

ALBERTA SURFACE RIGHTS BOARD
(the "Board")

Date: 2016-07-11
File No. RE2016.0018
Order No. 0851/2016

In the matter of the *Surface Rights Act*, RSA 2000, c S-24 (the "*Act*")

And in the matter of land in the Province of Alberta within:

Lot B, Plan 772 1463 (ATS: 4;24;55;17;SE) as described in Certificate of Title No. 092 242 517+1
(the "Land")

BETWEEN:

PEMBINA PIPELINE CORPORATION,

Operator,

- and -

DEREK CLAYTON NIELSEN, (owner)
GEORGE RICARD,
PEMBINA PIPELINE CORPORATION,
MONTREAL TRUST COMPANY,
PLAINS WESTERN GAS & ELECTRIC CO LTD.,
EDMONTON REGIONAL PLANNING COMMISSION,
SHEILA LYNN NIELSEN,
MURIEL MARY NIELSEN
and
FEDERATED PIPE LINES LTD.,

Respondents.

ORDER GRANTING RIGHT OF ENTRY

UPON THE APPLICATION of the Operator filed with the Board on May 31, 2016, pursuant to the *Act*; and

By Decision No. 2016/0569, dated July 11, 2016, in which the Board has approved the Application and granted right of entry to the Operator;

IT IS ORDERED that the Operator shall have right of entry in respect of 2.04 acres of the surface of the Land as shown outlined in green on Plan A attached and forming part of this Order for or incidental to the construction, operation or removal of two pipelines.

The right of entry is subject to the requirements of Pipeline Licence No. 56650 and the conditions attached as Appendix A and forming part of this Order.

Dated at the City of Edmonton in the Province of Alberta on July 11, 2016.

CERTIFIED TRUE COPY



SURFACE RIGHTS BOARD

SURFACE RIGHTS BOARD


MEMBER

E. GORDON CHAPMAN



INDIVIDUAL OWNERSHIP PLAN
SHOWING
PERMANENT PIPELINE RIGHT-OF-WAY
IN

This is Plan A in Order No. 0851/2016

Surface Rights Board Member

LOT B, SUBDIVISION PLAN 772 1463
S.E.1/4 SEC. 17 TWP. 55 RGE. 24 W.4M.
STURGEON COUNTY

17
55-24-4

30.18 Railway R/W
Plan 6598 A.Z.
Joanne Florence Nielsen
C. of T.

OWNER(S): DEREK CLAYTON NIELSEN
TITLE NO.: 092 242 517

S.E.1/4 SEC.17-55-24-4

OWNER(S): DEREK CLAYTON NIELSEN
TITLE NO.: 092 242 517 +1

Lot B
Subdivision
Plan 772 1463

Subject to:
Caveat 772 127 495

Lot A
Subdivision
Plan 772 1463

15.24 PL. 20W
Plan 5235 K.S.
(Pembina)
10.0 TWS
25.0 PL. 20W
17.4
23.122
30.0x56.3
TWS
1*53'05"
312.39
20.12 Government Road Allowance

E. 1/4 17
Fd. l. c.s.

THIS IS EXHIBIT "A"
Referred to in the Affidavit of
John Stevenson
Sworn before me this 26
day of May A.D. 2016
Gillian Hunter
A Commissioner of Oaths in and for Alberta

My Commission expires July 20, 2017

Subject to:
Caveat 772 127 996

Lct R6
Subdivision
Plan 2716 T.R.

Road Plan
3029 R.S.

1*53'05"
511.83
High Gravel Road

C. of T.

20.12 Government Road Allowance

Fd. l. c.s.

S.E.1/4 SEC. 17 TWP. 55 RGE. 24 W.4M.

AREA REQUIRED:

PERMANENT P/L R/W = 0.498 ha (1.23 Ac.)

TEMP. WORK SPACE = 0.326 ha (0.81 Ac.)

TOTAL = 0.824 ha (2.04 Ac.)

PROJECT INFORMATION

C. of T. No.: 092 242 517 +1

Land Owner: DEREK CLAYTON NIELSEN

LEGEND

Statutory Iron Posts found.

