

File No. 1633
Board Order 1633-2amd2

June 30, 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 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 1633-2amd dated May 24, 2011, amending and replacing 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.

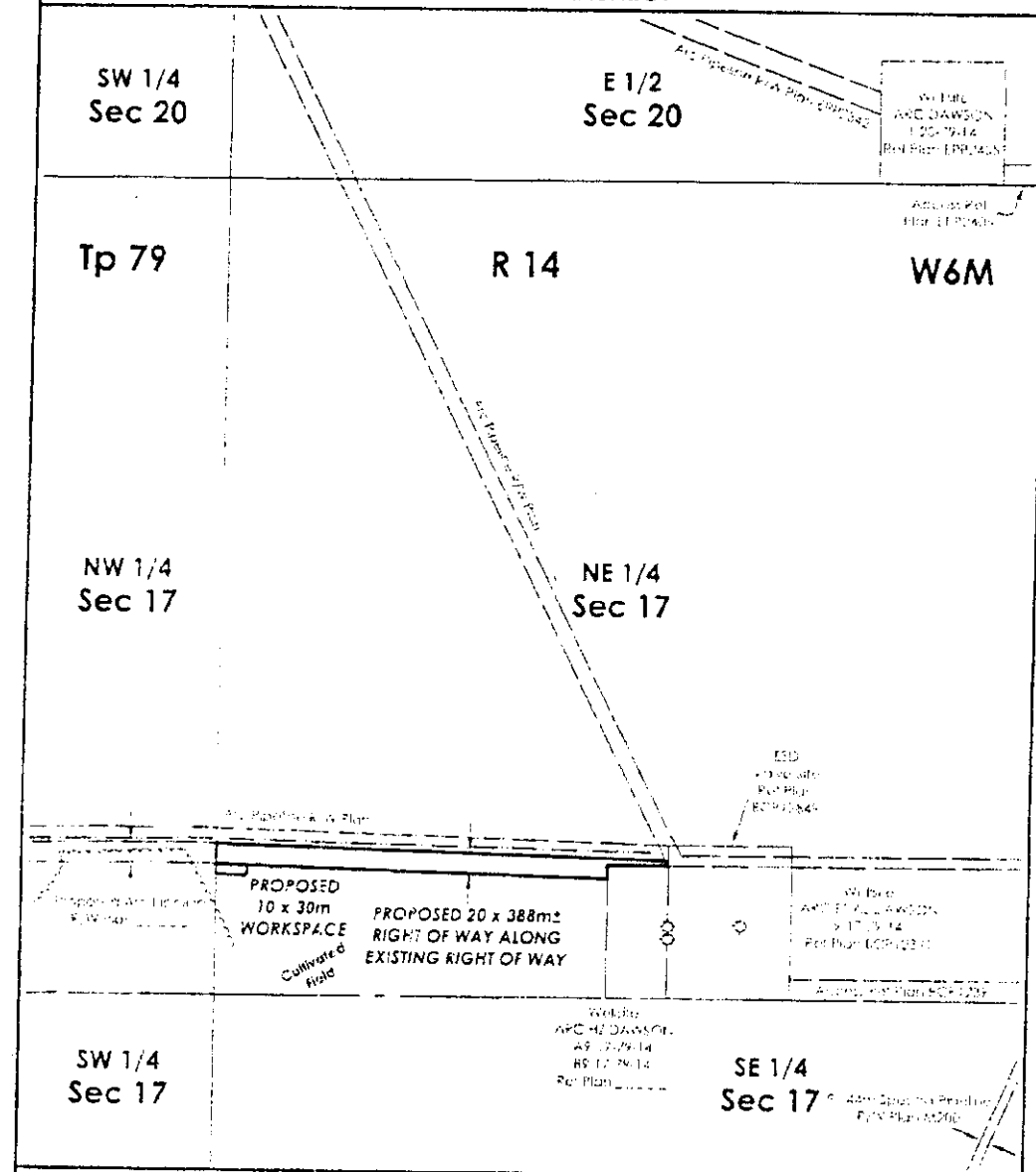
DATED: June 30, 2011

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.: E-0449 **P.I.D. No.:** 010-799-176 **LEGEND**
OWNER(S): Dave E. Johnson & 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 0.87 ha 2.00 ac
 Workspace 0.03 ha 0.07 ac
TOTAL: 0.84 ha 2.07 ac

