

**File No. 1633**  
**Board Order 1633-2amd**

---

**May 24, 2011**

**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**

**NE ¼ Section 17, Township 79, Range 14, W6M Peace River District;  
NW ¼ Section 17, Township 79, Range 14, W6M Peace River District;  
NW ¼ Section 21, Township 79, Range 14, W6M Peace River District except Plan H782;  
NE ¼ Section 16, Township 79, Range 14, W6M Peace River District;  
SW ¼ Section 5, Township 80, Range 14, W6M Peace River District;  
NW ¼ Section 5, Township 80, Range 14, W6M Peace River District;  
SW ¼ Section 8, Township 80, Range 14, W6M Peace River District;  
NW ¼ Section 16, Township 79, Range 14, W6M Peace River District except Plan  
H782**

**(The "Lands")**

**BETWEEN:**

**ARC PETROLEUM INC.**

**(APPLICANT)**

**AND:**

**JOHN MILLER AND MARY MILLER**

**(RESPONDENTS)**

---

**BOARD ORDER**

---

[1] This Order amends and replaces Order 1633-2 dated June 7, 2010 as a result of the Applicant's withdrawal of a portion of their application, to correct typographical errors, and to attach amended Individual Ownership Plans in Schedule A depicting the portions of the Lands for which entry, occupation and use by the Applicant is authorized.

[2] **The Surface Rights Board orders:**

1. Further mediation is refused.
2. Upon payment of the amounts set out in paragraphs 4 to 7 below, the Applicant including its employees, contractors and assigns shall have the right of entry to and access across the portion of the Lands shown in Schedule "A" for the purpose of constructing operating and maintaining the flowlines and wellsites. This Order is subject to the application process required by the Oil and Gas Commission and nothing in this order operates as consent, permission, approval or authorization of matters within the jurisdiction of the Oil and Gas Commission. The Order is also subject to the following terms and conditions:
  - a) ARC will use all reasonable efforts to maintain the soil admixing to no more than 20% subsoil,
  - b) ARC will use all reasonable efforts to maintain the work site and the public access roads free of excessive dirt and debris at all times during construction and operation of the subject pipeline and well sites,
  - c) ARC acknowledges that it is responsible for removal of rocks that are brought to the surface of the right of way during and following construction and in that regard will consult with the owners and the lessee in discharging this responsibility,
  - d) ARC will, within 7 days of receiving notice of a builder's lien claim being filed against the Lands as a result of the work being carried out by ARC on the subject property, cause the lien to be removed, either by way of paying the lien claimant or by paying the amount claimed into court in accordance with s. 23 of the *Builders Lien Act*,
  - e) All vehicles used in the farming operations of the Millers will have a right to cross the pipeline right-of-ways in the normal and ordinary course of such farming operations, regardless of whether the vehicle carries a farm license. For greater certainty, certain vehicles that are used in the farming operation for the delivery of fertilizer and other materials incidental to farming operation, as well as for the hauling of crops shall be permitted to cross the pipelines, notwithstanding that these vehicles may carry commercial plates only.

3. The Applicant shall serve the Respondents with a copy of the Order prior to entry onto the Lands.

Applications 1633-1, 1633-3, 1633-6 and 1633-7:

4. The Applicant shall deposit with the Mediation and Arbitration Board security in the amount of \$40,000.00. All or part of the security deposit may be returned to the Applicant or paid to the Respondents upon the agreement of the parties or as ordered by the Board.
5. The Applicant shall pay to the Respondents as partial payment for compensation payable for entry to and use of the Lands the amount of \$35,000.00, on the condition that if any of the flowlines do not receive approval of the Oil and Gas Commission, the Respondents will refund to the Applicant the partial payment on a pro-rated basis and on a per acre breakdown of the partial payment.

Applications 1633-2, 1633-4 and 1633-5:

6. The Applicant shall deposit with the Mediation and Arbitration Board security in the amount of \$40,000.00. All or part of the security deposit may be returned to the Applicant or paid to the Respondents upon the agreement of the parties or as ordered by the Board.
7. The Applicant shall pay to the Respondents as partial payment for compensation payable for entry to and use of the Lands the amount of \$20,000.00, on the following conditions:
  - a) if any of the wellsites do not receive approval of the Oil and Gas Commission, the Respondents will refund to the Applicant the partial payment on a pro-rated basis and on a per acre breakdown of the partial payment, and
  - b) if the Board orders compensation less than the partial payment, the Respondents shall refund to the Applicant the difference on a pro-rated basis.

