

**File No. 1947**  
**Board Order No. 1947-1**

---

**February 19, 2018**

**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 NORTH ½ OF SECTION 14 TOWNSHIP 81 RANGE 17 WEST OF THE 6<sup>TH</sup>  
MERIDIAN PEACE RIVER DISTRICT

(The "Lands")

BETWEEN:

ARC Resources Ltd.

(APPLICANT)

AND:

Barry Critcher  
Irmgard Macdalena Critcher

(RESPONDENTS)

---

**BOARD ORDER**

---

ARC Resources Ltd. ("ARC") seeks a right of entry order to access certain lands legally owned by Barry Critcher and Irmgard Macdalena Critcher to carry out an approved oil and gas activity, namely the construction, operation and maintenance of flowlines and associated infrastructure.

On February 14, 2018, the Oil and Gas Commission ("OGC") issued an amended permit for ARC's project (Application Determination Number 100103472).

During a telephone mediation conducted on February 19, 2017, the parties reached an agreement with respect to the proposed terms of a right of entry order for the flowline project. The parties also reached an agreement on compensation with respect to the flowline project on a lump sum basis.

Accordingly, the Surface Rights Board orders, BY CONSENT:

## **ORDER**

1. Upon payment of the amount specified in paragraph 2 of this Order, ARC shall have the right of entry to and access across the portion of the Lands shown outlined in red on the Individual Ownership Plan attached as Appendix "A" for the purpose of constructing, operating and maintaining flowlines and associated infrastructure.
2. ARC shall pay the landowners the amount agreed upon during the telephone mediation of February 19, 2017 as total lump sum compensation for the flowline project.
3. ARC will provide a minimum of one week advance notice in writing or by email to the landowners prior to commencing construction on the Lands.
4. ARC will make all reasonable efforts to comply with the Integrated Weed and Canola Clubroot Management Plan for ARC Resources Ltd. Wellsite 14-14-81-17 W6 dated August 17, 2017 (the "Plan"), and will make all reasonable efforts to communicate the existence of the Plan to all personnel involved in the construction of the flowlines with supervisory or management duties.
5. ARC will carry out its activities on the Lands in compliance with all applicable legislation.
6. ARC shall ensure that 1-2 suitable pipeline crossings are in place for the flowlines between April 15, 2018 and November 15, 2018, at locations to be determined in agreement with the landowners.
7. The landowner may cross and farm over the pipeline right of way in the normal course of such farming operations, including crossing the pipeline

right of way with vehicles and farming equipment (regardless of whether the vehicle carries a farm license), provided that any vehicles or farming equipment crossing the pipeline right of way do not alter the depth of cover over the flow line. If a permanent crossing is required over the flow line to accommodate heavier vehicles where additional matting or cover is required upon determination by ARC, on reasonable notice being provided, ARC will construct the appropriate crossing.

8. The flowlines will be buried with a minimum depth of cover of 1.5 metres.
9. During construction the landowners or representative of the landowners will have the opportunity to inspect the site, consult and monitor construction, provided it is safe to do so and they do not interfere with ARC's operations.
10. Nothing in this order operates as a consent, permission, approval, or authorization of matters within the jurisdiction of the Oil and Gas Commission.

DATED: February 19, 2018

FOR THE BOARD

A handwritten signature in black ink, appearing to read "Rob Fraser", with a stylized, flowing script.

---

Rob Fraser, Mediator

# APPENDIX "A"