Chris P. Sekundow, BCIS

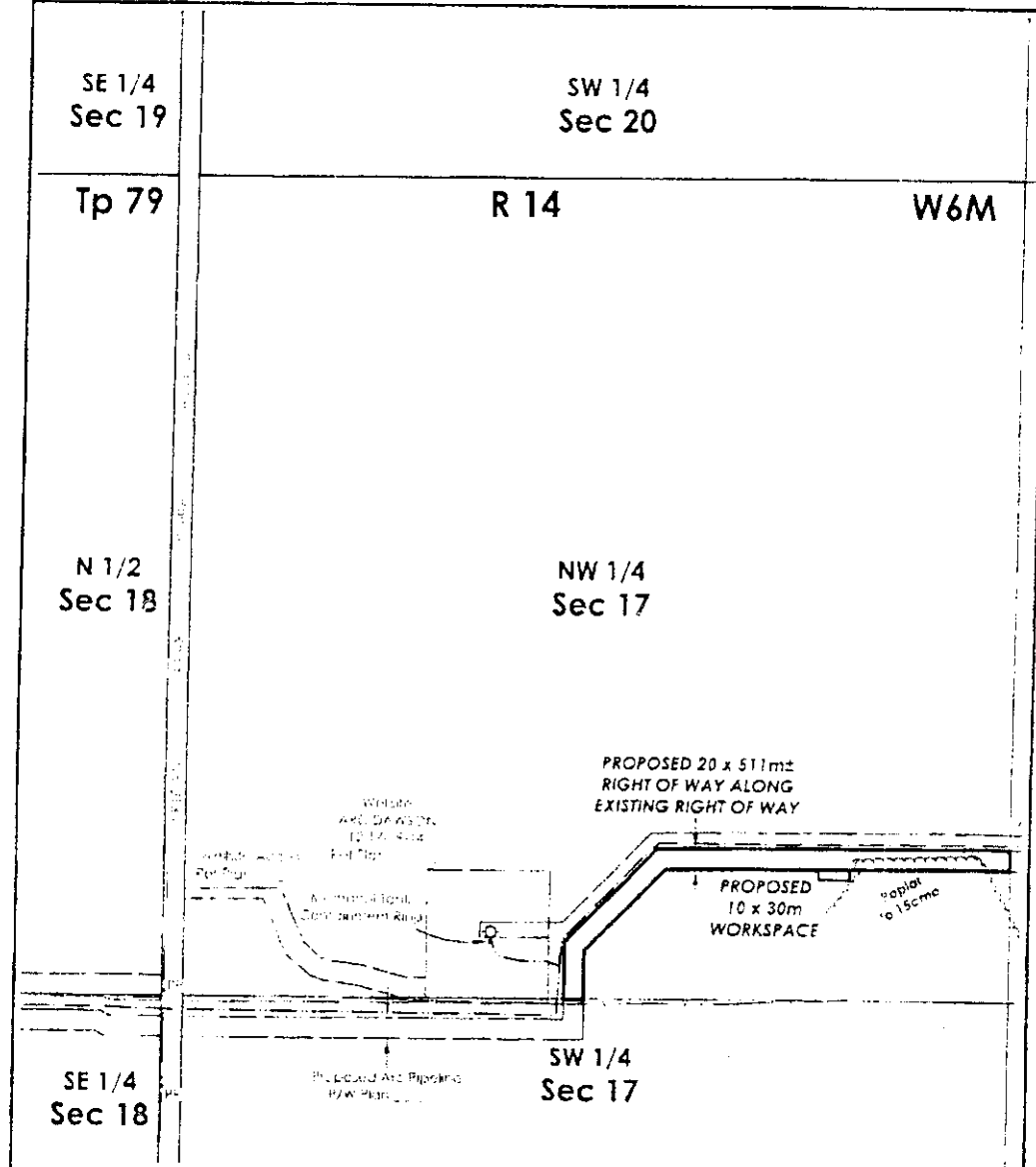
NO.	DATE	BY	REVISION
1	2010-01-28	CS	Initial Drafting

can-am geomatics
 4000 Highway 100
 Fort St. John, B.C.
 www.canam.com

CAN-AM FILE: J20090481
 Date: 2010-01-28
 Sheet No: 1 of 2
 Title: _____
 Project 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.: P20443 **P.I.D. No.:** 010799-150
OWNER(S): Mark Kathleen Miller

LEGEND
 SCALE = 1:1,000
 Portions referred to:
 Harris Distances shown are in the red
 Certified correct this
 26th day of January, 2016.

AREA REQUIRED:
 20m Pipeline R/W 1.02 ha 2.52 ac
 Workspace 0.03 ha 0.07 ac
TOTAL: 1.05 ha 2.59 ac

Chris R. Sakondick, B.C.S.

NO.	DATE	REVISION	DRN	CHKD
1	01/26/16	Original plan issued	HRP	CS

can-am geomatics

can-am geomatics inc. Phone: 250.797.7177
 P.O. Box 1000, Box B.C. Toll Free: 1.800.398.3982
 www.canam.com Fax: 250.797.7070

CAN-AM FILE: J20090481

CAD FILE: J20090481.dwg

Client File No.: J10394

Map No.

