

**File No. 1735  
Board Order 1735-1**

**October 4, 2011**

**SURFACE RIGHTS BOARD**

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

**AND IN THE MATTER OF**

**THE SOUTH EAST ¼ OF SECTION 27 TOWNSHIP 77 RANGE 15 WEST OF  
THE 6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT  
THE NORTH EAST ¼ OF SECTION 27 TOWNSHIP 77 RANGE 15  
WEST OF THE 6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT  
THE SOUTH EAST ¼ OF SECTION 34 TOWNSHIP 77 RANGE 15  
WEST OF THE 6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT (the Lands)**

**BETWEEN:**

**Encana Corporation**

**(APPLICANT)**

**AND:**

**Loiselle Investments Ltd.**

**(RESPONDENT)**

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**BOARD ORDER**

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On October 3, 2011, I conducted a telephone mediation. During the course of our discussions, we reviewed the issue of the right of entry, partial compensation, and terms and conditions.

At this time the parties are unable to resolve compensation.

Encna has received a permit from the Oil and Gas Commission (OGC) and is requesting a Right-of-Entry from the Surface Rights Board to:

1. Build and operate a flow line over the three properties.

The parties are in agreement with the terms and conditions.

I am satisfied that Encana requires the right of entry for the purposes of gas and oil activities.

## **ORDER**

1. Upon payment of the amounts set out in paragraphs 3 and 4, the Applicant shall have the Right of Entry to and access across the portions of Lands described below as shown on the individual ownership plans attached as Appendix "A" (the Lands) for the purpose of constructing, installing and operating a flow line as permitted by the Oil and Gas Commission.

The Lands are legally described as:

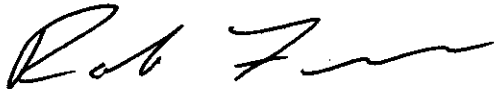
- THE SOUTH EAST ¼ OF SECTION 27 TOWNSHIP 77 RANGE 15 WEST OF THE 6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT
- THE NORTH EAST ¼ OF SECTION 27 TOWNSHIP 77 RANGE 15 WEST OF THE 6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT
- THE SOUTH EAST ¼ OF SECTION 34 TOWNSHIP 77 RANGE 15 WEST OF THE 6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT

2. The Applicant's right of entry shall be subject to the terms and conditions attached as Appendix "B" to this Order.
3. The Applicant shall deliver to the Surface Rights Board security in the amount of \$15,000 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 Respondent, upon agreement of the parties or as ordered by the Board.

4. The Applicant shall pay to the landowner as partial payment for compensation payable for entry to and use of the Lands the amount of \$10,000.00.
  