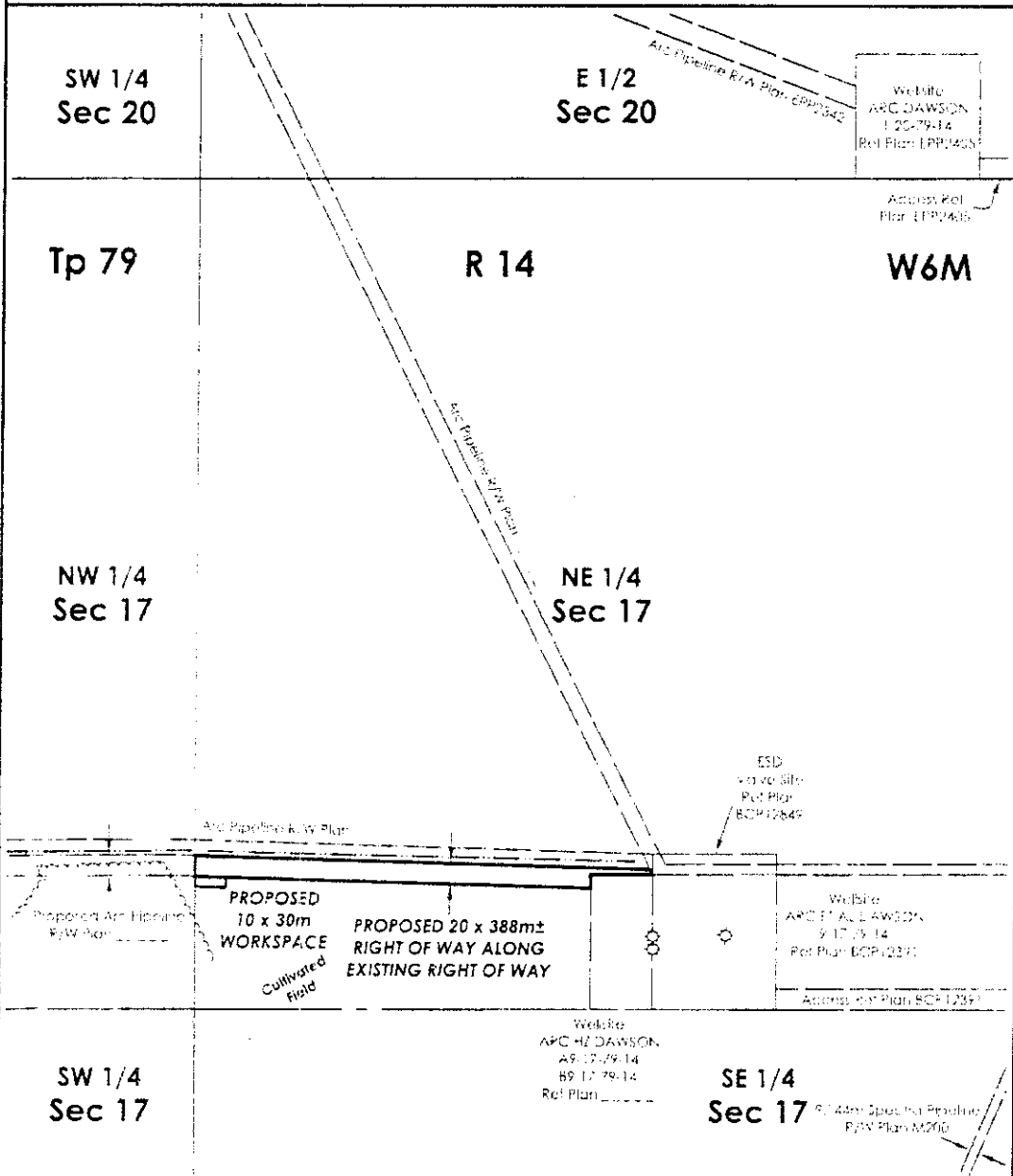
DATED: May 24, 2011

FOR THE BOARD



Cheryl Vickers  
Chair

**ARC PETROLEUM INC.  
INDIVIDUAL OWNERSHIP PLAN  
SHOWING PROPOSED  
20m PIPELINE RIGHT OF WAY IN  
NE 1/4 Sec 17, Tp 79, R 14, W6M  
PEACE RIVER DISTRICT**



**TITLE No.:** F19442      **P.I.D. No.:** 010-799-176  
**OWNER(S):** Mary Kathleen Miller

**LEGEND**  
 SCALE = 1:5,000  
 Portions referred to by section numbers  
 Notes: Distances shown are in metres.  
 Certified correct this  
 28th day of January, 2010.

**AREA REQUIRED:**  
 20m Pipeline R/W      0.81 ha    2.00 ac  
 Workspace              0.03 ha    0.07 ac  
**TOTAL:**                    0.84 ha    2.07 ac

Cris R. Sakundia, BCIS

NO.	DATE	REVISION	DRN	CHK
1	10/01/08	Original plan issued	PRH	CS

can-am geomatics  
 can-am geomatics inc.  
 Fort St. John, B.C.  
 www.canam.com

Phone: 250-767-7377  
 Toll Free: 1-866-208-0983  
 Fax: 250-767-2302

**CAN-AM FILE: J20090481**

CAD FILE: J2009048103P40

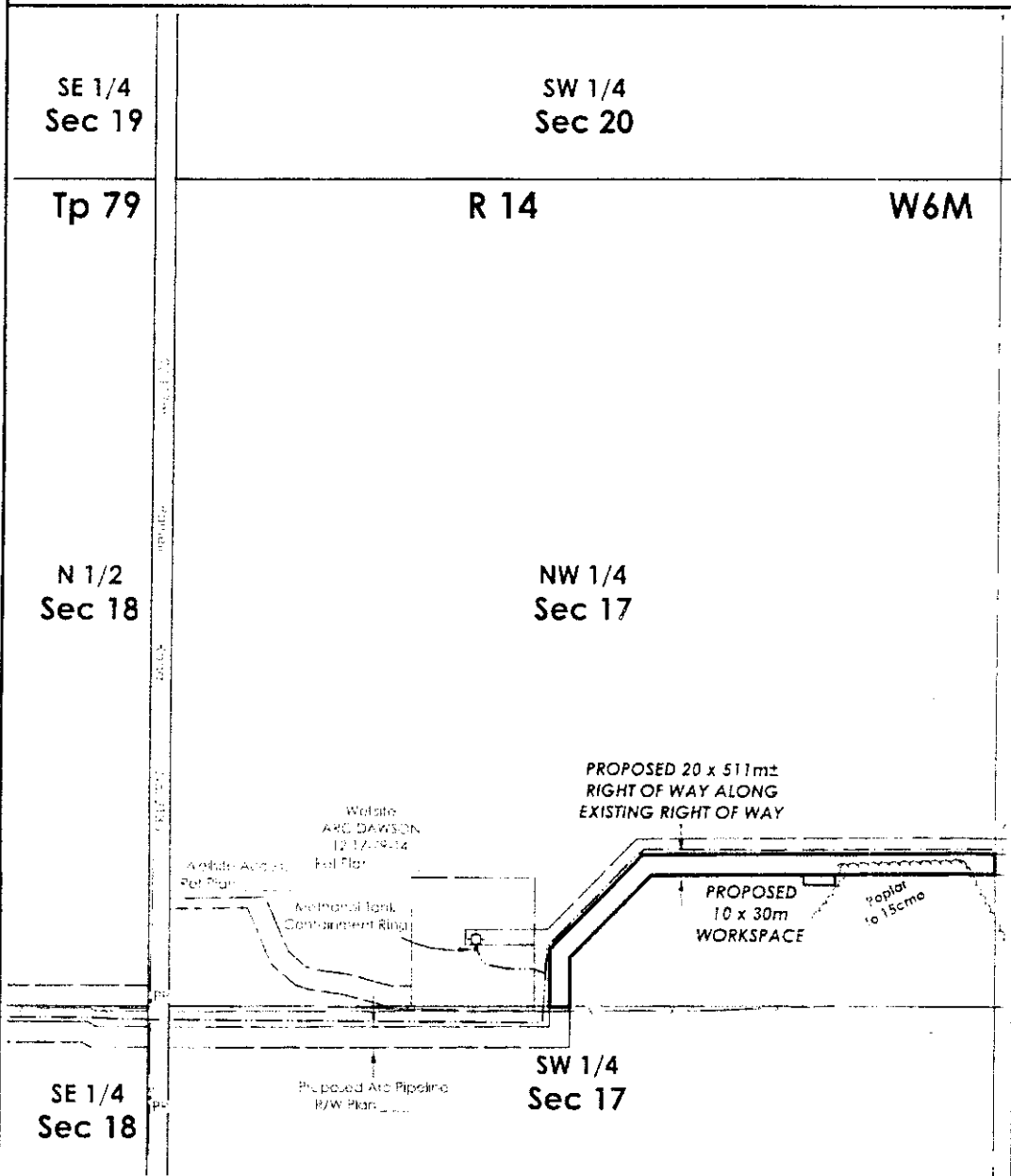
Client File No.: 112894

Alt. Name:

Land File No.:

REVISION

**ARC PETROLEUM INC.  
INDIVIDUAL OWNERSHIP PLAN  
SHOWING PROPOSED  
20m PIPELINE RIGHT OF WAY IN  
NW 1/4 Sec 17, Tp 79, R 14, W6M  
PEACE RIVER DISTRICT**



**TITLE No.:** PL2443      **P.I.D. No.:** 010-799-150      **LEGEND**  
**OWNER(S):** Mr. Kathleen Miller      SCALE = 1:5,000  
 Portions referred to:  
 Notes: Distances shown are in metres  
 Certified correct this  
 28th day of January, 2010.

**AREA REQUIRED:**

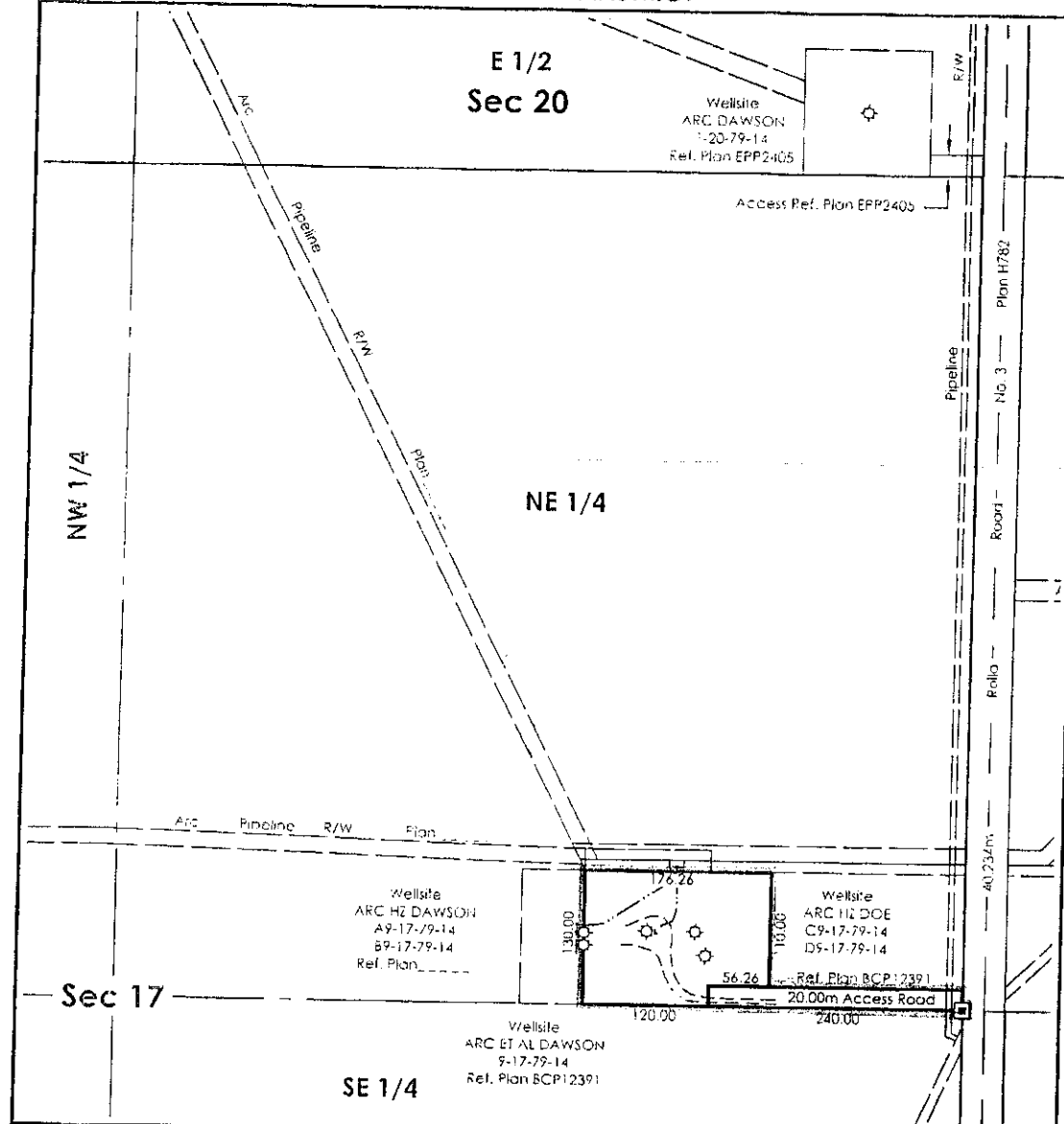
20m Pipeline R/W	1.02 ha	2.52 ac
Workspace	0.03 ha	0.07 ac
<b>TOTAL:</b>	<b>1.05 ha</b>	<b>2.59 ac</b>

Chris R. Sakundak, BCLS

NO	DATE	REVISION	DRN	CKD	<p>can-am geomatics inc. Phone: 250.727.7171                  Fort St. John, B.C. Toll Free: 1.866.298.3982                  www.canam.com Fax: 250.767.2329</p>	<b>CAN-AM FILE: J20090481</b> CAD FILE: JAG09J4810.PRN Client File No.: E10394 A/E No.: Land File No.:
1	10/27/08	Original plan issued	PJP	CS		

**ARC PETROLEUM INC.  
INDIVIDUAL OWNERSHIP PLAN  
SHOWING PROPOSED  
WELLSITE IN  
NE 1/4 Sec 17, Tp 79, R 14, W6M**

PEACE RIVER DISTRICT



**TITLE No.:** PL2442      **P.I.D. No.:** 010-799-176  
**OWNER(S):** Mary Kathleen Miller

**LEGEND**  
SCALE = 1: 5,000  
Portions referred to: [Symbol]  
Notes: Distances shown are in metres.  
Certified correct this  
20th day of April, 2010.

