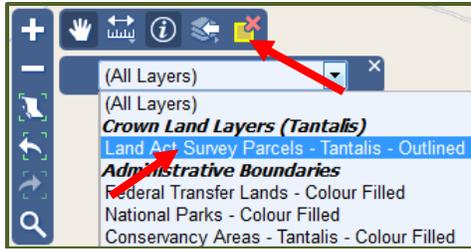
In the sample map below, all of the visible survey parcels relate to CGs. District lot 9661, Kootenay District, is highlighted and will be used for most of the examples throughout the remainder of this information update.



Note: A partial legal description for the survey parcels should show in the map viewer if you are at a scale of 1:34,000 or larger.

Step 2: You may wish to confirm that the survey parcels mapping layer is visible. In the blue menu bar along the top right of your map viewer, click the “Map Layers” tool . A list of various layers available in the map viewer will be displayed on the right side of your viewer. Under the “Crown Land Layers (Tantalis) group, make sure the “Land Act Survey Parcels – Tantalis – Legal Descriptions” and “Land Act Survey Parcels – Tantalis – Outlined” map layers are check marked and you are zoomed in close enough so the text is non-italicized.

Step 3: Select the identify tool  from the top left toolbar. A drop-down menu will appear. Click on the down arrow and select the “Land Act Survey Parcels – Tantalis – Outlined” layer.



Step 4: Click on the survey parcel of interest in your map viewer. A window on the right side of the map viewer will appear with the Identify results. You may need to click on the arrow beside the parcel identification number (PIN) to unhide the details. See image below.

The legal description will normally indicate the district lot number, the name of the surveyed claim(s), and the land district. Be sure to make a note of the legal description.



The "State of Parcel Survey" indicator of "Active" refers to the legal survey and not the status of the CG.

Hint: You may wish to leave your map viewer open as you may use it further along in these instructions.

III. Review List of Gazetted CGs

Mineral Titles Branch maintains a compiled list of all CGs that have been gazetted under section 26 of the *Mineral Tenure Act* from August 15, 1988 to present day. This list can be found on our web site at the following location. The list is sorted by land district and then by lot number.

<http://www2.gov.bc.ca/gov/content/industry/mineral-exploration-mining/mineral-titles/news-notice-announcements/notices-crown-granted-2-post-mineral-claims>

Search for your CG lot of interest under the appropriate land district:

- If the CG appears on one of these lists then the CG was terminated and the mineral rights have already been opened for acquisition. **No further research on this CG is needed.**
- If the CG does not appear in the list of gazetted DLs then proceed to the next section to continue with your research.

IV. Tantalus GATOR Search

The Tantalus GATOR database contains scanned copies of the CG documents and will indicate if there are any reversions.

Step 1: If you previously left your map viewer open, click on the Pin Sid link (see image below). This will open a new browser window or tab and take you directly to the DL entry in the GATOR database. Proceed to Step 7 below.



Step 2: If you closed your map viewer, you will need to navigate to the Crown Land registry (Gator) website at <https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/land-use/crown-land/gator>

Step 3: Click on “Launch GATOR” link to get to the Main Search Menu.

The screenshot shows the GATOR website interface. At the top, there is a breadcrumb trail: Home / Farming, Natural Resources & Industry / Natural Resource Use / Land Use / Crown Land / . Below this is a navigation menu on the left with options like 'Crown Land', 'Applications and Reasons for Decision', and 'Crown Land Registry (GATOR)'. The main content area is titled 'Government Access Tool for Online Retrieval (GATOR)' and contains text explaining the registry's purpose and how to use it. On the right side, there are three blue header boxes: 'Launch Application' with a 'Launch GATOR' link, 'System Outages' with a message that no outages are scheduled, and 'Related Links' with a link to 'BC Land & Title Survey'.

Step 4: Under the “Survey Parcels” heading, click on the “Legal Description” option.

The screenshot shows the 'GATOR Search Menu' interface. It features a dark blue header with the title 'GATOR Search Menu'. Below the header, there are three main columns of search options. The first column is titled 'Survey Parcels' and includes options like 'Legal Description' (highlighted with a red box), 'Plan Number', 'PIN', 'Timber License Number', 'Right-of-Way', 'Tube or Tray', and 'BCGS Mapsheet'. The second column is titled 'Interest' and includes 'File Number', 'Document Number', 'Interested Party', and 'BCGS Mapsheet'. The third column is titled 'Encumbrance Report' and includes 'PIN', 'Survey Details', 'Tube or Tray', 'LTO Plan', 'Admin Area', 'Wellsites', and 'File, Name, Location'. At the bottom, there is a section for 'Historic Crown Grants'.

