

File No. 1952
Board Order No. 1952-1

November 1, 2017

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 WEST $\frac{1}{4}$ OF SECTION 16 TOWNSHIP 79 RANGE 14 WEST OF
THE 6TH MERIDIAN PEACE RIVER DISTRICT EXCEPT PLAN H782

(The "Lands")

BETWEEN:

ARC Resources Ltd.

(APPLICANT)

AND:

John Irving Miller

(RESPONDENT)

BOARD ORDER

ARC Resources Ltd. (“ARC”) seeks a right of entry order to access certain lands legally owned by John Irving Miller (the “Lands”).

ARC proposes to construct, operate and maintain a flow line and associated infrastructure. The Oil and Gas Commission (“OGC”) has issued a permit for this project (100102516).

On October 2, 2017, I conducted a telephone conference call held as part of the Board’s mediation process, attended by K. Buytels and R. Williams for ARC Resources Ltd. (“ARC”), and M. Miller (owner of the Lands in 1951), J. Miller (owner of the Lands in 1952), D. Carter and B. Fast.

ARC circulated a draft right of entry order which the parties discussed and agreed to amendments that are found in the order below.

Under the provisions of the *Petroleum and Natural Gas Act*, the Board may grant a right of entry order to privately owned land if it is satisfied that an order authorizing entry is required for an oil and gas activity. The Board is satisfied that Encana requires entry to the Lands for an approved oil and gas activity, namely completing the project authorized by the Oil and Gas Commission’s permit #100102516.

The Surface Rights Board orders:

ORDER

1. Upon payment of the amounts set out in paragraphs 2 and 3, ARC shall have the right to enter and access the portions of the Lands shown outlined in red and green on the Individual Ownership Plan attached as Appendix “A” as necessary for the purpose of constructing, operating and maintaining a flowline and associated infrastructure in accordance with OGC Permit No. 100102516 issued by the Oil and Gas Commission on July 27, 2017.
2. ARC shall pay to the landowner as partial compensation the total amount of \$5,000.
3. ARC shall deliver to the Surface Rights Board security in the amount of \$2,500 by cheque made payable to the Minister of Finance. All or part of the security deposit may be returned to ARC, or paid to the landowner, upon agreement of the parties or as ordered by the Board.
4. ARC will, within seven 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, take all reasonable steps to cause the lien to be removed.

5. The Grantee will be responsible for the 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 land owner and the lessee in discharging this responsibility.
6. No risers or other above ground equipment or structures are permitted, without the landowner's consent or a further Board order.
7. ARC shall not erect any power poles or transmission lines within the area outlined in red in Appendix "A", permanently or otherwise, without the landowner's consent or a further Board Order.
8. Nothing in this order operates as a consent, permission, approval, or authorization of matters within the jurisdiction of the Oil and Gas Commission.