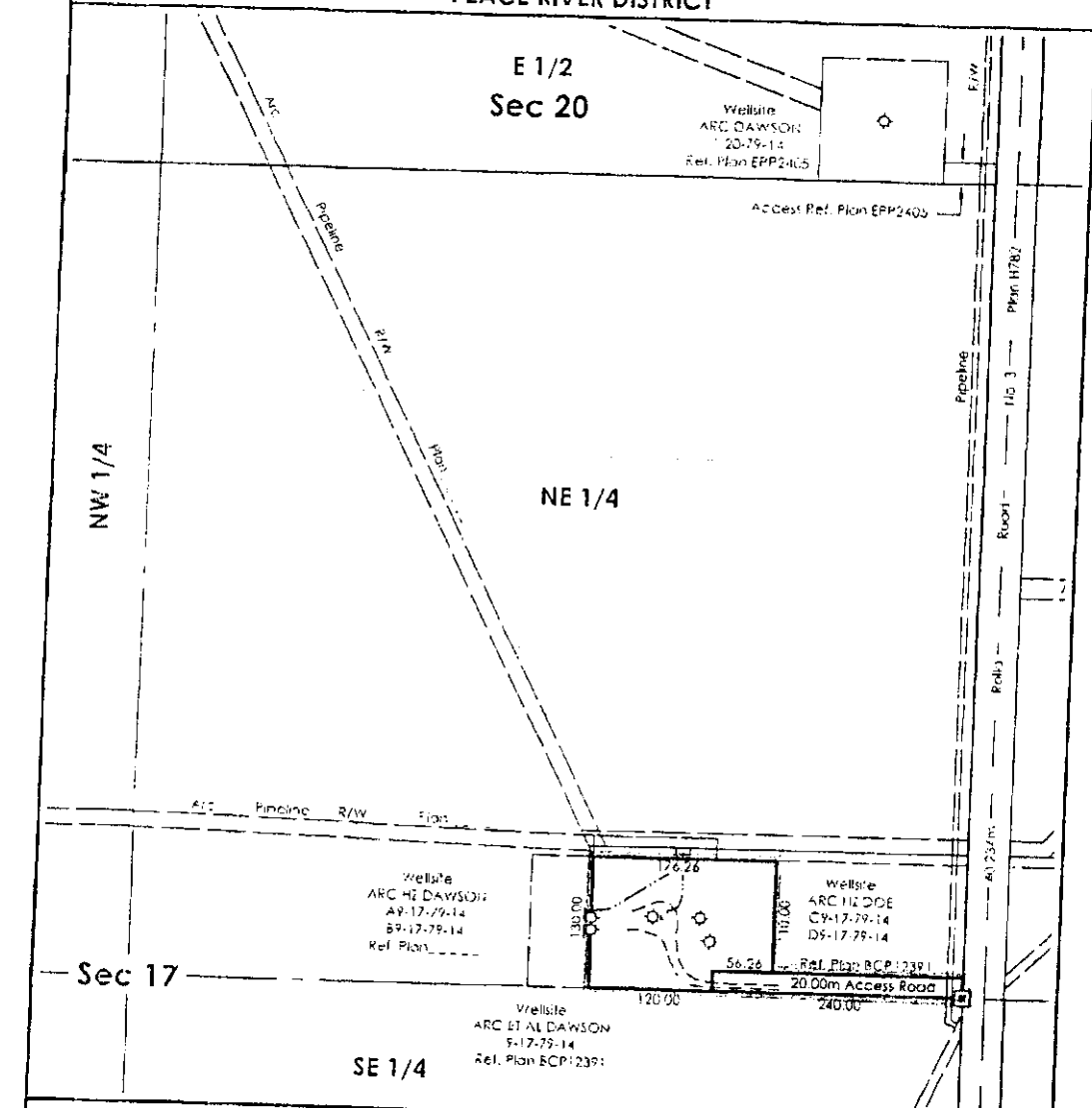
Plan File No.




SCHEDULE "A" 1633-2 and Z

**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.: 010-797-176
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:
Wellsite 2.18 ha 5.39 ac
Access 0.48 ha 1.19 ac
TOTAL: 2.66 ha 6.58 ac

