

File No. 1719
Board Order No. 1719-1

July 6, 2011

SURFACE RIGHTS BOARD

**IN THE MATTER OF THE PETROLEUM AND NATURAL GAS
ACT, R.S.B.C., C. 361 AS AMENDED**

**AND IN THE MATTER OF
THE SOUTH EAST ¼ OF SECTION 14 TOWNSHIP 23 PEACE RIVER
DISTRICT**

(The "Lands")

BETWEEN:

EnCana Corporation

(APPLICANT)

AND:

**Burnem Hollister Grant and
Gertrude Grant**

(RESPONDENTS)

BOARD ORDER

Heard by telephone conference: June 24, 2011
Mediator: Rob Fraser

On June 24, 2011, I conducted a mediation in an effort to resolve the issues of access and compensation. The parties had generally agreed to the access but compensation remained unresolved. I am satisfied that the Applicant needs access to the Lands for a purpose described in section 142 (a) to (c) of the *Petroleum and Natural Gas Act*, specifically, the construction and operation of a flowline. I requested the Applicant set out the particulars of their offer to resolve the application and allowed time for the Respondents to produce a reply. In the absence of a reply, I said I would incorporate the Applicant's offer into a Board Order, leaving the issue of compensation for the parties to resolve on their own or with the assistance of further mediation.

I have included the payment of a security deposit approximately equal to the amount of partial compensation. If the parties agree that the award of partial compensation shall be final compensation, or otherwise agree on final compensation, the Applicant may apply for return of the security deposit. If the parties do not agree on compensation, I will schedule a further mediation.

ORDER

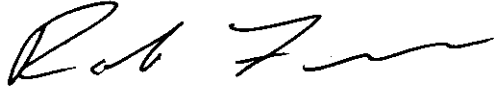
Pursuant to section 159 of the *Petroleum and Natural Gas Act*, the Board orders as follows:

1. Upon payment of the amounts set out in paragraphs 3, 4 and 5, the Applicant shall have the Right of Entry to and access across the portions of Lands legally described as THE SOUTH EAST ¼ OF SECTION 14 TOWNSHIP 23 PEACE RIVER DISTRICT as shown on the individual ownership plan attached as Appendix "A" (the Lands) for the purpose of constructing, installing and operating a flow line.
2. The Applicants right of entry shall be subject to the terms and conditions set out in Appendix "B" to this right of entry Order.
3. The Applicant shall deliver to the Surface Rights Board security in the amount of \$6,500.00 by cheque made payable to the Minister of Finance. All or part of the security deposit may be returned to the Applicant, or paid to the landowner, upon agreement of the parties or as ordered by the Board.
4. The Applicant shall pay to the Respondents as partial payment for compensation payable for entry to and use of the Lands the amount of \$6,476.95.

5. The Applicant shall pay to the Respondents the sum of \$1,000.00 for costs.
6. The parties shall advise the Board by Friday, July 29, 2011 whether compensation has been resolved or whether further mediation is required.
7. Nothing in this Order operates as a consent, permission, approval, or authorization of a matter within the jurisdiction of the Oil and Gas Commission.

DATED: July 6, 2011

FOR THE BOARD

A handwritten signature in black ink, appearing to read "Rob Fraser", written in a cursive style.