DATED: November 1, 2017

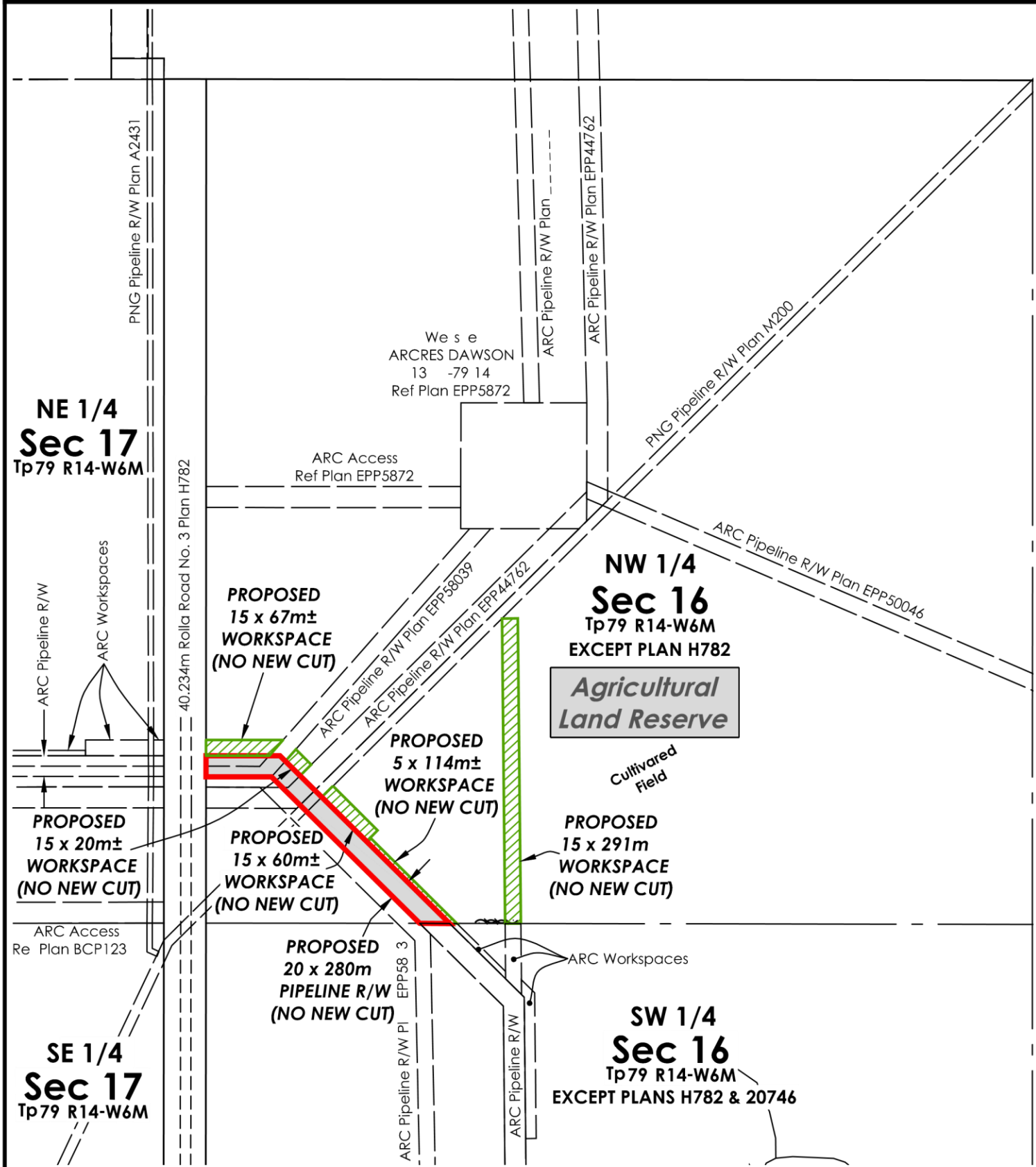
FOR THE BOARD



Rob Fraser, Mediator

ARC RESOURCES LTD.
INDIVIDUAL OWNERSHIP PLAN
SHOWING PROPOSED
20m PIPELINE RIGHT OF WAY IN
NW 1/4 Sec 16, Tp 79, R 14, W6M
EXCEPT PLAN H782
PEACE RIVER DISTRICT

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TITLE No.: PK47339 **P.I.D. No.:** 014-640-287
OWNER(S): John Irving Miller

NOTES
 SCALE = 1: 5,000
 Distances shown are in metres.
 Permanent Portions referred to:
 Temporary Portions referred to:
 Certified correct this
 19th day of May, 2017.

AREA REQUIRED:

	20m Pipeline R/W	0.56 ha	1.38 ac
	Workspaces	0.72 ha	1.78 ac
TOTAL:		1.28 ha	3.16 ac

Andrew W.J. McFarlane, BCLS 874

NO.	DATE	REVISION	DRN	CKD
0	17/03/14	Original plan issued	MC JL	WC AAM
1	17/05/19	Moved Pipeline 10m South	LMP	TC

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CAN-AM FILE: 20163558
 CAD FILE: 20163558IOP10_1
 Client File No.: E12424
 AFE No.: 16PPL0161
 Land File No.:

REVISION