

File No. 1694  
Board Order 1694-2

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January 31, 2011

**SURFACE RIGHTS BOARD**

IN THE MATTER OF THE PETROLEUM AND NATURAL GAS  
ACT, R.S.B.C. AS AMENDED

AND IN THE MATTER OF

NE ¼ of Section 10, Township 78, Range 16, W6M, Peace River District

(The "Lands")

BETWEEN:

SPECTRA ENERGY MIDSTREAM CORPORATION

(APPLICANT)

AND:

JAMES NELSON LONDON AND KEIR MARIE LONDON

(RESPONDENTS)

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**BOARD ORDER**

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Mediator: Rob Fraser

Spectra Energy Midstream Corporation ("Spectra") seeks to amend the right of entry order made December 23, 2010. Spectra requires additional temporary workspace on the Lands to construct the flowline. Construction of the flowline on the Lands is scheduled to commence February 2, 2011. I am satisfied that the entry order of December 23, 2010 should be amended to authorize entry to the required temporary workspace.

I am advised that the payments required by the Board's Order of December 23, 2010 have been made. The order below requires an additional payment to the landowner for partial compensation.

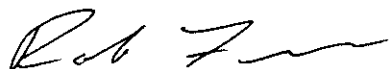
**ORDER**

Pursuant to section 159 of the *Petroleum and Natural Gas Act*, the Board orders as follows:

1. Upon payment of the amounts set out in paragraph 2, the Applicant shall have the right of entry to and access across the portion of the Lands shown on the Individual Ownership Plan attached as Appendix "A" for the purpose of constructing, operating, and maintaining a flow line. The Applicant's right of entry shall be subject to the terms and conditions attached as Appendix "B" to this right of entry order.
2. The Applicant shall pay to the Respondents as partial payment for compensation the amount of \$900.00. This payment is additional to the payment required in paragraph 3 of the Board's order of December 23, 2010.
3. Nothing in this order operates as a consent, permission, approval, or authorization of matters within the jurisdiction of the Oil and Gas Commission.

