

File No. 1917
Board Order No. 1917-1amd

October 26, 2017

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 $\frac{1}{4}$ OF SECTION 34 TOWNSHIP 79 RANGE 17
WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT
(the "Lands")

BETWEEN:

Encana Corporation

(Applicant)

AND:

Tailwind Properties Ltd.
Rodney and Kim Strasky

(Respondents)

BOARD ORDER

This Order amends Order 1917-1 to add the following Oil and Gas Commission Well Authorization Nos. to the end of Paragraph 1: 34355, 34356, 34357, 34358, 34359, 34360, 34361, 34362, and 34363. The content and schedule to Order 1917-1 otherwise remain the same.

On November 15, 2016, I conducted a telephone conference call, attended by representatives of Encana and the Landowner, to discuss Encana's application for the Board's mediation and arbitration processes.

Encana has approval from the Oil and Gas Commission to construct a project on the Lands. They applied to the Board as they could not reach an agreement with the Landowner regarding access or compensation.

The parties have reached agreement on the wording of a consent right of entry order. They disagree on the amount of first year compensation and annual compensation. Regarding the amount of partial payment, the parties could not agree, asking me to set the amount.

By consent, the Board orders:

1. Upon payment of the amounts set out in paragraphs 3 and 4, **Encana Corporation** shall have the right to enter and access the portions of lands, legally described as **THE NORTH WEST ¼ OF SECTION 34 TOWNSHIP 79 RANGE 17 WEST OF THE SIXTH MERIDIAN PEACE RIVER DISTRICT**, shown outlined and delineated on the individual ownership plan attached as Schedule "A" (the "**Lands**") for the purpose of constructing, drilling, completing, operating, abandoning and reclaiming a multi-well padsite in accordance with Oil and Gas Commission Well Authorization Nos. 31949, 31950, 31951, 31952, 31953, 31954, 31955, 31956, 34355, 34356, 34357, 34358, 34359, 34360, 34361, 34362, and 34363
2. **Encana Corporation's** right of entry shall be subject to the terms and conditions attached as Schedule "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 the amount of \$30,860.00 on account of rent or compensation payable for the right of entry order.

5. Nothing in this right of entry order operates as a consent, permission, approval, or authorization of a matter within the jurisdiction of the Oil and Gas Commission.

Original Order Dated: November 22, 2016

Amended Order Dated: October 26, 2017

FOR THE BOARD

A handwritten signature in black ink, appearing to read "Rob Fraser", with a stylized flourish at the end.

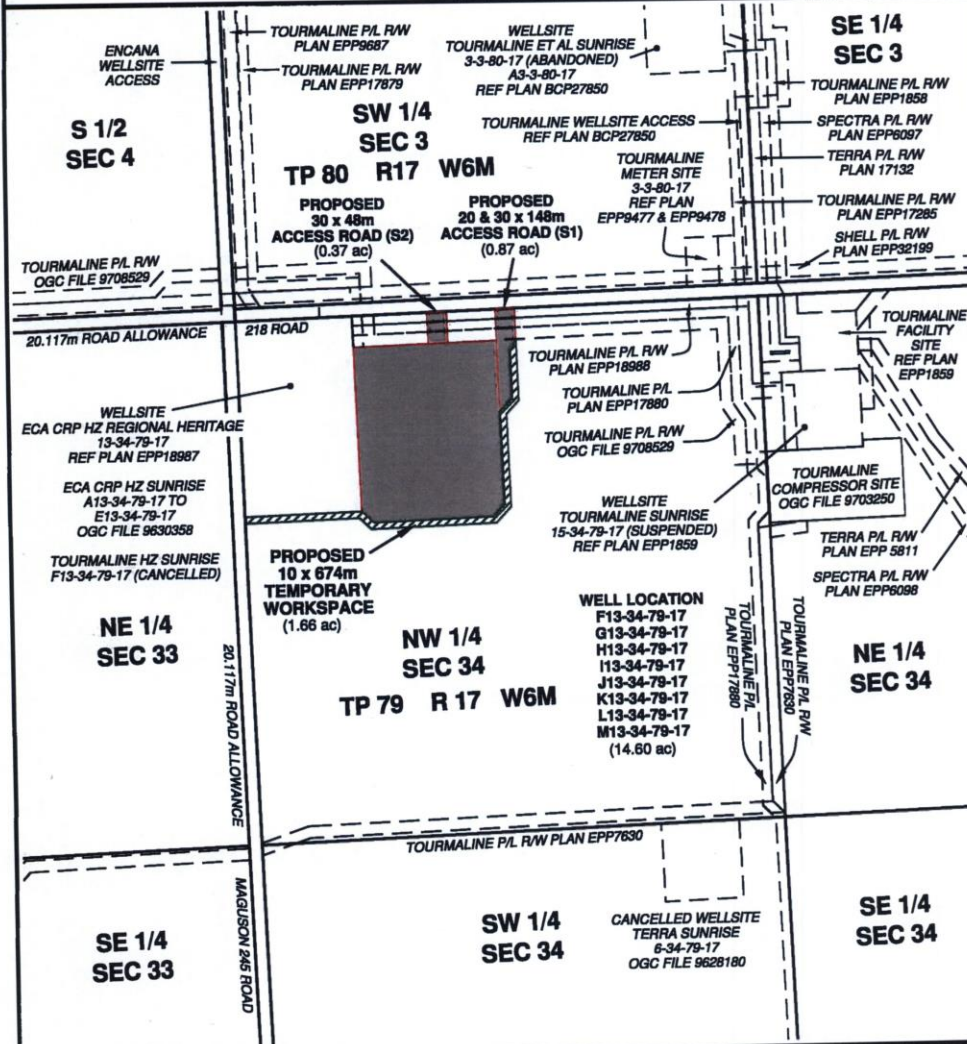
Rob Fraser, Mediator

SCHEDULE "A"

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Attached to and made part of this Agreement dated this day of , 20 , between
Tailwind Properties Ltd., Inc. No. BC0520501 (Lessor) and Encana Corporation (Lessee).

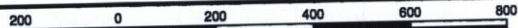
INDIVIDUAL OWNERSHIP PLAN SHOWING PROPOSED WELL LOCATION, ACCESS ROADS AND TEMPORARY WORKSPACE WITHIN THE NORTH WEST 1/4 OF SECTION 34 TOWNSHIP 79 RANGE 17 W6M PEACE RIVER DISTRICT



Owner(s): Tailwind Properties Ltd.,
Inc. No. BC0520501

Title No: CA3739877
Parcel Identifier: 014-521-865
Landowner File: S468860
Encana File(s): S468860, S468991, S468992,
S468993, S468994, S468995,
S470182, S470183

Areas		
Permanent	6.41 ha	15.84 ac
Temporary	0.87 ha	1.85 ac
Total	7.08 ha	17.49 ac



The intended plot size of this plan is 216mm in width by 356mm in height when plotted at a scale of 1: 10,000 (use legal size sheet)

Certified correct this 29th day of July, 2015

Tyler Mikkelsen
Tyler Mikkelsen, BCLS



WSP Surveys (BC)
Limited Partnership
Fort St John BC
(250) 787-0300

WSP File: 140298NP01R0
Ref Dwg: 140298WS01R0
Drafted by: TMC

Schedule "B"

Conditions for Right of Entry

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