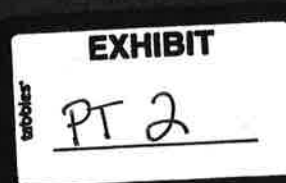


189 PU-22-391 Filed 04/12/2023 Pages: 110
Exhibit PT2 - 4-11-23 public testimony handouts
Public Testimony



ND PSC Meeting CO2 Pipeline

Topics

- Introduction/Timeline
- Easements and easement language
 - Compensation
 - Tile lines
 - Insurance and indemnification
- Pipeline safety
 - Mississippi explosion
 - Controlled explosion
- Surveying
 - Trespassing
 - Strip vs. Blanket
 - Pipeline route
- Siting
- Common Carrier
 - ND Century Code
 - ND constitution

Continued

- March 8th 2022, Oakes landowner meeting. SCS to this point never held a meeting for these folks. This was sponsored by the DRC.
- March 15th 2022. Richland County Commission meeting. 1st meeting that passes the resolution that Opposes Eminent Domain for a CO2 pipeline.
- March 16th NWLA in Bismarck, learned more about pipelines and spoke with Julie Fedorcheck about the fear of Eminent Domain. She showed me ED cannot be used as a negotiation tactic for land easements in our NDCC.
- March 23rd 2022 Landowner meeting in Great Bend ND. This time Summit was present. At this meeting is where they figured out they had a bad indemnification clause.
- Apr. 5th 2022 Sargent County Commissioners. Passed the Resolution Opposing Eminent Domain for a CO2 pipeline.
- Apr. 21 2022 NDFB 1st meeting to discuss landowner rights, Linton ND. Meeting well attended.
- Apr. 26 2022 NDFB 3rd meeting to discuss landowner rights, Wyndmere ND. Very well attended.
- May 2 2022, Burleigh County Commission. Passed the resolution Opposing the use of Eminent Domain. We were successful at every county we were asked to present. Richland, Sargent, Dickey, Burleigh. Emmons, passed the resolution on there own without any presentation. There are over 600 signatures Opposing the use of Eminent Domain.

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Continued

- Nov. 23 2022, Met with Ohnstad Twitchel(Attorney) to review easement language. Thought we had an agreement with SCS, they have since then retracted the verbal agreement.
- Since this time we have had many county meetings, group meetings and phone calls that have lead up to the PSC meetings. I do not believe we would be here today if things would have been handled better. An example is the gas line going from Mapleton ND to Wahpeton ND. A few folks have both pipelines on there property and they have told me the folks handling the gas line were easy and signed the easements within 2 to 3 weeks.

Easements and Easement language

Compensation

- When landowners first received offers from Summit for the proposed pipeline route the offers were very low. The offer for our family farm was 6.08/Ft. Some folks signed at these low offers, some signed in the middle and others got what they felt was the best they could get.
- What is fair? For each farm and individual it is different. This year our farm in Kindred is 140 years old. We have the farm in a LLLP and we have it so no land can be sold, period. So, this bothers us a pipeline with no benefit to us or the public can just come and access and take our land for no reason.

Compensation/Math on development land

- Easement 50'
- NDCC says you cannot have an occupied dwelling within 500' from center of pipeline. I understand waivers can be signed, but who would know that a CO2 pipeline sits right next to a new home?
- Pipeline runs diagonally through a quarter of property for 2640'. $2640 \times 1000 = 2640000 / 43560 = 60.60$ acres out of 160 acres are no longer usable. Plus, will SCS allow a road to be built over the pipeline?
- Assumptions using information from Zillow. $\frac{1}{2}$ acre lots sell for \$100,000.00. $60.60 =$ approximately 121 lots. That landowner just lost over 12 million dollars.
- There are examples of this pipeline going diagonally across property and not being adjacent to roadways or property lines.

Tile Lines

- Summit has Radio advertising promoting how they want to work with landowners.
- On various fields where farmers have spent anywhere from \$800.00 to \$1,200.00 per acre to tile their fields, Summit has not worked with some of these landowners to go adjacent to property lines or roads.
- Farmers want Summit to not cut each and every tile line across there field. In some of these fields Summit wants to go diagonally across the field.
- Summit has said they will give a lifetime guarantee to fix or repair a tile line is not repaired correctly. What is a lifetime, how is the landowner guaranteed this will occur? Who pays for crop damages to fix the line in the future? Who pays for the crop damages to access the broken line?
- Quote from an article published in Iowa "Several of the landowners out there have done some tile work, some underground drainage. And once that gets violated it's impossible to fix correctly, and then again because the right of way then belongs to the pipeline company and they will never get that back. So yes, there are some legitimate concerns going forward with what this pipeline can do."
- November 19, 2021 By Dar Danielson

Easement language, Misc. Items

- In ND century code we are allowed to set a specific time period for easements NOT to exceed 99 years. Summit would not approve any easement that was less than 99 years.
- Summit would also not accept any easement with Favored Nations Clause.
- Summit opposed and refused listing the landowner as “additional insured” on the company insurance policy.
- Summit fought the landowner when they wanted a specific(strip) easement. Instead Summit wanted blanket easements. Which in ND is not even supposed to be recorded by the county auditor. Yet, the majority of recorded easements are with a blanket easement.

Insurance and Indemnification

- It took many conversations and examples for Summit to identify that the risk of this pipeline fell upon the landowner. Landowners all along this pipeline route asked their insurance agents about liability. State Farm, American Family and another company said the landowner was not covered. With American Family a rider would be required.
- Statement from American Family
- The underwriter did get back to me and what you are referring to would be pollution liability and that is excluded in the policy. We DON'T offer pollution liability in your current policy so there's no way to endorse the policy .
- You would only have coverage for Pollution clean-up on his own property.
- It took a lot of effort to get Summit to clean up their indemnification, so the landowner is not responsible for their pipeline. I hope the PSC will not site this project until Summit goes back and protects those landowners who signed the early easements.

+

100m 10 SE

40

100m 10 SE

100m 10 SE

Richland

Proposed
gas Pipeline
crossing

Area that tends
to be avoided

Lisbon

SHEYENNE
NATIONAL
GRASSLAND

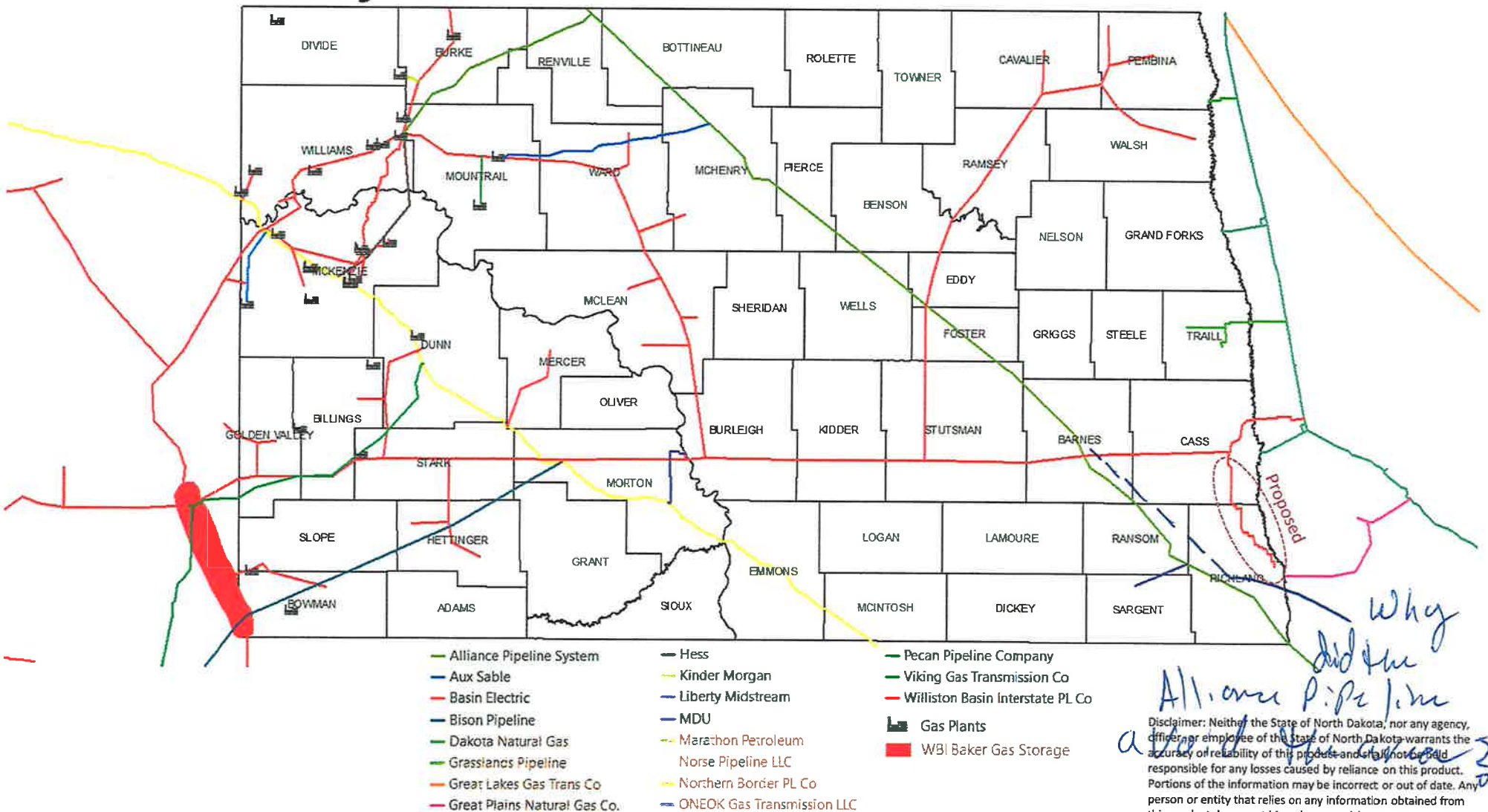
13 15th Ave SE

Ransom
Sargent



A

Major Natural Gas Infrastructure



Alliance Pipeline

Ft. Ransom
State Park



Shennandoah
Grasslands

C



Underground power line cables were bared by rushing water at the Melvin Bergh farm eight miles southwest of Kindred during last week's flash flooding.

To fill in the front yard washout, Lester Bergh said dirt will have to be scraped off high spots on other family land and hauled in.

The damage was all done Monday night, June 30, by 12 midnight. To Mrs. Bergh it sounded like a "big splash", which lasted several hours. By Monday, July 7, the family had almost completed filling it in, scraping soil from other high spots on the farm.

(Reporter photo by Mark Sperry)



Near Mr. and Mrs. Iver Braaten's farm about five miles southwest of Kindred a huge land slide took place during heavy rain the night of June 30, leaving this 25-30 foot deep ravine. Additional soil is ready to drop into the washout which Mrs.

Braaten says she has been hearing fall with a thud every day since. The farm yard is to the left of the picture, taken looking northerly. (Reporter photo by Muriel Evenson.)

Pipeline Safety

- In Feb. of 2020 in Satartia Miss. There was a CO2 pipeline explosion. For my purposes this explosion is very relevant. One of the causes for this failure was that the soil around the pipeline was Highly Erodible Soil(HEL) and it was near a river bank. Well I have the exact same situation. If you look at my soil maps you will see they are defined as HEL, also the pipeline will cross the Sheyenne River on our farm if we are forced to accept this pipeline.
- It has recently been brought to our attention that Summits geology studies are in question. The PSC has received a letter from the State Geologist. GPS locations 12 and 13 are concerns about the Sheyenne River crossing. Location 13 is on our property and I have had concerns about this river crossing since the beginning of this project. Our land still has scars from the flood of 1975.
- Summit has never released a plume study for the public to subside the fears of a CO2 pipeline. Speculation says this is because the Plume study is not favorable. Summit has also not put together a training schedule for our fire fighters, EMS, police officers, etc. Please do not site this pipeline until Summit has met this criteria.
- Web link to a controlled CO2 gas explosion: <https://www.dnv.com/oilgas/laboratories-test-sites/dense-phase-spadeadam-video.html>

Surveying

- In Richland County Summit's surveyors trespassed on private property several times, but no one was charged, due to the fact that the individual surveyor was the one that would pay the consequences and not Summit themselves.
- In ND it is encouraged that all easements are Strip easements and not blanket easements. Below is an excerpt from a letter that was sent to the PSC.

The State of North Dakota already has requirements codified for licensed Land Surveyors to follow under North Dakota Century Code (NDCC) 47-05-02.1.

Land Surveyors are bound by North Dakota Administrative Code (NDAC) 28-02.1-13-01: Survey Requirements for preparation of legal descriptions and conveyance of property.

Land Surveyors are bound by the North Dakota Attorney General Opinion 2017-L-03, dated May 12, 2017, indicating that pursuant to NDCC 43-19.1-30, the items which need to be included as exhibits relevant to documents or attachments, as well as when they are the main documents being recorded.