Step 5: In the “Primary Parcel” section, click the dropdown menu for “Land District” and select the land district of the CG. Then in the “District Lot #” field, enter the DL number of the CG.

GATOR Search for Survey Parcels by Legal Description

You must specify at least one search criteria. Refine your search by specifying multiple criteria. The wildcard symbol (%) can be used in all text fields.

Primary Parcel:

Land District:

An administrative descriptor or division that identifies an area in BC. [More .](#)

District Lot #: (eg. "1234")

Identifies a parcel of land that has been surveyed within a Land District. [More ...](#)

Step 6: Click the “Submit Query” button at the bottom of the screen.

GATOR ~ Query Results: Primary Survey Parcels

Step 7: Your web page should return the results of your search.

GATOR Query Results: Primary Survey Parcels

Search Criteria: Primary Land District: KOOTENAY DISTRICT, Primary District Lot #: 9661, Tenure History: On

Tenure History: On Enable Disable

PIN	Report	Subdiv	RoW	Legal Description	Area (Ha)	Status	Confirmed	LT Office
9186450	Yes			DISTRICT LOT 9661, BEING NUMBER NINE FRACTION MINERAL CLAIM, KOOTENAY DISTRICT.	20.3	Active	31-Jul-1919	

Records 1 to 1 of 1

First
Prev
Next
Last

Hint: You may need to click on the “Enable” button (green box above) beside Tenure History in order to turn on the history and see a complete list of the entries in the Interest Summary section.

Step 8: Click on the word “Yes” in the Report column. The resulting web page will contain, at minimum, 2 sections, a “Primary Parcel” section and an “Interest Summary” section.

GATOR Consolidated Parcel Interest Report										
Search Criteria: Primary PIN: 9186450, Tenure History: On										
Date Created: 09-Apr-2018										
Created By: GATOR										
Pin Id: 9186450										
Tenure History: On <input type="button" value="Enable"/> <input type="button" value="Disable"/>										
Primary Parcel										
PIN	Subdiv	RoW	Legal Description				Area (Ha)	Status	Confirmed	LT Office
9186450			DISTRICT LOT 9661, BEING NUMBER NINE FRACTION MINERAL CLAIM, KOOTENAY DISTRICT.				20.3	Active	31-Jul-1919	
Interest Summary										
PIN	Tantalis ID	File #	Document #	Interest	Sur/Under	Effective Date	Location	Status	Area (Ha)	
9186450	163			Map Note					0	
9186450	168			Map Note					0	
9186450	171			Map Note					0	
9186450	172			Map Note					0	
9186450	174			Map Note					0	
9186450	930360	4405835	R184004	Reserve/Notation		14-Mar-2018	West Kootenay	Active	911873.96	
9186450	904534	4405287	404855	Licence		01-Mar-2014	Ainsworth	Active	4149.42	
9186450	124866	0245690		Reserve/Notation		03-Jul-1963	UNKNOWN	Inactive	0	
9186450	45633	0000000	6662/937	Crown Grant	U	01-Jan-1955	UNKNOWN	Active	20.62	
9186450	27071			Reversion	U	03-Nov-1947		ABSOLUTE	0	
9186450	80214	0000000	7244/430	Crown Grant	U	09-Dec-1919	KOOTENAY	Inactive	20.25	

Step 9: Review the list in the “Interest” column and look for any “Crown Grant” and “Reversion” entries.

- Make a note of any document number related to Crown Grant entry found in the “Document #” column in the Interest Summary table. You will use this number to verify against the actual CG document to ensure you are viewing the correct CG document.
- If the CG has been sub-divided, you will need to review the “Interest Summary” for each subdivision.
- If a reversion entry shows a status of “Redeemed” in the “Status” column it means the reversion has been cancelled and has no effect.

In the example above, the entries indicate a CG being issued in 1919 (document 7244/430), a reversion in 1947; and a CG being issued in 1955 (document 6662/937).

Note: Do not rely on the data in the “Sur/Under” column as the data in this column is unreliable.

If there is no “Interest Summary” table or no “Crown Grant” entry at all then the CG was never issued and no further research on this CG is needed.

Step 10: In the “Primary Parcel” section click on the legal description hyperlink.

Primary Parcel							
PIN	Subdiv	RoW	Legal Description	Area (Ha)	Status	Confirmed	LT Office
9186450			DISTRICT LOT 9661, BEING NUMBER NINE FRACTION MINERAL CLAIM, KOOTENAY DISTRICT.	20.3	Active	31-Jul-1919	

This will take you to a new page titled "GATOR ~ Parcel Details". See image below.

