

File No. 1695
Board Order 1695-1

December 23, 2010

SURFACE RIGHTS BOARD

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

AND IN THE MATTER OF

NW ¼ of Section 20, Township 78, Range 16, W6M, Peace River District,
except Plan A2035
NE ¼ of Section 20, Township 78, Range 16, W6M, Peace River District,
except Plan A2035

(The "Lands")

BETWEEN:

SPECTRA ENERGY MIDSTREAM CORPORATION

(APPLICANT)

AND:

WESLEY RAYMOND DYCK AND SHERRY ANN DYCK

(RESPONDENTS)

BOARD ORDER

Heard by telephone conference: December 13 and 23, 2010

Mediator: Rob Fraser

Spectra Energy Midstream Corporation ("Spectra") seeks a right of entry order to construct, operate and maintain a flow line across certain lands legally owned by Wesley Raymond Dyck and Sherry Ann Dyck.

I am satisfied that an order authorizing entry to the Lands is required for a purpose described in section 142 (a) to (c) of the *Petroleum and Natural Gas Act*.

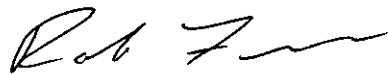
ORDER

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 paragraphs 2 and 3, the Applicant shall have the right of entry to and access across the portion of the Lands shown on the Individual Ownership Plans 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 deliver to the Surface Rights Board security in the amount of \$5,000.00 by cheque made payable to the Minister of Finance. All or part of the security deposit may be returned to the Applicant, or paid to the Respondent, upon agreement of the parties or as ordered by the Board.
3. The Applicant shall pay to the Respondents as partial payment for compensation the amount of \$4,000.00.
4. Nothing in this order operates as a consent, permission, approval, or authorization of matters within the jurisdiction of the Oil and Gas Commission.