**AREA REQUIRED:**

Well site	2.18 ha	5.39 ac
Access	0.48 ha	1.19 ac
<b>TOTAL:</b>	<b>2.66 ha</b>	<b>6.58 ac</b>

Chris R. Sakundiak, BCLS

NO.	DATE	REVISION	DRN	CKD
1	10/04/20	Original plan issued	LA	CS

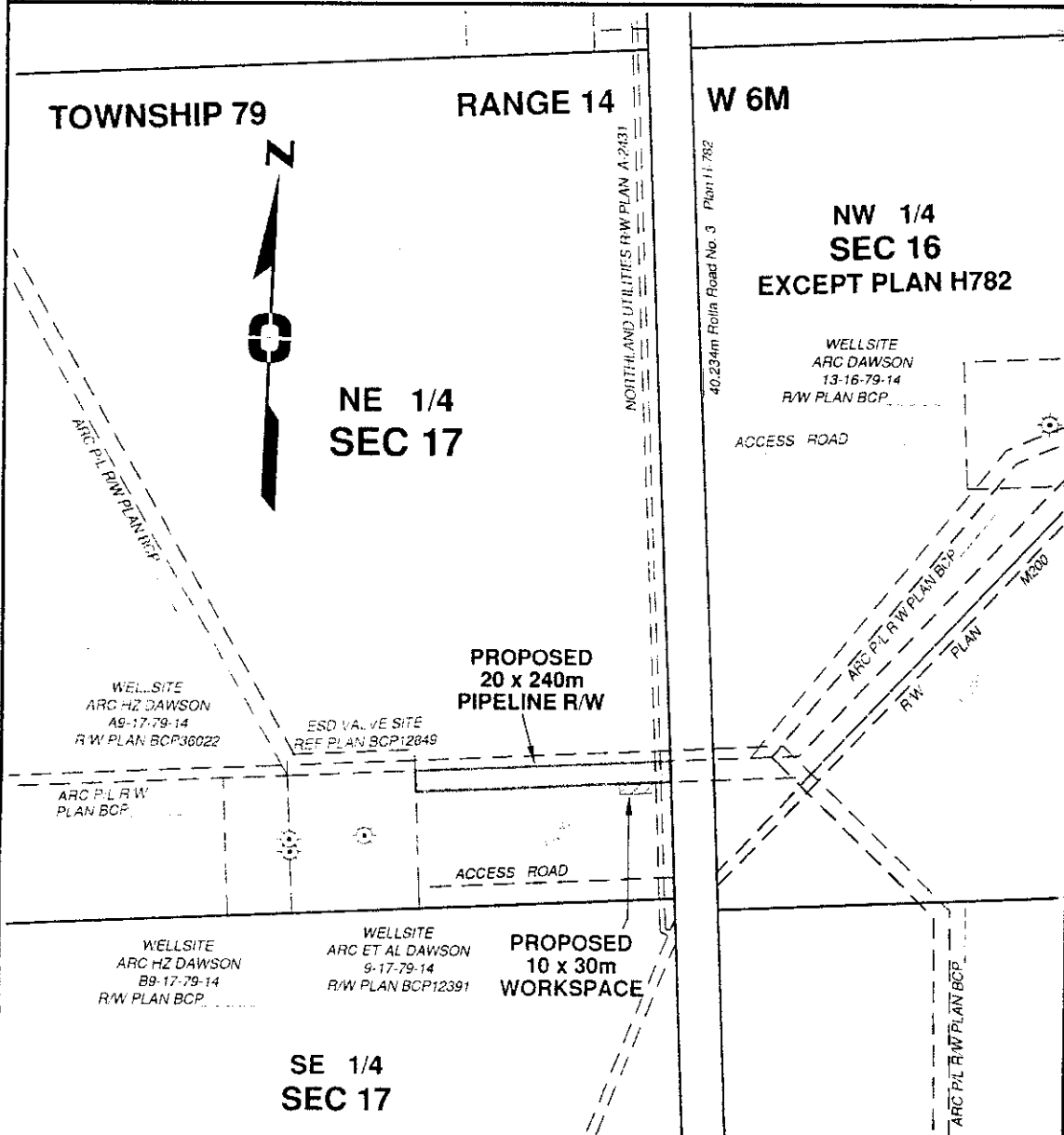
**can-am geomatics**  
can-am geomatics bc      Phone: 250.787.7171  
Fort St. John, B.C.      Toll free: 1.866.208.0983  
www.canam.com      Fax: 250.787.2323

**CAN-AM FILE: J20090359**  
CAD FILE: J20090359IOP80  
Client File No.: S06886  
AFE No.:  
Land File No.:  
REVISION

Attached to and made part of this Agreement dated this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, between  
 Mary Kathleen Miller (Lessor) and Arc Petroleum Inc. (Lessee).

**INDIVIDUAL OWNERSHIP PLAN SHOWING  
 PROPOSED 20m PIPELINE RIGHT OF WAY WITHIN THE  
 NORTH EAST 1/4 OF SECTION 17 TOWNSHIP 79 RANGE 14 W6M  
 PEACE RIVER DISTRICT**

(Associated with Pipeline R/W From Wellsite 9-17-79-14 to Riser Site within 11-28-79-14)



Owner(s): Mary Kathleen Miller  
 Title No: PL2442  
 Parcel Identifier: 010-799-176

100 0 100 200 300 400  
 The intended plot size of this plan is 216mm in width by 356mm in height when plotted at a scale of 1: 5000 (use legal size sheet)