5. 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 October 4, 2011

FOR THE BOARD

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

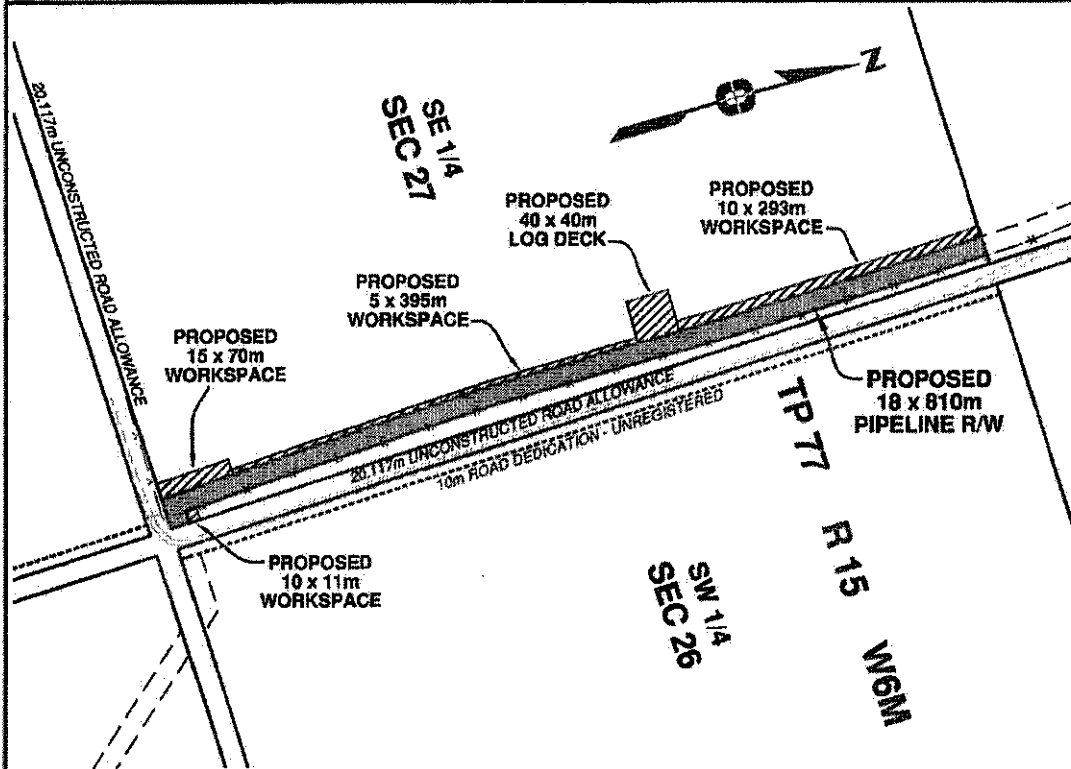
Rob Fraser, Mediator

**SCHEDULE "A"**

Page \_\_\_ of \_\_\_

Attached to and made part of this Agreement dated this \_\_\_ day of \_\_\_\_\_, 20\_\_\_ between  
Loiselle Investments Ltd., Inc. No. 705654 (Grantor) and Encana Corporation (Grantee).

**INDIVIDUAL OWNERSHIP PLAN SHOWING  
PROPOSED PIPELINE RIGHT OF WAY  
WITHIN THE SOUTH EAST 1/4 OF SECTION 27, TOWNSHIP 77, RANGE 15, W6M  
PEACE RIVER DISTRICT  
(Associated with Pipeline R/W from Wellsite 10-35-77-15 to Wellsite 12-23-77-15)**



Owner(s): Loiselle Investments Ltd.,  
Inc. No. 705654

Title No: BW512285  
Parcel Identifier: 014-288-095  
Landowner File: S459593  
EnCana File(s): S459591

100 0 100 200 300 400

The intended plot size of this plan is 215mm in width by 280mm in height when plotted at a scale of 1:5000 (use letter size sheet)

Certified correct this 9th day of March, 2011

*[Signature]*  
Adam Brash, BCLS

Areas		
Permanent	1.457 ha	3.600 ac
Temporary	0.914 ha	2.258 ac
<b>Total</b>	<b>2.371 ha</b>	<b>5.858 ac</b>

**FOCUS** Fort St. John  
10718-100th Ave.  
B.C. V1J 1Z3  
Focus Surveys P/L (250) 767-0300  
FCS Land Services Limited Partnership Fax (250) 767-1611  
www.focus.ca