Chris R. Sakundak, BCLS

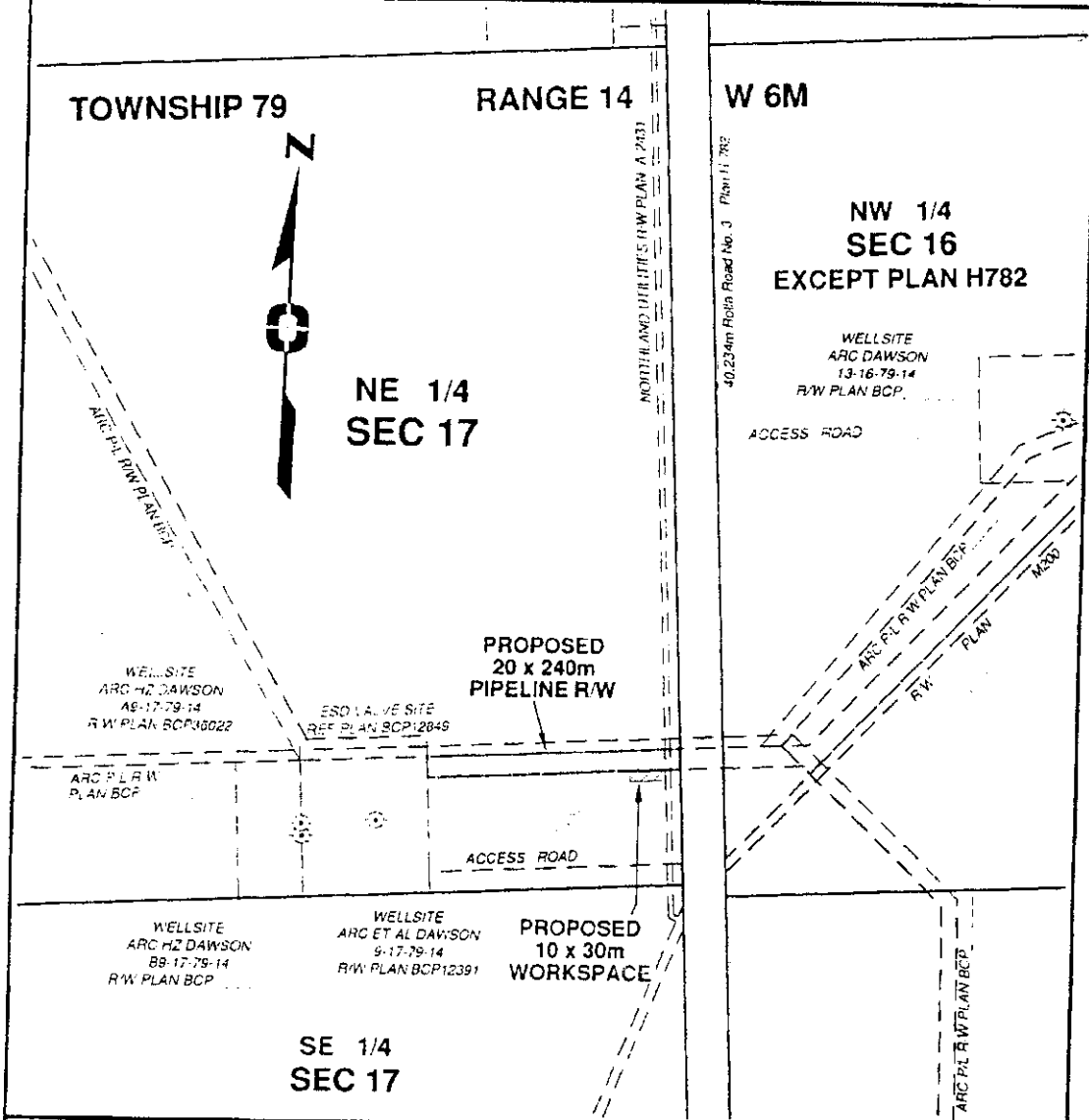
IC	DATE	REVISION	DRN	CKD
1	10/04/20	Original plan issued	LA	CS

can-am geomatics
can-am geomatics inc. Phone: 250.787.2121
Fort St. John, B.C. Toll free: 1.866.208.0785
www.canam.com Fax: 250.787.2323

CAN-AM FILE: J20090359
CAD FILE: J20090359C0P60
Client File No.: 50686
AFE NO.:
Land File No.:
REVISION: [Symbol]

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

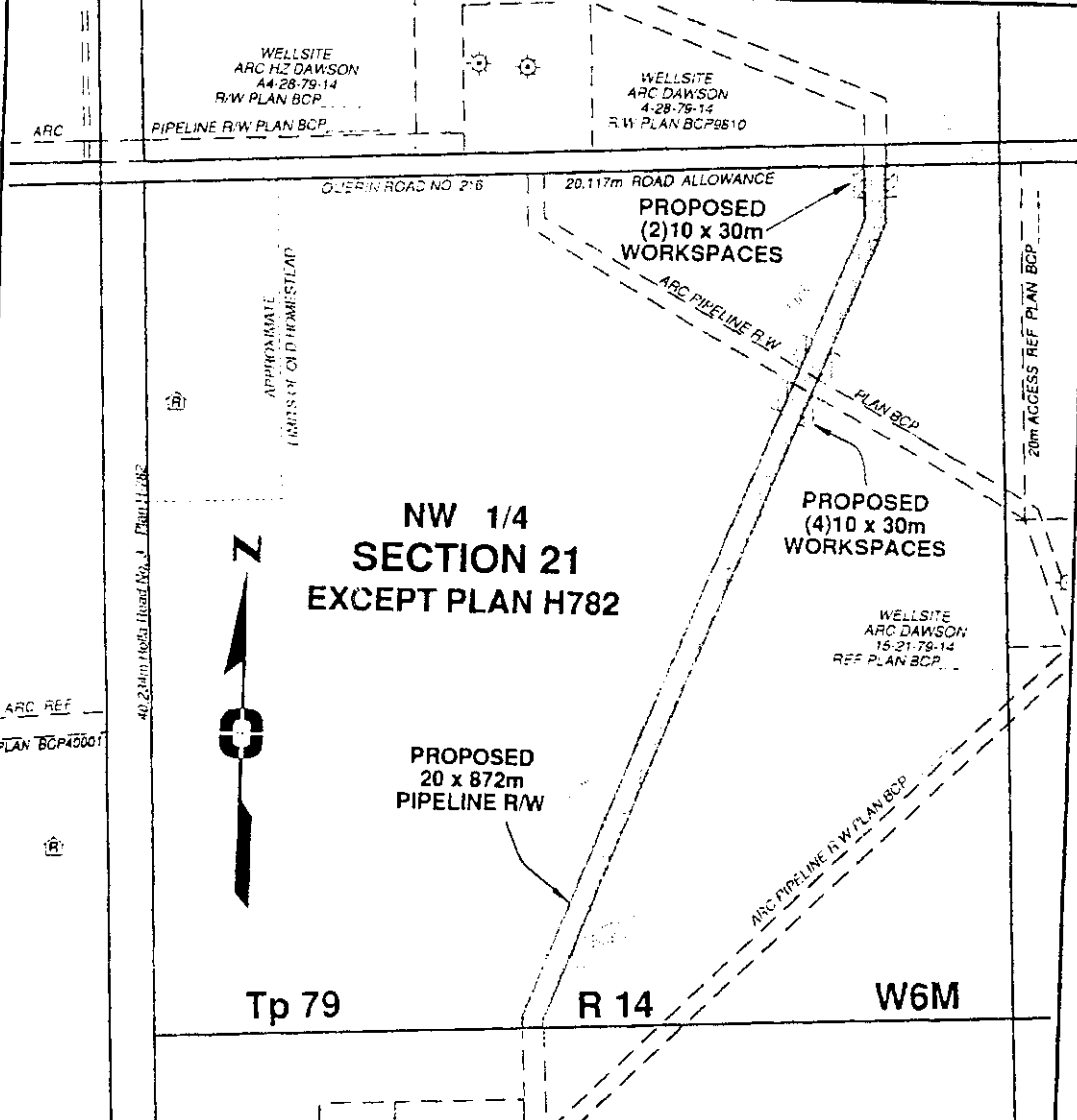
Areas		
Permanent	0.48 ha	1.19 ac
Temporary	0.03 ha	0.07 ac
Total	0.51 ha	1.26 ac