These documents must include the signature and seal of a North Dakota registered professional land surveyor, even if the document is part of an exhibit or an attachment to the easement.

NDSPLS encourages the use of the North Dakota State Plane Coordinate System, per NDCC 47-20.2, as the base coordinate system used for a universal survey mapping system.

- A landowner should have the same benefits as the State of ND when it comes to easements, surveys and trespass laws. Landowners are abused because they do not have the same protections.

Routing

- Summit has stated many times that they had looked at hundreds of routes and have made changes to the route hundreds of times.
- If this is true why don't they continue to change this route to suit there needs? Highly Erodible soils, tile and those who just do not want this pipeline on there ground. Are reasons Summit should continue to work on rerouting.
- Senator Mark Weber in District 22 asked Bill Panos(ND DOT), why do they not just use the existing right of ways? Answer: They do not want a high pressure pipeline going adjacent to existing infrastructure.
- I asked Wade Boeshans, Erik Schovanec, Jeff Skarre and Jimmy Powell all of Summit to move this line off of our property. They all came back and said no this is the best route. I certainly do not believe that it is the best route.
- Summit has moved this line off of land of folks who have influence in the Legislature. When challenged with a comment that Summit avoids school trust lands they deny it and say they are crossing school Trust lands in areas, but wanted to give the landowner the opportunity to make some money even when the landowner does not want the pipeline. You can hear those comments during testimony at <https://video.ndlegis.gov/en/PowerBrowser/PowerBrowserV2/20230313/-1/28621?startposition=20230127114704>
- Go five miles west and you have miles and miles of the Sheyenne grasslands, when asked why they could not move the route over to the Grasslands. Erik Schovanec told us "Well that is too much red tape". Again the landowner does not receive the same rights as state or federal government.
- Outside of Tharaldson Ethanol is a railroad spur. Why cannot this pipeline follow the railroad? They could follow railroad track to within 8 miles of where Summit ties into the East/West line. But again Railroads have more rights than individuals.
- Also this route will define the boundaries and geographical size of Bismarck. The majority of Bismarcks growth is North and East, this pipeline will restrict that growth.

Siting of the Pipeline

- 49-22.1-02 Excerpt "Sites and routes must be selected to minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and fulfilling energy needs in an orderly and timely fashion."
- I do not believe Summit has met this criteria of minimizing adverse human and environmental impact. You have seen what counties have done to protect their citizens and the State Geologist has sent a letter showing they have not done enough on the side of the environment.
- 49-22.1-03 Avoidance areas. 500 feet from inhabited residences. When prevailing winds are taken into consideration 500 feet for a hazardous pipeline is not enough. Even Lynn Helm with the North Dakota Mineral Resource says the safe zone is approximately a mile from this pipeline. If Summit would release their Plume study modeling it would help alleviate speculation.
- 49-22.1-06 Application for a certificate-Designation of a site corridor. This requires comprehensive analysis with supporting data showing reasons why the preferred location is best. It also asks for a description of mitigative measures that will be taken to minimize all foreseen adverse impacts resulting from the location, construction and operation of the proposed facility.
- With the letters to the PSC from the State Geologist and the State Historical Society it is evident SCS has not done their due diligence for this pipeline route.

Siting continued

- 49-22.1-07 Application for Permit Designation of a route. d. A description of all mitigative measures that will be taken to minimize all foreseen adverse impacts. f. A statement setting forth the manner in which: 1) The utility will inform affected landowners of easement acquisition and necessary easement conditions and restrictions. 2) The utility will compensate landowners for easements, with out reference to the actual consideration to be paid.
- For letter “d” in this section. Summit has not come up with any safety planning for counties or municipalities. A reference letter from a fire fighter in Iowa is attached. In my opinion Summit has done nothing to mitigate the foreseen impacts of this pipeline.
- Letter “f” subsections 1 and 2. Summit has harassed folks for easement acquisition, they have taken land agents away from landowners and have had no contact with landowners for months (Summit has called difficult landowner’s activists) how is that working with landowners? SCS has claimed they have a goal of 100% volunteer easements, they have said this publicly many times. How do you achieve 100% easements when you won’t give a landowner a land agent or talk to them? Ron Ness with the petroleum council testified on a Senate Bill that almost all pipelines in ND get a very high volunteer easement rate, lets help SCS reach their goal of 100% before siting this pipeline.
- 49-22.1-09 Factors to be considered. I believe we have covered these items, but we do not believe Summit has done a sufficient job of considering public health, welfare, natural resources and the environment when planning the route for this pipeline. I do not believe Summit looked at alternative routes or the direct and indirect economic impacts of the proposed facility. Again, I reference the area around NE Bismarck that is destroying people’s retirement income by taking development land and making it unmarketable.

Siting Continued

- 49-22.1-13 Effect of issuance of certificate of permit. 2. a) A certificate of site compatibility for a gas or liquid conversion facility may not supersede or preempt any local land use: zoning or building rules, regulations or ordinances and a site may not be designated which violates local land use, zoning, building rules, regulations or ordinances.
- SCS is suing counties in IA and SD that have ordinances they do not like. We expect they will do the same with counties and townships that have reacted to this hazardous pipeline. At a SCS meeting I asked what will you do with our township roads? "They said we are going to cut through any gravel or dirt road if there is no provision for us to bore the road." We have always worked with any utility coming through our township and they have all bored under the road, we never needed language in our township charter to protect us like this, the arrogance of SCS is amazing. Many other townships had to have meetings and hire attorneys to review the township rules. Cutting a road in our climate is terrible and causes a lot of extra expense for townships that are already strapped for money.
- 49-22.1-14 Unfair tactics in acquiring land or easements for a facility. The utility may not use any harassment, threat, intimidation, misrepresentation, deception, fraud or other unfair tactics to induce the owner of the land to be affected by the facility to grant or agree to any easement.
- SCS in the first meeting they held in Casselton ND, Chris Hill and employee of SCS told the group Eminent Domain is available to them and SCS will use it if they had to. I consider this a threat.
- A land agent for SCS harassed an elderly widow so bad she would no longer answer her phone or come to her door in fear of the constant harassment from the land agent contracted by SCS.
- A similar story of an out of state landowner was very stressed, do to the continued pressure from SCS to sign an easement. They changed the rules on her often and caused her great stress.
- On a personal note, my family does not want to retain an attorney for eminent domain proceedings, so they asked me to communicate with SCS. I had a verbal agreement with Jim Powell of SCS, I told him I needed to get together with an attorney and get the easement language correct. When we agreed upon the easement Jim said I took too long and the agreement is no longer valid. He then proposed a different compensation and wanted a gag order so I would not go to the PSC meetings. Based just on these unfair tactics a siting permit should not be issued for this project.

Common Carrier Classification

- Summit Carbon Solutions has notified the Public Service Commission that they intend to operate as a common pipeline carrier. Which is important to this conversation, because it impacts routing and the use of eminent domain.
- Chapter 49-19 is the Chapter in North Dakota century Code for Common Pipeline Carriers.
- 49-19-01 Definition of common pipeline carriers. In section 1 it states “for the public for hire” Does the Summit Carbon Express meet that standard? They are not for the public.
- 49-19-08 Operations of Pipelines. States “is a business in the conduct of which the public is interested”. In this section CO2 pipelines are not listed, why? Again this pipeline is not for the public interest.
- 49-19-09 Permission to secure right of way. “designed for use only in connection with the operation of such lines along, across, or under any public stream or highway in this state.” This statement is confusing, because if this pipeline gets common carrier status they can now use state highway right a way.
- 49-19-11 Pipeline carrier must agree to carry with out discrimination. It is my understanding that the CO2 in the pipeline only belongs to Summit Carbon Solutions and may violate this chapter.
- 49-19-12 When a pipeline carrier may exercise the right of eminent domain. To have the power of eminent domain a common carrier pipeline must accept regulation by the PSC.

Common Pipeline Carrier

- 49-19-12 exercise the right of eminent domain.
- This is in direct conflict of the ND Constitution. Article 1 Section 16 second paragraph.
- “For purposes of this section, a public use or a public purpose does not include public benefits of economic development, including an increase in tax base, tax revenues, employment, or general economic health. Private property shall not be taken for the use of, or ownership by, any private individual or entity, unless that property is necessary for conducting a common carrier or utility business”
- In Summits own words on two separate papers. One dated Aug. 3rd 2021 the other sent to a ND leader on Aug. 29th 2022. This project is solely about economic development.
- Also on July 25th 2021 on the Joel Heitkamp show the Governor Doug Burgum stated
“Under North Dakota law, eminent domain would only be available for projects that have public use or public purposes, so in this case it wouldn’t even be available as a tool. If Summit (Carbon) Solutions is going to get a pipeline built in North Dakota, they’re going to have to do that by coming to mutually agreeable terms with landowners to pay for that access. And if enough landowners say, ‘Hey I don’t want to get paid for an easement across my land that’s going to help agriculture and energy in North Dakota,’ then as a private company, they’ll build their \$3 billion pipeline to Wyoming or somebody else who’s willing to get it. The market forces will drive whether or not this thing actually happens or not. But no, there’s zero possibility of eminent domain being part of this, don’t even know how that came to be part of the conversation.”
- Attached are signatures from citizen’s that live in the counties that this pipeline is routed, to pass county resolutions NOT to allow eminent domain for this pipeline.

Continued



August 3, 2021

via 1st Class Mail

BTM Family Partnership LLLP
c/o: Lester Bergh
15975 56th Street SE,
Kindred, ND 58051

RE: CO₂ Capture & Sequestration Pipeline Project

Dear Landowner:

The State of North Dakota has determined that geologic storage of carbon dioxide will help spur economic growth in the state in the years to come. The geologic storage of carbon dioxide will create jobs, support North Dakota businesses, and expand economic opportunities while also reducing greenhouse gas emissions. Furthermore, sequestered carbon dioxide has commercial, industrial and agricultural uses, including enhanced mineral recovery and crop production. In an effort to promote such interests, Summit Carbon Solutions (Summit) (www.summitcarbonsolutions.com) has announced a pipeline project which will capture carbon dioxide and permanently sequester it underground (Project).

Continued



SUMMIT CARBON
SOLUTIONS

9Mci 2 owners/Parcel = 225 cases @ 1/2 m. ea. = 112.5 miles 3'

To date, the company has signed agreements with more than 450 North Dakota landowners, with more being secured each day.

This significant progress is due not only to the Summit's efforts, but local North Dakota stakeholder groups across our agriculture and energy sectors. We're working together to communicate how Summit's multi-billion-dollar infrastructure investment will open new economic opportunities for ethanol producers, strengthen the agricultural marketplace for corn growers, and generate tens of millions of dollars in new property tax revenues that will help local communities support critical priorities like our schools. We look forward to continuing to advance our project in the weeks and months to come.

False NO taxes for 10 years. NDCC 10yr abatement

Summary

Before the PSC considers siting this project, I am asking that these items be fixed. A landowner should not have to retain an attorney every time a land agent comes to their door. Fixing an incorrect easement down the road will require the hiring of another attorney by a landowner and that should not have to happen.

- As Ron Ness stated in testimony against SB2209, we already achieve a high rate of volunteer easements and eminent domain is rarely used. Before siting this project let's make sure Summit attains their goal of 100% volunteer easements.
- Let's make sure Summit corrects the first easements that were filed. They need to fix the indemnification language and the surveys of these easements before the PSC sites this project.
- Based on the threats, harassment and discrimination against landowners a very high number of volunteer easements should be attained (90%+) before this project is sited.
- Summit should provide the dispersion model, work with all the fire departments and EMS folks along the route before a permit is given for this project. Safety should be a primary goal for this project. We only have 5000 miles of CO2 pipelines in the US. This pipeline alone will be 2,000 miles.
- Again, no easements should have been filed without the correct survey language and documentation based on ND survey practices, blanket surveys may be good for Iowa but we are not Iowa.
- The pipeline route needs to have minimal impact on Adverse Human and Environmental impact. Human impact from Legacy of the land, financial impact and health, I believe you will hear a lot of testimony on this point. You have two letters illustrating the environmental impact.
- Because Summit has declared to the PSC that they are a common pipeline carrier and they are willing to have the PSC regulate the pipeline, once the pipeline is sited Summit will have the use of eminent domain, because it will become a common pipeline carrier. So, in a round about way the PSC does have eminent domain authority. I hope you take this into consideration when siting this project, as this project has no public use or public purpose and is all about economic development.

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The carbon dioxide pipeline information documents are attached.

Also attached is the Mississippi pipeline break report. The Mississippi pipeline is the same size as the Summit Carbon pipeline so I think it would be better to use the volume leaked instead of the length of time of the leak like I did before. The Mississippi break leaked 31,405 barrels which is 5,587 tons.

Following is the link to the air dispersion model:

[RMP*Comp | US EPA](#)

To run the model you click on the link then click on begin.

Scroll down and click on carbon oxysulfide. (COS is the model input chemical with the physical and toxicity properties most similar to carbon dioxide).

Scenario type: worst case

Physical state: Liquefied under pressure

Quantity released: type in 5587 and select tons.