Temporary Position:

Portions referred to are shown thus

Distances are in metres and decimals.
Bearings are NAD83 UTM Grid bearings and
referenced to the Central Meridian 111° West.
Combined Scale Factor is 0.999834.



McElhanney

McElhanney Land Surveys (Alta.) Ltd.

138, 14315-118th Avenue
Edmonton, AB T5L 4S6
T(780)451-3420 F(780)452-7333



I, Mark A. Selander, Alberta Land Surveyor, of Edmonton, Alberta, certify that this plan is true and correct to the best of my knowledge, and was prepared in accordance with the requirements of Section 6 of the Surface Rights Act General Regulation (AR 195/2007 s6; 186/2015).

Signature Mark A. Selander

Dated this 27th Day of April, 2016

100 50 0 100 200 300 Metres

SCALE 1:5000 UNLESS OTHERWISE NOTED

Note: Location of buried facilities are approximate and have been derived from AER.
They have not been field located.

4	Apr. 27, 2016	Plan Revised	JHP	GSL	-
3	Mar. 17, 2016	Area Revised	JHP	GSL	-
2	Mar. 2, 2016	Land Owner Information Revised	JHP	GSL	-
1	Feb. 19, 2016	Boundary Revised	JHP	KF	-
0	Feb. 10, 2016	Plan Issued	JHP	SCD	TT
REV.	DATE	DESCRIPTION	DRAF	CHKD	SURV

REVISIONS

Job No.: 301100004

Ref. Plan: B66-SV-PLX-0019_R1

Pembina Document Control No.: B66-SV-ROE-0257_R4 SE17-55-24W4 NIE

Page 1 of 1

APPENDIX A

Conditions

Use and Access

The Respondent owner shall have the right to use the right of way for agricultural purposes, subject to the Operator's right to enter to exercise the rights granted by this Order;

Any land affected by this Order previously acquired by a Respondent named in this Order shall be held in common by the Operator and the said Respondent;

Following installation of the pipeline, other than in an emergency, the Operator shall give the Respondent owner at least 24 hours notice, and more notice where possible, of access to the Lands;

Access to the Lands shall only be by employees, authorized contractors or agents of the Operator and shall only be to the right-of-way outlined in green in the plan(s) attached to the Right of Entry Order.

Registration at Land Title Office

The Operator shall not allow a claim of builder's or other lien arising out of the construction and operation of the company project to be filed or claimed against the Lands.

Operator's Responsibility During Construction and Operation

The Operator shall conform to all applicable legislation and regulations and shall follow good oilfield practices including but not limited to:

- (a) The Operator shall conserve the top soil in a good and workmanlike manner, having regard to good soil conservation practices and any reasonable request or direction of the owner.
- (b) The pipeline shall be installed using equipment that minimizes damage to the land.
- (c) The Operator shall, during the construction of the pipeline and subsequent reclamation work, take all reasonable precautions to ensure that the natural drainage of the land is not obstructed or impeded.
- (d) If any above-ground installation is authorized by the pipeline permit in connection with the pipeline, the installation shall, subject to any superseding requirement of sound engineering principles, be located to cause minimum inconvenience to farming operations and shall be adequately marked and protected by a pipe or other metal structure clearly visible to the farm operator.
- (e) Following installation of the pipeline, the Operator must leave the surface of the right-of-way in a condition that is as close to its condition prior to installation of the pipeline so that farming operations can continue to be uniform across the Lands.
- (f) All equipment and debris must be promptly removed from the Lands at the end of construction.
- (g) Weed and disease control on the right-of-way shall be co-ordinated and integrated into the Respondent owner's weed and disease control of the entire property.
- (h) The Pipeline must be constructed to a standard such that any surface equipment may cross it at any location.

Maintenance

The Operator shall practice good stewardship of the surface and operate and maintain the right-of-way in accordance with good oilfield and environmental practices.

The Operator shall be responsible for any damage to crops or personal property of the owner or occupant of the land caused by any entry or re-entry by the Operator.

Communication

The Operator shall immediately notify the Respondents of any spill, leak or problem with the pipeline. Notification includes identifying the location of the leak or break and the measures being taken to contain, repair and clean up the leak or break.