GATOR Parcel Details

Search Criteria: PIN: 9186450, Tenure History: On

Legal Description	Images								
DISTRICT LOT 9661, BEING NUMBER NINE FRACTION MINERAL CLAIM, KOOTENAY DISTRICT.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Crown Grant:</td> <td style="padding: 2px;">View Image(s)</td> </tr> <tr> <td style="padding: 2px;">Survey Fieldbook:</td> <td style="padding: 2px;">No Images Available</td> </tr> <tr> <td style="padding: 2px;">Survey Plan:</td> <td style="padding: 2px;">View Image(s)</td> </tr> <tr> <td style="padding: 2px;">Map:</td> <td style="padding: 2px;">View Map</td> </tr> </table>	Crown Grant:	View Image(s)	Survey Fieldbook:	No Images Available	Survey Plan:	View Image(s)	Map:	View Map
Crown Grant:	View Image(s)								
Survey Fieldbook:	No Images Available								
Survey Plan:	View Image(s)								
Map:	View Map								

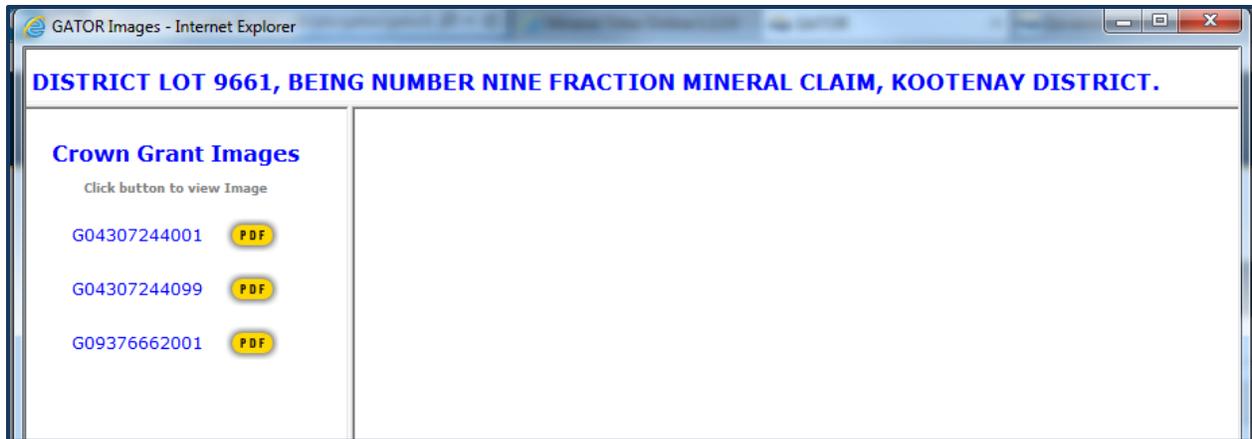
Parcel Information	Filing Information																										
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">Number of Subdivisions:</td><td style="padding: 2px;">0</td></tr> <tr><td style="padding: 2px;">Number of Rights-of-Way:</td><td style="padding: 2px;">0</td></tr> <tr><td style="padding: 2px;">Area (Ha) / Method:</td><td style="padding: 2px;">20.251 / Converted</td></tr> <tr><td style="padding: 2px;">Status:</td><td style="padding: 2px;">Active</td></tr> <tr><td style="padding: 2px;">Confirmed Date:</td><td style="padding: 2px;">31-Jul-1919</td></tr> <tr><td style="padding: 2px;">Land Title Office:</td><td style="padding: 2px;"></td></tr> <tr><td style="padding: 2px;">Parcel Kind:</td><td style="padding: 2px;">Mineral claim</td></tr> </table>	Number of Subdivisions:	0	Number of Rights-of-Way:	0	Area (Ha) / Method:	20.251 / Converted	Status:	Active	Confirmed Date:	31-Jul-1919	Land Title Office:		Parcel Kind:	Mineral claim	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">Tube/Tray #:</td><td style="padding: 2px;">21TR10-KOOTENAY</td></tr> <tr><td style="padding: 2px;">Field Book:</td><td style="padding: 2px;">2686/1914 PH 152</td></tr> <tr><td style="padding: 2px;">Alternate Filing Location:</td><td style="padding: 2px;"></td></tr> <tr><td style="padding: 2px;">Post Renewal:</td><td style="padding: 2px;"></td></tr> <tr><td style="padding: 2px;">Land Title Office PID:</td><td style="padding: 2px;">016455983</td></tr> <tr><td style="padding: 2px;">LTO Plan #:</td><td style="padding: 2px;"></td></tr> </table>	Tube/Tray #:	21TR10-KOOTENAY	Field Book:	2686/1914 PH 152	Alternate Filing Location:		Post Renewal:		Land Title Office PID:	016455983	LTO Plan #:	
Number of Subdivisions:	0																										
Number of Rights-of-Way:	0																										
Area (Ha) / Method:	20.251 / Converted																										
Status:	Active																										
Confirmed Date:	31-Jul-1919																										
Land Title Office:																											
Parcel Kind:	Mineral claim																										
Tube/Tray #:	21TR10-KOOTENAY																										
Field Book:	2686/1914 PH 152																										
Alternate Filing Location:																											
Post Renewal:																											
Land Title Office PID:	016455983																										
LTO Plan #:																											

