

**File No. 1984  
Board Order No. 1984-1  
September 12, 2018**

**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  $\frac{1}{4}$  OF SECTION 3 TOWNSHIP 80 RANGE 17 WEST OF THE  
SIXTH MERIDIAN PEACE RIVER DISTRICT

THE SOUTH  $\frac{1}{2}$  OF SECTION 4 TOWNSHIP 80 RANGE 17 WEST OF THE SIXTH  
MERIDIAN PEACE RIVER DISTRICT

(The "Lands")

BETWEEN:

ENCANA CORPORATION

(APPLICANT)

AND:

RODNEY ALLEN STRASKY and KIM LORI STRASKY

(RESPONDENTS)

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**BOARD ORDER**

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Encana Corporation (“Encana”) seeks a right of order to access certain lands legally owned by Rodney Allen Strasky and Kim Lori Strasky to carry out an approved oil and gas activity, namely the construction, operation and maintenance of flowlines and associated infrastructure.

On September 11, 2018, I convened a telephone mediation to discuss the issues of access and compensation.

Mr. Strasky raised concerns regarding temporary work space, that is not included in the permit issued by the OGC. The Board is satisfied that it has the jurisdiction to issue a right of entry order for an “oil and gas activity” which includes the construction of a pipeline. I am satisfied that the temporary work space is required for the construction of the pipeline and is therefore part of an “oil and gas activity”.

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.

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 SOUTH WEST ¼ OF SECTION 3 TOWNSHIP 80 RANGE 17 WEST OF THE SIXTH MERIDIAN PEACE RIVER DISTRICT and THE SOUTH ½ OF SECTION 4 TOWNSHIP 80 RANGE 17 WEST OF THE SIXTH MERIDIAN PEACE RIVER DISTRICT, as shown outlined on the individual ownership plan(s) attached as Appendix "A" (the "**Lands**") for the purpose of carrying out an approved oil and gas activity, namely the construction, operation, and maintenance of multiple flow lines and associated works in accordance with Oil and Gas Commission Authorization No. 100101579.
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 \$82,000.00 representing the first year's initial payment and prepaid 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.

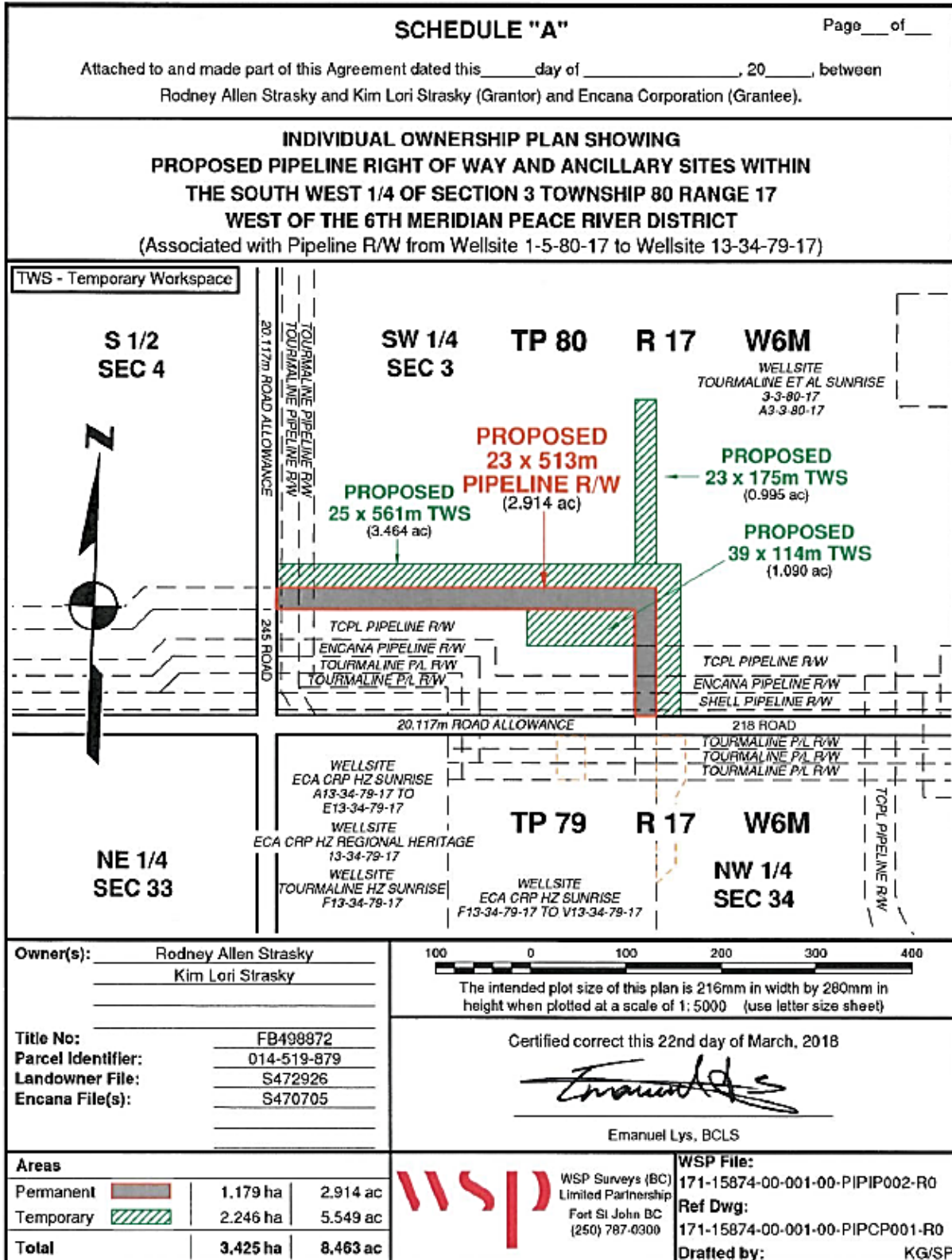
Dated this 12<sup>th</sup> day of September 2018.

