



File: 1518

MEDIATION ORDER 376M

Parties to the Mediation

Progress Energy Ltd.
Suite 1400 440 - 2nd Avenue, SW
Calgary, Alberta
Applicant

Loucks Farms Ltd. Inc # 42237
C/O Ewart Loucks
9711 108th Avenue,
Fort St.. John, British Columbia
Respondent

Date: 18 February 2004

Location- Mediation and Arbitration Board offices, Fort St. John, BC

Time Commenced 9:00 a. m. Concluded 11:45 am

Parties

Craig Kolochuk, Progress Energy Ltd.,

Ryan DeLeuw, Progress Energy Ltd.

Ewart Loucks, Surface Land Owner

David Loucks, Assisting Surface Land Owner

Jim Sodergren Lead Mediator, Caroline McNabb, Mediation and Arbitration Board

Terms agreed to

A. FINANCIAL

Progress Energy Limited agrees to:

1. Increase annual compensation for the battery site located at 14 - 5 - 83 - 16 W6M to \$6,900.00 per annum effective 12 October 2003.

**Mediation and
Arbitration Board**

Mailing Address:
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Fort St John, B.C.
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2. The increased compensation (\$6,900.00) is due and payable; and is subject to set off for the annual compensation paid (\$ 3,700.00) to the applicant since 12 October 2003.

ORDER

The Board orders that the parties to this mediation:

- (a) execute a lease adjustment varying the terms of the surface lease incorporating the above terms and incorporating the Surface Lease Regulation (B. C. Reg. 497/74);
- (b) pursuant to section 25 (3) of the *Petroleum and Natural Gas Act*, Progress Energy Ltd. file a copy of the lease adjustment with the Land Title Office for registration; and
- (c) comply forthwith as expeditious as is reasonable.

Dated at the City of Fort St. John, British Columbia, this 18th day of February 2004.

**MEDIATION AND ARBITRATION BOARD
UNDER THE
*PETROLEUM AND NATURAL GAS ACT***

Jim Sodergren, Mediator

Caroline McNabb, Mediator