

February 6, 2014

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 NORTH WEST ¼ of SECTION 16, TOWNSHIP 80, RANGE 17, WEST OF
THE 6TH MERIDIAN, PEACE RIVER DISTRICT**

(The "Lands")

BETWEEN:

Encana Corporation

(APPLICANT)

AND:

Joseph Magusin and Juliette Louiseala Magusin

(RESPONDENTS)

BOARD ORDER

Encana Corporation ("Encana") applies pursuant to section 158 of the *Petroleum and Natural Gas Act* for mediation and arbitration and for a right of entry order to carry out an oil and gas activity on the Respondents' Lands, specifically the construction, operation and maintenance of a well site with multiple wells.

The Oil and Gas Commission ("OGC") has approved the location of the well site and has issued their permit for this project.

I conducted telephone mediation conference calls on January 22, 2014 and February 6, 2014 where the parties discussed the project and whether I should issue Encana a right of entry order.

I considered the submissions and found that there is no impediment preventing the Board from issuing the right of entry. Supported by the fact that the OGC has issued a permit for this project, the Board is satisfied that Encana requires the right of entry for the purposes of oil and gas activities.

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 2 and 3, Encana Corporation shall have the Right of Entry to and access across the portions of lands legally described as NW ¼ of Section 16, Township 80, Range 17, W6M, 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 multiple well pad site as permitted by the Oil and Gas Commission.
2. Encana Corporation shall deliver to the Surface Rights Board security in the amount of \$10,000.00 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 Respondents, upon agreement of the parties or as ordered by the Board.
3. Encana Corporation shall pay to the Respondents as partial payment for compensation the amount of \$15,000.00 representing a portion of the first year's initial payment.
4. 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: February 6, 2014

FOR THE BOARD



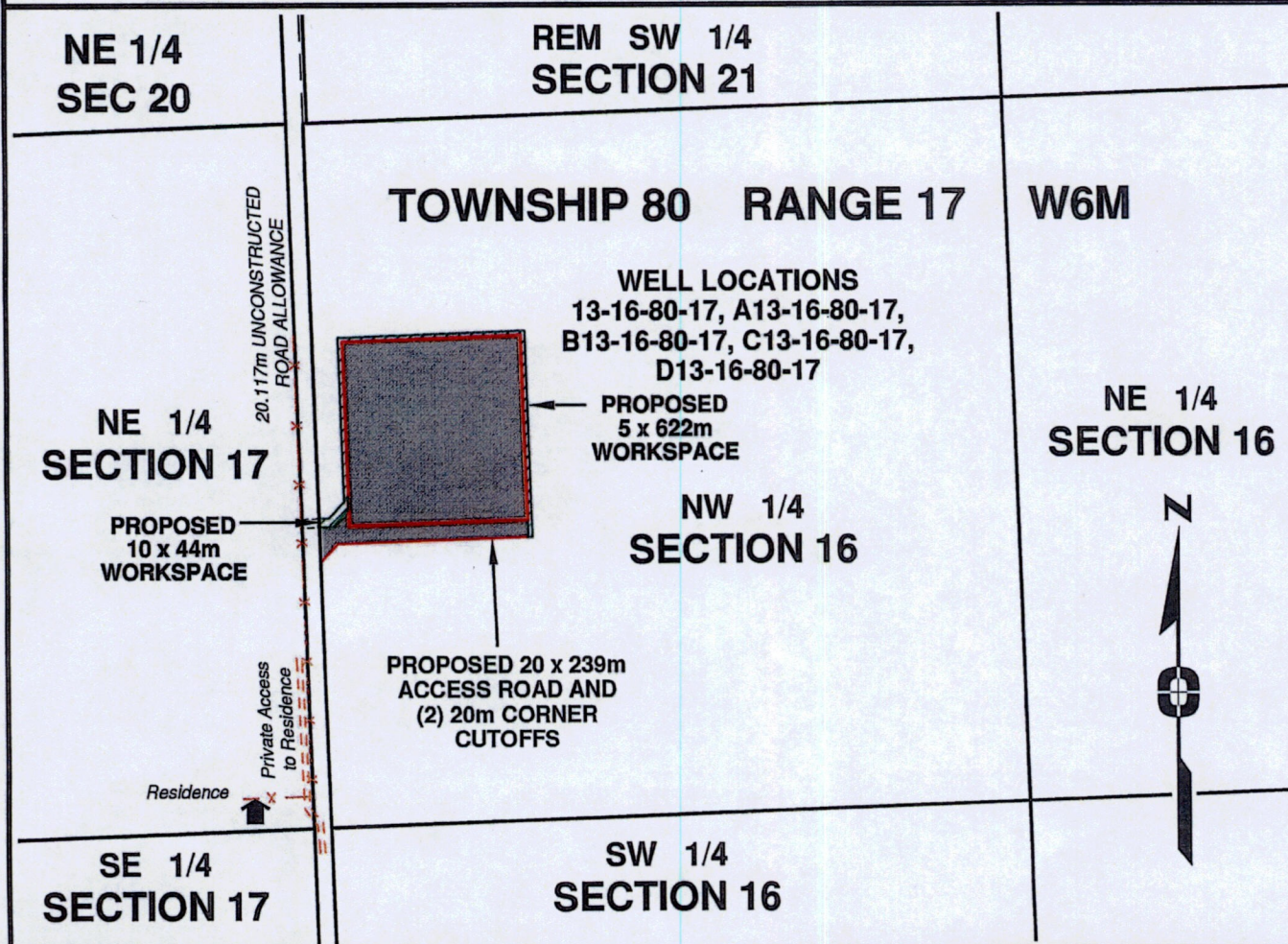
Simmi K. Sandhu, Mediator

SCHEDULE "A"

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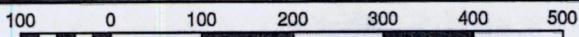
Attached to and made part of this Agreement dated this ___ day of _____, 20___, between Joseph Magusin and Juliette Louiseala Magusin (Lessor) and Encana Corporation (Lessee).

**INDIVIDUAL OWNERSHIP PLAN SHOWING
PROPOSED WELLSITE AND ACCESS WITHIN
THE NORTH WEST 1/4 OF SECTION 16 TOWNSHIP 80 RANGE 17 W6M
PEACE RIVER DISTRICT**



Owner(s): Joseph Magusin
Juliette Louiseala Magusin

Title No: PC36190
Parcel Identifier: 014-521-881
Landowner File: S463092
EnCana File(s): S463092, S463439,
S463440, S463441,
S463442



The intended plot size of this plan is 216mm in width by 280mm in height when plotted at a scale of 1: 7500 (use letter size sheet)

Certified correct this 28th day of February, 2011

Adam Brash, BCLS

Areas		
Permanent		4.80 ha 11.86 ac
Temporary		0.36 ha 0.89 ac
Total		5.16 ha 12.75 ac

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Focus Job No: 110018NP01R0
Ref Dwg: 110018WS01R0
Drafter: DG