

**File No. 1846**  
**Board Order No. 1846-1**

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**November 20, 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 WEST ¼ SECTION 27 TOWNSHIP 79 RANGE 17 WEST OF THE  
SIXTH MERIDIAN PEACE RIVER DISTRICT  
(The "Lands")**

**BETWEEN:**

**Encana Corporation**

**(APPLICANT)**

**AND:**

**John Clark Grusing and  
Haida Marianne Biro**

**(RESPONDENTS)**

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**BOARD ORDER**

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Encana Corporation ("Encana") seeks a right of entry order to access certain lands legally owned by John Clark Grusing and Haida Marianne Biro to carry out an approved oil and gas activity, namely the construction, operation and maintenance of flow lines and associated works. The total project is 2.073 acres, with 1.003 acres of temporary workspace and 1.07 acres of right of way.

The Oil and Gas Commission has issued a permit for this project.

On November 19, 2014, I conducted a telephone mediation attended by the Applicant's representatives and the Respondents. They discussed the proposed right of entry order and compensation. At the end of the discussion, the Landowners said they find the compensation for the pipeline project reasonable and they agree with the contents of the proposed order. However, final compensation is not resolved and remains an open issue due to uncertainties regarding the installation of residential hydro and any impacts of this project on the Respondent's costs.

Encana says it requires access to the Lands as part of a larger oil and gas project. I am satisfied that they require the Lands for an approved oil and gas activity, supported by the fact the Oil and Gas Commission has issued a permit for this project.


#### 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 WEST ¼ OF SECTION 27 TOWNSHIP 79 RANGE 17 WEST OF THE SIXTH 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 landowners as partial payment for compensation the amount of \$3,700.00 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 20, 2014

FOR THE BOARD

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

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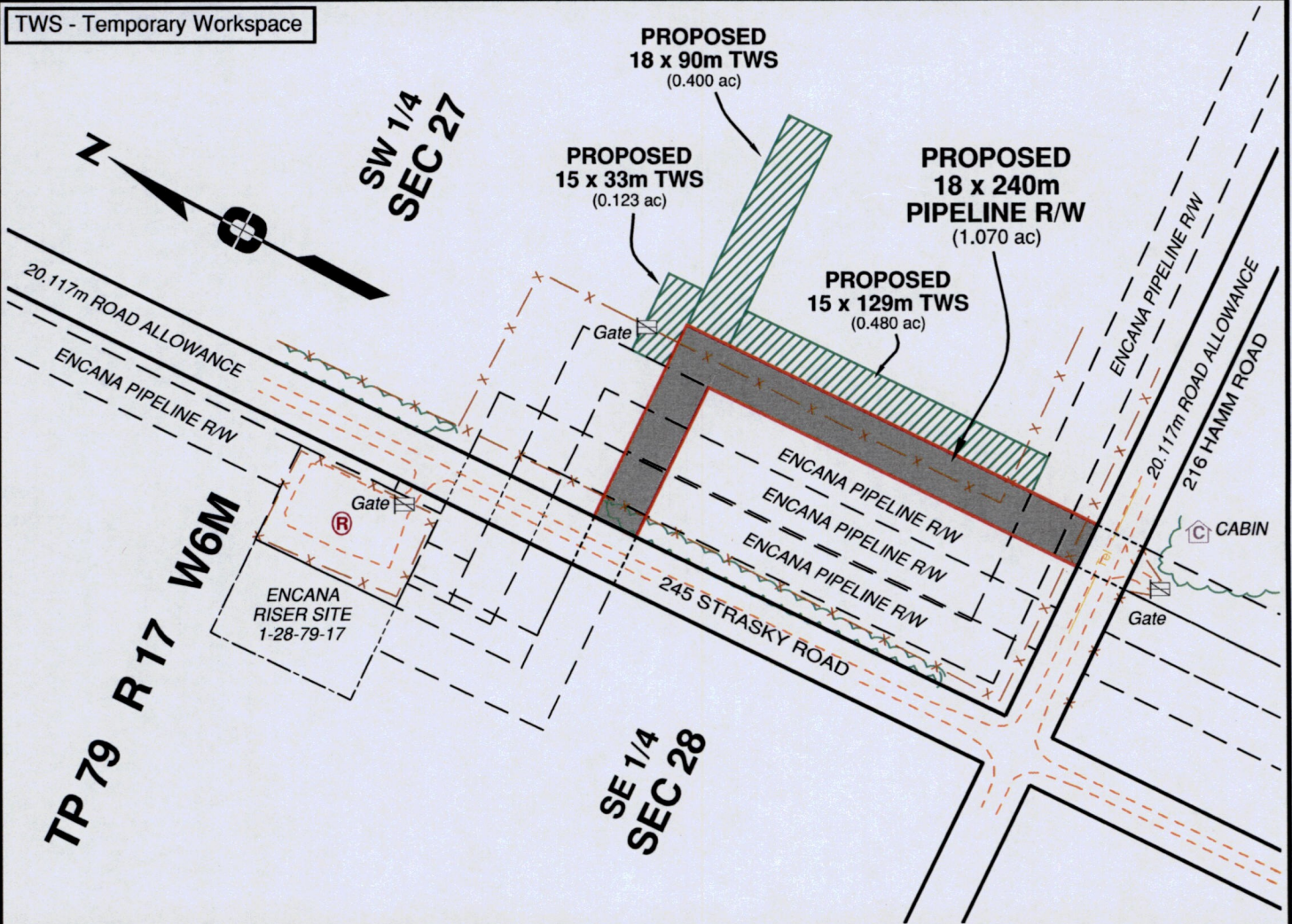
Rob Fraser, Mediator

# SCHEDULE "A"

Attached to and made part of this Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between John Clark Grusing and Haida Marianne Biro (Grantor) and Encana Corporation (Grantee).

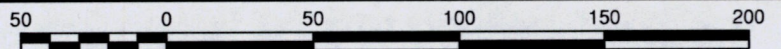
**INDIVIDUAL OWNERSHIP PLAN SHOWING  
PROPOSED PIPELINE RIGHT OF WAY WITHIN  
THE SOUTH WEST 1/4 OF SECTION 27, TOWNSHIP 79, RANGE 17, W6M  
PEACE RIVER DISTRICT  
(Associated with Pipeline R/W from Wellsite 4-22-79-17 to Riser Site 1-28-79-17)**

TWS - Temporary Workspace



Owner(s): John Clark Grusing  
Haida Marianne Biro

Title No: CA3673641  
Parcel Identifier: 007-498-608  
Landowner File: S467835  
EnCana File(s): S458875



The intended plot size of this plan is 216mm in width by 280mm in height when plotted at a scale of 1: 2500 (use letter size sheet)

Certified correct this 7th day of October, 2014

Darrin B.C. Connatty, BCLS

Areas			
Permanent		0.433 ha	1.070 ac
Temporary		0.406 ha	1.003 ac
<b>Total</b>		<b>0.839 ha</b>	<b>2.073 ac</b>

**FOCUS**  
Focus Surveys (BC) Limited Partnership  
10716 - 100th Avenue Fort St John BC  
V1J 1Z3 250.787.0300 www.focus.ca

Focus Job No: 100959NP03R1  
Ref Dwg: 100959CP01R3  
Drafter: KG

## 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.