Click on submit

For this volume the distance to "safe" levels is 1 mile.

Lynn D. Helms, PhD

Director

701.328.8020 • lhelms@nd.gov • www.dmr.nd.gov

701.328-8020 • oilandgasinfo@nd.gov • www.dmr.nd.gov • 600 E Boulevard Ave, Dept. 405 • Bismarck, ND 58505

Dear Iowa Utilities Board,

I, fire chief, Dan Harvey along with our entire Gruver, Iowa fire district completely object to all hazardous carbon dioxide (CO2) pipelines proposed to be constructed within the State of Iowa.

Below are two quotes from Satartia, Mississippi after the Denbury Hazardous CO2 pipeline break on February 22, 2020

"It was almost like something you'd see in a zombie movie — they were just walking in circles," sheriff's officer Terry Gann told HuffPost, while survivor Hugh Martin said the "only thing I been through worse than this was the gas chamber when I was in the Army training for Desert Storm, and that was cyanide gas."

Bad as that may sound, though, the situation could have been significantly worse, as they actually "got lucky," as Yazoo County Emergency Management Agency director Jack Willingham explained. "If the wind blew the other way, if it'd been later when people were sleeping, we would have had deaths."

I have been fire chief for the community of Gruver, Iowa since 1991, and by far, if an incident with the CO2 pipeline were to occur; it would be the largest devastating event that we will need to deal with, if approved. The Gruver Fire district will have the majority of the Navigator Heartland Greenway (Navigator) pipeline in Emmet County.

Navigator has hosted a first responder initial training event in Emmet County which included attendees from surrounding jurisdictions. Summit Carbon Solutions (Summit) has attended numerous county supervisor meetings and have made a few comments based on the safety and impact of the CO2 pipeline. Below are the points of focus that first responders have raised question to and will need to know in order to perform our duties safely.

1. Navigator hosted an initial first responder training on January 31, 2023, for several area jurisdictions. When questions were asked to the Navigator engineer onsite of how much liquid is in our 8" 20-mile shutoff valve, he didn't have an answer. He also didn't know the oxygen needed for an engine to be able to run in. The audience grew to question the integrity of the Navigator project, based on them not being able to answer basic, math driven questions.
2. Navigator, in the same meeting, had a retired assistant fire chief from Oklahoma to explain the CO2 plume and what we first responders could expect. Navigator's plume outlines lay closely inline with what we have been addressing to our county constituents. If there is a breach from the pipeline, we as fire fighters/first responders, will need to don self-contained breathing apparatus (SCBA) at a

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minimum of 1,100 foot diameter based on Navigator's 8" pipeline with 20 miles between valves. We were told that night at Navigator's training, that we would need to decide if we would risk any responder's life to get occupants out of that situation, if they are within the hot zone of the breach.

3. Navigator, during the same meeting, gave a brief overview without description of high concentrated areas (HCA) which are expected to have valves placed 6-7 miles apart and low concentrated areas (LCA) which are expected to have valves placed 20 miles apart. The first responders asked for clarification on what are the criteria for the region to be classified as HCA and LCA. HCA of people is to be anything 50,000 of population or higher than the valves will be put closer together. There are only three regions along the Navigator pipeline path that meet the HCA criteria, the remainder of their line will have valves placed 20 miles apart on average.
4. I have witnessed two meetings that Summit has been present at telling their aspect on safety. Summit's statement at Wright County's meeting, "Our plume study only shows 100' that's critical, out to 300' is border line health problems and after 300' nothing to be aware of." This statement based on mathematical oxygen depletion studies along with being highly contradictory of Navigator findings based on the same pipeline and material being transferred deems this as false. Same Summit people at a Kossuth County supervisor meeting asked the same question on wanting to see Summits plume study and quote "we cannot give that out due to security reasons."

In conclusion, based on the meetings I have attended for both Navigator and Summit along with the first responder training session held by Navigator; there are numerous holes in their processes and safety for their hazardous carbon dioxide pipeline projects. It is becoming apparent that Navigator and Summit want to move this project forward faster than safety protocols and guidelines can be created and emphasized. It should be the standard of the IUB to withhold any decisions until the guidelines on hazardous CO2 setbacks are determined in the fall of 2024 by PHSMA. If these pipelines are installed without proper setbacks and construction mandates the risk to human life is inevitable.



NDSPLS ADMINISTRATIVE OFFICE
PO Box 7370
Bismarck, ND 58507
Phone: 701-223-3184
E-mail: info@ndspls.org
Website: www.ndspls.org

Executive Secretary/Director of Administration
North Dakota Public Service Commission
600 E Blvd. Ave. Department 408
Bismarck, North Dakota 58505-0480

February 11, 2023

RE: Consideration to ensure that State Land Survey rules, laws, and codes are followed

Dear Chair,

The North Dakota Society of Professional Land Surveyors (NDSPLS) encourages that all utility corridor easements within the State of North Dakota be "Strip Easements" not "Blanket Easements" for all utilities, such as, but not limited to, overhead and underground electrical lines and water, oil and gas pipelines.

Blanket type easements create needless servitudes, or non-appurtenant restrictions on the Grantor's use of real property over aliquot parts of a section where a strip easement would satisfy the easement need of the Grantee.

ND State Department of Trust Lands and Federal Lands do not allow for the use of blanket easements on their land holdings. Furthermore, practicing professional land surveyors follow these guidelines:

The State of North Dakota already has requirements codified for licensed Land Surveyors to follow under North Dakota Century Code (NDCC) 47-05-02.1.

Land Surveyors are bound by North Dakota Administrative Code (NDAC) 28-02.1-13-01: Survey Requirements for preparation of legal descriptions and conveyance of property.

Land Surveyors are bound by the North Dakota Attorney General Opinion 2017-L-03, dated May 12, 2017, indicating that pursuant to NDCC 43-19.1-30, the items which need to be included as exhibits relevant to documents or attachments, as well as when they are the main documents being recorded. These documents must include the signature and seal of a North Dakota registered professional land surveyor, even if the document is part of an exhibit or an attachment to the easement.

NDSPLS encourages the use of the North Dakota State Plane Coordinate System, per NDCC 47-20.2, as the base coordinate system used for a universal survey mapping system.

We are requesting the Public Service Commission to review all aspects of all utility easements and to ensure that all current laws and rules for easements in North Dakota are followed as part of the review and permit process.

Respectfully submitted,

North Dakota Society of Professional Land Surveyors

Enclosures: NDCC 47-05-02.1, Administrative Code Chapter 28-02.1-13-01, ND AG Opinion 2017-L-3, NDCC 43-19.1-30, NDCC 47-20.1 and NDCC 47-20.2

47-05-02.1. Requirements of easements, servitudes, or nonappurtenant restrictions on the use of real property.

Real property easements, servitudes, or any nonappurtenant restrictions on the use of real property, which become binding after July 1, 1977, shall be subject to the requirements of this section. These requirements are deemed a part of any agreement for such interests in real property whether or not printed in a document of agreement.

1. The area of land covered by the easement, servitude, or nonappurtenant restriction on the use of real property shall be properly described and shall set out the area of land covered by the interest in real property.
2. The duration of the easement, servitude, or nonappurtenant restriction on the use of real property must be specifically set out, and in no case may the duration of any interest in real property regulated by this section exceed ninety-nine years. The duration of an easement for a waterfowl production area acquired by the federal government, and consented to by the governor or the appropriate state agency after July 1, 1985, may not exceed fifty years. A waterfowl production area easement that exceeds fifty years or which purports to be perpetual may be extended by negotiation between the owner of the easement and the owner of the servient tenement. A waterfowl production area easement that exceeds fifty years or which purports to be permanent and is not extended by negotiation is void. The duration of a wetlands reserve program easement acquired by the federal government pursuant to the Food, Agriculture, Conservation, and Trade Act of 1990 after July 1, 1991, may not exceed thirty years.
3. No increase in the area of real property subject to the easement, servitude, or nonappurtenant restriction shall be made except by negotiation between the owner of the easement, servitude, or nonappurtenant restriction and the owner of the servient tenement.

CHAPTER 28-02.1-13

DOCUMENTS USED TO CONVEY REAL PROPERTY OR ANY INTEREST THEREIN

Section

28-02.1-13-01 Survey Requirements for Preparation of Legal Descriptions and Conveyance of Property

28-02.1-13-01. Survey requirements for preparation of legal descriptions and conveyance of property.

Any registrant preparing a description, including without limitation a legal, property, or boundary description for, or assisting in the filing of, a document that will, or may, be used to convey or acquire real property or any interest therein, other than easements, including without limitation an auditor's plat, outlot, deed, or conveyance of rights of way, must conduct a survey of the property being conveyed and comply with all the requirements related thereto contained in North Dakota Century Code sections 40-50.1-01 and 40-50.1-02.

Preliminary descriptions and documents used for negotiations for real property, interests in real property, rights of way, and easements are not subject to the requirements of this chapter; however, all such preliminary documents must bear a statement that the document is preliminary, it does not represent a complete boundary survey, and the document is not intended for construction, recording, or implementation. The statement must appear prominently on the face of the preliminary document. Descriptions prepared by a registrant which are, or may be used to acquire or convey rights of way in which possession of title is obtained may be prepared without the setting of all exterior monuments if all four of the following requirements are met:

1. The rights of way are retraceable by using established monuments;
2. Exterior monuments are set wherever there is a change of width to the rights of way;
3. Exterior monuments are set wherever there is a change in direction of the rights of way other than changes of direction at section corners; and
4. Monuments are set at intersections of rights of way with section lines or section line rights of way.

Descriptions prepared by a registrant which are, or may be used to acquire or convey easements having a term of five years or more must be retraceable in each section of land over which the easement crosses by using established subdivision or public land survey system monuments existing or placed at the time of the easement conveyance.

History: Effective October 1, 2004; amended effective July 1, 2009; October 1, 2021.

General Authority: NDCC 43-19.1-08

Law Implemented: NDCC 43-19.1-01, 43-19.1-08



Wayne Stenehjem
ATTORNEY GENERAL

STATE OF NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

STATE CAPITOL
800 E BOULEVARD AVE DEPT 125
BISMARCK, ND 58505-1040
(701) 328-2210 FAX (701) 328-2226
www.ag.nd.gov

LETTER OPINION 2017-L-03

May 12, 2017

Mr. Roger Kluck, President
State Board of Registration for Professional
Engineers and Land Surveyors
PO Box 1357
Bismarck, ND 58502-1357

Dear Mr. Kluck:

Thank you for your letter requesting an Attorney General's opinion on whether N.D.C.C. § 43-19.1-30 makes it unlawful for a county recorder to file or record any map, plat, survey, or other document within the definition of land surveying, if the document does not include the personal signature and seal of a registered professional land surveyor who prepared it, even if the map, plat, survey, or other document is filed or recorded as an exhibit or attachment to another document being filed or recorded.

ANALYSIS

Section 43-19.1-30, N.D.C.C., provides:

43-19.1-30. Duties of recorder. It is unlawful for the recorder of any county or any county or any proper public authority to file or record any map, plat, survey, or other document within the definition of land surveying which does not have impressed thereon and affixed thereto the personal signature and seal of a registered professional land surveyor by whom the map, plat, survey, or other document was prepared.¹

This law was originally passed by the Legislature in 1967.² Only minor changes have been made to the law since then.³

¹ N.D.C.C. § 43-19.1-30.

² See 1967 N.D. Sess. Laws ch. 352, § 30.

³ "Register of deeds" was changed to "recorder" in 2001 (see 2001 N.D. Sess. Laws ch. 120, § 1) and the word "professional" was added in 2009 (see 2009 N.D. Sess. Laws ch. 368, § 29).

LETTER OPINION 2017-L-03
May 12, 2017
Page 2

Recently, perhaps as the result of increased oil activity in the state, the North Dakota State Board of Registration for Professional Engineers and Land Surveyors became aware that some plats have been recorded, even though they did not include the signature and seal of a registered professional land surveyor. Some of these unsigned and unsealed survey plats were attached to easements as exhibits, with the plats providing land descriptions for the land covered by the easements.

The Board took its concern to the North Dakota County Recorders Association (Association). The response indicated that the Association felt N.D.C.C. § 43-19.1-30 did not apply to a map, plat, survey, or other land surveying document if it was filed or recorded as an exhibit or attachment to another document. The issue, therefore, is whether N.D.C.C. § 43-19.1-30 applies to the relevant documents when they are exhibits or attachments, as well as when they are the main documents being filed.

The plain language of N.D.C.C. § 43-19.1-30 states that it applies to "any map, plat, survey, or other document within the definition of land surveying." There is nothing to suggest that it applies only to the main document that is being filed and not to exhibits or attachments.

Therefore, it is my opinion that pursuant to N.D.C.C. § 43-19.1-30, a county recorder may not file or record a land surveying document unless it includes the personal signature and seal of a registered professional land surveyor, even if the document is just part of an exhibit or attachment.

