

File No. 1840
Board Order No. 1840-1

November 19, 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 SOUTH EAST ¼ OF SECTION 31 TOWNSHIP 78 RANGE 16 WEST OF
THE 6TH MERIDIAN PEACE RIVER DISTRICT
(The "Lands")**

BETWEEN:

Encana Corporation

(APPLICANT)

AND:

**Wilhelmina Lumnitzer and
Fred Ralph Lumnitzer**

(RESPONDENTS)

BOARD ORDER

I conducted telephone mediation conference calls on September 11, 2014 and November 11, 2014.

Encana Corporation seeks right of entry over the Lands owned by Wilhelmina Lumnitzer and Fred Lumnitzer to construct, operate and maintain flow lines. The Oil and Gas Commission has issued a permit authorizing the construction of the flow lines.

I am satisfied that Encana Corporation requires access to the Lands for an approved oil and gas activity. The parties have not agreed on the compensation payable to Wilhelmina Lumnitzer and Fred Lumnitzer; an order for partial compensation is made below.

THE SURFACE RIGHTS BOARD ORDERS:

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 SOUTH EAST ¼ OF SECTION 31 TOWNSHIP 78 RANGE 16 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT as shown on the individual ownership plan attached as Appendix "A" (the "Lands")

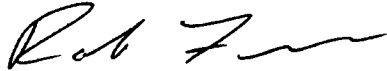
to carry out an approved oil and gas activity, namely the construction, operation, and maintenance of multiple flow lines and associated works.

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 \$2,500.00 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 landowner, upon agreement of the parties or as ordered by the Board.
4. **Encana Corporation** shall pay to the landowner as partial payment for compensation the amount of \$16,300.00 representing the first year's initial payment.

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: November 19, 2014

FOR THE BOARD

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

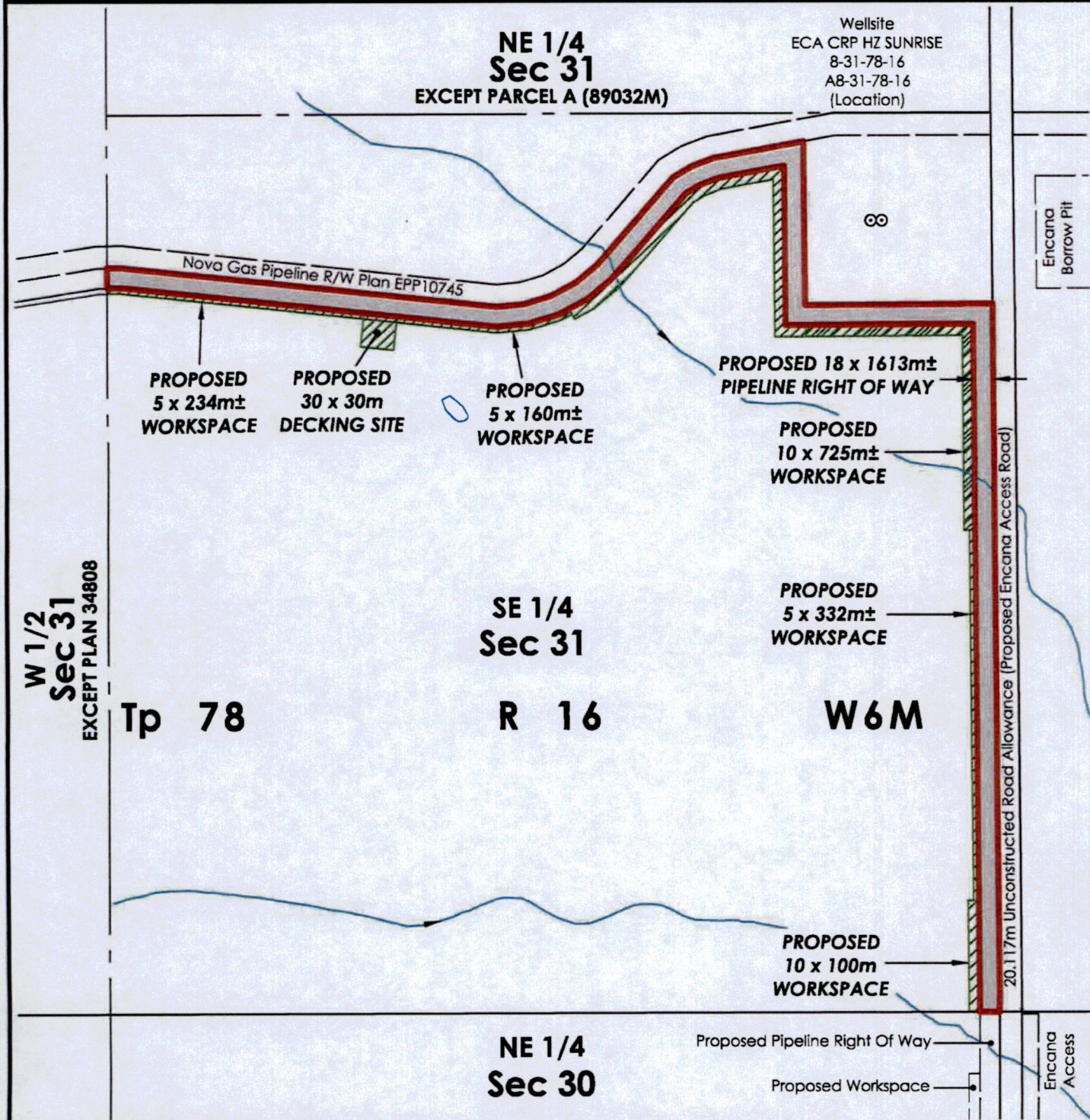
Rob Fraser, Mediator

Schedule "A"

Attached to and made part of this Agreement dated this ___ day of ___, 20___, between
Wilhelmina Lumnitzer & Fred Ralph Lumnitzer (Lessor) and Encana Corporation (Lessee).

**ENCANA CORPORATION
 INDIVIDUAL OWNERSHIP PLAN
 SHOWING PROPOSED
 18m PIPELINE R/W, WORKSPACES & DECKING SITE IN
 SE 1/4 Sec 31, Tp 78, R 16, W6M
 PEACE RIVER DISTRICT**

(Associated with Pipeline R/W from Wellsite 5-29-78-16 to Facility Site 16-36-78-17)



TITLE No.: BB1135647 **P.I.D. No.:** 014-328-950
OWNER(S): WILHELMINA LUMNITZER
 FRED RALPH LUMNITZER

LEGEND

SCALE = 1: 5,000
 Permanent Portions referred to: [Red outline]
 Temporary Portions referred to: [Hatched outline]
 Notes: Distances shown are in metres.

Permanent	[Red outline]	2.90 ha	7.17 ac
Temporary	[Hatched outline]	1.28 ha	3.16 ac
TOTAL:		4.18 ha	10.33 ac

Certified correct this
 16th day of December, 2013

Chris R. Sakundiak
 Chris R. Sakundiak, BCLS

NO	DATE	REVISION	DRN	CKD
0	13/07/23	Original plan issued	AB	CS
1	13/12/13	Extended Pipeline R/W	RC	CS

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CAN-AM FILE: J20130398
 CAD FILE: J20130398IOP5-1
 Client File No.: S468103
 AFE No.: 14173031
 Land File No.: []

1	REVISION
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Appendix "B"

Conditions for Right of Entry

1. **Encana Corporation** must notify the landowner forty-eight (48) hours prior to entry onto the said lands.