In the "Images" section, you will find multiple hyperlinks:

- Crown Grant – for scans of each CG document that has been issued. Where multiple CGs have been issued, links for each document should be available. A scan of the DL sketch may also be found.
- Survey Fieldbook – for scans of the fieldbook that was used in the surveying of the DL, if available.
- Survey Plan – for the legal survey plan. The plans may include multiple DLs and not just the one that you are researching.
- Map – is a link to a map viewer that will take you to the location of the DL.

In the "Filing Information" section, look for a "Land Title Office PID" number. This field is not always populated. Make a note of the PID, if one exists, as it can be used later if you choose to conduct a Land Title search.

Step 11: Click on the "View Image(s)" hyperlink for the Crown Grant. This will open a new window or tab.



Each CG document will have a PDF button for each page of the CG document and DL survey sketch.

In the example above, the first PDF button is for the CG issued in 1919, the second PDF button is for the DL survey sketch, and the third PDF button is for the CG issued in 1955.

In the next three sections, you will review the CG document(s) to determine what rights were issued (Section V), review any reversion entries to determine what may have reverted back to the Crown (Section VI), and then compare your search results to determine if the CG is still active and what mineral rights to may hold (Section VII).

V. Reviewing CG Documents

Be aware that CGs may have been granted surface rights, or sub-surface mineral rights, or both.

Any mineral rights granted by a CG will depend upon the wording in the CG grant and the definition of “mineral” in the issuing legislation of the day.

When reviewing CG documents, you will come across some common phrases related to sub-surface mineral rights. There are many variations but some of the more common phrases you will come across are “All minerals except gold and silver”, “Gold and silver only”, and “All minerals save coal, petroleum, and all gas or gases”.

Occasionally, you may find an instance where two CGs have been issued over the same area, each holding different mineral rights.

Consider each CG to be unique. As each CG may have different wording as to what was being granted, it is necessary to research each CG independently to determine what mineral rights have been granted and therefore what mineral rights may still remain available for acquisition through a mineral cell claim.

Note: When reviewing a CG document, look for any additional provisos or notes that may be written in the margins or with the legal description.

When reviewing a CG document, look to ensure that the legal description, claim name, and document number are the same. The document number should appear in the top left or top right corner of the document. It may be written, stamped, or typed. Verify this number to the one you noted earlier as they should be the same.

If the CG document number does not match then the document hyperlink may be pointing to the wrong document. Contact GATOR by email at nrsenquiries@gov.bc.ca and include the relevant information regarding the DL, Land District that you searched and that the scan brings up an incorrect CG.

The following 3 pages contain some common examples of different types of CG documents that you might see.

Sample 1 - CG granting sub-surface minerals rights only.

F. S. BARNARD
Lieutenant-Governor.



MINERAL ACT.

Province of
BRITISH COLUMBIA

Compared *[Signature]*
Entered in District Register
and on Map.

No. *7222*
66

[Signature]
Deputy Minister of Lands.

GEORGE V., by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas KING, Defender of the Faith, Emperor of India.

To all to whom these presents shall come, Greeting:

Know ye, that We do by these presents, for Us, Our heirs and successors, in consideration of the fulfilment of the conditions of the laws providing for the acquisition of minerals other than coal and petroleum, give and grant unto *The Consolidated Mining & Smelting Company of Canada (Limited) its successors*

and assigns, all minerals, precious and base (save coal and petroleum), which may be found in veins, lodes, or rock in place, and whether such minerals are found separately or in combination with each other, under that Parcel or Lot of Land situate in *Nootenay* District, and numbered *Nine thousand six hundred and sixty one (9661) Group One (1)*

→ on the Official Plan or Survey of the said *Nootenay* District, and known as the *Number Nine (9) Fraction* Mineral Claim, and the right to the use and possession of the surface of such mineral claim, including the use of all the timber thereon, for the purpose of winning and getting from and out of such claim the minerals contained therein, including all operations connected therewith or with the business of mining. To have and to hold the same unto the said *The Consolidated Mining & Smelting Company of Canada (Limited) its successors and assigns for ever.*

PROVIDED that the grant hereby made shall be subject to the laws for the time being in force respecting mineral claims.