Sincerely,



Wayne Stenehjem
Attorney General

This opinion is issued pursuant to N.D.C.C. § 54-12-01. It governs the actions of public officials until such time as the question presented is decided by the courts.⁴

⁴ See *State ex rel. Johnson v. Baker*, 21 N.W.2d 355 (N.D. 1946).



North Dakota State Board of Registration for
Professional Engineers and Land Surveyors

June 9, 2016

Office of Attorney General
Attention: Liz Brocker
600 E. Boulevard Avenue, Dept. 125
Bismarck, ND 58505

This request for an Attorney General opinion is made by the North Dakota State Board of Registration of Professional Engineers and Land Surveyors (the "Board"). The Board is a state agency, whose members are appointed by the Governor, established to promote the public welfare by regulation of the practice of engineering and land surveying in the State of North Dakota. The Board requests an opinion that section 43-19.1-30, N.D.C.C., makes it unlawful for a recorder to file or record any map, plat, survey, or other documents within the definition of land surveying, if the document does not include the personal signature and seal of a registered professional land surveyor who prepared it, whether the map, plat, survey or other document within the definition of land surveying is filed alone or as an exhibit or attachment to another document being filed and recorded.

That statute reads as follows:

43-19.1-30. Duties of recorder.

It is unlawful for the recorder of any county or any county or any proper public authority to file or record any map, plat, survey, or other document within the definition of land surveying which does not have impressed thereon and affixed thereto the personal signature and seal of a registered professional land surveyor by whom the map, plat, survey, or other document was prepared.

The Board believes, the plain language of the statute makes it the duty of a recorder to require the signature and seal of a registered professional land surveyor on "any map, plat, survey or other document within the definition of land surveying" (emphasis added) that are filed or recorded. There is no exception for maps, plats, surveys or other survey documents just because they are filed in combination with other documents. The Board believes "Any" means any, whether filed alone or with other documents.

The Board has been made aware of at least some plats that have been recorded, despite the fact they did not include the signature and seal of a registered professional land surveyor, as required by N.D.C.C. § 43-19.1-30. These included unsigned and unsealed survey plats attached to easements as exhibits, which plats provided the land descriptions for the land covered by the easements.

As a result of this issue being brought to the attention of the Board, the Executive Director of the Board raised this issue with the North Dakota County Recorder Association. The response from the North Dakota County Recorder Association was that N.D.C.C. § 43-19.1-30 did not apply to a map, plat, survey or other land surveying document if it was filed or recorded as an attachment or exhibit to another document. Attached is a copy of an email from Cyndy Kolle Gustafson, as President of the North Dakota County Recorder Association noting the difference in position and suggesting that the Board seek an Attorney General Opinion.

A document is "filed or recorded" whether it is filed by itself, or as an exhibit of another document being filed or recorded (e.g. an easement, deed, etc.). There is no basis for an exception to N.D.C.C. § 43-19.1-30, for a map, plat, survey or other land surveying document, simply because it is attached to another document. The public policy reason to require this certification by a registered professional land surveyor is as important for a map, survey or plat that is filed as an exhibit to another document, as it is for a map, survey or plat filed alone. The reason for this requirement is to protect the public from a document that has not been prepared in accordance with the standards established by the Board and law for such work, and to identify for the public who performed the relevant work, and when the document was prepared.

N.D.C.C. § 43-19.1-30 is consistent with N.D.C.C. § 43-19.1-21, which requires final maps, plats, or other documents prepared by a registered land surveyor to be signed, dated, and stamped. N.D.C.C. § 43-19.1-21 further provides that an unfinished document must include a statement that it is not for recording purposes. Allowing an unsigned, and unsealed, map, plat, survey or other land surveying document to be attached as an exhibit to another document, and then recorded, would allow surveyors, and others, to circumvent the statutory requirements of N.D.C.C. § 43-19.1-21.

We request an opinion as to whether the signature and seal of a registered professional land surveyor is required on any map, plat, survey or other document within the definition of land surveying that is filed or recorded with a county recorder, as stated in plain language of NDCC 43-19.1-30, whether filed or recorded individually or in combination with, or as an exhibit to, other documents.

NDPELS

By: 
Roger Kluck, President

**CHAPTER 47-20.1
SURVEY AND CORNER RECORDATION ACT**

47-20.1-01. Purpose.

It is the purpose of this chapter to protect and perpetuate public land survey corners and information concerning the location of such corners by requiring the systematic establishment of monuments and recording of information concerning the marking of the location of such public land survey corners and to allow the systematic location of other property corners, thereby providing for property security and a coherent system of property location and identification of ownerships, and thereby eliminating the repeated necessity for re-establishment and relocations of such corners where once they were established and located, and, to authorize any registered land surveyor to locate, erect, maintain, record and perpetuate landmarks, monuments, section corners, quarter corners, meander lines or boundary lines heretofore or hereafter established.

47-20.1-02. Definitions.

Except where the context indicates a different meaning, terms used in this chapter shall be defined as follows:

1. "Accessory corner" means any exclusively identifiable physical object whose spatial relationship to the corner is recorded. Accessories may be bearing trees, bearing objects, monuments, reference monuments, line trees, pits, mounds, charcoal filled bottles, steel or wooden stakes or other objects.
2. "Corner", unless otherwise qualified, means a property corner, or a property controlling corner, or a public land survey corner, or any combination of these.
3. "Monument" means an accessory that is presumed to occupy the exact position of a corner.
4. "Practice of land surveying" has the same meaning as in section 43-19.1-02.
5. "Property controlling corner" means a public land survey corner, or any property corner, which does not lie on a property line of the property in question, but which controls the location of one or more of the property corners of the property in question.
6. "Property corner" means a geographic point on the surface of the earth, and is on, a part of, and controls a property line.
7. "Public land survey corner" means any corner actually established and monumented in an original survey or resurvey used as a basis of legal description for issuing a patent for land to a private person from the United States government.
8. "Reference monument" means a special monument that does not occupy the same geographical position as the corner itself, but whose spatial relationship to the corner is recorded, and which serves to witness the corner.
9. "Registered land surveyor" means a surveyor who is registered to practice land surveying under chapter 43-19.1 regulating the registration and practice of professional engineering and land surveyors, or who is authorized under said chapter to practice land surveying as defined herein.

47-20.1-03. Filing of corner record required.

A surveyor shall complete, sign, stamp with the surveyor's seal and file with the recorder of the county where the corner is situated a written record of corner establishment or restoration to be known as a "corner record" for every public land survey corner and accessory to such corner which is established, re-established, monumented, remonumented, restored, rehabilitated, perpetuated, or used as control in any survey by such surveyor, and within ninety days thereafter, unless the corner and its accessories are substantially as described in an existing corner record filed in accord with the provisions of this chapter.

47-20.1-04. Filing permitted as to any property corner.

A registered land surveyor may file such corner record as to any property corner, property controlling corner, reference monument, or accessory to a corner.

47-20.1-05. Form to be prescribed by board.

The state board of registration for professional engineers and land surveyors provided for in chapter 43-19.1 shall by regulation provide and prescribe the information which shall be necessary to be included in the corner record. The board shall prescribe the form in which such corner record shall be presented and filed.

47-20.1-06. Recorder to receive, file, and cross-index.

1. The recorder of the county containing the corner shall receive the completed corner record and preserve it in a hardbound book. The books shall be numbered in numerical order as filled.
2. The recorder shall number the forms in numerical order as they are filed.
3. The book and page number in which the said corner record is filed shall be placed by the recorder near that same corner on a cross-index plat which the recorder shall provide for such purpose.
4. The recorder shall make these records available for public inspection during all usual office hours.

47-20.1-07. Official corner record.

When such a corner described herein has been established and filed, that corner record shall be the official record and shall be made available to all state and federal government agencies without cost; however, the recorder may charge a reasonable fee for furnishing certified copies of the official record to all other persons.

47-20.1-08. Recorder may charge filing fee.

The recorder of a county may charge a filing fee as provided by section 11-18-05 for the filing of each corner record as defined in section 47-20.1-02.

47-20.1-09. Surveyor must rehabilitate monuments.

In every case where a corner record of a public land survey corner is required to be filed under the provisions of this chapter, the surveyor must reconstruct or rehabilitate the monument of such corner and accessories to such corner, so that the same shall be left by him in such physical condition that it remains as permanent a monument as is reasonably possible and so that the same may be reasonably expected to be located with facility at all times in the future.

47-20.1-10. Minimum corner requirements.

The registered land surveyor establishing or rehabilitating corner markers shall place as a minimum acceptable marker, a durable ferromagnetic monument not less than eighteen inches [45.72 centimeters] in length and not less than one-half inch [12.7 millimeters] in sectional dimension driven to a survey elevation depth to which is affixed a cap bearing the center point and the registered land surveyor's certificate number firmly impressed thereon.

47-20.1-11. Corner records to be certified.

No corner record shall be filed unless the same is signed by a registered land surveyor and stamped with the surveyor's seal.

47-20.1-12. Disturbance of survey corners - Penalty.

No United States government survey corner nor any corner established by any registered land surveyor, monumented as herein prescribed, shall be disturbed, removed, or in any manner changed by any person in the prosecution of any public or private work. Whoever shall violate any of the provisions of this section shall be guilty of an infraction.

47-20.1-13. Short title.

This chapter may be cited as the Survey and Corner Recordation Act of North Dakota.

From: Kalle, Cindy
To: Candie.Robinson
Subject: RE: Areas visited by Mr. Little
Date: Thursday, October 01, 2015 3:22:07 PM
Attachments: image001.png

Candie:

This list is just fine. Thank you for the information today.

It was interesting to hear the different interpretation of NDCC 43-19.1-30. As I stated in our telephone conversation, we recorders feel we are in compliance with this century code. I'm wondering if you have considered seeking an AG Opinion? This might be something to bring before your board.

Again, thank you for all your information. I will send you information about our 2016 convention after the first of the year.

Cindy J. Kalle Gustafson

Cindy J. Kalle Gustafson
North Dakota County Recorder Association President
Richland County Recorder
418 2nd Ave N
Wahpeton, North Dakota 58075
701.642.7802
701.642.7820 fax

We are providing this information under the open record laws and do not guarantee its sufficiency. This office takes no responsibility for accuracy, errors or omissions of documents.

43-19.1-30. Duties of recorder.

It is unlawful for the recorder of any county or any county or any proper public authority to file or record any map, plat, survey, or other document within the definition of land surveying which does not have impressed thereon and affixed thereto the personal signature and seal of a registered professional land surveyor by whom the map, plat, survey, or other document was prepared.

Practice of land
surveying - 43-19.1-02
Definition
"Practice of
land surveying"

CHAPTER 47-20.2 PLANE COORDINATES

47-20.2-01. North Dakota coordinate system zones defined.

The systems of plane coordinates which have been established by the national oceanic and atmospheric administration national ocean survey/national geodetic survey or its successors for defining and stating the geographic positions or locations of points on the surface of the earth within this state are, as of July 1, 1989, to be known and designated as the North Dakota coordinate system of 1927 and the North Dakota coordinate system of 1983. For the purpose of the use of these systems, the state is divided into a north zone and a south zone:

1. The area now included in the following counties constitutes the north zone: Divide, Williams, McKenzie, Mountrail, Burke, Renville, Ward, McLean, Bottineau, McHenry, Sheridan, Pierce, Rolette, Towner, Benson, Wells, Foster, Eddy, Ramsey, Cavalier, Pembina, Walsh, Nelson, Grand Forks, Griggs, Steele, Traill.
2. The area now included in the following counties constitutes the south zone: Dunn, Golden Valley, Slope, Bowman, Adams, Hettinger, Stark, Mercer, Oliver, Morton, Grant, Sioux, Emmons, Burleigh, Kidder, Logan, McIntosh, Stutsman, Barnes, LaMoure, Dickey, Cass, Ransom, Sargent, Richland.

47-20.2-02. North Dakota coordinate system names defined.

As established for use in the north zone, the North Dakota coordinate system of 1927 or the North Dakota coordinate system of 1983 is named, and in any land description in which it is used it must be designated the North Dakota coordinate system of 1927, north zone, or the North Dakota coordinate system of 1983, north zone. As established for use in the south zone, the North Dakota coordinate system of 1927 or the North Dakota coordinate system of 1983 is named, and in any land description in which it is used it must be designated the North Dakota coordinate system of 1927, south zone, or the North Dakota coordinate system of 1983, south zone.

47-20.2-03. North Dakota coordinate system defined.

The plane coordinate values for a point on the earth's surface, used in expressing the geographic position or location of such point in the appropriate zone of this system, shall consist of two distances, expressed in United States survey feet [meters] and decimals of a foot [meter] when using the North Dakota coordinate system of 1927. One of these distances, to be known as the X-coordinate, shall give the position in an east-west direction; the other, to be known as the Y-coordinate, shall give the position in a north-south direction. These coordinates shall be made to depend upon and conform to plane rectangular coordinate values for the monumented points of the North American horizontal geodetic control network as published by the national ocean survey/national geodetic survey, or its successors, and the plane coordinates which have been computed on the systems defined in this chapter. Any such station may be used for establishing a survey connection to either North Dakota coordinate system. For the purposes of converting coordinates of the North Dakota coordinate system of 1983 from meters to feet, the international survey foot must be used. The conversion factor is: one foot equals 0.3048 meter exactly.