Dated: January 31, 2011

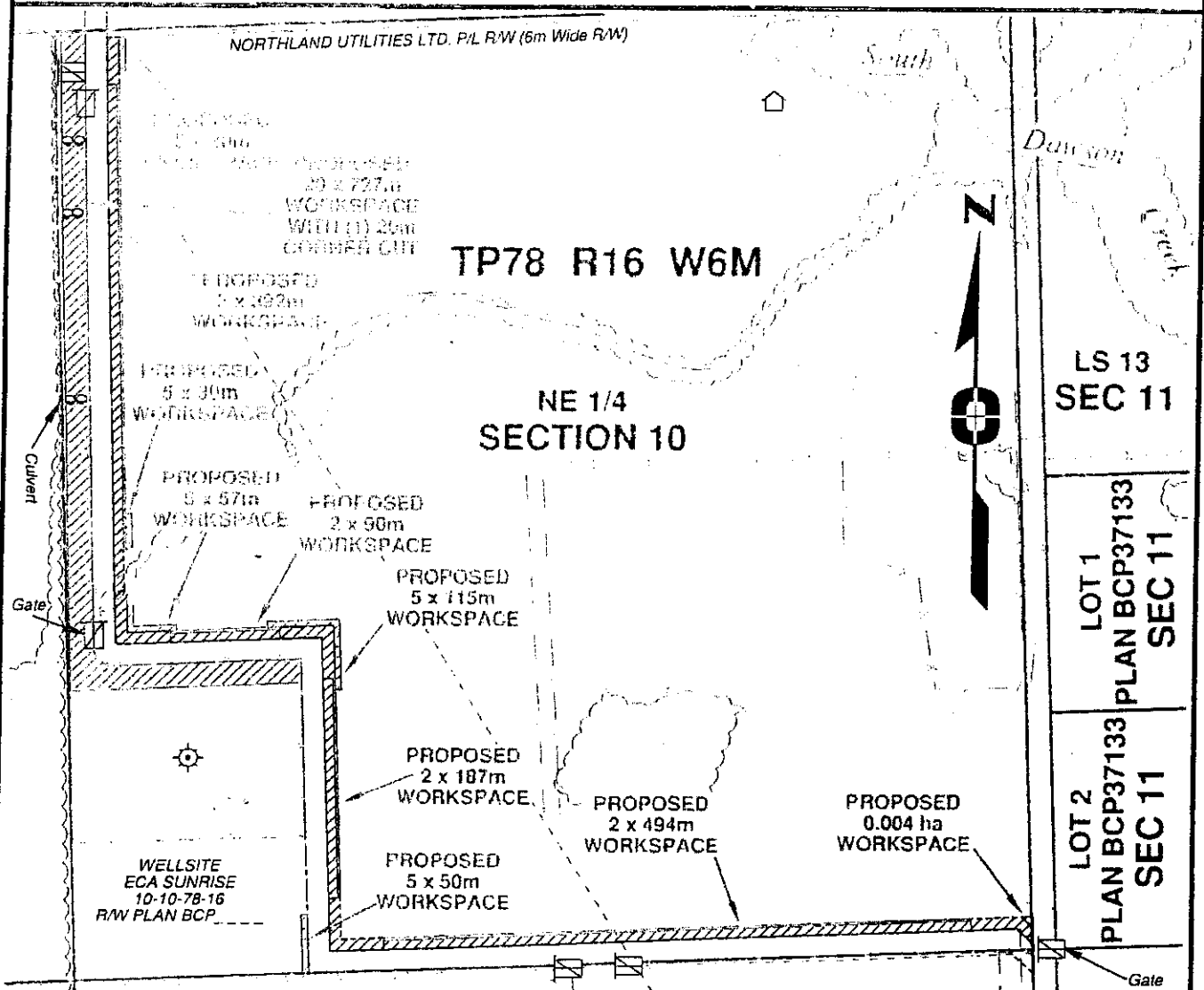
FOR THE BOARD



Rob Fraser, Mediator

INDIVIDUAL OWNERSHIP PLAN SHOWING

PROPOSED 18m PIPELINE R/W  
 WITHIN THE NORTH EAST 1/4 OF SECTION 10, TOWNSHIP 78 RANGE 16 W6M,  
 PEACE RIVER DISTRICT



Owner(s): James Nelson London  
Keir Marie London

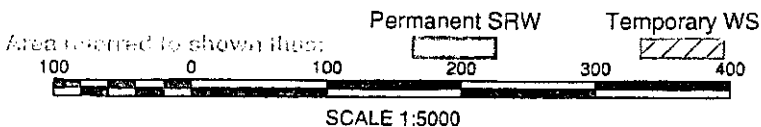
Title No: BB1288719  
 Parcel Identifier: 009-300-732  
 Company File: \_\_\_\_\_

Additional Area(s):

Permanent Statutory Right-of-Way	0.00 ha	0.00 ac
Temporary Working Space	1.84 ha	4.55 ac
<b>Total</b>	<b>1.84 ha</b>	<b>4.55 ac</b>

Certified correct this 26th day of January, 2011

Adam Brash, BCLS



Focus Job No: 100294NP22AR3  
 Date: 2011/01/26  
 Drafter: CW Revision: 3

**FOCUS**  
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LS 13  
 SEC 11

LOT 1  
 PLAN BCP37133  
 SEC 11

LOT 2  
 PLAN BCP37133  
 SEC 11

## APPENDIX "B"

### CONDITIONS FOR RIGHT OF ENTRY

1. Spectra will contact the landowner prior to commencing construction of the flow line on the Lands.
2. Spectra shall make all reasonable efforts to contain its operations to the areas indicated on the individual ownership plan, including but not limited to, the travel and movement of personnel, vehicles, equipment, unless otherwise approved by the landowner.
3. Following construction, Spectra will leave the portions of the right-of-way that were previously forage or pasture land ready for seeding, and will otherwise make all reasonable efforts to ensure the right of way is left in a similar condition as the adjoining Lands.
4. Spectra shall make a reasonable effort to prevent the entry and spread of weeds on the Lands caused by Spectra's operations.
5. Should a spill, leak, break, rupture or failure occur in the flow line on the Lands, Spectra, shall, as soon as reasonably possible, notify and inform the landowner of the location of the incident and advise the landowner of the measures being taken to contain, repair, and clean up the spill, leak, break, rupture or failure. Spectra will be permitted immediate access to any of the landowner's surrounding Lands as necessary to contain, repair and clean up the spill, leak, break, rupture or failure.
6. Spectra covenants and agrees to indemnify and save harmless the landowner from liabilities, damages, costs, claims, liens, suits or actions arising directly out of Spectra's operations on the Lands, other than that arising from the willful damage or negligence of the landowner.