FOCUS Focus Surveys
 Fort St. John, BC
 10716 109th Ave.
 Fort St. John, BC
 Tel: 250-747-0300
 Fax: 250-747-1011
 www.fs-llc.ca

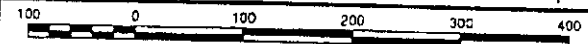
Focus Job No: 090072NP01R0
 Ref Dwg: 090072CP01R0
 Drafter: CN

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



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	1.74 ha 4.30 ac
Temporary	0.18 ha 0.44 ac
Total	1.92 ha 4.74 ac

FOCUS Focus Surveys
 Fort St. John 10715-109th Ave. R.C. V1J 1Z3
 P: (250) 787-0500 F: (250) 787-1511
 www.focus.ca

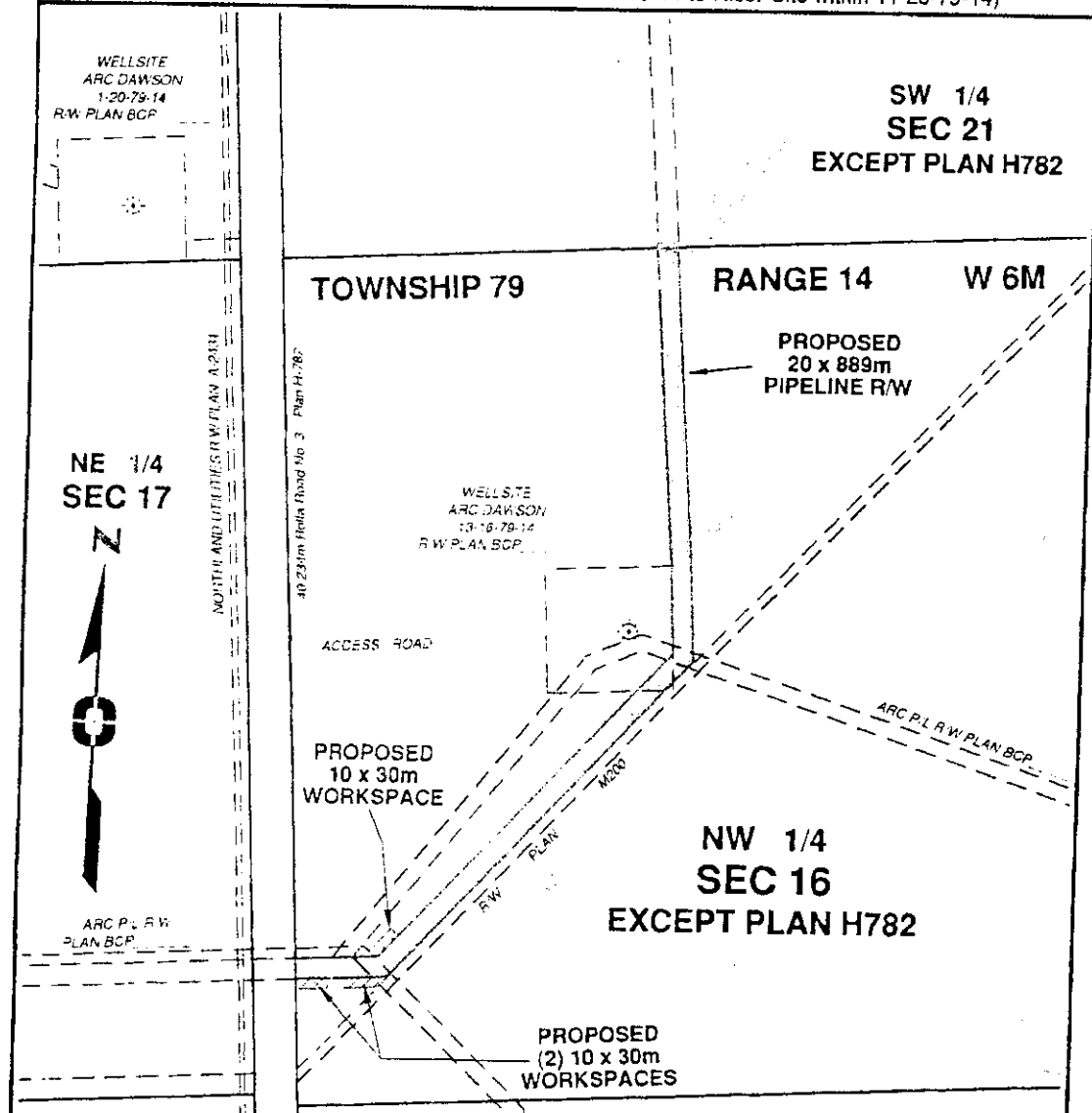
Focus Job No: 090072NP04R0
 Ref Dwg: 090072CP01R0
 Drafter: CN

