

**File No. 1985
Board Order No. 1985-1
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 NORTH WEST $\frac{1}{4}$ OF SECTION 34 TOWNSHIP 79 RANGE 17 WEST OF THE
SIXTH MERIDIAN PEACE RIVER DISTRICT

(The "Lands")

BETWEEN:

ENCANA CORPORATION

(APPLICANT)

AND:

TAILWIND PROPERTIES LTD.

(RESPONDENT)

BOARD ORDER

Encana Corporation ("Encana") seeks a right of order to access certain lands legally owned by Tailwinds Property Ltd. 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.

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 NORTH WEST ¼ OF SECTION 34 TOWNSHIP 79 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 \$1,200.00 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 12th day of September 2018.

FOR THE BOARD

A handwritten signature in black ink, appearing to read "Rob Fraser". The signature is fluid and cursive, with the first name "Rob" being more distinct than the last name "Fraser".

Rob Fraser, Mediator

Appendix "A"

SCHEDULE "A"		Page ____ of ____												
<p>Attached to and made part of this Agreement dated this _____ day of _____, 20____, between Tailwind Properties Ltd., Inc.No. BC0520501 (Grantor) and Encana Corporation (Grantee).</p>														
<p>INDIVIDUAL OWNERSHIP PLAN SHOWING PROPOSED PIPELINE RIGHT OF WAY WITHIN THE NORTH WEST 1/4 OF SECTION 34 TOWNSHIP 79 RANGE 17 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT (Associated with Pipeline R/W from Wellsite 1-5-80-17 to Wellsite 13-34-79-17)</p>														
<p>Owner(s): Tailwind Properties Ltd., Inc.No. BC0520501</p>		<p>100 0 100 200 300 400</p> <p>The intended plot size of this plan is 216mm in width by 280mm in height when plotted at a scale of 1: 5000 (use letter size sheet)</p>												
<p>Title No: CA3739877 Parcel Identifier: 014-521-865 Landowner File: S472327 Encana File(s): S470705</p>		<p>Certified correct this 22nd day of March, 2018</p> <p><i>Emanuel Lys</i></p> <p>Emanuel Lys, BCLS</p>												
<p>Areas</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Permanent</td> <td></td> <td>0.110 ha</td> <td>0.273 ac</td> </tr> <tr> <td>Temporary</td> <td></td> <td>0.000 ha</td> <td>0.000 ac</td> </tr> <tr> <td>Total</td> <td></td> <td>0.110 ha</td> <td>0.273 ac</td> </tr> </table>		Permanent		0.110 ha	0.273 ac	Temporary		0.000 ha	0.000 ac	Total		0.110 ha	0.273 ac	<p>WSP File: 171-15874-00-001-00-PIPIP003-R0 Ref Dwg: 171-15874-00-001-00-PIPCP001-R0 Drafted by: KG</p>
Permanent		0.110 ha	0.273 ac											
Temporary		0.000 ha	0.000 ac											
Total		0.110 ha	0.273 ac											

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.