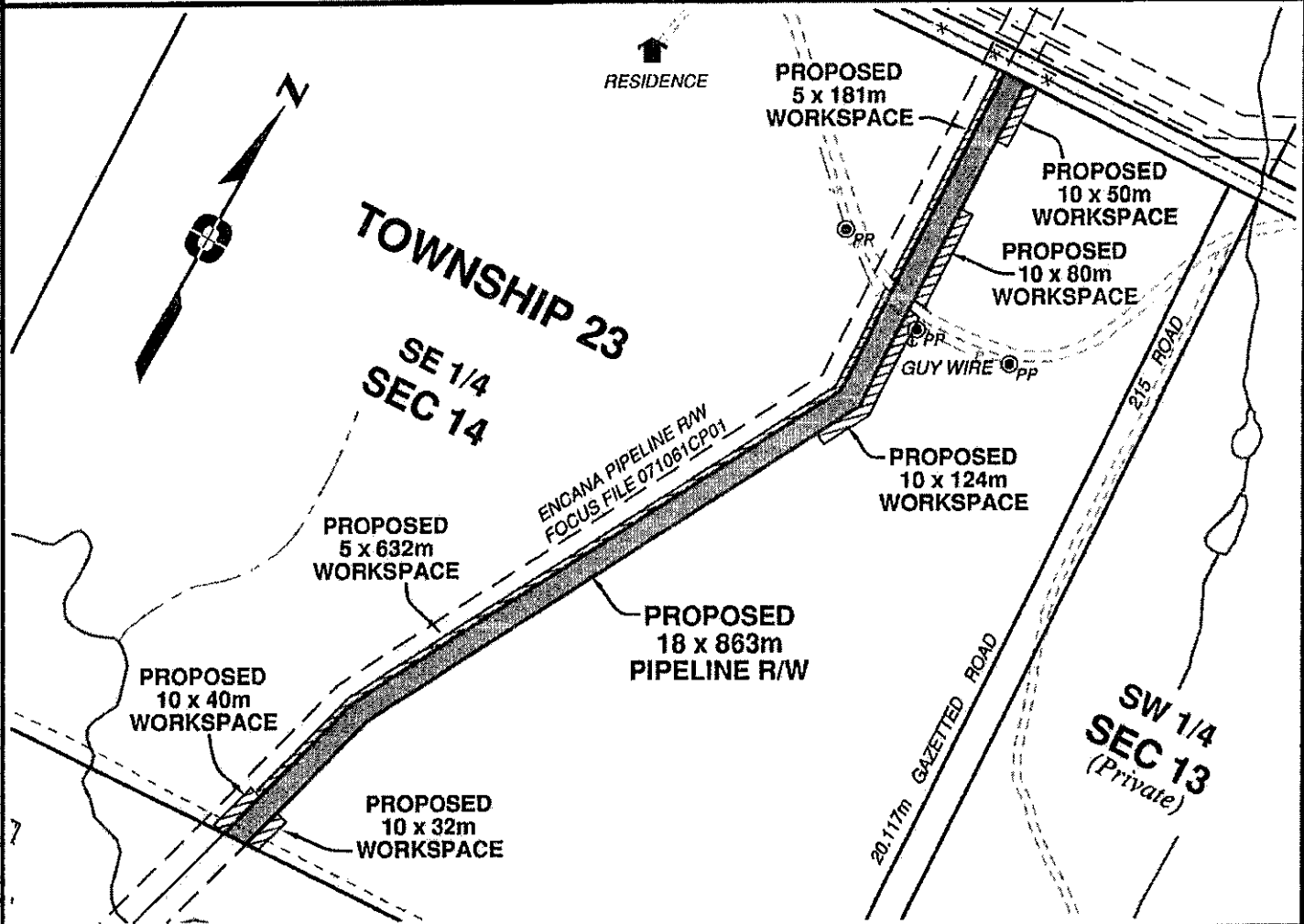
Rob Fraser, Mediator

SCHEDULE "A"

Attached to and made part of this Agreement dated this _____ day of _____, 20____, between Burnem Hollister Grant and Gertrude Grant (Grantor) and Encana Corporation (Grantee).

**INDIVIDUAL OWNERSHIP PLAN SHOWING
PROPOSED PIPELINE RIGHT OF WAY WITHIN
THE SOUTH EAST 1/4 OF SECTION 14, TOWNSHIP 23
PEACE RIVER DISTRICT**

(Associated with Pipeline R/W from Wellsite b-86-B to Compressor Site a-5-G, all within 93-P-9)



Owner(s): Burnem Hollister Grant
Gertrude Grant

Title No: BV179737

Parcel Identifier: 011-883-006

Landowner File: S458347

EnCana File(s): S450694

100 0 100 200 300 400

The intended plot size of this plan is 216mm in width by 280mm in height when plotted at a scale of 1: 5000 (use letter size sheet)

Certified correct this 7th day of July, 2010

[Signature]

Adam Brash, BCLS

Areas		
Permanent	1.553 ha	3.838 ac
Temporary	0.733 ha	1.811 ac
Total	2.286 ha	5.649 ac

FOCUS Focus Surveys
FCS Land Services Limited Partnership

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www.focus.ca

Focus Job No: 100312NP03R0
Ref Dwg: 100312CP01R0
Drafter: KG

APPENDIX "B"

Conditions for Right of Entry

1. The Applicant will take reasonable steps to ensure that no garbage is left behind by any of the operations on the lands.
2. The landowner will be notified prior to construction.