SCHEDULE "A" 1633-2 and 2

Page ___ of ___

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

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

Areas		
Permanent	1.78 ha	4.40 ac
Temporary	0.09 ha	0.22 ac
Total	1.87 ha	4.62 ac



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

FOCUS

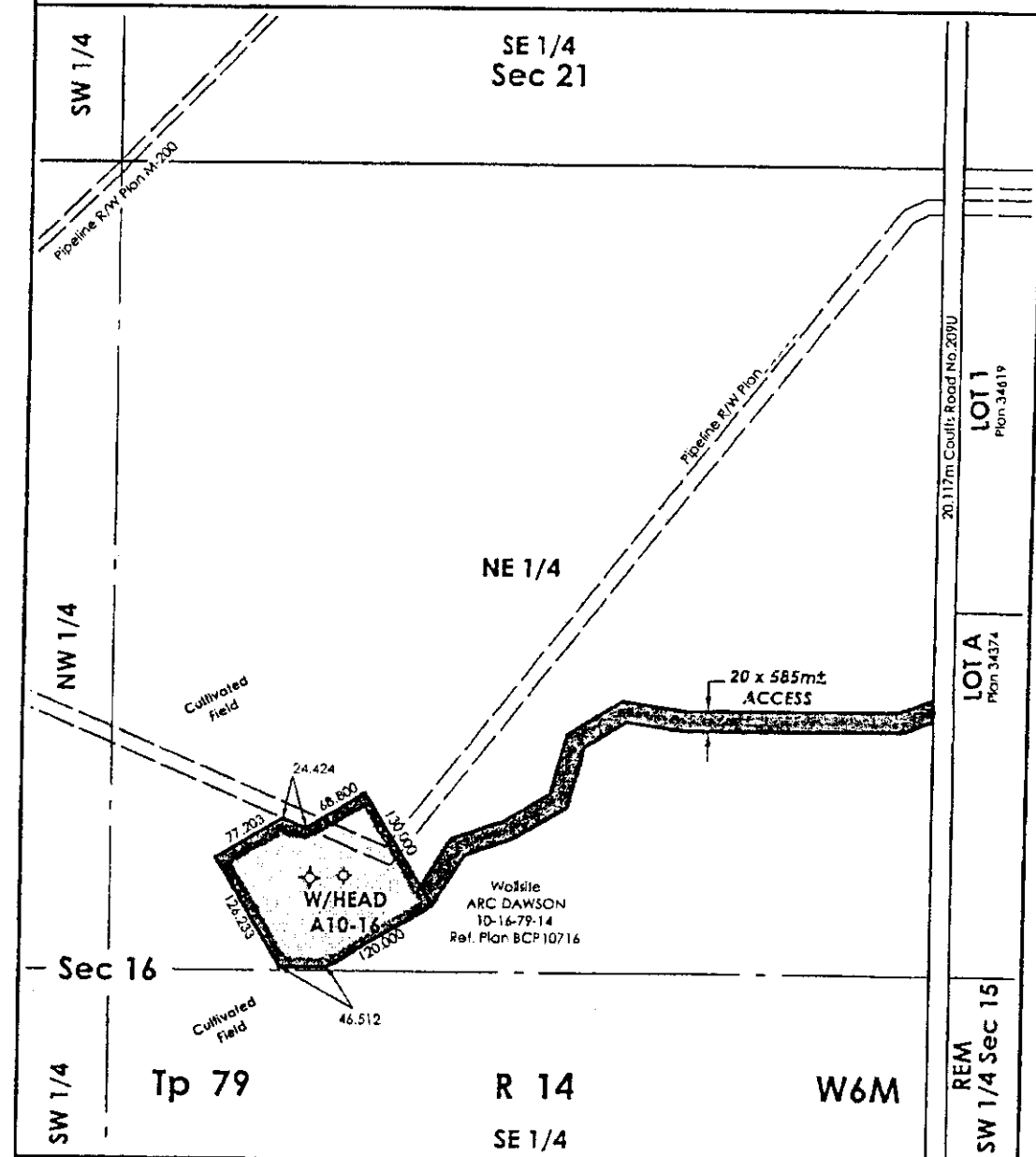
Focus Surveys
FCS Land Services Limited Partnership