47-20.2-04. Federal and state coordinate description same tract - Federal precedence.

Whenever coordinates based on the North Dakota coordinate system are used to describe any tract of land which in the same document is also described by reference to any subdivision, line, or corner of the United States public land surveys, the description by coordinates must be construed as supplemental to the basic description of each subdivision, line, or corner contained in the official plats and field notes filed of record, and, in the event of any conflict, the description by reference to the subdivision, line, or corner of the United States public land surveys prevails over the description by coordinates, unless the coordinates are upheld by adjudication, at which time the coordinate description will prevail. This chapter does not require any purchaser or mortgagee to rely on a description, any part of which depends exclusively upon the North

Dakota coordinate system, unless the description has been adjudicated as provided in this section.

47-20.2-05. North Dakota coordinate system origins defined.

1. For the purposes of more precisely defining the North Dakota coordinate system of 1927, the following definitions by the United States coast and geodetic survey are adopted:
 - a. The North Dakota coordinate system of 1927, north zone, is a Lambert conformal conic projection of the Clarke spheroid of 1866, having standard parallels at north latitudes, forty-seven degrees twenty-six minutes and forty-eight degrees forty-four minutes along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian one hundred degrees thirty minutes west of Greenwich and the parallel forty-seven degrees zero minutes north latitude. This origin is given the coordinates: $x = 2,000,000$ feet [609.6 kilometers], and $y = 0$ feet [0 kilometers].
 - b. The North Dakota coordinate system of 1927, south zone, is a Lambert conformal conic projection of the Clarke spheroid of 1866, having standard parallels at north latitudes forty-six degrees eleven minutes and forty-seven degrees twenty-nine minutes along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian one hundred degrees thirty minutes west of Greenwich and the parallel forty-five degrees forty minutes north latitude. This origin is given the coordinates: $x = 2,000,000$ feet [609.6 kilometers], and $y = 0$ feet [0 kilometers].
2. For the purposes of more precisely defining the North Dakota coordinate system of 1983, the following definition by the national ocean survey/national geodetic survey is adopted:
 - a. The North Dakota coordinate system of 1983, north zone, is a Lambert conformal conic projection of the North American datum of 1983, having standard parallels at north latitude of forty-seven degrees twenty-six minutes and forty-eight degrees forty-four minutes along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian one hundred degrees thirty minutes west of Greenwich and the parallel forty-seven degrees zero minutes north latitude. This origin is given the coordinates: $x = 600,000.0000$ meters, and $y = 00.0000$ meters.
 - b. The North Dakota coordinate system of 1983, south zone, is a Lambert conformal conic projection of the North American datum of 1983, having standard parallels at north latitude of forty-six degrees eleven minutes and forty-seven degrees twenty-nine minutes along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian one hundred degrees thirty minutes west of Greenwich and the parallel forty-five degrees forty minutes north latitude. This origin is given the coordinates: $x = 600,000.0000$ meters, and $y = 00.0000$ meters.

47-20.2-06. North Dakota coordinate system - Use of term.

The use of the North Dakota coordinate system of 1927 north zone or south zone or the North Dakota coordinate system of 1983 north zone or south zone on any map, report of survey, or other document must be limited to coordinates based on the North Dakota coordinate systems as defined in this chapter. The map, report, or document must include a statement describing the standard of accuracy, as defined by the national ocean survey/national geodetic survey, maintained in developing the coordinates shown therein. The coordinates must be established in conformity with these standards:

1. No coordinates based on the North Dakota coordinate system, purporting to define the position of a point on a land boundary, may be presented to be recorded in any public records or deed records unless the point is connected to a triangulation or traverse station established in conformity with the standards prescribed in this chapter.

2. Coordinate values used in land descriptions under this section must be certified by a duly registered land surveyor under the laws of this state.

47-20.2-07. Use of the term North Dakota coordinate system - Limitation.

Repealed by S.L. 1989, ch. 555, § 7.

47-20.2-08. Federal and state coordinates describing same tracts - Federal precedence.

Repealed by S.L. 1989, ch. 555, § 7.

47-20.2-09. Reliance on description of North Dakota coordinate system.

Repealed by S.L. 1989, ch. 555, § 7.



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March 3, 2023

Victor Schock
Director, Public Utilities Division
North Dakota Public Service Commission
600 E Boulevard Ave, Dept 408
Bismarck, ND 58505-0480

RE: PSC Case No. PU-22-391 Notice of Filings and Public Hearing

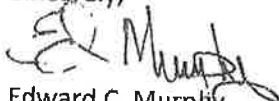
Mr. Schock:

As per my email of February 2, section 8.2.4 in Summit Carbon Solutions' *Consolidated Application for a Certificate of Corridor Compatibility and Route Permit* (SCS-0700-ENV-05-PE-008-A) cites a generic US Geological Survey publication regarding landslides in North Dakota (Jones et al., 2019, USGS Landslide Hazard Inventory), but does not cite any of the ND Geological Survey's landslide maps. These 1,464 detailed (1:24,000 scale) landslide maps cover all of North Dakota and were compiled by interpreting LiDAR and recent aerial imagery.

Since it is not clear that these landslide maps were utilized for this project, and time is of the essence, I asked our surface geologists to compare the shapefiles of our landslide layer with the pipeline route shapefiles that our paleontology section acquired in the fall of 2022. The attached table lists 14 possible landslide pipeline route intercepts and three nearby landslides. The three nearby landslides (15-17) have scarps that are projected to advance towards the pipeline route in the future. Each of these 17 localities should be evaluated to determine whether or not they pose a potential future risk to the pipeline.

Please contact me if you have any questions on our review.

Sincerely,


Edward C. Murphy
State Geologist

Attachment: Route Review Findings

64 PU-22-391 Filed 03/03/2023 Pages: 2
Agency Correspondence
North Dakota Mineral Resources - Geological Survey
Edward Murphy



45

March 3, 2023

Victor Schock
Director, Public Utilities Division
North Dakota Public Service Commission
600 E Boulevard Ave, Dept 408
Bismarck, ND 58505-0480

RE: PSC Case No. PU-22-391 Notice of Filings and Public Hearing

Mr. Schock:

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Please contact me if you have any questions on our review.

Sincerely,

Edward C. Murphy
State Geologist

Attachment: Route Review Findings

64 PU-22-391 Filed 03/03/2023 Pages: 2
Agency Correspondence
North Dakota Mineral Resources - Geological Survey
Edward Murphy



47

March 1, 2023

Public Service Commission
600 E Boulevard Ave
Bismarck ND 58505-0480

ND SHPO Ref: 21-6089, Summit Carbon Midwest Carbon Express, PU-22-391 in portions of Burleigh, Cass, Dickey, Emmons, Logan, McIntosh, Morton, Oliver, Richland, and Sargent Counties, North Dakota

Dear Commissioners,

The archeological survey report we received regarding SCS Carbon Transport LLC's proposed Midwest Carbon Express CO2 Pipeline Project (Case No. PU-22-391) does not meet the standards and we have not yet received a revised report addressing our concerns. We have also been advised by both the company and a member of the public that the proposed route sent in with the siting application differs from the area submitted to us for review. We have not received details regarding those differences or a survey report.

Due to the inadequate information, we are unable to assess the effect on historic and archaeological sites. We recommend no permit be issued until the effects of this proposed project on historic and archaeological sites can be considered.

If you have any questions, please contact either Andrew Robinson, State Archeologist at (701) 328-3575 or andrewrobinson@nd.gov or Lorna Meidinger, Lead Historic Preservation Specialist at (701) 328-2089 or lbmeidinger@nd.gov.

Sincerely,

for William D. Peterson, PhD
Director, State Historical Society of North Dakota

61 **PU-22-391** Filed: 3/2/2023 Pages: 1
Agency Correspondence

State Historical Society of North Dakota (SHPO)
William Peterson, Director

21-6089



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SUMMIT CARBON SOLUTIONS

To date, the company has signed agreements with more than 450 North Dakota landowners, with more being secured each day.

This significant progress is due not only to the Summit's efforts, but local North Dakota stakeholder groups across our agriculture and energy sectors. We're working together to communicate how Summit's multi-billion-dollar infrastructure investment will open new economic opportunities for ethanol producers, strengthen the agricultural marketplace for corn growers, and generate tens of millions of dollars in new property tax revenues that will help local communities support critical priorities like our schools. We look forward to continuing to advance our project in the weeks and months to come.

The Facts

Opponents of modern agriculture and traditional energy have mobilized and are activating landowners against the project, using misinformation to incite landowners around property rights. Some suggest that landowners have been unfairly and intentionally undercompensated. They claim that liability for the pipeline, CO2, and safety will fall on the landowners, and consequently insurance companies will refuse to insure them. Others suggest the drain tile will cease to function after the pipeline's construction or that it will hinder drain tile installation. Opponents also suggests safety is at risk and potential pipeline leaks will kill people and animals. We don't believe their motives are pure. All these fear tactics aim to eliminate the future of modern agriculture, biofuels, and fossil fuel development.

We know the opposite is true. Summit Carbon Solutions is offering fair, above-market compensation for rights of way. We have fully indemnified landowners from liabilities associated with the construction and operation of the pipeline, except for intentional acts and negligence by landowners. Insurance companies have validated our efforts. Summit Carbon Solutions has provided life of project warranty for drain tile within the right of way. We have processed more than 1,400 route variances to accommodate landowner requests or avoid sensitive areas in response to similar concerns. Finally, CO2 pipelines are safe. Carbon capture technology is currently in use at more than 40 ethanol plants across the United States. In fact, commercial scale capture and compression has been in use since the 1990s. There are more than 5,000 miles of CO2 pipelines in the US today that have been operating for decades without a single fatality. Sequestration been researched for years and supported by a wide range of stakeholders across the political spectrum at the federal and state level, along with engineers and scientists.

Our ND Constitution, Article 1:

Our
add: Section 16. Private property shall not be taken or damaged for
driv: public use.....

It is
som: For purposes of this section, a public use or a public purpose
com: does not include public benefits of economic development,
Plea: including an increase in tax base, tax revenues, employment, or
I wi: general economic health. Private property shall not be taken for
Sinc: the use of, or ownership by, any private individual or entity, unless
that property is necessary for conducting a common carrier or
utility business.

Wac:
Executive Vice President, North Dakota
Summit Carbon Solutions



SUMMIT CARBON SOLUTIONS

August 29, 2022

Dear North Dakota Leader,

I'm writing to introduce you to Summit Carbon Solutions' (Summit) carbon capture, transportation, and storage project and share the important milestones we have accomplished here in North Dakota. I've included a summary of the project and several informational handouts in this packet. I hope you'll take some time to review the information and reach out with any questions you may have.

The Project

12M tons @ 45Q \$85/ton = >\$1B/year revenue

Summit is partnering with more than 30 ethanol plants across Iowa, Minnesota, Nebraska, South Dakota, and North Dakota, to capture carbon dioxide, compress the captured CO₂, and channel it to central North Dakota where it will be permanently and safely stored underground in deep geologic storage locations. Summit expects its roughly 2,000-mile system to be constructed in 2023 and move into operations in 2024 and anticipates capturing, transporting, and permanently storing 12 million tons of CO₂ every year. The goals of this \$4.5 billion investment are to drive economic growth and job creation across the Midwest, improving our infrastructure and bolstering our state's two most important industries: agriculture and energy. *How, only 1 in ND*

A Carbon-Constrained Economy

We know the world is changing. Today, opponents of modern agriculture and traditional energy sources are challenging the ethanol industry and fossil fuel-producing states by restricting access to markets. We should reject these attacks. As ag and energy represent 70% of our state economy, we are dependent on linear infrastructure for the movement of our commodities, from pipelines and electric transmission lines to railroads and highways.

