

File No. 1803
Board Order No. 1803-1

May 17, 2013

SURFACE RIGHTS BOARD

IN THE MATTER OF THE PETROLEUM AND NATURAL GAS ACT,
R.S.B.C. 1996, C. 361 AS AMENDED

AND IN THE MATTER OF
THE NORTH WEST $\frac{1}{4}$ OF SECTION 33 TOWNSHIP 78 RANGE 17 WEST OF THE
6TH MERIDIAN PEACE RIVER DISTRICT

(The "Lands")

BETWEEN:

Encana Corporation

(APPLICANT)

AND:

Leslie Lancelot Dowd and
Perry Burl Piper

(RESPONDENTS)

BOARD ORDER

Encana Corporation (“Encana”) seeks a right of entry order to access certain lands legally owned by Lance Dowd and Perry Piper to carry out an approved oil and gas activity, namely to increase the size of an existing lease and to construct and operate additional wells. The Oil and Gas Commission (the “OGC”) has issued a permit for Encana’s project.

On May 16, 2013, I conducted a mediation attended by L. Dowd, P. Piper and K. Piper and E. Gowman for the landowners and J. Blanch and H. Berscht for Encana. During the mediation the parties discussed Encana’s application for a Right of Entry order, and they also discussed the possible terms and conditions.

After some discussion, the parties agreed to the nature of the order and to the terms and conditions.

The Board is satisfied that Encana requires the Right of Entry for an oil and gas activity, as this project involves expanding an existing lease to allow for immediate drilling of a water well and the future drilling of a number of gas wells.

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 and 4, **Encana Corporation** shall have the Right of Entry to and access across the portions of lands legally described as **THE NORTH WEST ¼ OF SECTION 33, TOWNSHIP 78, RANGE 17 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT** as shown on the individual ownership plan attached as Appendix “A” (the “Lands”) for the purpose of completing any necessary assessments the Oil and Gas Commission Well Permit requires and for the purpose of drilling, completing and operating a 28 well padsite.
2. **Encana Corporation’s** right of entry shall be subject to the terms and conditions attached as Appendix “B” to this right of entry Order.
3. **Encana Corporation** shall deliver to the Surface Rights Board security in the amount of \$10,000 by cheque made payable to the Minister of Finance. All or

part of the security deposit may be returned to Encana Corporation, or paid to the landowner, upon agreement of the parties or as ordered by the Board.

4. **Encana Corporation** shall pay to the landowners \$25,000 as partial payment for compensation.
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: May 17, 2013