Fort St. John
107-5 109th Ave.
Rc. V1V 2Z3
Ph: (250) 787-0300
Fax: (250) 787-1611
www.focus.ca

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

ARC RESOURCES LTD.
INDIVIDUAL OWNERSHIP PLAN
 SHOWING PROPOSED
 WELLSITE IN
NE 1/4 Sec 16, Tp 79, R14, W6M
 PEACE RIVER DISTRICT

SCHEDULE "A" 1633-2a.mpl 2



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

LEGEND
 SCALE = 1: 5,000
 Portions referred to: [Symbol]
 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
TOTAL:	3.37 ha	8.33 ac

Chris R. Sakundiak, BCLS

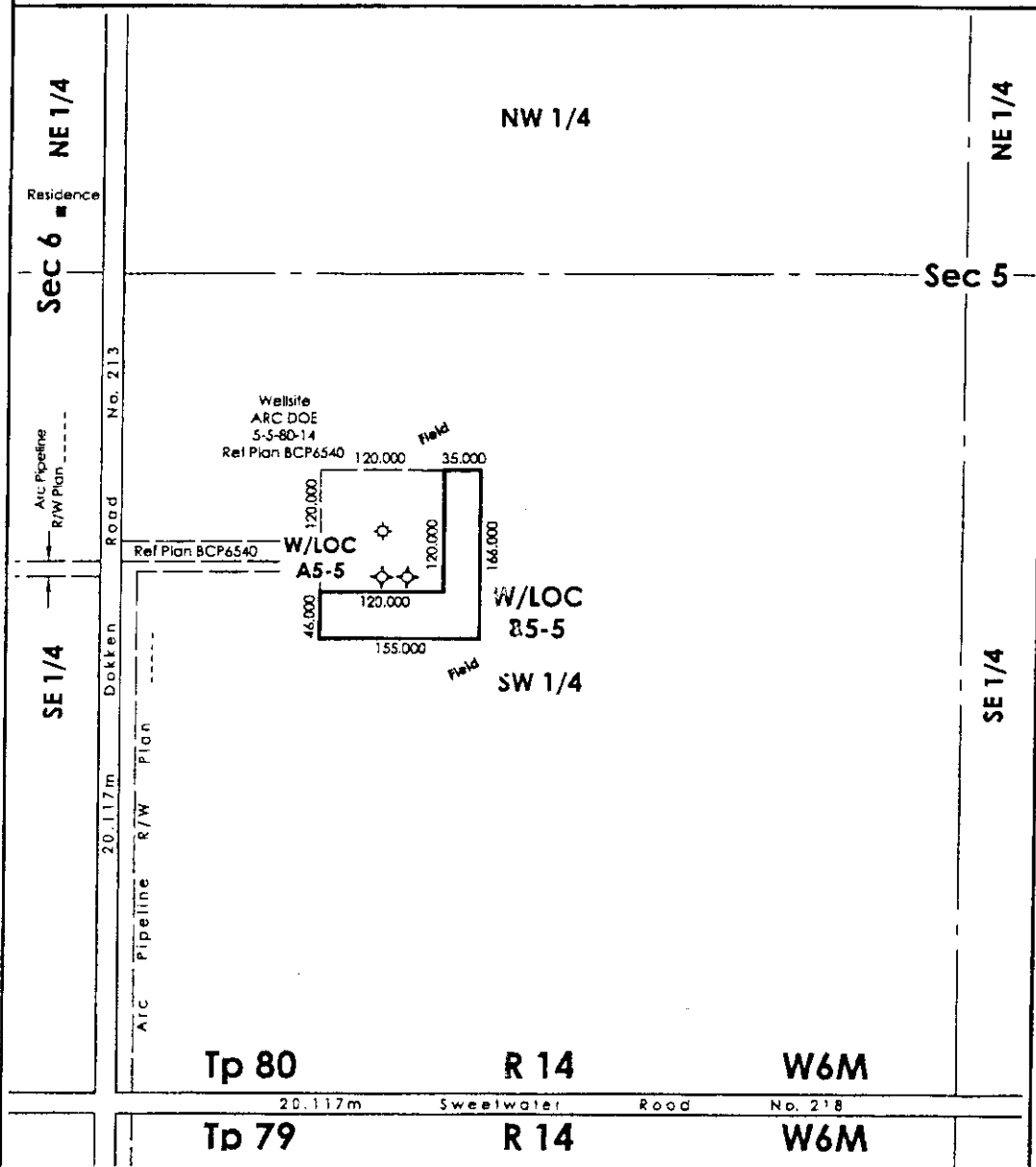
NO.	DATE	REVISION	DRN	CKD
0	08/11/24	Original plan issued	CV	SM
1	11/02/23	Wellsite & Access Revised	RC	CS