The pressures and demands for lower carbon food and fuel, including an aggressive challenge by our own Governor to achieve carbon neutrality by 2030, present both risk and opportunity for North Dakota. Assuming we make the necessary investments now, our own ethanol plants will be well positioned to deliver clean fuel to these emerging markets that pay a premium for low carbon fuels. The innovative spirit of our frontier state uniquely positions North Dakota to meet this demand and even thrive in a carbon-constrained world. Decades of carbon capture, storage and utilization research led by EERC in collaboration with industry and supported by the North Dakota Legislature has positioned North Dakota to thrive in a carbon constrained economy. It's our charge to responsibly develop our energy, agricultural and geologic resources into the future. *specifics - Canadian Mkt. is 8M people calien std. is tough to meet. Really No uplift for ethanol*

Our Progress

Having initiated contact with landowners last August, we held landowner meetings across the project footprint in October 2021 and February and April 2022, in more than a dozen North Dakota communities. We're proud to share we have secured voluntary participation for the following:

- 70% of pipeline right-of-way survey permission
 - 35% of pipeline right-of-way easements
 - 95% of CO₂ sequestration survey permission; and
 - 80% of pore space leases
- New Survey to gain Access for the final 30%*



SUMMIT
CARBON
SOLUTIONS

August 3, 2021

BTM Family Partnership LLLP
c/o: Lester Bergh
15975 56th Street SE,
Kindred, ND 58051

via 1st Class Mail

RE: CO₂ Capture & Sequestration Pipeline Project

Dear Landowner:

The State of North Dakota has determined that geologic storage of carbon dioxide will help spur economic growth in the state in the years to come. The geologic storage of carbon dioxide will create jobs, support North Dakota businesses, and expand economic opportunities while also reducing greenhouse gas emissions. Furthermore, sequestered carbon dioxide has commercial, industrial and agricultural uses, including enhanced mineral recovery and crop production. In an effort to promote such interests, Summit Carbon Solutions (Summit) (www.summitcarbonsolutions.com) has announced a pipeline project which will capture carbon dioxide and permanently sequester it underground (Project).

The proposed pipeline route for the Project is depicted on the enclosed map, and public records indicate that you are the record taxpayer of all or certain portions of such property. Please be advised that Summit and its consultant, TRC Companies Inc., will be performing initial Project activities in the coming weeks and are currently seeking your permission to conduct field evaluation activities on your property, including route analysis, civil, environmental, geotechnical/soil testing, and archeological/cultural resource surveys to assess the viability of the pipeline alignment (Surveys).

Prior to conducting the Surveys, we would like to arrange a meeting with you to address your questions and concerns regarding the Project. Understanding that everyone has a different perspective on in-person meetings amidst the COVID-19 pandemic, we are amenable to your preference to meet either in-person, or through telephone conversations, email, mail, or video conferencing such as Teams, Facetime or Zoom. Should you agree to allow the above-mentioned Surveys on your property prior to our meeting, you may simply send an email confirmation of your intent to infoND@summitcarbon.com, or you may sign the attached Survey Access form, include your contact information, and take a picture of the form and text it to (605) 252-3266 or email it to infoND@summitcarbon.com.

Thank you in advance for your support of this Project and Summit's efforts to create sustainable energy solutions for the citizens of North Dakota. If you have any immediate questions or concerns prior to our meeting, you may contact Lee Ferguson toll free at (800) 948-1722 or at the phone number and e-mail address set forth above.

Erik Schovanec

Erik Schovanec, Project Director




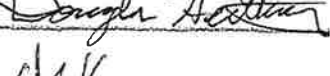

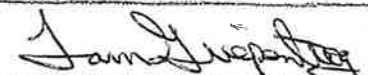


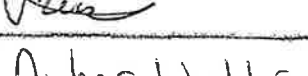

Donovan Andres

Enclosure(s): Project Map, Survey Access Form

Tract #: ND-RI-324-072.000, ND-RI-324-074.000, ND-RI-324-076.000, ND-RI-324-077.000

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Printed Name	Signature	Address	Comment	Date
Donald Threl		16805 53rd St SE Hunkinson ND		3-12-22
Brian Boyer		116685 93rd St SE ^{Barney} ND		3-12-22
David Hager		7945 162 ave SE		3-12-22
Doug Heitkamp		510 W. 1st BARNEY ND		3/4/22
Doug Kuruc		16640 Co. Rd 8, Colfax ND		3/4/22
James Griepentrog				
Tam Griepentrog		9340 169th Ave SE Hunkinson ND		3/14/22
Corrine Romesha		8390-179th Ave SE Wahpeton, ND		3/14/22
BRUCE J. STEIN		Po Box 151 17275 93rd St SE Hunkinson, ND		3/14/22
	Steven L	17475 98th St SE Wahpeton ND 17640 4th St Hunkinson		3/14/22
Amber Wahler		8450 Co Rd 30 Wyndmere ND 58081		3/14/22

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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
David Foertsen	David Foertsen	MANTADOR ND 58058 16540 84th ST SE	Landowner	3-5-22
GARY PUEZL	Gary Puezl	8405 166 Ave SE MANTADOR, N.D. 58058	Land owner	3-5-22
Robert Foertsch	Robert Foertsch	16705-85th ST-SE Mantador N.D. 58058	Landowner	3-5-22
Mark Foertsen	Mark Foertsen	8327 167th Ave SE Moose Lake ND 58058	Landowner	3/15/22
Daryl L. Foertsch	Daryl L. Foertsch	15980 Co Rd 20 Lidgewood ND 58063	Landowner	3/7/22
Joel Linsen	Joel Linsen	16079 85th SE Mantador ND 58058	Landowner	3/7/22
Lucas Harles	Lucas Harles	6 Dakota ST Mantador ND 58058	Landowner	3-7-22
Terry Gutzmer	Terry Gutzmer	8555 162nd Ave Mantador ND 58058		3-7-22
Dan Glynn	Dan Glynn	16355 84th Ave SE Mantador ND 58058	Landowner	3-8-22
Dan Lugent	Dan Lugent	105 Dakota St Mantador ND 58058	Landowner	3-9-22
David Foertsch	D. Foertsch	16540 84th ST SE Mantador ND 58058	Land owner	3-13-22

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND. 3

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
Paul Kuzel	<i>Paul Kuzel</i>	15500 5th St SE		3-7-22
John Swire	<i>John Swire</i>	605 6th St Wyndmere		3-7-22
James J. Haberman	<i>James J. Haberman</i>	16080 Hwy 13, Wyndmere 58091		3-7-22
Todd Faortech	<i>Todd Faortech</i>	7320 Hwy 18, Wyndmere, ND 58081		3-7-22
Jocelyn Haberman	<i>Jocelyn Haberman</i>	16082 Hwy 13 Wyndmere		3-07-22
ALLAN E GOERGER	<i>Allan E Goerger</i>	8085 161st Ave SE		3-07-22
Robert David	<i>Robert David</i>	806 Birch Ave Wyndmere N.D.		3-07-22
James Huxth	<i>James Huxth</i>	7850 Hwy 18 Wyndmere		3/7/22
Tom Brosowski	<i>Tom Brosowski</i>	15795 81st St SE Wyndmere		3-7-22
Islette Jones	<i>Islette Jones</i>	726 1st St Wyndmere, ND		3-7-22
LISA Jordhew	<i>Lisa Jordhew</i>	1125 Co Rd 29, Walcott		3-7-2022

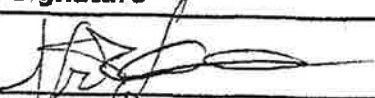
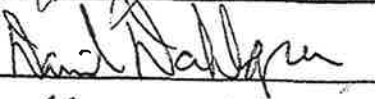

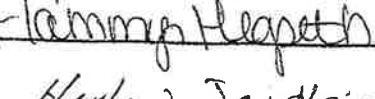
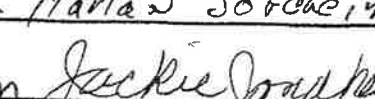


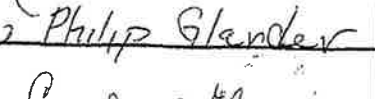
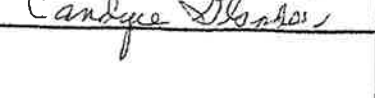

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND. 4

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
Mary Jo Lottgen	Mary Jo Lottgen	1216 N. 1st St Wyalusing, ND		3-9-22
Andrew Branta	Andrew Branta	16140 Co Rd. 10 Barney, ND 58008		3-9-22
Teresa Branta	Teresa Branta	16140 County Rd 10 Barney, ND 58008		3-9-22
Ryan Zick	Ryan Zick	16565 64th St SE Walcott, ND 58077		3-9-22
Eric Mickelson	Eric Mickelson	17275 63rd St SE Colfax, ND 58018		3-9-22
Dan Luebke	Dan Luebke	7365 Co. Rd. 3 Barney, ND 58008		3-9-22
Carol Luebke	Carol Luebke	7365 Co. Rd. 3 Barney, ND 58008		3-9-22
David Luebke	David Luebke	16129 Hwy 13 Barney, ND 58008		3-9-22
Ronda Luebke	Ronda Luebke	16129 Hwy 13 Barney, ND 58008		3/9/22
Gene Wefel	Gene Wefel	17085 82nd St SE Wahpeton, ND 58075		3/9/22
Cari Wefel	Cari Wefel	17085 82nd St SE Wahpeton, ND 58075		3/9/22

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND. 5

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
Vick Sordheim		6125 Co Rd 29 Walcott ND		3-7-22
Daniel Dahlgren		16220 69th St SE Walcott ND		3/7/22
Loren Hegseth		6850 Cty. Rd 29 Wynndmire, ND		3/7/22
Tammy Hegseth		6850 Cty. Rd 29 Wynndmire, ND		3/7/22
Harlan Jordheim		16158 56th St SE Kindred, ND 58051	Richland Co.	3/7/22
Jackie Jordheim		16158 55th St SE Kindred ND 58051	Richland Co.	3/7/22
Ryan Miller		18035 83rd St SE Wahpeton ND		3/7/22
Carol Miller		18035 88th St SE Wahpeton, ND 58055		3/7/22
Philip Glander		18217 83rd St SE		3/7/22
Candace Glander		18217 83rd St SE		3-7-22

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND. 6

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
JEFFREY MAUCH	<i>Jeffrey Mauch</i>	8380 County Road 25 MOORETON ND 58061		3-4-2022
Dan Dotzenrod	<i>Dan Dotzenrod</i>	7390 Hwy. 18 Wyndmere ND 58081		3-4-22
Rose Dotzenrod	<i>Rose Dotzenrod</i>	7390 Hwy 18 Wyndmere ND 58081		3-4-22
Kelly Klosterman	<i>Kelly Klosterman</i>	7825 Co Rd 1 Mooreton ND 58061		3/4/22
KEVIN KLOSTERMAN	<i>Kevin Klosterman</i>	7835 CO RD 1 MOORETON ND 58061		3-4-22
Kody Klosterman	<i>Kody Klosterman</i>	7825 Co Rd 1 Mooreton ND 58061		3/4/22
Gary Novotny	<i>Gary Novotny</i>	15760 84th St SE Wyndmere ND 58081		3/4/22
Patricia Novotny	<i>Patricia Novotny</i>	15760 84th St SE Wyndmere, ND 58081		3/4/22
MARVIN LUGERT	<i>Marvin Lugert</i>	16015 96th St SE WYNDMERE ND 58081		3/4/22
JOHN FROLEK	<i>John Frolek</i>	15430 86th St SE LIDGERWOOD, ND 58053		3-6-22

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

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Printed Name	Signature	Address	Comment	Date
Jay Myers	Jay Myers	6950 168 th Ave SE		3/8/22
Cara Myers	Cara Myers	6950 168 th Ave SE Colfax, ND 58018		3/8/22
Travis Myers	Travis Myers	6945 168 th Ave SE Colfax, ND 58018		3/8/22
Richard Moore	Richard Moore	16100 16 th Ave SE Fargo, ND 58103		3-8-22
Noel Mindeman	Noel Mindeman	16187 Co Rd 8 Burney 58008		3-8-22
Luann Mindeman	Luann Mindeman	16187 Co Rd 8 Burney 58008		3-8-22
Maxine Brosowski	Maxine Brosowski	15795 81 st St SE Wyndmere, ND		3-8-22
Kenneth Nelson	Kenneth Nelson	15763 81 st St SE Wyndmere ND		3-8-22
DAVID W KRAUSE	David Krause	9220 Hwy 18 Wyndmere ND		3-8-22
Jody KUZEL	Jody Kuzel	8640 157 th Ave SE Fargo ND 58053		3-8-22

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

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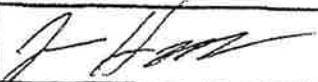

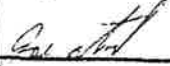
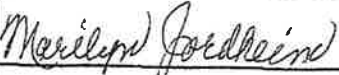
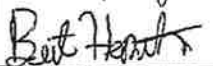
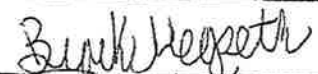

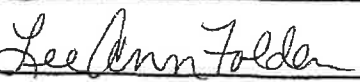
Printed Name	Signature	Address	Comment	Date
JAY Miller	Jay Miller	8827 179 AVS.E Wakpeton ND. 58025		March 8 2022
CHRIS JOHNSON	Chris Johnson	Wakpeton, ND 17450 CO. RD 16 58025		3-9-22
Kenneth Johnson	Kenneth Johnson	16810 79th st mooretown N.D. 58061		3-9-22
BICK Ford	Bick Ford	7695 165th AV SE mooretown ND 58061		3-9-22
Ken DAVIS	Ken Davis	Mooretown ND 58061		3-9-22
Chad Klosterman	Chad Klosterman	7845 169th Ave SE Mooretown ND 58061		3-9-22
DAVE LINK	Dave Link	8030 170th AVE SE 58061 Mooretown, ND		3-9-22
GARY FRISKOP	Gary Friskop	17255 Hwy 13 Wakpeton		3-9-22
James Link	James Link	8030 170th AVE SE Mooretown, ND 58061		3-9-22

