

**Mediation and Arbitration Board (“the Board”)
#310 – 9900 100th Avenue
Fort St. John, BC V1J 2B3**

Date: October 29, 2007

**FILE No. 1596
Board Order No. 424M**

BEFORE THE BOARD:

**IN THE MATTER OF THE PETROLEUM
AND NATURAL GAS ACT, R.S.B.C.
1996, c. 361
(THE ACT)**

**10-36-81-14 to 4-20-82-13 W6M
That part of the SW ¼ of 20-82-13
W. of the BC and AB border. The NW ¼
of 17-82-13 W6M W. of the BC and AB
border. SE ½ of 18-82-13 W6M, NE ¼
of 18-82-13 W6M.**

(THE LANDS)

BETWEEN:

**Bonnavista Petroleum Ltd.
(“APPLICANT”)**

AND:

**Earl Thomas Marshall
(“RESPONDENT”)**

BOARD ORDER

The Applicant is the holder of tenure No. A0060432 issued in accordance with the *Petroleum and Natural Gas Act*, and requires a right of entry, occupation and use order to access the private land holdings of the Respondent (the Lands) for the purpose of constructing a pipeline right of way, temporary workspaces and corner cutoffs as shown on the attached plan (Appendix A). The Applicant and the Respondent agree on the terms of a right of entry order, however the Respondent refuses to execute a surface lease authorizing entry, occupation and use. The Applicant applies under section 16(1) of the *Petroleum and Natural Gas Act* in order to gain access to the Lands. Both parties request that the Board issue a Consent Order authorizing right of entry, occupation and use on the terms agreed between the parties.

BY CONSENT, the Mediation and Arbitration Board orders that upon payment by the Applicant to the Respondent Consideration in the amount of \$11,932.00, plus an additional \$500 for the temporary workspaces and corner cutoffs, plus an additional \$6,280.00 for additional inconveniences, all as agreed between the parties, the Applicant shall have the right of entry to and access across the portion of the Lands shown in Appendix A for the purpose of constructing a pipeline right of way, temporary workspaces and corner cutoffs.

BY CONSENT, the Board further orders that the Applicant's right of entry, occupation and use of the Lands shown in Appendix A shall be subject to the terms set out in the Agreement between the parties executed October 12, 2007 attached to this Order as Appendix B.

Dated this 29th day of October, 2007



Cheryl Vickers
Chair