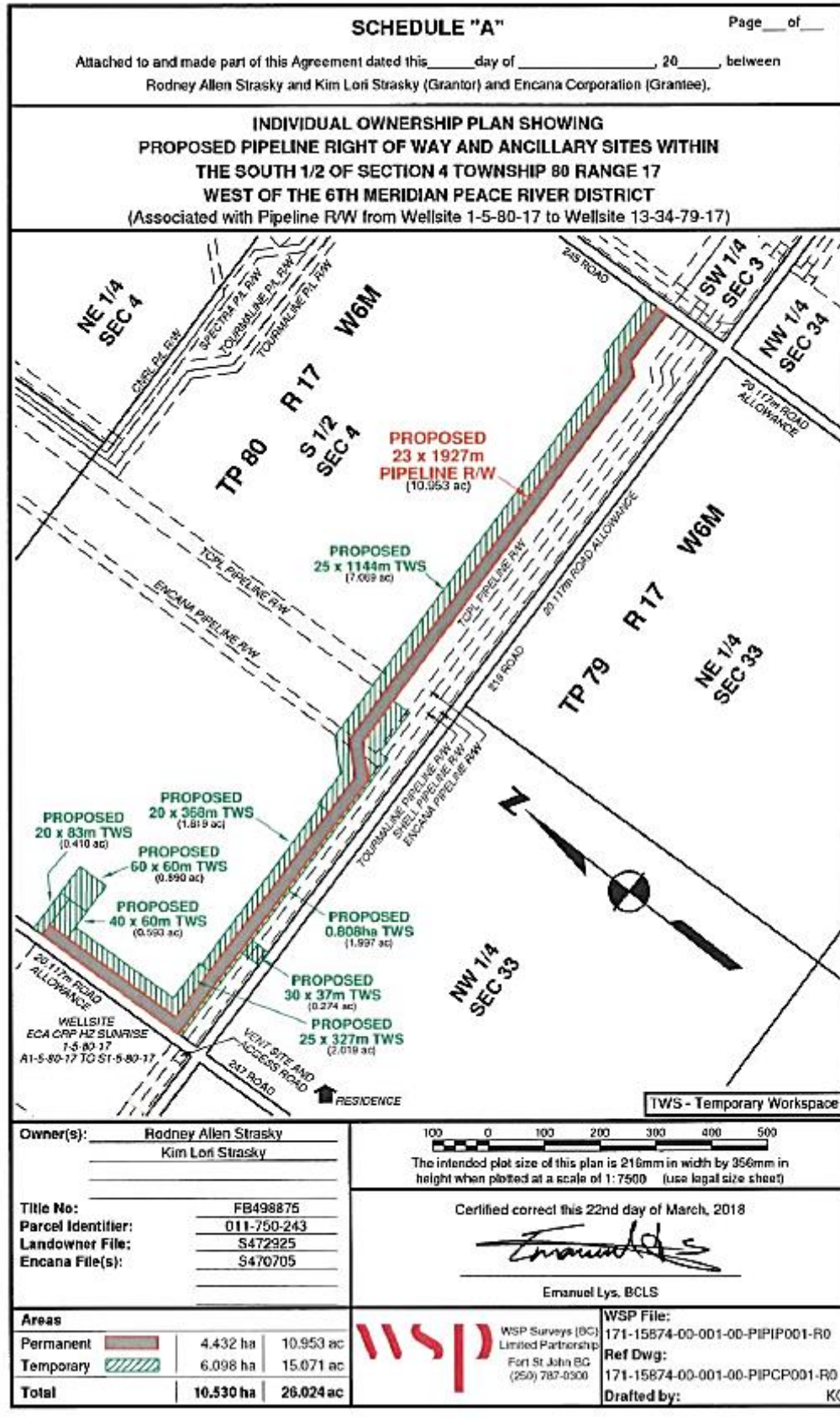
FOR THE BOARD

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

Rob Fraser, Mediator

**Appendix "A"**





**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.