

**File No. 1839**  
**Board Order No. 1839-1**

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**August 12, 2014**

**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 FRACTIONAL SOUTH EAST ¼ OF SECTION 2 TOWNSHIP 78  
RANGE 17 WEST OF THE 6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT  
THE NORTH EAST ¼ OF SECTION 2 TOWNSHIP 78 RANGE 17 WEST  
OF THE 6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT**

**(The "Lands")**

**BETWEEN:**

**Murphy Oil Company Ltd.**

**(APPLICANT)**

**AND:**

**Marilyn Gross**

**(RESPONDENT)**

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**BOARD ORDER**

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Murphy Oil Company Ltd. ("Murphy Oil") seeks a right of entry order to access certain lands legally owned by Marilyn Gross to carry out an approved oil and gas activity, namely the construction, operation, and maintenance of three flowlines.

Following an agreement reached by the parties, and at the request of the parties, the Surface Rights Board orders, BY CONSENT:

### **ORDER BY CONSENT**

1. Murphy Oil shall have the right of entry to and access across the portion of the Lands shown outlined in red on the Individual Ownership Plans attached as Appendix "A" (the "Lands") for the purpose of carrying out the approved oil and gas activity, namely the construction, operation, and maintenance of three flow lines (the "Flow Lines"). Murphy Oil's access to the Lands shall be subject to the additional terms and conditions attached as Appendix "B".
2. The parties agree that neither a partial payment nor a security deposit is required in the circumstances.
3. Nothing in this Order operates as a consent, permission, approval, or authorization of matters within the jurisdiction of the Oil and Gas Commission.

DATED: August 12, 2014

FOR THE BOARD



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Cheryl Vickers, Chair

## APPENDIX "B"

### Additional Terms and Conditions

1. The Grantee shall provide reasonable notice to the Grantor prior to the start of construction of the statutory right of way.
2. All drainages, whether man-made or natural, insofar as reasonably practicable, shall be restored to the same or substantially the same condition as existed prior to the start of the statutory right of way construction.
3. The Flow Lines shall be buried such that there is a minimum cover of 1.5m which should allow the Grantor to cross such statutory right of way under normal agricultural operations. Should the Grantor wish to cross the Flow Lines with unusually heavy equipment (whether or not related to agricultural operations), the Grantor shall provide the Grantee sufficient prior notice such that the Grantee in compliance with governmental regulations has a reasonable opportunity to ensure such measures and works are in place to allow for safe crossing.
4. The Grantee shall install temporary barbed wire gates at all fence crossings and shall permanently repair such fences after construction has been completed.
5. Any timber or residual debris not wanted by the Grantor shall be piled and burned.
6. The Grantee shall make a reasonable effort to prevent the entry and spread of weeds on the Lands caused by Grantee's operations on the right of way lands. The Grantee shall assume responsibility for the control of noxious weeds on the Lands caused by the Grantee's operations.
7. The Grantee shall bore the fence and trees beside the 239 Road while boring the 239 Road. The Grantee shall not cut the fence or remove the trees while boring without the landowner's written consent. The Grantee shall use the existing access road for access.
8. The statutory right of way shall be used as part of the Grantee's gas gathering system from 1-2-78-17 W6 to 14-1-14-1-78-17 W6 and shall not be used as a large diameter transmission pipeline.
9. When the Flow Lines are to be abandoned, the Grantee will pig the lines to remove and liquid hydrocarbon contamination, purge the lines with inert nitrogen gas, and cap each end of the pipe. This is to be done so that the pipes will be clean and can be left in the ground without contaminating the surrounding land.
10. The Grantee shall reseed the hayfield to hay mix (contact landowner or occupant for exact mixture) and the forested areas to native pasture grass mix.

