

File No. 1652
Board Order # 1652-1amd

December 1, 2016

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 EAST $\frac{1}{4}$ OF SECTION 16, TOWNSHIP 23, PEACE RIVER DISTRICT
(The "Lands")

BETWEEN:

Encana Corporation

(APPLICANT)

AND:

Burnem Grant and Gertrude Grant

(RESPONDENTS)

BOARD ORDER

This Order amends the cover page of Order 1652-1 to set out the correct legal description. The content and schedule to Order 1652-1 remain the same and are set out in full below.

Heard by telephone conference: August 20 and 24, 2010

Mediator: Cheryl Vickers

Appearances: Jasone Blazevic, Bruce White, and Rod Kronlachner, for the Applicant, Encana Corporation

Burnem Grant, for the Respondents Burnem and Gertrude Grant

The Applicant requires access to the Lands for the purpose of construction, installation and operation of a flowline as shown on the attached plan (Appendix A). The Applicant has received a pipeline permit for the flowline from the Oil and Gas Commission. The Respondents do not oppose the flowline and agree to the amount of compensation for the right of entry, exclusive of any damages, but are not willing to sign a Right of Way Agreement expressing concerns about the landowners' loss of control over surface management of land and the priority of regulatory requirements that do not address landowners' concerns. The Respondents, while not willing to sign a Right of Way Agreement, consent to the Board making a Right of Entry Order so that the project may proceed.

BY CONSENT the Mediation and Arbitration Board orders:

1. Upon payment of the amounts set out in paragraph 2 and 3, the Applicant shall have the right of entry to and access across the portion of the Lands shown in Schedule "A" for the purpose of constructing, installing and operating a flow line.
2. The Applicant shall pay to the Respondents as payment for compensation payable for entry to and use of the Lands the amount of \$6,315.00.
3. The Applicant shall pay to the Respondents the sum of \$500.00 for costs.

4. The Applicant shall serve the Respondents with a copy of this Order prior to entry on the Lands either by way of personal service or by registered mail.
5. Nothing in this order operates as consent, permission, approval or authorization of matters within the jurisdiction of the Oil and Gas Commission.

Original Order Dated: August 24, 2010

Amended Order Dated: December 1, 2016

FOR THE BOARD



Cheryl Vickers
Chair