Certified correct this 26th day of October, 2009  
  
 Wayne Brown, BCLS

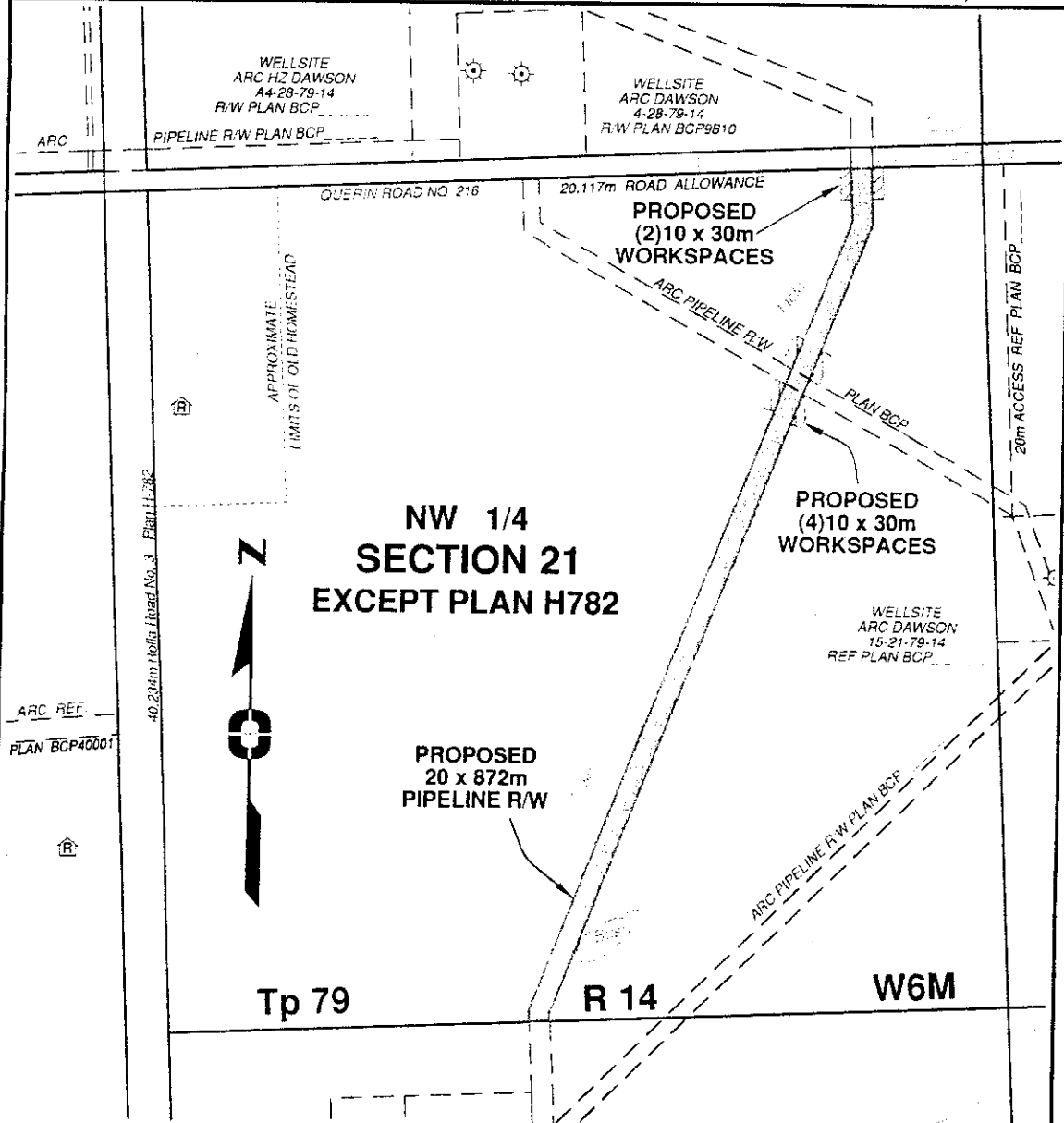
Areas		
Permanent	0.48 ha	1.19 ac
Temporary	0.03 ha	0.07 ac
<b>Total</b>	<b>0.51 ha</b>	<b>1.26 ac</b>

**FOCUS** Fort St. John  
 10716-100th. Ave.  
 R.C. V1J 1Z3  
 Focus Surveys Pr: (250)787-0600  
 FCS Land Services Limited Partnership Fax: (250)787-1611  
 www.focus.ca

Focus Job No: 090072NP01R0  
 Ref Dwg: 090072CP01R0  
 Drafter: CN

Attached to and made part of this Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between  
 Mary Kathleen Miller (Lessor) and Arc Petroleum Inc. (Lessee).

**INDIVIDUAL OWNERSHIP PLAN SHOWING  
 PROPOSED 20m PIPELINE RIGHT OF WAY WITHIN THE  
 NORTH WEST 1/4 OF SECTION 21 TOWNSHIP 79 RANGE 14 W6M, EXCEPT PLAN H782  
 PEACE RIVER DISTRICT**  
 (Associated with Pipeline R/W From Wellsite 9-17-79-14 to Riser Site within 11-28-79-14)



Owner(s): Mary Kathleen Miller

Title No: PL2439

Parcel Identifier: 010-772-391

100 0 100 200 300 400

The intended plot size of this plan is 216mm in width by 356mm in height when plotted at a scale of 1: 5000 (use legal size sheet)

Certified correct this 26th day of October, 2009

*Wayne Brown*  
 Wayne Brown, BCLS

Areas			
Permanent	<input type="checkbox"/>	1.74 ha	4.30 ac
Temporary	<input type="checkbox"/>	0.18 ha	0.44 ac
<b>Total</b>		<b>1.92 ha</b>	<b>4.74 ac</b>