PROVIDED also that no right to the use or possession of any travelled streets, roads, trails, and other highways existing over or through said lands at the date hereof shall pass by this grant.

PROVIDED also that it shall be lawful for Us, Our heirs and successors, or for any person by Our authority, to open up and use any portion of the said mineral claim (not exceeding one-twentieth part) for making roads, canals, bridges, towing-paths, or other works of public utility or convenience; but no portion of said claim shall be so opened up and used upon which any permanent buildings have been erected.

In testimony whereof, We have caused these Our Letters to be made Patent, and the Great Seal of Our Province of British Columbia to be hereunto affixed: Witness, His Honour *Mr. Frank Stillman Barnard K.C.M.G.*, Lieutenant-Governor of Our said Province, at Our Government House, in Our City of Victoria, this *Ninth* day of *December* in the year of our Lord one thousand nine hundred and *Nineteen*, and in the *Tenth* year of Our Reign.

By Command. *[Signature]*
Provincial Secretary.

Sample 2 - CG granting sub-surface mineral rights only.

Lieutenant-Governor.



No. 6662
937

TAXATION ACT

Compared. *W. J. [Signature]*

PROVINCE OF
BRITISH COLUMBIA.

[Signature]
Deputy Minister of Lands.

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom, Canada and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

To all to whom these presents shall come. Greeting:

Know ye that We do by these presents, for Us, Our heirs and successors, in consideration of the sum of One hundred and sixty-six & 50/100 Dollars to Us paid, give and grant unto S. ARTHUR LIENING

- his heirs -

and assigns, all mineral deposits, precious and base (save coal, petroleum, and any gas or gases), which may be found in, upon, or under all that Parcel or Lot of Land situate in KOOTENAY District, and numbered Lot Nine thousand six hundred and sixty-one (9661)

→

..... on the Official Plan or Survey of the said KOOTENAY District, and known as the "NUMBER NINE (9) FRACTION" Mineral Claim, and the right to the use and possession of the surface of such mineral claim, including the use of all the timber thereon, for the purpose of winning and getting from and out of such claim the minerals contained therein, including all operations connected therewith or with the business of mining. To have and to hold the same unto the said S. ARTHUR LIENING

- his heirs -

and assigns for ever, subject always, however, to the payment to Us, Our heirs and successors, of royalty on all minerals and mineral deposits won or gotten from the lands covered by the said mineral claim, payable in such manner and in such amount or amounts as may be fixed from time to time by regulation made by the Lieutenant-Governor in Council.

PROVIDED that the grant hereby made shall be subject to the laws for the time being in force respecting mineral claims.
PROVIDED also that no right to the use or possession of any traveled streets, roads, trails, and other highways existing over or through said lands at the date hereof shall pass by this grant.
PROVIDED also that it shall be lawful for Us, Our heirs and successors, or for any person by Our authority, to open up and use any portion of the said mineral claim (not exceeding one-twentieth part) for making roads, canals, bridges, towing paths, or other works of public utility or convenience; but no portion of said claim shall be so opened up and used upon which any permanent buildings have been erected.
PROVIDED further that it shall be lawful for any person duly authorized by Us, Our heirs and successors, to take and occupy such water privileges, and to have and enjoy such right of carrying water over, through, or under any parts of the said land, as may be reasonably required for agricultural or other purposes in the vicinity of the said land, upon paying therefor a reasonable compensation to the aforesaid

S. ARTHUR LIENING

- his heirs -

and assigns.

In Testimony whereof, We have caused these Our Letters to be made Patent, and the Great Seal of OUR PROVINCE OF BRITISH COLUMBIA to be hereunto affixed: *WITNESS*, His Honour FRANK MACKENZIE ROSS Lieutenant-Governor of Our said Province, at Our Government House, in Our City of Victoria, this Eighteenth day of November, in the year of our Lord one thousand nine hundred and Fifty-five and in the Fourth year of Our Reign.

By Command.

[Signature]
Deputy Provincial Secretary.

Taxation Mtn., F. 1-1M-653-4223

Sample 3 - CG granting both surface and sub-surface.

Entered in District Register
and on Map.

Compared. *A.S.S.*



U. B.

“MINERAL ACT.”

Province of
BRITISH COLUMBIA.)

F. E. Terwin
Chief Commissioner of Lands and Works.

M. J. Gore
Deputy Commissioner.

No. 13
68

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland,
Queen, Defender of the Faith.

