

May 31, 2019

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 SOUTH EAST $\frac{1}{4}$ OF SECTION 31 TOWNSHIP 79 RANGE 17 WEST OF THE 6TH
MERIDIAN PEACE RIVER DISTRICT
(The "Lands")

BETWEEN:

Encana Corporation

(APPLICANT)

AND:

Olaf Anton Jorgensen

(RESPONDENT)

BOARD ORDER

Encana Corporation ("Encana") seeks a right of order to access certain lands legally owned by Olaf Anton Jorgensen to carry out an approved oil and gas activity, namely the construction, operation and maintenance of flowlines and associated infrastructure.

On May 15, 2019 I convened a telephone mediation to discuss the issues of access and compensation, and the contents of a draft right of entry order produced by Encana on April 10, 2019. Encana amended the draft, increasing the amount of partial compensation.

Mr. Jorgensen raised the issue of the Board's jurisdiction, and in Board Order 2066-1, the Board found it has the jurisdiction to deal with this application.

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.

ORDER:

1. Upon payment of the amounts set out in paragraphs 3 and 4, **Encana Corporation** shall have the Right of Entry to and access across the portions of lands legally described as:

THE SOUTH EAST ¼ OF SECTION 31 TOWNSHIP 79 RANGE 17 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT

as shown on the individual ownership plan attached as Appendix "A" (the "Lands") to carry 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.

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 \$2,100.00 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: May 31, 2019

For the Board

A handwritten signature in black ink, appearing to read "Rob Fraser", with a stylized, cursive script.

Rob Fraser
Mediator

Appendix "A"

SCHEDULE "A"		Page ___ of ___									
Attached to and made part of this Agreement dated this ____ day of _____, 20____, between Claf Anton Jorgensen (Grantor) and Encana Corporation (Grantee).											
<p>NE 1/4 SEC 31</p> <p>SE 1/4 SEC 31</p> <p>TP 79 R 17 W6M</p> <p>NE 1/4 SEC 30</p>											
<p>Certified correct this 16th day of October, 2018.</p> <p style="text-align: right;"> Andrew J. Moody, BCLS </p>											
<p>AREAS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: center;">Permanent</td> <td style="width: 10%; text-align: center;">0.165 ha</td> <td style="width: 10%; text-align: center;">0.408 ac</td> </tr> <tr> <td style="text-align: center;">Temporary</td> <td style="text-align: center;">0.349 ha</td> <td style="text-align: center;">0.862 ac</td> </tr> <tr> <td style="text-align: center;">Total</td> <td style="text-align: center;">0.514 ha</td> <td style="text-align: center;">1.270 ac</td> </tr> </table>	Permanent	0.165 ha	0.408 ac	Temporary	0.349 ha	0.862 ac	Total	0.514 ha	1.270 ac	<p>Owner(s): Claf Anton Jorgensen</p> <p>Title No.: PP20100</p> <p>Parcel Identifier: 014-519-810</p> <p>Landowner File: S472965</p> <p>Encana File: S471743</p>	
Permanent	0.165 ha	0.408 ac									
Temporary	0.349 ha	0.862 ac									
Total	0.514 ha	1.270 ac									
<p>INDIVIDUAL OWNERSHIP PLAN SHOWING</p> <p>PROPOSED PIPELINE RIGHT OF WAY AND ANCILLARY SITES WITHIN THE SOUTH EAST 1/4 OF SECTION 31 TOWNSHIP 79 RANGE 17 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT</p> <p>(Associated with Pipeline R/W from Wellsite 16-36-79-18 to Wellsite 5-32-79-17)</p> <p style="text-align: center;"> </p> <p style="text-align: center; font-size: x-small;">The intended plot size of this plan is 216mm in width by 356mm in height (Legal Size) when plotted at a scale of 1:5,000.</p>											
<table style="width: 100%;"> <tr> <td style="width: 33%;"> <p>CALTECH SURVEYS <small>Caltech Surveys Land Surveying BC Ltd.</small></p> </td> <td style="width: 33%; font-size: x-small;"> 2910 Alaska Road, Fort St. John, BC V1J 8P9 Phone: (250) 263-9121 www.caltechsurveys.com </td> <td style="width: 33%;"> <p>CALTECH FILE: 718-24754/0P04R0</p> <p>REFERENCE FILE: 718-24754/01R0</p> <p>DRAFTER: CS</p> </td> </tr> </table>			<p>CALTECH SURVEYS <small>Caltech Surveys Land Surveying BC Ltd.</small></p>	2910 Alaska Road, Fort St. John, BC V1J 8P9 Phone: (250) 263-9121 www.caltechsurveys.com	<p>CALTECH FILE: 718-24754/0P04R0</p> <p>REFERENCE FILE: 718-24754/01R0</p> <p>DRAFTER: CS</p>						
<p>CALTECH SURVEYS <small>Caltech Surveys Land Surveying BC Ltd.</small></p>	2910 Alaska Road, Fort St. John, BC V1J 8P9 Phone: (250) 263-9121 www.caltechsurveys.com	<p>CALTECH FILE: 718-24754/0P04R0</p> <p>REFERENCE FILE: 718-24754/01R0</p> <p>DRAFTER: CS</p>									

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.