

**File No. 1863**  
**Board Order No. 1863-2**

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**August 14, 2015**

**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 29 TOWNSHIP 79 RANGE 17  
WEST OF THE 6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT  
(the "Lands")**

**BETWEEN:**

**Encana Corporation**

**(APPLICANT)**

**AND:**

**Olaf Anton Jorgensen**

**(RESPONDENT)**

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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 Olaf Anton Jorgensen to carry out an approved oil and gas activity, namely to construct and operate a multiple pipeline project within a right of way located on the Lands.

The Board issued Order 1863-1, allowing Encana limited access to carry out soil testing and satisfy permit conditions in advance of starting construction.

The Board attempted to schedule a telephone mediation conference to discuss the right of entry and compensation, but was not successful for a variety of reasons. The Board attempted to balance the interests of the Landowners who had work commitments and Encana who have construction deadlines, and sought and received submissions relating to the Board considering issuing a permanent right of entry order without convening a conference call.

I considered the submissions, found the Landowners have had a sufficient opportunity to review the application, review a draft of the right of entry order, seek advice, and provide reasons why the Board should not proceed with the order. I found appropriate in the circumstances of this application to consider issuing the permanent right of entry order.

Under the provisions of the *Petroleum and Natural Gas Act*, the Board may grant a right of entry order to privately owned land if it is satisfied that an order authorizing entry is required for an oil and gas activity. The Board is satisfied that Encana requires entry to the Lands for an approved oil and gas activity, namely completing the project authorized by the Oil and Gas Commission’s Permit 9708141.

This order gives Encana a permanent right of entry to complete their project on the Lands.

**ORDER:**

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 29 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 landowner as partial payment for initial consideration the amount of \$4,260.00 representing the first year's initial payment and pre-paid damages.
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 August 14, 2015

FOR THE BOARD

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

Rob Fraser, Mediator



**SCHEDULE "A"**

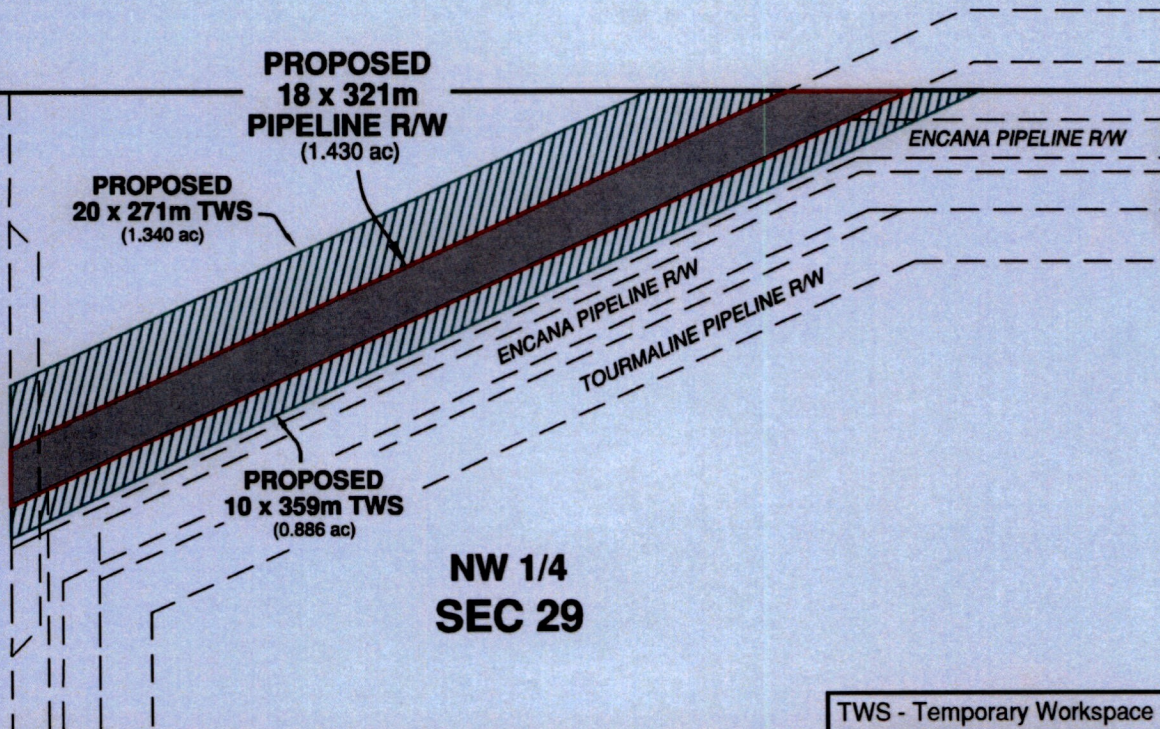
Page \_\_\_ of \_\_\_

Attached to and made part of this Agreement dated this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, between  
Olaf Anton Jorgensen (Grantor) and Encana Corporation (Grantee).

**INDIVIDUAL OWNERSHIP PLAN SHOWING  
PROPOSED PIPELINE RIGHT OF WAY AND ANCILLARY SITES WITHIN THE  
NORTH WEST 1/4 OF SECTION 29, TOWNSHIP 79, RANGE 17, W6M  
PEACE RIVER DISTRICT**

(Associated with Pipeline R/W from Wellsite 13-29-79-17 to Compressor Site 15-27-79-17)

**TP 79 R 17 W6M  
SW 1/4  
SEC 32**



**WELLSITE**  
ECA HZ SUNRISE  
13-29-79-17  
A13-29-79-17  
B13-29-79-17

TWS - Temporary Workspace

**Owner(s):** Olaf Anton Jorgensen

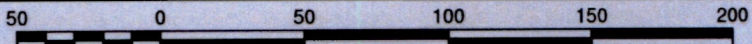
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**Title No:** PP29096

**Parcel Identifier:** 014-486-113

**Landowner File:** S467442

**Encana File(s):** S467442



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 20th day of March, 2014

*B. K. Doherty*

B.K. Doherty, BCLS

Areas			
Permanent		0.579 ha	1.430 ac
Temporary		0.901 ha	2.226 ac
<b>Total</b>		<b>1.480 ha</b>	<b>3.656 ac</b>

**FOCUS**  
FCS Land Services Limited Partnership  
10716 - 100th Avenue Fort St John BC  
V1J 1Z3 250.787.0300 www.focus.ca

**Focus Job No:** 130084NP01R1  
**Ref Dwg:** 130084CP01R2  
**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.