To all to whom these presents shall come, Greeting :

Know ye, that WE do by these presents, for US, Our Heirs and Successors, in consideration of
the fulfilment of the conditions of the laws providing for the
acquisition of minerals other than coal
give and grant unto *Byron Noel White*

his heirs and assigns, All that Parcel or Lot of Land situated in *Stoolway District*
and numbered *Lot five hundred and forty five (545) Group one (1) and*
known as the Ocean Star mineral claim
on the Official Plan or Survey of the said *Stoolway District*
to have and to hold the said Parcel of Land, and all minerals, precious and base (save coal), which may be
found therein in veins, lodes, or rock in place, and whether such minerals are found separately or in
combination with each other, unto the said *Byron Noel White*

his heirs and assigns forever :

PROVIDED that it shall at all times be lawful for Us, Our heirs and successors, or for any person
by Our authority, to resume any portion (not exceeding one-twentieth part) of the said lands for making
roads, canals, bridges, towing-paths, or other works of public utility or convenience, but no such resumption
shall be made of land on which any permanent buildings may have been erected :

PROVIDED, also, that the grant hereby made of the said lands shall be subject to the laws for the
time being in force respecting mineral lands held in fee simple ~~and subject to the laws for the time being in force~~

PROVIDED, further, that it shall be lawful for any person duly authorized by Us, Our heirs and
successors, to take and occupy such water privileges, and to have and enjoy such right of carrying water
over, through, or under any parts of the hereditaments hereby granted, as may be reasonably required for
agricultural or other purposes in the vicinity of the said land, upon paying therefor a reasonable compensa-
tion to the aforesaid *Byron Noel White* his heirs and assigns.

In testimony whereof We have caused these Our Letters to be made Patent, and the Great
Seal of Our Province of British Columbia to be hereunto affixed: Witness, His Honour
Edgar Dewdney Lieutenant-Governor of Our said
Province, at Our Government House, in Our City of Victoria, this *Twenty sixth*
day of *May* in the
year of Our Lord One thousand eight hundred and *Ninety three*
and in the *Thirty sixth* year of Our Reign.

By Command.

Provincial Secretary.

VI. Reviewing Reversion Entries

Reversion entries may apply to either surface, subsurface, or both. These entries may contain special notes such as to indicate a partial reversion. Notes will appear at the bottom of the reversion details page in a separate section titled "Note".

In the "Interest Summary" section, click on the reversion hyperlink in the "Interest" column to get the reversion details. In the example below, the reversion indicates "Undersurface", there is no "Note" section, and a review of the related CG document did not reveal any other notations.

GATOR Reversion Details	
Search Criteria: PIN NUMBER: 9186450, TENURE HISTORY: ON	
Acquisition Information	
Land Title Office Title:	
Folio:	
Surface/Subsurface:	Undersurface
Reversion Date:	03-Nov-1947
Absolute Date:	03-Nov-1950
Redeemed Date:	
Disposing Organization	
Organization:	Ko - Land Mgmt - Kootenay Field Office
Address :	1902 Theatre Road
	CRANBROOK
	BC
	CANADA
	V1C7G1



Note: In the case of sub-divided parcels, a reversion may apply only to the sub-divided parcel, or it could apply to the whole CG.

VII. Mineral Land Tax Search

If the Tantalus GATOR search did not reveal a reversion of the mineral rights, a search should be conducted to determine if the mineral land taxes are being paid and will provide a possible status of a CG.

Send an email to the Mineral, Oil & Gas Revenue Branch at MOG.Mineral.Land.Tax@gov.bc.ca and request a search of the CG. **You must include the DL number, land district, and claim name.** You can expect a confirmation email that may indicate a CG status similar to the following:

- “CG is on the tax roll”: meaning, the CG is in good standing;
- “CG does not appear on the tax roll” – meaning, the CG may have reverted or is exempt from paying taxes.

This search will not provide ownership name, contact information, or tax values.

VIII. Reviewing Your Search Results

A comparison of the CG documents, any reversion entries, and your tax search must be conducted to determine if the CG is still active, and if so, what mineral rights may still be actively granted.

In the example that we have been using for this information update, our comparison shows the following:

- The original CG was issued in 1919 (Document 7244/430) under the *Mineral Act* for sub-surface rights only and granted “all minerals, precious and base (save coal and petroleum)”
- A reversion took place in 1947 that related to the sub-surface. No notes were found in the reversion details and no notations were found on the CG document; therefore, it is assumed that all granted minerals reverted back to the Crown.
- A CG was re-issued in 1955 (document 6662/937) under the Taxation Act for sub-surface only and granted “all mineral deposits, precious and base (save coal, petroleum, and any gas or gases)”.
- A review of the CG documents themselves did not reveal any notations related to a reversion.
- Confirmation from Mineral, Oil & Gas Revenue Branch indicates that the CG is on the tax roll.
- Therefore, the result of the search so far is that the CG appears to be active and “all mineral deposits, precious and base (save coal, petroleum, and any gas or gases)” are still held by the CG.