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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

9

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
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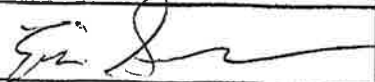

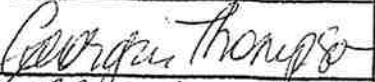


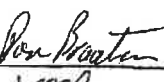

Printed Name	Signature	Address	Comment	Date
Jonathan Herding		8495 171st Ave SE Hankinson ND 58041		3/9/22
Bryan Metcalf		16450 24 ST SE Barnum ND		3/10/22
Joe Metcalf		16510 22nd ST SE Barnum ND 58006		3/10/22
Marilyn Fordheim		291 9th Ave S. Velva ND 58071		3/11/22
Bret Hegseth		6850 County Rd 2A Gendron ND 58061		3-12-22
Broch Hegseth		6850 County Rd 2A Wyndmere ND 58081		3-12-22
Paul Folden		320 17th N. Wahpeton ND 58075		3-12-22
LeeAnn Folden		320 17th N Wahpeton, ND 58075		3-12-22

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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

10

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
ERIC SEVERSON		8350 County RD 30 Wyndmere ND 58081		3/7/22
Ealen Weber		5557 160th Ave SE Kindred ND 58051		3/7/22
Georgia Thompson		8198 151st Ave SE Wyndmere, ND 58081		3/10/22
Mar Thompson		8198 151st Ave SE Wyndmere, ND 58081		3-10-22
HARLAN Bernstein		15785 K 58th SE WALCOTT N.D. 58077		3/10/22
Don Braaten		5805 160th Ave SE Kindred ND 58051		3/10/22
Melissa Braaten		5805 160th Ave SE Kindred ND 58051		3/10/22

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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
WAYNE FBERTSCH	<i>Wayne Fbertsch</i>	16640 84th ST SE	MANTADOR ND 58058	3-13-2022
Chance Pausch	<i>Chance Pausch</i>	16895 84th ST SE	Hankinson ND 58041	3-13-22
Craig Pausch	<i>Craig Pausch</i>	8410 169th AVE SE	Hankinson, ND 58041	3/13/22
Diane Pausch	<i>Diane Pausch</i>	" " " "	" " " "	" " " "
James Sedler	<i>James Sedler</i>	8435 170th AVE SE	HANKINSON ND 58041	3/13/22
Kevin Pretz	<i>Kevin Pretz</i>	16635 82nd ST SE	Mooreton ND 58061	3/13/22

6

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

12

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
Charles Mauch	Charles Mauch	8215 Co. Rd. 3 Barney ND 58008-9612	Landowner	3-7-22
Wayne F. Mauch	Wayne F. Mauch	16485 85th St SE Mantador, N.D. 58058	Landowner	3-7-22
Kevin Mauch	Kevin Mauch	16745 85th St SE Moorhead ND	Landowner	3-7-22
William E Mauch	William E Mauch	8191 6th Rd 25 Moorhead ND	Landowner	3-9-22
Craig Mauch	Craig Mauch	16245 Co Rd 14 Barney ND	Landowner	3-10-22

5

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

13

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
James D. Stallman	James D. Stallman	16475-79 ST SE Moorhead ND 58001		3-15-22
Eric Vangsness	Eric Vangsness	15735 57th St SE Walcott ND 58077		3-15-22
Vance Vosberg	Vance Vosberg	8225 158 Ave SE Ward ND 58081		3-15-22
Rich Joff	Rich Joff	315 E 44th St Campbell MN		3-15-22
Peg Griepentrog	Peg Griepentrog	9340 169th Ave SE Hankinson ND 58041		3-15-22

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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

14

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.





Printed Name	Signature	Address	Comment	Date
Phyllis Jordheim	<i>Phyllis Jordheim</i>	16090 62 ST SE Walcott N.D. 58077		3-6-22
Verdell Jordell	<i>Verdell Jordheim</i>	16090 62 ST SE Walcott ND.		3-6-22
Eggeare Meslow	<i>Eggeare Meslow</i>	16150 67 St. SE		3-6-22
JIM VIELE	<i>Jim Viele</i>	6645 101st Ave SE Walcott, ND 58077		3-6-22

4

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

15

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
Nikki Ceroll		7380 161 st Ave SE Barney ND 58008		3-7-22
William Ceroll		7380 161 Ave SE Barney ND 58008		3-7-2022
Ben Dotzenrod		7390 Hwy. 18 Wyndmere, ND 58081		3-7-2022
Allison Dotzenrod		815 Birch Ave Wyndmere, ND 58081		3-14-2022

4

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

16

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
Paul Berndt	<i>Paul Berndt</i>	8415 173 Ave SE Hankinson		3/14/22
Lois Berndt	<i>Lois Berndt</i>	525 First St. South ^{Wahpeton}		3/14/22
Bradley Berndt	<i>Bradley Berndt</i>	1002 6th St S Wahpeton		3-14-22
DARIN Prochnow	<i>D. Prochnow</i>	17375 Co. Rd. 16 Wahpeton		3-15-22

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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND. 17

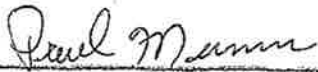

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
<i>[Handwritten Name]</i>	<i>[Handwritten Signature]</i>	8395-160 Ave SE		3-13-22
Kenneth Mauch	<i>[Handwritten Signature]</i>	16525-83 St SE		3-13-22
JoAnna	Jente	PO box 58 Montandon		3-13-22
Joseph Long	<i>[Handwritten Signature]</i>	16235 Barney		3-13-22
ANTOINETTE MAUCH	<i>[Handwritten Signature]</i>	8380 County Road 25		3-13-22

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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND. 18

Petition summary and background	Summit Carbon Solutions has been approaching landowners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions Pipeline within Richland County, ND.

Printed Name	Signature	Address	Comment	Date
Paul Mumm		18010 80th St SE	Not enough information and not in favor of	3-14-22
			Putting carbon in ground	
Adam Mumm		642 Richland St Wap. ND		3-14-22

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[illegible]

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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within SARGENT COUNTY

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>COUNTY COMMISSIONERS</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>DICKEY COUNTY</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.


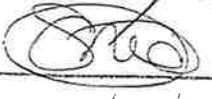

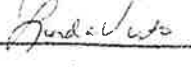

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Ann Zetochy	<i>Ann Zetochy</i>	8150 121 st Ave SE ^{Stirum, ND} 58069	Sargent	3/30/22	YES
John Zetochy	<i>John Zetochy</i>	8150 121 st Ave SE ^{Stirum, ND} 58069	Sargent	3/30/2022	Yes
Linda Visto	<i>Linda Visto</i>	9409 Highway 1, DICKES ND 58474	Dickey	3/30/2022	Yes
Gary Visto	<i>Gary Visto</i>	9409 Highway 1, DICKES ND 58474	Dickey	3-30-2022	Yes
Chad Visto	<i>Chad Visto</i>	1910 Main Ave ^{Dickes ND} 58474	Dickes	3-30-22	Yes
Colin Finley	<i>Colin Finley</i>	9747 Hwy 1 Dickes, ND 58474	Dickey	3-30-22	Yes
ROGER ZETOKHA	<i>Roger Zetochy</i>	1206 1 st 49th St SE ^{Stirum, ND} 58069	SARGENT	3-31-22	YES




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Dave Zetochy	<i>Dave Zetochy</i>	8761 11th Ave SE ^{Dickes ND} 58474	Dickes	4-5-22	Yes

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Dickey County

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>COUNTY COMMISSIONERS</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>DICKEY COUNTY</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Robert J. Schaefer		811 Fir Ave OAKES ND 58474	Dickey	3/30/22	YES
Sheila Engwicht		10766 91 st St SE	Dickey	3/30/22	Yes
Gloria Shelton	Gloria Shelton	10827 88 th St S.E.	Dickey	3/30/22	Yes
Harry Klever	Harry Klever	8025 97TH AVE S.E.	Dickey	3-30-22	yes
Russell A Gramler		9452 82 nd St SE	Dickey	3/30/22	yes
Linda Visto		9409 Highway 1 OAKES ND 58474	Dickey	3/30/22	yes
Gary Visto		9409 Highway OAKES ND 58474	Dickey	3-30-22	Yes

Steve Konkler		8489 108 th AVE SE OAKES ND 58474	Dickey	3-30-22	yes
Shad Visto		1910 Main Ave OAKES ND 58474	Dickey	3-30-22	YES
Shane Visto		113 South 8th St	Dickey	3/30-22	Yes

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Dickey County

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>COUNTY COMMISSIONERS</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>DICKEY COUNTY ND</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Thomas M Rehovsky	<i>Thomas M Rehovsky</i>	8888 111 th Ave SE Oakes ND	Dickey	April 8 2022	yes
Gary Seyer	<i>Gary Seyer</i>	11235 89 ST Oakes	Dickey	Apr 8 2022	yes
Ann Seyer	<i>Ann Seyer</i>	11235 89 ST Oakes	Dickey	Apr 8 2022	yes
Carol J. Rodine	<i>Carol J. Rodine</i>	11312 - 89 th ST SE Oakes	Dickey	April 8 2022	yes
Gary Rodine	<i>Gary Rodine</i>	8966 113 th Ave SE Oakes	Dickey	April 8 2022	yes
Carol Paul	<i>Carol Paul</i>	110 N 5 th ST Oakes	Dickey	April 8 2022	yes
Robin Paul	<i>Robin Paul</i>	110 N 5 th ST OAKES ND	Dickey	4-8-22	yes

Michele Rodine	<i>Michele S Rodine</i>	8737 111 th Ave SE, Oakes	Dickey	4-11-22	yes
Kevin Rodine	<i>Kevin Rodine</i>	8737 111 th Ave SE, Oakes	Dickey	4-11-22	yes
Genevieve J. Andersen	<i>Genevieve J. Andersen</i>	1416 Main Ave. OAKES ND	Dickey	4-11-22	yes

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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within DICKEY COUNTY ND





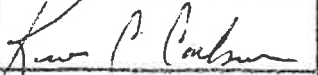
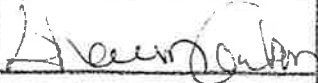
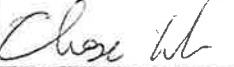
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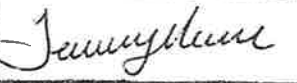
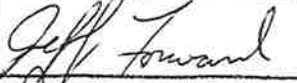

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Tracey Rodine	<i>[Signature]</i>	419 S 9th St Oakes	Dickey	4-12-22	YES
Gerald Rodine	<i>[Signature]</i>	1132 89th St Oakes	DICKEY	4-13-22	yes
JT HEMAN	<i>[Signature]</i>	1002 4th Ave Oakes ND	Dickey	4-13-22	yes
RICHARD WERSON	<i>[Signature]</i>	103 S. 10TH ST OAKES ND	Dickey	4-13-22	YES
Phil Brademayer	<i>[Signature]</i>	10456 92nd ST SE	Dickey	4-13-	yes
Larry Thorpe	<i>[Signature]</i>	9775 106th Ave S.E	Dickey	4-13	yes
Douglas Harris	<i>[Signature]</i>	717 Dogwood Ave	DICKEY	4-13	YES
NORMAN BEKKEGARD	<i>[Signature]</i>	315 N 10th ST OAKES, ND	DICKEY	4-13	No
NOREEN HANKEL	<i>[Signature]</i>	9421 108th Ave SE Oakes, ND 58474	Dickey	4-13-22	Yes
LEROY WOLFF	<i>[Signature]</i>	1004 Fir Ave OAKES ND	Dickey	4-13-22	YES

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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Dickey County

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>COUNTY COMMISSIONERS</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>DICKEY COUNTY</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.


