

Appendix 3

Operating Licence Other Permits



National Energy Board



Office national de l'énergie

OPERATING LICENCE / PERMIS DE TRAVAUX

NO. 1039

THIS OPERATING LICENCE IS ISSUED TO / LE PRÉSENT PERMIS EST DÉLIVRÉ À:

Apache Canada Ltd.

Stuite 1000, 700 - 9th Avenue SW Calgary, AB T2P 3V4

(Address / Adresse)

(403) 261-1396

(Telephone / Téléphone)

Robert S. Bachynski, Manager, Land

(Responsible Officer / Personne responsable)



1 April, 2003

DATE OF ISSUE / DATE DE DÉLIVRANCE

FEE / DROIT: \$25.00

[Signature]
CHIEF CONSERVATION OFFICER / DÉLÉGUÉ À L'EXPLOITATION

This operating licence is not transferable and expires on March 31 immediately after the date of issue
Le présent permis est intransférable et est valide jusqu'au 31 mars qui suit sa délivrance

Canada

**GOVERNMENT OF THE NORTHWEST TERRITORIES
DEPARTMENT OF TRANSPORTATION**

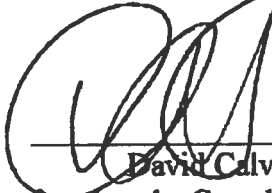
APPLICATION FOR: PERMANENT ACCESS TO A PUBLIC HIGHWAY
 ✓ TEMPORARY ACCESS TO A PUBLIC HIGHWAY

Apache Canada Limited of 1000, 700 – 9th Ave. SW, Calgary, Alberta T2P 3V4 hereby applies for a permit to construct a single lane access Road to the Fort Good Hope-Colville Lake Highway at Kilometer 144 (approx..) in accordance with the plans and specifications set out on the reverse side hereof or which are attached hereto. The access is desired for the following purpose:

It is proposed that a 10m wide existing cutline intersecting the Fort Good Hope to Colville Lake Winter Road will be used to access drilling locations south and east of the winter road. This will necessitate the construction of a temporary access point at Km 144 (3km southwest of the community of Colville Lake).

The access will be created during the opening of the winter road and will remain in place for the winter season.

Largest Size of Vehicle to use road: 45,000 pounds
Lot Number: Not Applicable Plan Number: Not Applicable
Lease Number: Not Applicable Land Use Application Date: October, 2003
Dated at 1:30pm this 22nd of September 2003



David Calvert
for Apache Canada Ltd.



(District/Highway Superintendent)

02/10/03

(Date)

APPROVED:



(Regional/Area Superintendent)

2/10/03

(Date)



(Director - Highways Division)

(Date)



**ACCESS TO A PUBLIC HIGHWAY
ACCEPTANCE CONDITIONS APPRAISAL**

**DEPARTMENT OF TRANSPORTATION
HIGHWAY OPERATIONS DIVISION
P.O. BOX 86
FORT SIMPSON, N.W.T.
XOE ONO
PH. # 867-695-2478 FAX #867-695-3029**

**Highways Use Only
Final Field Inspection
Date: June 16/03
Lapse Date: March 31/04**

I, David Calvert, Apache Canada. of 1000, 700 – 9th Ave. SW.,
Calgary, Alberta is hereby given permission to have right of access to Km 144 of
the Colville Lake winter road and Km 1055 of Hwy #1 subject to the following
conditions:

1. To build a temporary access in accordance with the attached plans and all conditions will be completed to the satisfaction of the Highways Division Representative

The applicant is required to contact Rod Gunderson, District Superintendent of Highway Operations at (867) 695-2478 prior to commencement of moving to site or access to the installation(s).
2. If the access or site has not been used/completed by the 31st day of March 2004 this permit lapses and the applicant must re-apply for a new permit if they wish to proceed.
3. All costs involved in construction and maintenance of the access including the supply and installation of the culverts or improvements to the site shall be borne by, David Calvert, Apache Canada
4. This permit does not constitute that direct access be denied to the highway or to the site; access to GNWT interests shall be available at all times. Realignment of the highway, gravel pit extensions, etc. In the future may necessitate cutting off the direct access to the highway and no claims arising from cutting off the access shall be accepted by the Highway Authority, via the Government of the N.W.T.

5. If it becomes necessary to relocate the access to enable improvements of the highway, the relocation shall be done by David Calvert, Apache Canada at no cost to the Highway Authority.
6. David Calvert, Apache Canada will indemnify and save harmless the Commissioner of the of the N.W.T. and his servants from and against all claims, suits or other proceedings by whomsoever made, brought or prosecuted in any manner based upon, occasioned by, or attributed to the presence of the access(s).
7. This permission to have an access to the highway/site does not in any way give you any right, interest, estate or easement over the land on which the access is granted. The permission is a privilege and not a right and the Commissioner reserves the right to withhold the permission at any time without any explanation or compensation to you.
8. This permit does not excuse violation of any Regulation, Bylaw or Act which may affect this project.
9. This permit approves only the development contained herein, a further application is required for any changes or additions.
10. The Highway Authority is under no obligation to reissue a permit if the right of access is not completed before expiry of this permit.
11. The applicant shall not place any signs contrary to the Northwest Territories Public Highway Act 145-73 amended by 261-79 Highway Sign Regulations. Signage shall indicate the access turn off from the highway and stop signs shall be placed along the accesses before entering the highway easement. Any contravention of these conditions for the Public safety may lead to suspension of the access permit until these conditions are met.


SPECIAL CONDITIONS (Temporary Access Only)

1. The access roads shall be removed as not impede drainage and the areas restored to their original condition by N/A
2. All costs involved in removing the accesses/site cleanup shall be borne by David Calvert, Apache Canada.
3. The permittee and permittee's personnel shall be aware of the traditional lands and local residents utilizing this area. Cabins and traditional camp sites occupy the existing area therefore they reserve priority status.
4. **This is a temporary permit only for the purpose of accessing the easement for oil field activities.**

5. Any damage caused to highway infrastructure or right-of-way will be repaired and the costs borne by David Calvert, Apache Canada. It should be noted that the maximum weight limit on any NWT Highway is 64,000 kilo grams; seasonal road bans of 75% axel will be in effect when posted. Weights beyond this require a "over weight" permit through Transportation's, Motor Vehicles Division, Enterprise Weigh Scales at 867-984-3341.
6. Although approval has been granted by Transportation to access the easement, the access beyond the Highway easement will be subject to approval of Land Use, Department of Indian & Northern Affairs. Please contact Steve Deschene, District Manager at 867-587-2911

Please advise your agreement to these conditions by signing in the space provided below and return the original copy to us.

Recommended for approval by:

 02/10/02
 Rod Gunderson Date
 District Superintendent
 Highway Operations

Approved by:



 Regional Superintendent, Transportation Date 2-10-03

**DIRECTOR OF MARINE SERVICES
 REGIONAL SUPERINTENDENT OF TRANSPORTATION
 DEPT. OF TRANSPORTATION
 GOVERNMENT OF THE N.W.T.
 P.O. BOX 86
 FORT SIMPSON, NT X0E 0N0**