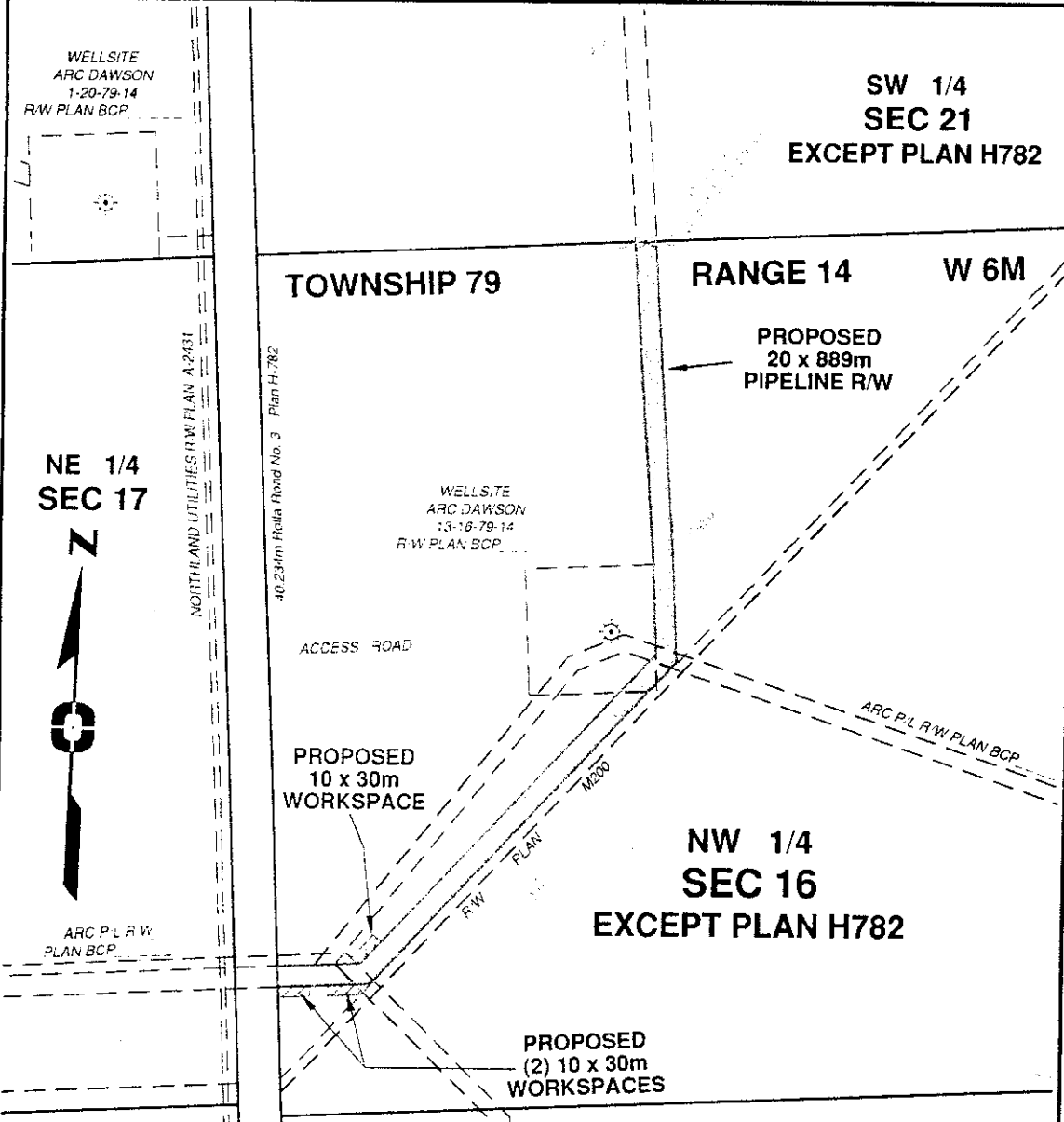
**FOCUS** Fort St. John  
 10715-100th Ave.  
 BC V1J 1Z3  
 Focus Surveys Ph: (250)767-0300  
 FRS Land Services Limited Partnership Fax: (250)767-1511  
 www.focus.ca

Focus Job No: 090072NP04R0  
 Ref Dwg: 090072CP01R0  
 Drafter: CN



Attached to and made part of this Agreement dated this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, between  
John Irving Miller (Lessor) and Arc Petroleum Inc. (Lessee).

**INDIVIDUAL OWNERSHIP PLAN SHOWING  
PROPOSED 20m PIPELINE RIGHT OF WAY WITHIN THE  
NORTH WEST 1/4 OF SECTION 16 TOWNSHIP 79 RANGE 14 W6M, EXCEPT PLAN H782  
PEACE RIVER DISTRICT**  
(Associated with Pipeline R/W From Wellsite 9-17-79-14 to Riser Site within 11-28-79-14)



Owner(s): John Irving Miller



The intended plot size of this plan is 216mm in width by 356mm in height when plotted at a scale of 1: 5000 (use legal size sheet)

Title No: PK47339  
Parcel Identifier: 014-640-287

Certified correct this 26th day of October, 2009

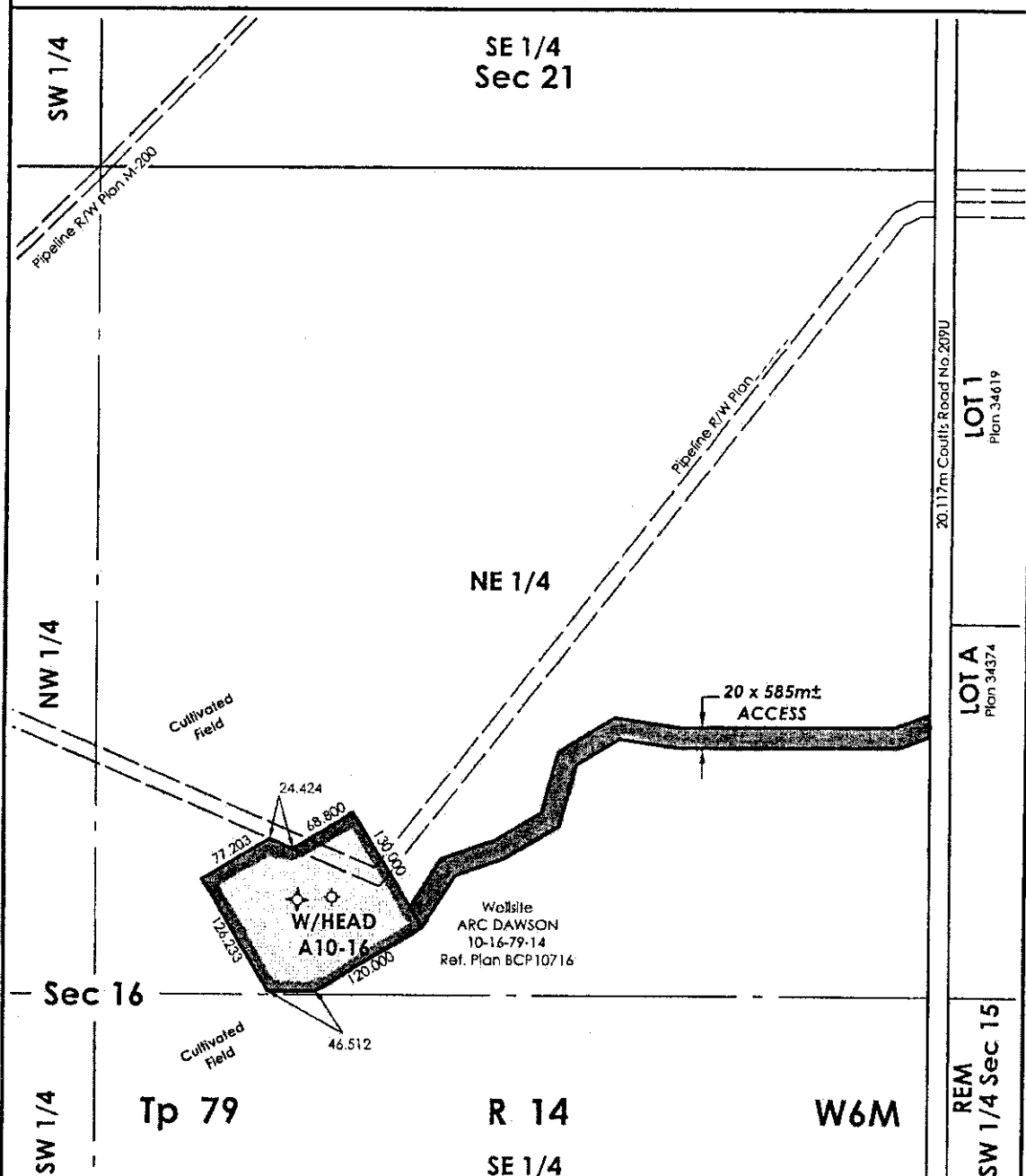
*Wayne Brown*  
Wayne Brown, BCLS

Areas		
Permanent	1.78 ha	4.40 ac
Temporary	0.09 ha	0.22 ac
<b>Total</b>	<b>1.87 ha</b>	<b>4.62 ac</b>