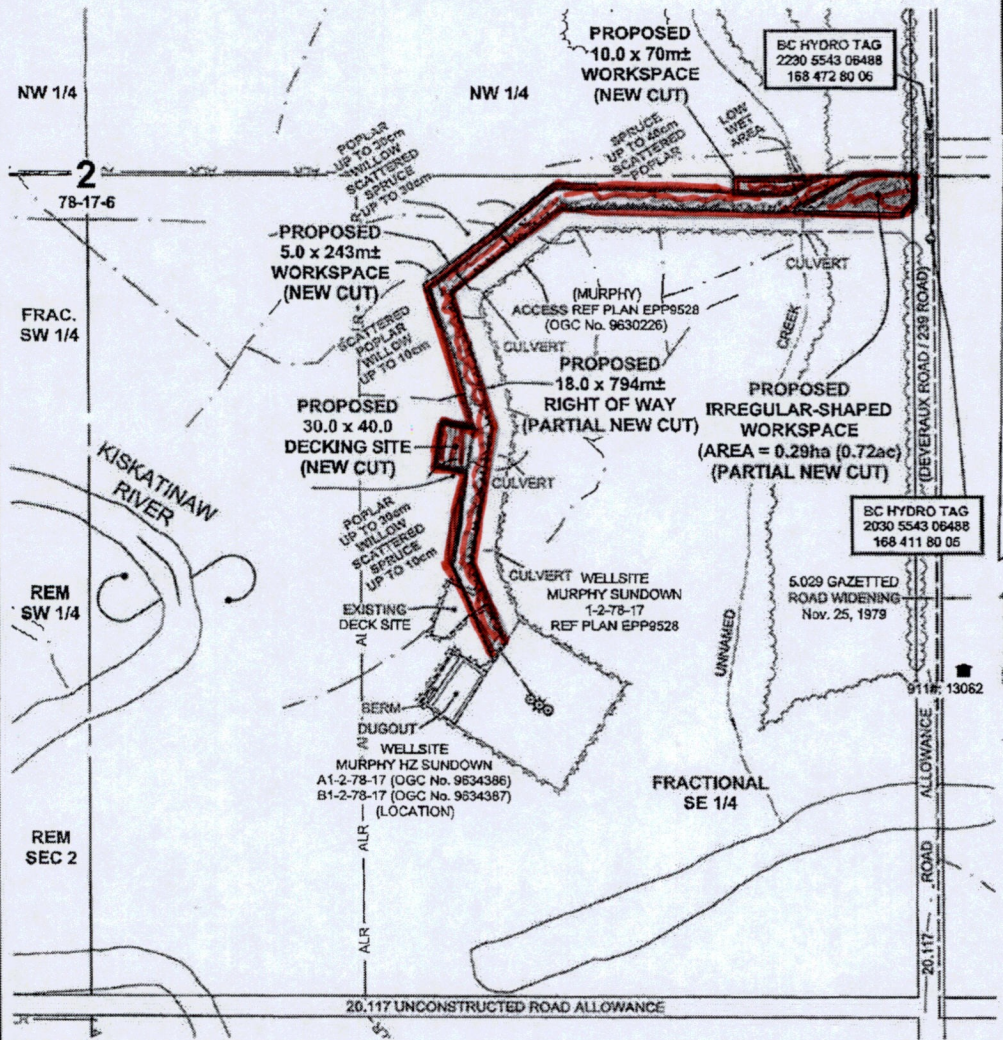
11. Specifications of the Flow Lines are an approx.. 219.1mm natural gas pipeline, a 114.3mm liquids pipeline, and a 114.3mm fuel gas pipeline.
12. The Grantee shall bury the flow Lines under the hayfield with a minimum cover of 1.8m.
13. The Grantor is permitted to cross the statutory right of way with equipment weighing less than 10,000kg under firm ground conditions. The Grantor will call the Grantee to confirm whether it is safe to cross the statutory right of way if the Grantor is unsure about the ground conditions or the weight of the Grantor's equipment.

Appendix "A" 1839-1 Page 1 of 2

Attached to and made part of a Lease dated this 1839-1 day of \_\_\_\_\_, 20\_\_\_\_, between  
 MARILYN GROSS as Owner and Murphy Oil Company Ltd. as Company.

**INDIVIDUAL OWNERSHIP PLAN**

SHOWING PROPOSED 18.0 PIPELINE RIGHT OF WAY  
 WITHIN FRACTIONAL SE 1/4 OF SECTION 2, TOWNSHIP 78, RANGE 17, W6M  
 PEACE RIVER DISTRICT



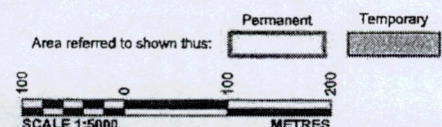
Owner(s) : MARILYN GROSS

Certification Title No. : PM49233  
 Parcel Identification No.: 011-202-467  
 Murphy File:

Areas:		
PIPELINE RAW	1.43 ha	3.53 ac
DECKING SITE	0.12 ha	0.30 ac
WORKSPACE(S)	0.48 ha	1.19 ac
Total	2.03 ha	5.02 ac

This plan certified correct this  
 15th day of November, 2013.

Rich E. Nixon B.C.L.S.