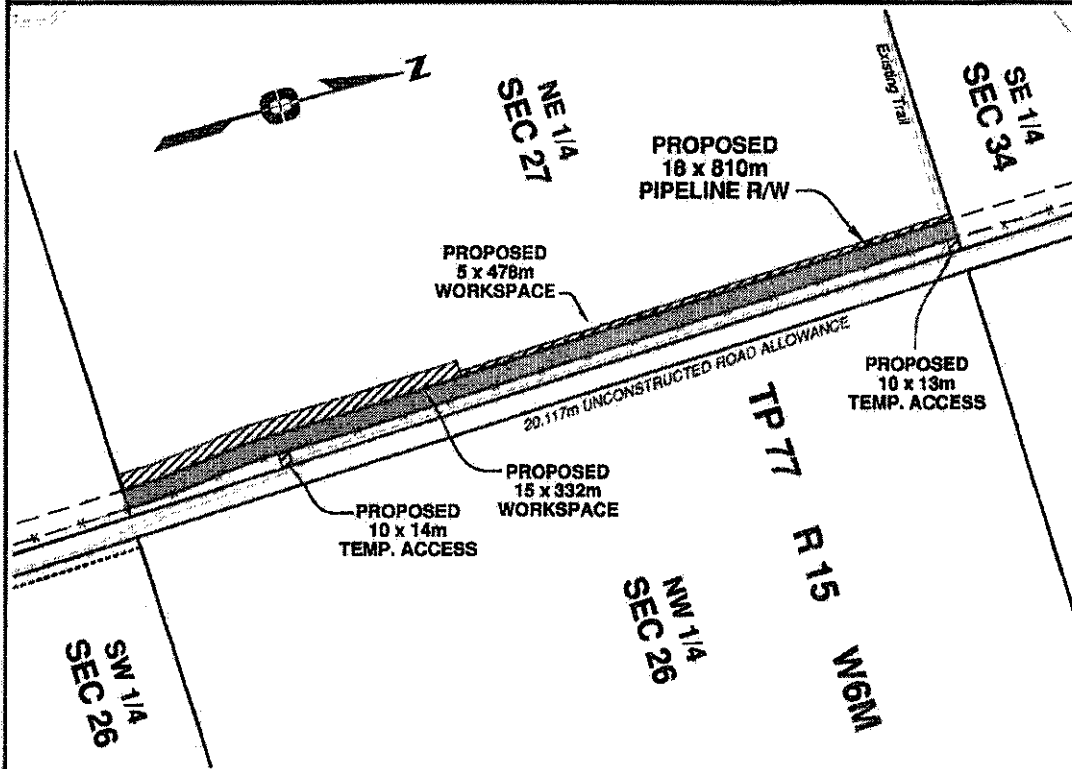
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Ref Dwg: 101147CP01R0  
Drafter: KG

**SCHEDULE "A"**

Page \_\_\_ of \_\_\_

Attached to and made part of this Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between  
 Lolselle Investments Ltd., Inc. No. 705654 (Grantor) and Encana Corporation (Grantee).

**INDIVIDUAL OWNERSHIP PLAN SHOWING  
 PROPOSED PIPELINE RIGHT OF WAY  
 WITHIN THE NORTH EAST 1/4 OF SECTION 27, TOWNSHIP 77, RANGE 15, W6M  
 PEACE RIVER DISTRICT  
 (Associated with Pipeline R/W from Wellsite 10-35-77-15 to Wellsite 12-23-77-15)**



Owner(s): Lolselle Investments Ltd.,  
 Inc. No. 705654

Title No: BW512284  
 Parcel Identifier: 014-288-109  
 Landowner File: S459593  
 EnCana File(s): S459591

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 9th day of March, 2011

*[Signature]*  
 Adam Bash, BCLS

Areas		
Permanent	1.457 ha	3.600 ac
Temporary	1.002 ha	2.476 ac
<b>Total</b>	<b>2.459 ha</b>	<b>6.087 ac</b>