**FOCUS** Focus Surveys  
FCS Land Services Limited Partnership  
Fort St. John  
10715 100th Ave.  
B.C. V1J 1Z3  
Ph: (250)787-0300  
Fax: (250)787-1611  
www.focus.ca

Focus Job No: 090072NP02R0  
Ref Dwg: 090072CP01R0  
Drafter: CN

**ARC RESOURCES LTD. SCHEDULE "A" 1633-2amb1**  
**INDIVIDUAL OWNERSHIP PLAN**  
 SHOWING PROPOSED  
 WELLSITE IN  
 NE 1/4 Sec 16, Tp 79, R14, W6M  
 PEACE RIVER DISTRICT



**TITLE No.:** 53041M      **P.I.D. No.:** 016-045-319  
**OWNER(S):** JOHN IRVING MILLER

**LEGEND**  
 SCALE = 1: 5,000  
 Portions referred to: .....   
 Notes: Distances shown are in metres.  
 Certified correct this  
 23rd day of February, 2011.

**AREA REQUIRED:**

WELLSITE	2.20 ha	5.44 ac
ACCESS ROAD	1.17 ha	2.89 ac
<b>TOTAL:</b>	<b>3.37 ha</b>	<b>8.33 ac</b>

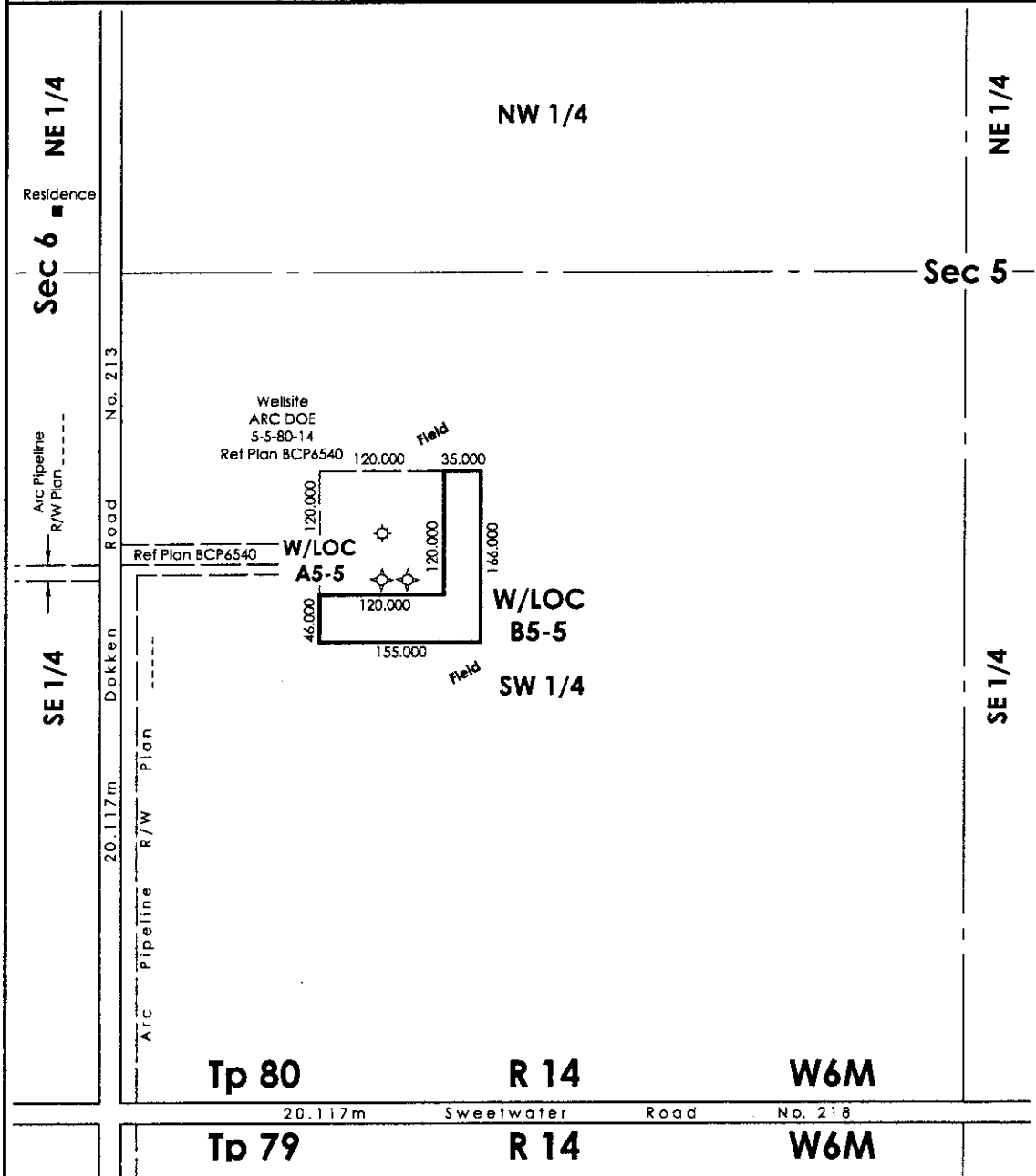
Chris R. Sakundiak, BCLS

NO.	DATE	REVISION	DRN	CKD
0	08/11/24	Original plan issued	CV	SM
1	11/02/23	Wellsite & Access Revised	RC	CS

**can-am geomatics**  
 can-am geomatics bc      Phone: 250.787.7171  
 Fort St. John, B.C.      Toll Free: 1.866.208.0983  
 www.canam.com      Fax: 250.787.2323

<b>CAN-AM FILE:</b>	
CAD FILE: J20080676IOP01	
Client File No.:	
AFE No.:	
Land File No.:	REVISION

# ARC PETROLEUM INC. INDIVIDUAL OWNERSHIP PLAN SHOWING PROPOSED WELLSITES IN SW 1/4 Sec 5, Tp 80, R 14, W6M PEACE RIVER DISTRICT



**TITLE No.:** PC4680     **P.I.D. No.:** 013-008-757  
**OWNER(S):** John Irving Miller

**LEGEND**  
SCALE = 1: 5,000  
Portions referred to: [Symbol]  
Notes: Distances shown are in metres.  
Certified correct this  
21st day of May, 2010.