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

CAN-AM FILE:	
CAD FILE: J2008067610P61	
Client File No.:	REVISION
AFE No.:	
Land File No.:	

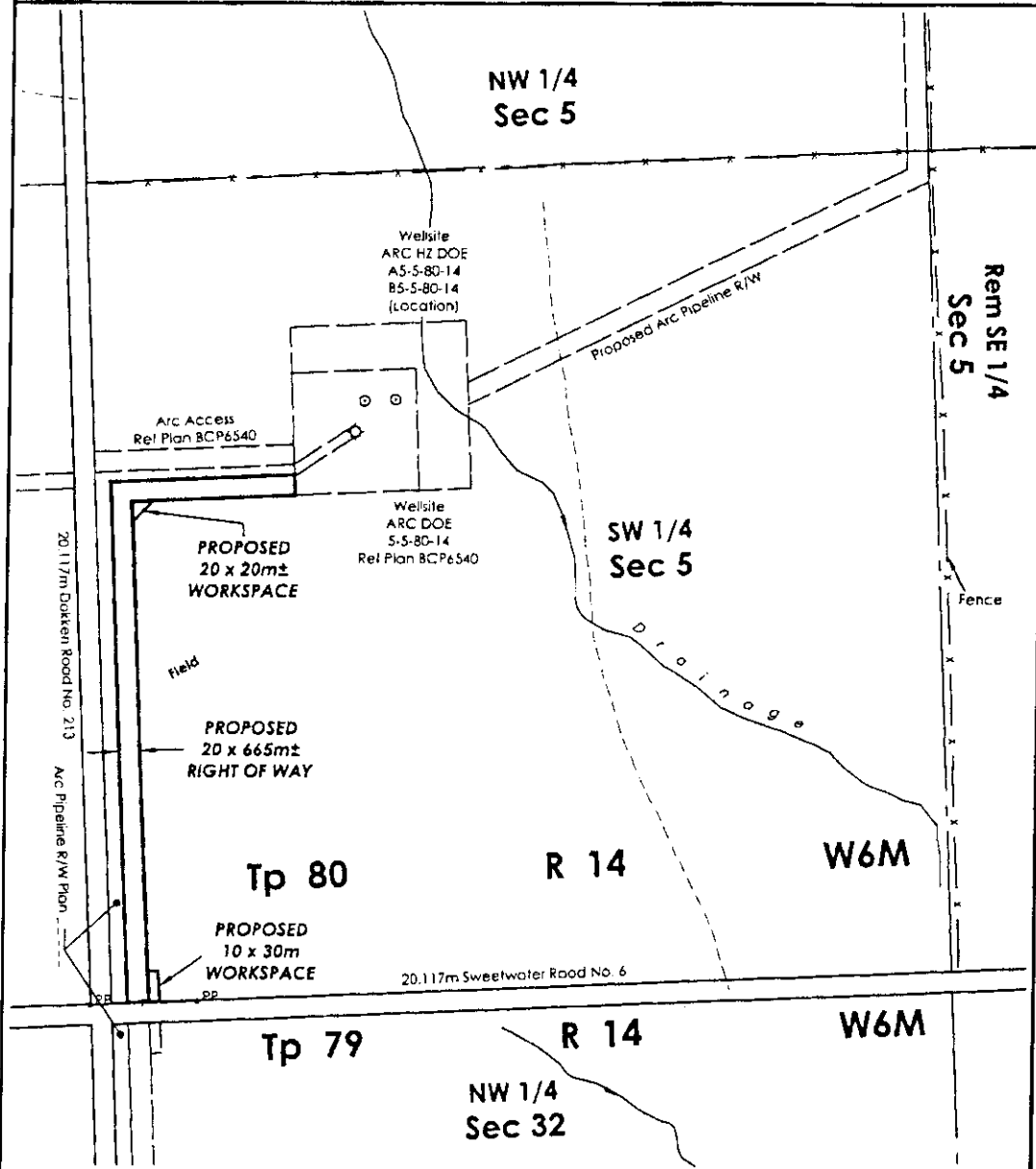
SCHEDULE "A" 1633-2amd 2

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		LEGEND	
OWNER(S): John Irving Miller				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	CAN-AM FILE: J20090107 CAD FILE: J20090107(OP01) Client File No.: S06985 AFE No.: Land File No.:
0	10/01/29	Original plan issued	JMS	CS	
1	10/05/21	Well site 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					 REVISION

**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: [Symbol]
 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
TOTAL:	1.38 ha	3.41 ac

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

CAN-AM FILE: J20090545

CAD FILE: J20090545IOPA0
 Client File No.: E10412
 AFE No.: [Symbol]
 Land File No.: [Symbol]

REVISION