Dated: December 23, 2010

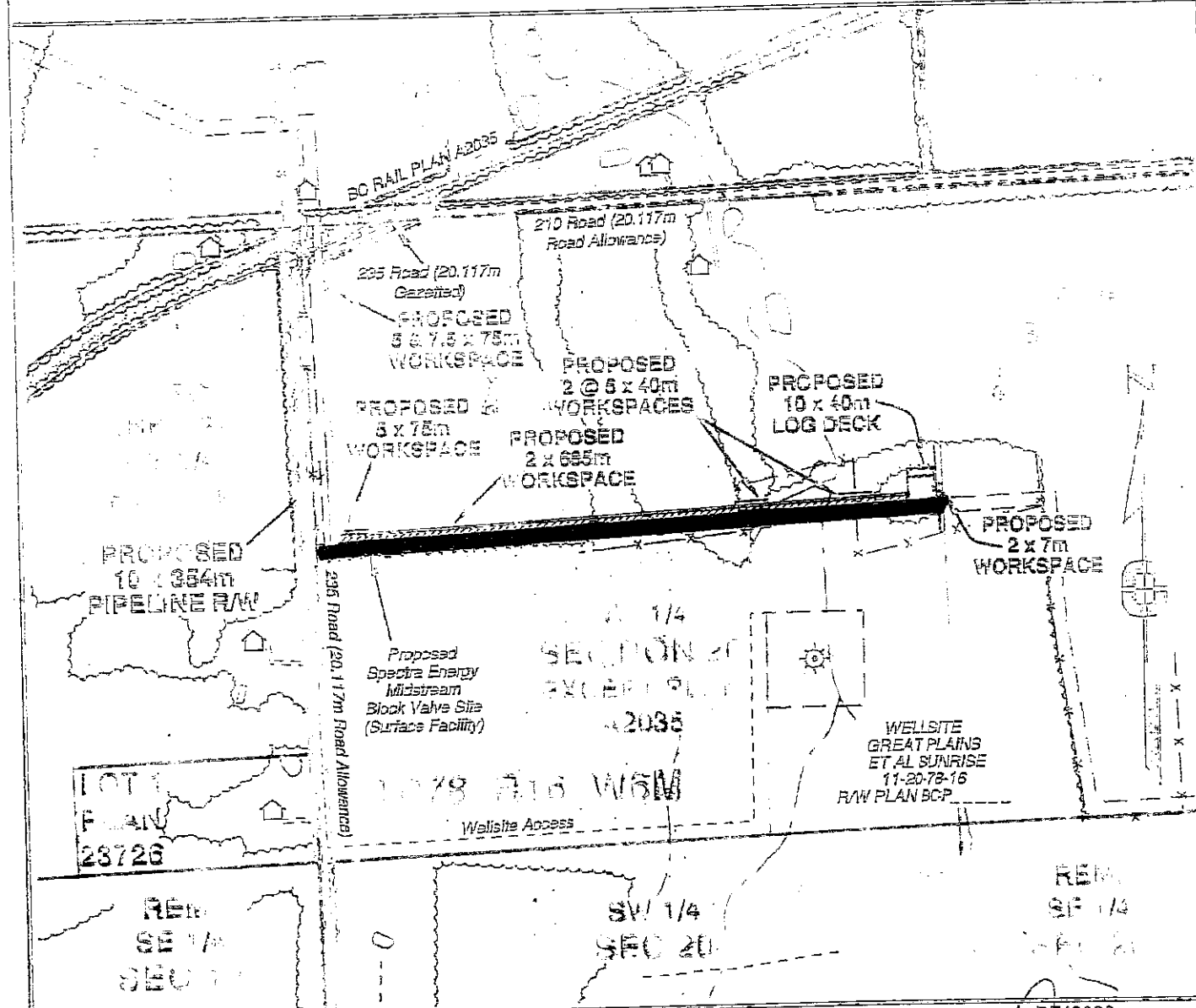
FOR THE BOARD



Rob Fraser, Mediator

APPENDIX "A"

PROPOSED 16m PIPELINE RAW
 WITHIN THE NORTH WEST 1/4 OF SECTION 20, TOWNSHIP 78 RANGE 16 W6M,
 PEACE RIVER DISTRICT, EXCEPT PLAN A2035



Owner(s): Wesley Raymond Dyck
 Sherry Ann Dyck

Title No: PF43080
 Parcel Identifier: 012-967-360
 Company File:

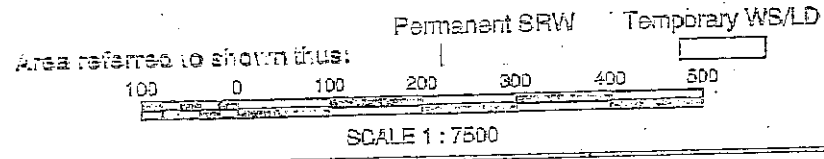
Certified correct this 16th day of November, 2010

Adam Brash, BCLS

Additional Area(s):