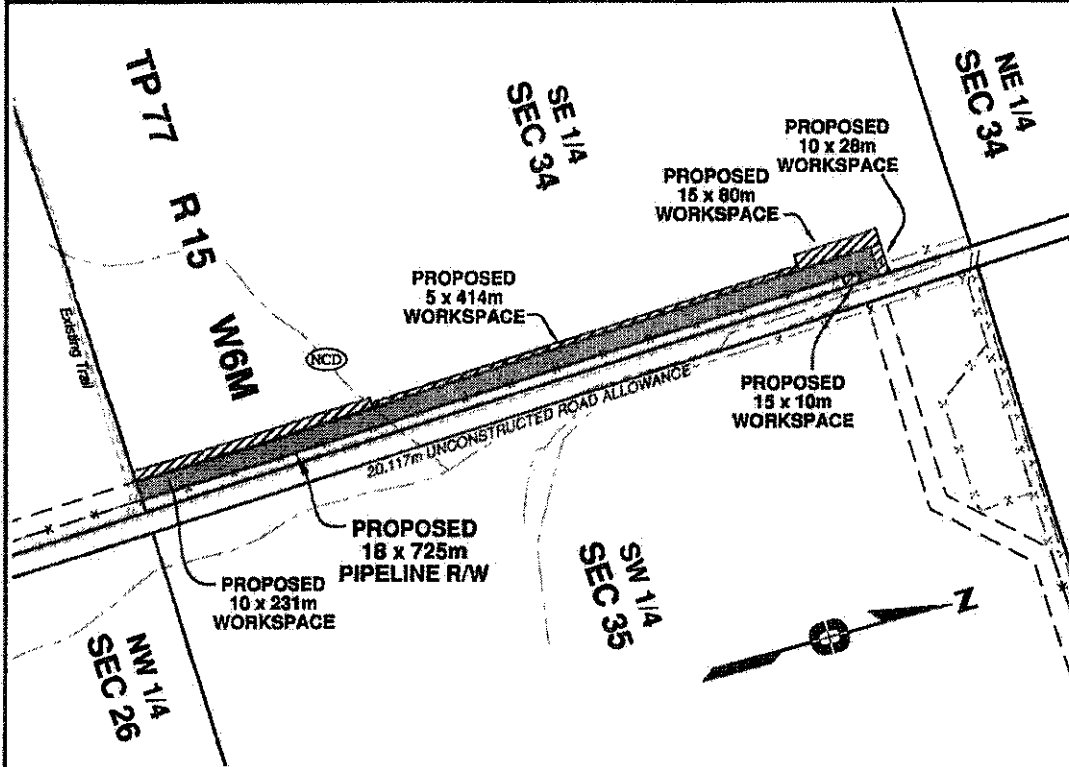
**FOCUS** Focus Surveys  
 Fort St. John 10716-100th Ave. BC, V1J 1Z3  
 Ph: (250)787-0300 Fax: (250)787-1611 www.focus.ca

Focus Job No: 101147NP05R0  
 Ref Dwg: 101147CP01R0  
 Drafter: KG

**SCHEDULE "A"**

Attached to and made part of this Agreement dated this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, between  
Loiselle Investments Ltd., Inc. No. 705654 (Grantor) and Encana Corporation (Grantee).

**INDIVIDUAL OWNERSHIP PLAN SHOWING  
PROPOSED PIPELINE RIGHT OF WAY  
WITHIN THE SOUTH EAST 1/4 OF SECTION 34, TOWNSHIP 77, RANGE 15, W6M  
PEACE RIVER DISTRICT  
(Associated with Pipeline R/W from Wellsite 10-35-77-15 to Wellsite 12-23-77-15)**



Owner(s): Loiselle Investments Ltd.,  
Inc. No. 705654

Title No: BW512286

Parcel Identifier: 014-288-214

Landowner File: S459593

EnCana File(s): S459591

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 9th day of March, 2011

*[Signature]*

Adam Brash, BCLS

Areas		
Permanent	1.307 ha	3.230 ac
Temporary	0.601 ha	1.485 ac
<b>Total</b>	<b>1.908 ha</b>	<b>4.715 ac</b>

<b>FOCUS</b> Focus Surveys <small>ICS Land Services Limited Partnership</small>	Fort St. John 10718-100th Ave. BC, V1J 1Z9 Ph. (250)787-0300 Fax (250)787-1031 www.focus.ca	Focus Job No: 101147NP04R0 Ref Dwg: 101147CP01R0 Drafter: KG
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## Appendix "B"

### Conditions for Right of Entry

1. Encana will notify the landowner prior to commencing construction of the flow line on the Lands.
2. Encana shall make all reasonable efforts to contain its operations to the areas indicated on the individual ownership plans, including but not limited to, the travel and movement of personnel, vehicles, equipment, unless otherwise approved by the landowner.
3. Following construction, Encana will leave the portions of the right-of-way that were previously forage or pasture land ready for seeding, and will otherwise make all reasonable efforts to ensure the right of way is left in a similar condition as the adjoining Lands.
4. Encana shall make a reasonable effort to prevent the entry and spread of weeds on the Lands caused by Encana's operations.
5. Should a spill, leak, break, rupture or failure occur in the flow line on the Lands, Encana, shall, as soon as reasonably possible, notify and inform the landowner of the location of the incident and advise the landowner of the measures being taken to contain, repair, and clean up the spill, leak, break, rupture or failure. Encana will be permitted immediate access to any of the landowner's surrounding Lands as necessary to contain, repair and clean up the spill, leak, break, rupture or failure.