Important: The mineral rights granted in a CG are based on the issuing legislation and what constituted the definition of mineral in that legislation at the time of issuance.

If the most recent entry is for a “Reversion” and the CG was issued under the *Mineral Act* or *Taxation Act* then the CG may be reverted. Look at the “Effective date” for the reversion entry:

- If the reversion date is before August 15, 1988 then it is assumed that the CG is terminated and the mineral rights were made available.
- If the reversion date is on or after August 15, 1988 and the CG was not on a disposition list (Section III), then the CG has reverted but the mineral rights are not yet available.
 - Contact Mineral.Titles@gov.bc.ca and ask for a review of the Gator reversion and to have the CG placed on a future gazette listing in order to make the mineral rights available. Include the district lot number and land district in your email request.
- If the Tantalus GATOR database indicates the CG has reverted but the CG is still on the tax roll, please email Mineral.Titles@gov.bc.ca and request a review.

IX. Ownership of CG – Land Title & Survey Authority (myLTSA)

In order to determine the current owner of a CG 2 post mineral claim, one must conduct a Land Title search. A myLTSA account will be required, in order to conduct the search. The web address for myLTSA is <https://apps.ltsa.ca/srs/app#/welcome>

Step 1: Log in with your myLTSA account.

If a Land Title Office PID was not available in your research above (section IV, step 10) then you must conduct a title search. Proceed to Step 2.

If a Land Title Office PID was available in your research above, that number may now be used to conduct a Parcel Identifier (PID) search, found on the left side of the web page.

Search Titles

File Reference

Parcel Identifier (PID)

016455983

Search

Enter the PID and click the blue “Search” button. Proceed to Step 8

Step 2: Hover your mouse over the grey “Search” menu item at the top then select “Title Search”.

Searches

Other Req

Title Search

Parcel Info and Miscellaneous Notes Search

Strata Plan Common Property Search

Index Search

Plan Search

Step 3: Select the “Short Legal Description” radio button for the “Search By” method.

Search By

Parcel Identifier (PID)

Short Legal Description

Owner Name

Charge Number

Title Number

Step 4: Select the “Unsubdivided” radio button under the “Short Legal Description” field.

* Short Legal Description

Subdivided Unsubdivided

Step 5: From the drop down list, select the "Land District".

Enter short legal description above or use fields below.

* Land District

Meridian

Step 6: In the "District Lot/Lot/Section" field enter the DL.

Block

District Lot/Lot/Section

Section

Step 7: Scroll down and click on the blue "Search" button.

Note: If multiple land title offices are found during the search, a separate search of each land title office should be completed in order to fully complete the search

In this example, the search returned two land title offices.

Title Search Results

Short Legal Description U/KOOTENAY/////9661 has been found in multiple land title districts. Please make a selection below and click Continue. [50305]

File Reference

[Back to Title Search](#) [Print Page](#)

Short Legal Description

Select	Short Legal Description	Land Title District
<input type="radio"/>	U/KOOTENAY/////9661	Kamloops
<input type="radio"/>	U/KOOTENAY/////9661	Nelson

[Continue](#) [Print Page](#)

A search of the first result, Kamloops Land Title District office, returned the following results.

Title Search Results

File Reference

Select the items you wish to order and click Purchase.

[Back to Title Search](#) [Print Page](#)

Search results found in Land Title District: Kamloops

PID 026-908-361 MN U/KOOTENAY/////17022

<input type="checkbox"/>	Title Number	Land Title District	Status	First Owner Name on Title
<input type="checkbox"/>	LA170278	Kamloops	REGISTERED	[REDACTED]

PID 026-908-379 MN U/KOOTENAY/////17023

<input type="checkbox"/>	Title Number	Land Title District	Status	First Owner Name on Title
<input type="checkbox"/>	LA170279	Kamloops	REGISTERED	[REDACTED]

PID 026-908-387 MN U/KOOTENAY/////17024

<input type="checkbox"/>	Title Number	Land Title District	Status	First Owner Name on Title
<input type="checkbox"/>	LA170280	Kamloops	REGISTERED	[REDACTED]

PID 026-325-276 U/KOOTENAY/W6M/2/23///34 PARCEL RAISED IN ERROR SEE KX181999

First Previous **1** Next

As none of the results match the district lot of interest, the search is conducted again. A search of the second result, the Nelson Land Title District office, returned the following results:

Title Search Results

File Reference

Select the items you wish to order and click Purchase.