FOR THE BOARD

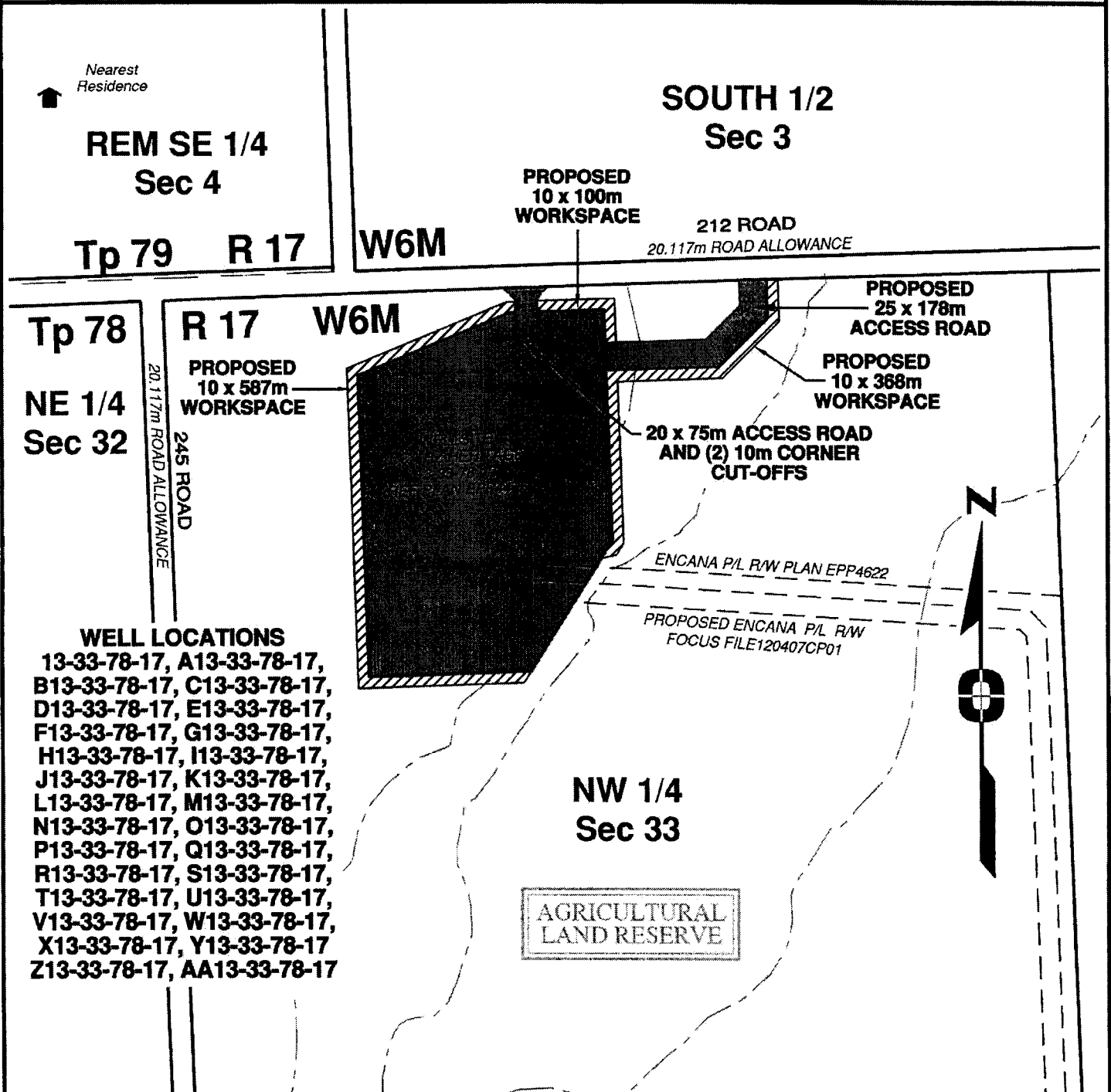


Rob Fraser, Mediator

SCHEDULE "A"

Attached to and made part of this Agreement dated this _____ day of _____, 20____, between
Perry Burl Piper and Leslie Lancelot Dowd (Lessor) and Encana Corporation (Lessee).

**INDIVIDUAL OWNERSHIP PLAN SHOWING
PROPOSED WELLSITE AND ACCESS ROAD WITHIN
NORTH WEST 1/4 SECTION 33 TOWNSHIP 78 RANGE 17 W6M
PEACE RIVER DISTRICT**



- WELL LOCATIONS**
 13-33-78-17, A13-33-78-17,
 B13-33-78-17, C13-33-78-17,
 D13-33-78-17, E13-33-78-17,
 F13-33-78-17, G13-33-78-17,
 H13-33-78-17, I13-33-78-17,
 J13-33-78-17, K13-33-78-17,
 L13-33-78-17, M13-33-78-17,
 N13-33-78-17, O13-33-78-17,
 P13-33-78-17, Q13-33-78-17,
 R13-33-78-17, S13-33-78-17,
 T13-33-78-17, U13-33-78-17,
 V13-33-78-17, W13-33-78-17,
 X13-33-78-17, Y13-33-78-17,
 Z13-33-78-17, AA13-33-78-17

Owner(s): Perry Burl Piper
Leslie Lancelot Dowd
 Title No: BB1286473
 Parcel Identifier: 014-393-891
 Landowner File: S463694
 EnCana File(s): S463694/S463780/S464180/S466916
S466917



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 28th day of September, 2012

Harald Riessner, BCLS

Area of Ref Plan EPP4475		
Permanent		2.87 ha / 7.09 ac
Temporary		0.00 ha / 0.00 ac
Remaining Area		
Permanent		4.09 ha / 10.11 ac
Temporary		1.06 ha / 2.62 ac
Total		8.02 ha / 19.82 ac

FOCUS
 FCS Land Services Limited Partnership
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Focus Job No: 120416NP01R1
 Ref Dwg: 120416WS01
 Drafter: AP

APPENDIX "B"
CONDITIONS FOR RIGHT OF ENTRY

1. **Encana Corporation** will fence the lease and install a gate at approximately the lease entrance.
2. **Encana Corporation** will notify the landowner prior to commencing construction, drilling and completion operations.
3. **Encana Corporation** will notify the landowner of any material changes to our activity on the Lands.