**AREA REQUIRED:**  
Wellsites 1.13 ha 2.79 ac  
**TOTAL:** 1.13 ha 2.79 ac

Chris R. Sakundiak, BCLS

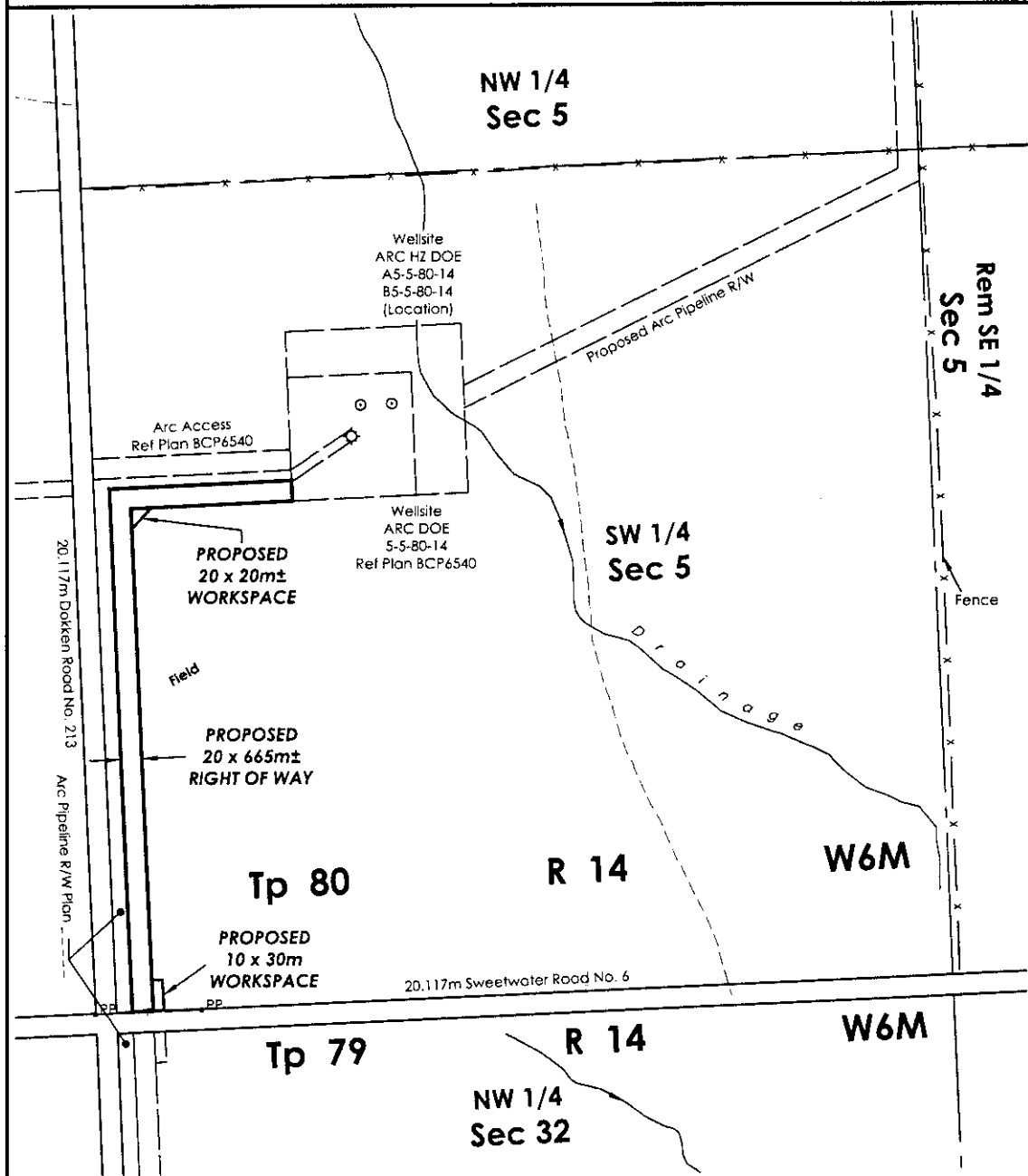
NO	DATE	REVISION	DRN	CKD
0	10/01/29	Original plan issued	JMS	CS
1	10/05/21	Wellsite Revised	EJ	CS

**can-am geomatics**  
can-am geomatics bc     Phone: 250.787.7171  
Fort St. John, B.C.     Toll Free: 1.866.208.0983  
www.canam.com     Fax: 250.787.2323


<b>CAN-AM FILE: J20090107</b>	
CAD FILE: J20090107IOP01	
Client File No.:	506985
AFE No.:	
Land File No.:	



**ARC PETROLEUM INC  
INDIVIDUAL OWNERSHIP PLAN  
SHOWING PROPOSED  
20m PIPELINE RIGHT OF WAY IN  
SW 1/4 Sec 5, Tp 80, R 14, W6M  
PEACE RIVER DISTRICT**



**TITLE No.:** PC4680      **P.I.D. No.:** 013-008-757  
**OWNER(S):** John Irving Miller

**LEGEND**  
 SCALE = 1: 5,000  
 Portions referred to:   
 Notes: Distances shown are in metres.  
 Certified correct this  
 12th day of February, 2010.

**AREA REQUIRED:**


20m Pipeline R/W	1.33 ha	3.29 ac
Workspaces	0.05 ha	0.12 ac
<b>TOTAL:</b>	<b>1.38 ha</b>	<b>3.41 ac</b>

Chris R. Sakundiak, BCLS

NO	DATE	REVISION	DRN	CKD
0	10/02/12	Original plan issued	JMS	CS

**can-am geomatics®**

can-am geomatics bc      Phone: 250.787.7171  
 Fort St. John, B.C.      Toll Free: 1.866.208.0983  
 www.canam.com      Fax: 250.787.2323

<b>CAN-AM FILE: J20090545</b>	
CAD FILE: J20090545IOPA0	
Client File No.: E10412	
AFE No.:	
Land File No.:	REVISION