[Back to Title Search](#) [Print Page](#)

Search results found in Land Title District: Nelson

PID 016-455-983 MN U/KOOTENAY//////9661 *

<input type="checkbox"/>	Title Number	Land Title District	Status	First Owner Name on Title
<input type="checkbox"/>	N15496	Nelson	REGISTERED	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA

PID 016-403-924 U/KOOTENAY/////9663 REM

<input type="checkbox"/>	Title Number	Land Title District	Status	First Owner Name on Title
<input type="checkbox"/>	XD30943	Nelson	REGISTERED	[REDACTED]

PID 024-321-664 U/KOOTENAY/////9665 FLORENCE SILVER FRACTION MC

<input type="checkbox"/>	Title Number	Land Title District	Status	First Owner Name on Title
<input type="checkbox"/>	KM116889	Nelson	REGISTERED	THE CROWN IN RIGHT OF BRITISH COLUMBIA

Step 8: The search results should list the DL of interest at the top as well as other DLs that have a close fit to your search. Click the check box on the left side of the correct result and then click the blue "Purchase" button on the left side of the web page.

PID 016-455-983 MN U/KOOTENAY/////9661 *

<input checked="" type="checkbox"/>	Title Number	Land Title District	Status	First Owner Name on Title
<input checked="" type="checkbox"/>	N15496	Nelson	REGISTERED	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA

Step 9: The title search should be displayed on your monitor. Links to PDF versions of your search are also provided. Additionally, your search will be sent to your LTSA Inbox. Click on the "Inbox" icon at the top of the web page to go to your inbox.

Home | My Preferences | **Inbox** | Logged in as CKOSITSI (A10000019) | Logout

X. Reviewing the Land Title Search

In the "Charges, Liens and Interests" section, look for a charge indicating "Undersurface Rights". The undersurface rights charge will list the registered owner of the undersurface rights. Read the remarks on the charge for any additional information that might be useful.

In the example below, it shows that the surface is held by "Her Majesty the Queen in right of the Province of British Columbia" and there is a charge for the undersurface rights that indicates the registered owner of the sub-surface rights (blocked out).

Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA NO ADDRESS ON FILE FOR THIS OWNER
Taxation Authority	
	NELSON TRAIL ASSESSMENT AREA
Description of Land	
Parcel Identifier:	016-455-983
Legal Description:	DISTRICT LOT 9661 KOOTENAY DISTRICT
Legal Notations	
	NONE
Charges, Liens and Interests	
Nature:	UNDERSURFACE RIGHTS
Registration Number:	54089D
Registration Date and Time:	1959-10-23 12:48
Registered Owner:	[REDACTED]
Remarks:	ALL MINERALS PRECIOUS & BASE (SAVE COAL, PETROLEUM AND ANY GAS OR GASES) IN OR UNDER D.L. 9661, K.D. KNOWN AS THE "NO. 9 FRACTION" MC KD. TRANSFERRED TO CA4368631
Nature:	UNDERSURFACE RIGHTS
Registration Number:	CA4368631
Registration Date and Time:	2015-04-30 11:04
Registered Owner:	[REDACTED]
Remarks:	ALL MINERALS PRECIOUS & BASE (SAVE COAL, PETROLEUM AND ANY GAS OR GASES) IN OR UNDER D.L. 9661, K.D. KNOWN AS THE "NO. 9 FRACTION" MC KD. TRANSFER OF 54089D

Note: CGs that include both surface and sub-surface rights may not have a separate charge listed for the under-surface rights. In these cases, the owner of the under-surface may be the same as the owner of the surface.

The LTSA database may not contain all existing under-surface CGs. Where all three (3) of the following criteria are met, you will need to contact LTSA:

1. A review of the gazetted CG list on the MTB website does not contain the CG;
2. A search of GATOR shows the CG as still active (no reversions after the last CG entry); and

3. A myLTSA search fails to find the DL

When contacting LTSA you will need to include the PID, if one exists, the DL, and LD in your correspondence to request a review to have the DL be added to their database.

The LTSA online database may not contain a complete history of the under-surface rights held by a CG. You may need to hire a professional search agent to complete a full land title search as there may be historical notations and registrations contained within Absolute Fee Parcel Books (AFB), Indefeasible Fee Books (IFB), or other ledgers that are only available in physical form and not accessible to the general public.

XI. Concluding your research

Ideally, all of the documentation that you gather through the various searches should align, and when combined, indicate a consistent or common result. Where a search indicates a conflicting result, please contact Mineral.Titles@gov.bc.ca, provide a copy of your search documentation, and ask for a review.

If during your research you come across notations or documentation that indicates a CG has escheated, please contact the Mineral Titles Branch, as it is possible that the CG may have been brought back into good standing, even though this is not noted in a database.

Important: This Information Update is provided only as general guide to researching a CG. Independent legal advice may be sought for any questions related to rights that are granted in a Crown Grant. The province is unable to provide such advice.