DWG.: F-0034-13-P1-IOP-A By: PJP  
 Revision: 0

**MIDWEST SURVEYS**  
 LAND SURVEYING LTD.  
 11003 Alaska Road  
 Fort St. John, BC  
 V1J 6P3  
 Tel: 250-785-3902

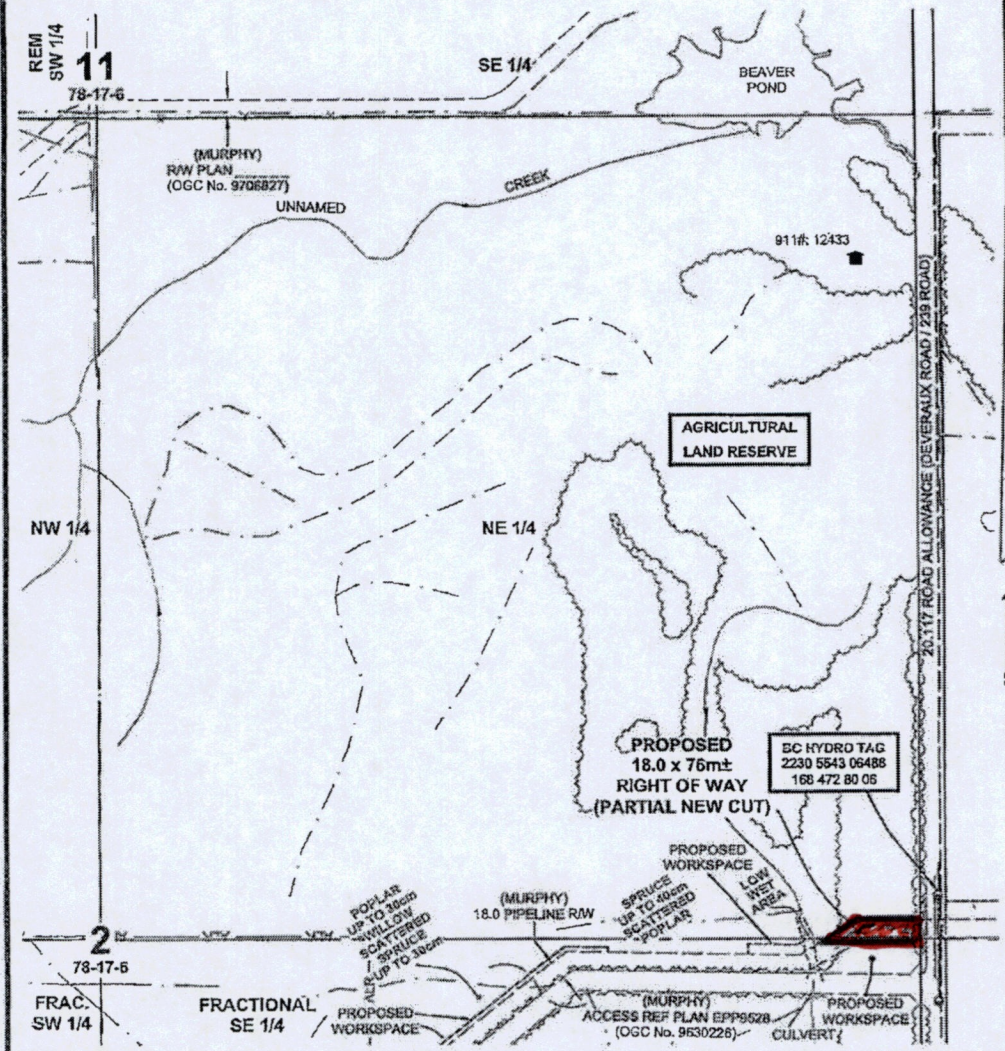
1839-1

Attached to and made part of a Lease dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ between

MARILYN GROSS as Owner and Murphy Oil Company Ltd. as Company.

### INDIVIDUAL OWNERSHIP PLAN

SHOWING PROPOSED 18.0 PIPELINE RIGHT OF WAY  
WITHIN NE 1/4 OF SECTION 2, TOWNSHIP 78, RANGE 17, W6M  
PEACE RIVER DISTRICT



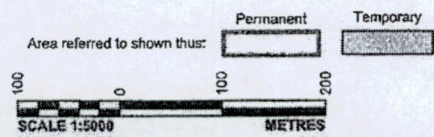
Owner(s) : MARILYN GROSS

Certification Title No. : PM49232  
Parcel Identification No. : 011-202-459  
Murphy File: \_\_\_\_\_

Areas:		
AREA 1	0.14 ha	0.35 ac
Total	0.14 ha	0.35 ac

This plan certified correct this  
15th day of November, 2013.

*Rich E. Nixon*  
Rich E. Nixon B.C.L.S.



DWG.: F-0034-13-P1-IOP-S By: RJP  
Revisior: 0

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