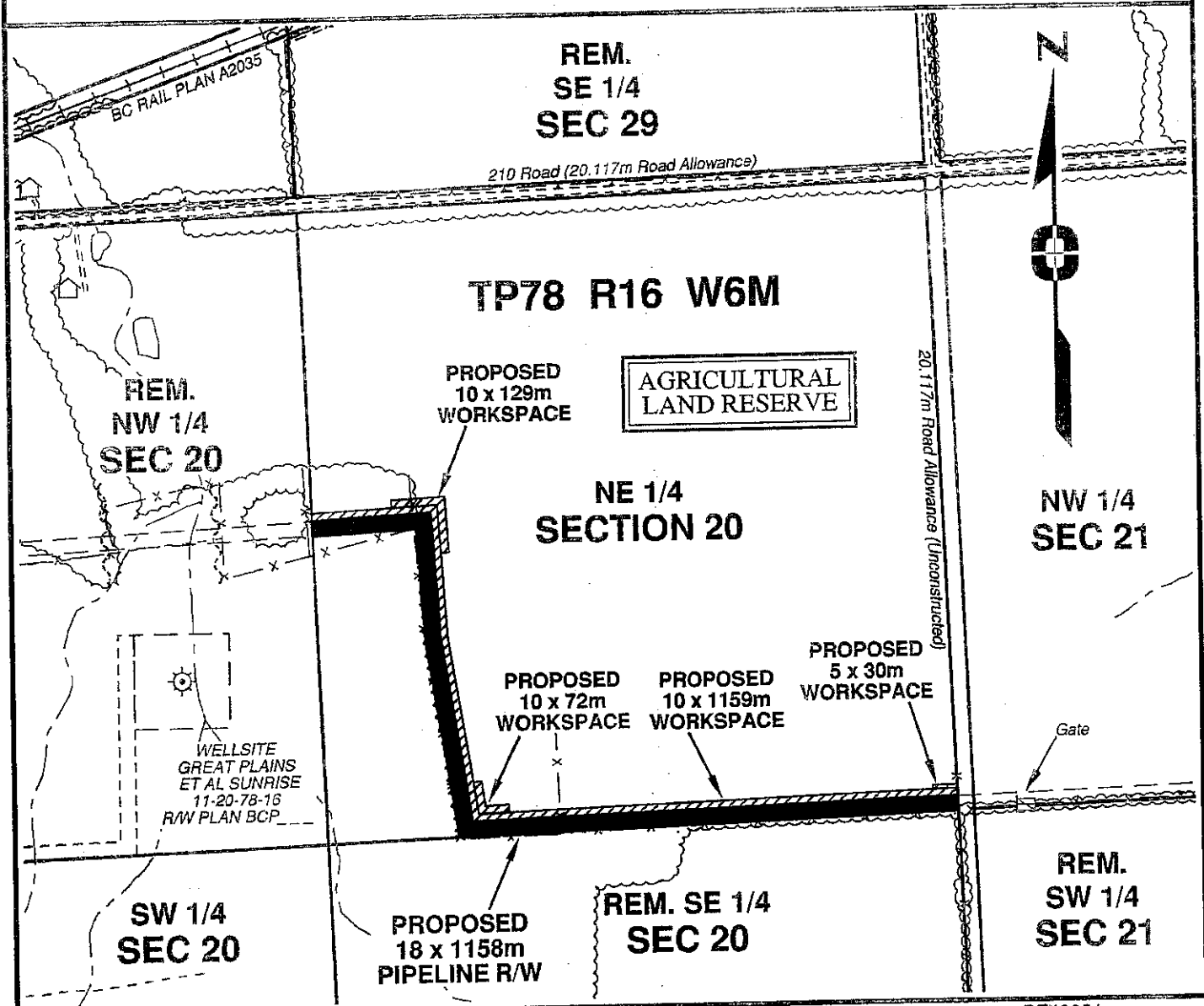
Permanent Statutory Right-of-Way	0.35 ha	0.86 ac
Temporary Working Space/Log Deck	0.30 ha	0.74 ac
Total	0.65 ha	1.60 ac

Focus Job No: 100294NP12AR1
 Date: 2010/11/16
 Drafter: FR Revision: 1



Fort St John
 10715-100th Ave.
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 www.focus.ca

**INDIVIDUAL OWNERSHIP PLAN SHOWING
PROPOSED 18m PIPELINE R/W
WITHIN THE NORTH EAST 1/4 OF SECTION 20, TOWNSHIP 78 RANGE 16 W6M,
PEACE RIVER DISTRICT**



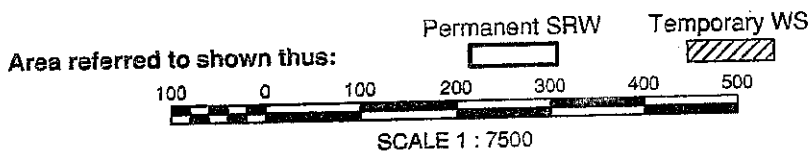
Owner(s): Wesley Raymond Dyck
Sherry Ann Dyck

Title No: PF43081
Parcel Identifier: 012-967-408
Company File: _____

Area(s):	Permanent SRW	Temporary WS
Permanent Statutory Right-of-Way	2.08 ha	5.14 ac
Temporary Working Space	1.37 ha	3.39 ac
Total	3.45 ha	8.53 ac

Certified correct this 20th day of December, 2010

Adam Brash, BCLS



Focus Job No:	100294NP13R2
Date:	2010/12/20
Drafter: FR	Revision: 2
FOCUS	
Focus Surveys FCS Land Services Limited Partnership Fort St. John 10716-100th Ave. BC, V1J 1Z3 Ph. (250)787-0300 Fax (250)787-1611 www.focus.ca	

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.