

MEDIATION AND ARBITRATION BOARD
#114, 10142 -- 101st Ave.
Fort St. John, BC
V1J 2B3

Date: February 10, 2000

File No. 1408

Board Order No. 312M

BEFORE THE BOARD

IN THE MATTER OF THE PETROLEUM AND
NATURAL GAS ACT, BEING CHAPTER 361 OF THE
REVISED STATUTES OF BRITISH COLUMBIA, AND
AMENDMENTS THERETO:
(THE ACT)

AND IN THE MATTER OF A PORTION OF LOT 26 ST.
JOHN IR 172 TOWNSHIP EIGHTY-FIVE, RANGE
NINETEEN WEST OF THE SIXTH MERIDIAN PEACE RIVER
DISTRICT PLAN 3986 EXCEPT PLAN 18795 AND LOT 25
ST. JOHN IR 172 TOWNSHIP EIGHTY-FIVE, RANGE
NINETEEN WEST OF THE SIXTH MERIDIAN PEACE RIVER
DISTRICT PLAN 3986, SW - 11-85-19-W6M AND NW - 11-
85-19-W6M
(11-85-19 W6M AND 11-85-19 W6M)
(THE LANDS)

BETWEEN:

ANDERSON EXPLORATION LTD.
1600, 324 -- 8TH AVENUE, S.W.
CALGARY, AB
T2P 4M6
(APPLICANT)

AND:

BICKFORD FARMS LTD.
WILLIAM FRANK BICKFORD
HEATHER ANN BICKFORD
SITE 16 COMP 33 RR # 1
FORT ST. JOHN, BC
V1J 4M6
(RESPONDENT)

MEDIATION ORDER

The Mediation and Arbitration Board received on 20 January 2000, an application for Right-Of-Entry, from Anderson Exploration Ltd., after unsuccessful attempts to reach a statutory Right-Of-Way agreement for the two proposed flow lines. One proposed flow line would be from "ANDERSON ET AL UNIT W. EAGLE 11-11-85-19 W6M" to a satellite 6-11-85-19 W6M. The second proposed flow line would be from "ANDERSON ET AL W. EAGLE 13-10-85-19 W6M" to a satellite at 6-11-85-19 W6M.

Pursuant to Section 18 (1) of the Petroleum and Natural Gas Act, Connie Shortt was designated Mediator. The Mediator confirms that the applications were properly filed.

THE HEARING

A Mediation hearing was set for 8 February 2000 at 10:00 a.m. in the Boardroom of Execuplace Business Centre, 10142 101st Avenue, Fort St. John BC. Due to bad weather, Mr. Grainger's flight was canceled. The Mediation hearing was re-scheduled for 9 February 2000. Early Wednesday morning Mr. Grainger phoned stating that his flight had been canceled again and that he would call later to make other arrangements to deal with the mediation.

Rick Kantz (representing the Respondents) arrived before 10:00 a.m.. Mr. Grainger phoned about 10:00 and both parties agreed that the Mediation hearing would be conducted via (speaker) telephone. Thus present were Connie Shortt, Vice-Chair Mediation and Arbitration Board, Rick Kantz (in person), and Ben Grainger (via speaker phone) representing the Applicants.

Mr. Kantz stated that the parties had agreed upon Right-Of-Entry compensation of \$ 950.00 per acre for 3.56 acres, in addition to damages agreed upon but not presented at mediation.

Mr. Kantz stated that he would not sign any consent agreement nor a contract with the company as he believed the wordings in these agreements were not in his best interest.

DECISION

Therefore, acting as Mediator under the provisions of Section 18 (3) of the Petroleum and Natural Gas Act, and in response to the Applicant and Respondents joint **consent**

IT IS HEREBY ORDERED THAT:

1. Upon payment of the sums agreed to by the parties, the Applicant shall be entitled to all the rights of an occupant, to enter, occupy or use the land granted under the provisions of the Petroleum and Natural Gas Act and Amendments thereto.
2. This order is subject to the completion of the referral process conducted by the Oil and Gas Commission and the issuance of the Permission to construct letter.
3. Nothing in this order is, or operates as consent, permit or authorization that by enactment, a party is required to obtain in addition to this order.

Dated at the City of Fort St. John, province of British Columbia this 10 day of February 2000.

MEDIATION AND ARBITRATION BOARD
UNDER THE
PETROLEUM AND NATURAL GAS ACT

Connie Shortt, Mediator