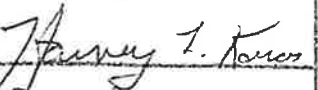
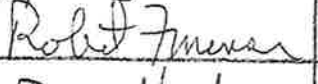
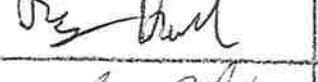



Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Shay Nelson		8130 10 th Ave SE ^{OAKES ND}	Dickey	4-12-22	YES
Lori Burley		112 S 8 th St, Apt 2 ^{OAKES ND}	Dickey	4-12-22	NO
Jeremy Genter		112 3rd St. N	Dickey	4-12-22	NO
Tina Leiver		11093 - 9 th St. SE ^{OAKES}	Dickey	4-12-22	YES
KEVIN CARLSON		10539 88 th St SE ^{OAKES}	Dickey	4-12-22	YES
Shawn Carlson		10539 88 th St SE ^{OAKES}	Dickey	4-12-22	YES
Chase Carlson		10479 88 th St SE ^{OAKES}	Dickey	4-12-22	YES




Jeremy Moore		407 3rd St. South	Dickey	4-12-22	yes
Jeff Forward		436 N 10th St Oakes	Dickey	4-13-22	YES
Roberta Forward		436 N. 10 th St. Oakes	Dickey	4-13-22	yes

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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Dickey County

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>COUNTY COMMISSIONERS</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>DICKEY COUNTY</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Steve Vighlman		121 Main Ave ^{Oakes} ND	Dickey	4-13-22	Yes
HARVEY L KARLE		806 ELM AVE OAKES, ND	DICKEY	4-13-22	Yes
Robert Mungon		3975 106th SE	Dickey	4-13-22	Yes
Benny Harkel		10785 44th st SE	"	4-13-22	Yes
Lloyd Gebhardt		10837 88th ST SE	Dickey	4-13-22	Yes
Tony Gebhardt		10841 88th ST SE	Dickey	4-13-22	Yes
JEREMIAH UNDERM		820 ASPEN DR, OAKES	DICKEY	4-13-22	Yes

Richard Granlon		9439 88th St. SE Fulkerson ND	Dickey	4-13-22	Yes
Kelly Brummund		8930 104th Ave SE Oakes ND	Dickey	4-13-22	Yes
Anna Brummund		9439 88th St. SE Fulkerson ND	Dickey	4-13-22	Yes

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Dickey County

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>COUNTY COMMISSIONERS</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>DICKEY COUNTY</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Natalie Hagan	<i>Natalie Hagan</i>	200 N. Midwest St.	Dickey	4/13/22	Yes
Dillon Thayer	<i>Dillon Thayer</i>	305 5th Ave N	Dickey	4/13/22	NO
Alex Tschosik	<i>Alex Tschosik</i>	305 5th Ave N Oakes ND	Dickey	4/13/22	NO
Chad Uha	<i>Chad Uha</i>	Fidelity 811 96th Ave SE	Dickey	4/13/22	yes
Ed Cox	<i>Ed Cox</i>	209 S 2ND ST Apt 103 OAKES ND	Dickey	4/14/22	NO
Nicholas Harris	<i>Nicholas Harris</i>	818 Chestnut Lane OAKES ND	Dickey	4/14/22	No
of Gary Schnell Gary Schnell	<i>Gary Schnell</i>	1234 W. 14th St OAKES ND	Dickey	4-14-22	NO

Char Moore	<i>Char Moore</i>	219 Juniper Ave	Dickey	4/14/22	NO
Peggy Nelson	<i>Peggy Nelson</i>	11236 86th St SE Oakes, ND 58424	Dickey	4/14/22	Yes
Thomas E Pahl	<i>Thomas E Pahl</i>	922 Lilac Ave Oakes, ND	Dickey	4-14-22	yes

12

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Dickey County ND

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>COUNTY COMMISSIONERS</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>DICKEY COUNTY ND</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Betty Hall	Betty Hall	8032 101st S.E. Forbes	Dickey	4-18-22	yes
LAURENCE Rall	Laurence Rall	8032 101st SE Forbes	Dickey	4-18-22	yes
Celia Olson	Celia Olson	9990 77th Ave SE Forbes	Dickey	4-18-22	yes
Gary Olson	Gary Olson	9990 77th Ave SE Forbes	Dickey	4-18-22	yes
Ronald Casey	Ronald Casey	209 2nd Ave Forbes	Dickey	4-18-22	yes
Ronald Martin	Ronald Martin	10061 74th Ave S.E. Forbes	Dickey	4-18-22	yes
Dave Hall	Dave Hall	7847 98th St SE Forbes	Dickey	4-18-22	yes

Kelly Schmidt	Kelly Schmidt	2014th St S Ellendale, ND 58436	Dickey	4-18-22	yes
Nicole Kempf	Nicole Kempf	308 1st St. N Ellendale ND 58436	Dickey	4/19/22	yes
Lucille Gayman	Lucille Gayman	9103 State Line Rd Ellendale	Dickey	4/19/22	yes

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Dickey County ND

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>COUNTY COMMISSIONERS</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>DICKEY COUNTY ND</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Gerald Gernon	<i>[Signature]</i>	9871 107th	Dickey	4-21-22	
Marty Visto	<i>[Signature]</i>	9805 105th Ave SE	Dickey	4-21-22	
Darcy Henningsen	<i>[Signature]</i>		Dickey	4-19-22	
Matt Schaefer	<i>[Signature]</i>	812 Lilac Ave Oakes	Dickey	4-19-22	
Jon Lynde	<i>[Signature]</i>	8908 100th St SE Ellendale	Dickey	4/19/22	
Chad Brandt	<i>[Signature]</i>	10671 90th St SE Oakes	Dickey	4/19/22	

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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>Sargent County Commissioners</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>Sargent</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Merrill Engquist	<i>Merrill Engquist</i>	8518 133 Ave SE ^{SE032} Forman ND 58042	Sargent	3-29-22	NO
Denise Feelerok	<i>Denise Feelerok</i>	616 3rd Milne ND 58042	Sargent	3-30-22	NO
Alison Toerke	<i>Alison Toerke</i>	8914 130th Ave SE Forman ND 58042	Sargent	3-30-22	NO
Patricia Zirnheist	<i>Patricia Zirnheist</i>	8742 Hwy 32, Forman ND 58042	Sargent	3-30-22	NO
Cindy Kogow	<i>Cindy Kogow</i>	620 7th Ave - Milne ND 58042	Sargent	3-30-22	NO
Thomas Wehlander	<i>Thomas Wehlander</i>	115 3rd Ave Milne ND 58042	Sargent	3-30-22	NO yes
Verl Johnson	<i>Verl Johnson</i>	8712 128th Ave SE ^{SE040} Forman ND	Sargent	3-30-22	NO

Kirk Fiehs	<i>Kirk Fiehs</i>	275 2nd St SW ^{SE032} Forman ND	Sargent	4-4-22	YES
Brenda Petersen	<i>Brenda Petersen</i>	209 Lylac Circle, Forman ND 58042	Sargent	4-4-22	NO
Kelsay Nelson	<i>Kelsay Nelson</i>	Bluebird St, Forman, ND	Sargent	4/4/22	no

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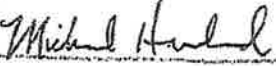
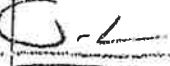

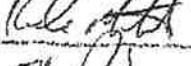
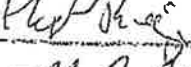

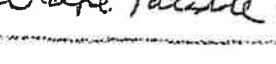
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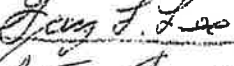
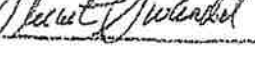
Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Brian E. Fiala	<i>Brian E. Fiala</i>	9163 130 th Ave SE	Sargent	3/28/22	Yes
David Fiala	<i>David Fiala</i>	12966 93 rd St SE ^{Forman}	Sargent	3/28/22	yes
Eric Delahoyde	<i>Eric Delahoyde</i>	9057 119 th Ave SE ^{Cogswell}	Sargent	3/28/22	Y
Megan Delahoyde	<i>Megan Delahoyde</i>	9037 119 th Ave SE ^{Cogswell}	Sargent	3/28/22	
Ronda Throener	<i>Ronda Throener</i>	8751 125 Ave SE Cogswell	Sargent	4/4/22	Yes
Kevin Throener	<i>Kevin Throener</i>	8751 125 Ave SE Cogswell	Sargent	4/4/22	Yes
Isaiah Throener	<i>Isaiah Throener</i>	8751 125 th Ave SE Cogswell	Sargent	4/4/22	Yes

LeeAnn Even	<i>LeeAnn Even</i>	326 5 th St. Cogswell, ND 58011	Sargent	4/4/2022	yes

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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Michael Haverland		16395 63 ST SE Walcott, ND 58077	Richland	3-24-22	Yes
Sam Rieger		761 6th Ave Walcott, ND 58077	Richland	3-24-22	Yes
Ryan Zick		16565 64th St SE Walcott, ND 58077	Richland	3-24-22	Yes
Kade Mitchell		16405 57th ST SE Kindred ND 58051	Richland	4-1-22	Yes
Clayton Rieger		763 6th Ave Walcott N. Dak	Richland	4-1-22	yes
MICHAEL BARKER		16285 Co Rd 2 Walcott ND	Richland	4-2-22	yes
Wayne Farschke		16845 Co Rd 2 Walcott	Richland	4-2-22	yes

Raydon Bule		16690 Co Rd 2 Walcott	Richland ND	4-2-22	Yes
GARY L. LEE		6370 161 Ave SE Walcott, ND	Richland	4/2/22	Yes
STUART SWANICAL		693 9th Ave Walcott ND	Richland	4/2/22	ND

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County




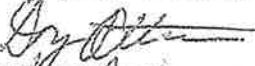

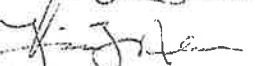
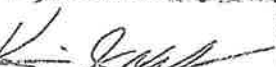
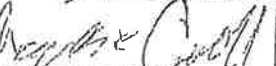
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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
COLIN SUNDQUIST	<i>Colin Sundquist</i>	8783 Hwy 32 Forman, N.D.	SARGENT	3-28-22	YES
Colleen Sundquist	<i>Colleen Sundquist</i>	8783 Hwy 32 Forman ND	Sargent	3-28-22	Yes
Scott Zinbelt	<i>Scott Zinbelt</i>	8631 133 rd Ave SE Forman, ND	Sargent	3-28-22	Yes
Mike Zinbelt	<i>Mike Zinbelt</i>	13309 87 th St SE Forman ND	Sargent	3-28-22	Yes
Clint Zinbelt	<i>Clint Zinbelt</i>	8742 Hwy 32 Forman ND	Sargent	3-28-22	No
VALERIE BJORK	<i>Valerie Bjork</i>	8606 134 th Ave SE Forman ND	Sargent	3-28-22	Yes
Marcia Asche	<i>Marcia Asche</i>	8518 133 rd Ave SE, Winner, ND	Sargent	3-28-22	No

Patricia Bladow	<i>Patricia Bladow</i>	8536 Hwy 32 Winner ND	Sargent	3-28-22	Yes
Brian Bjork	<i>Brian Bjork</i>	8606 134 th Ave SE Forman	Sargent	3-28-22	yes
Brandon Pankau	<i>Brandon Pankau</i>	290 2nd St SW Apt 3 Forman	Sargent	3-29-22	No






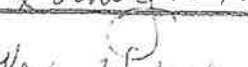
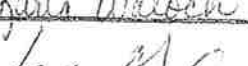
Sargent County




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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Kim Bantz	K. Bantz	200 2nd Ave., CoFax	Richland	3/28/22	Y
Cheri Tinsman	Cheri Tinsman	P.O. Box 52 Walcott	Richland	3/28/22	N
David Faller		16342 49th St SE	Cass	3-20-22	Y
Datt Wanner	Datt Wanner	260 Walnut St. Kandak	Cass	3-30-22	Y
Bryce Coroll		493 9th Ave Walcott	Richland	3-31-22	Y
Kathy Kuhl		363 6th Ave Walcott	Richland	3-31-22	Y
Boyd Allen		5498 160th Ave SE	Richland	3-31-22	Y
Karla Smedley		17380 55th St SE Christie	Richland	3-31-22	N
Lisa Nelson		225 1st St Davenport	Cass	3-31-22	Y
Kevin Nelson		225 1st St, Davenport	Cass	3-31-22	Y
MaKenzie Coroll		493 9th Ave Walcott	Richland	3-31-22	N

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>Sargent County Commissioners</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>Sargent County</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Francis Minnick		13238 90 th St SE, Forman	Sargent	3/28/22	Yes
Paul Gadd		230 Main St NW, Haverhill	Sargent	3/28/22	NO
Roger McLean		205 Farney Dr, Forman ND	Sargent	3/28/22	NO
Regan L Linde		206 3 rd St SE, Forman ND	Sargent	3/28/22	NO
Harley D. Fink		613 6 th St SW, Forman, ND	Sargent	3/28/22	NO
Karla Waloch		13062 86 th St SE, Winner ND	Sargent	3/28/22	Yes
Watt Smogard		8688 Hwy 32, Forman ND	Sargent	3/28/22	No

Tim Vincent		13182 81 st Street SE, Winner ND	Sargent	3/28/22	NO
Ann Erickson		13894 94 th St SE, Rutland	Sargent	3/28/22	yes
Carolyn Christensen		309 Dakota St, Rutland	Sargent	3/28/22	NO

Petition for Formally Oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Heidi Braaten	Heidi Braaten	570 Sunset Dr. Oxbow, ND	Cass	3/23/2022	Yes
Leeanne Girodat	Leeanne Girodat	16323 61 st St. SE Walcott ND	Richland	3/25/2022	Yes
Jim Pearson	Jim Pearson	637 Evergreen Circle Oxbow ND	Cass	3-25-2022	Yes
Sarah Klockmann	Sarah Klockmann	1305 1/2 Ave. N. Kindred ND	Cass	3-25-2022	Yes
Dean Andvik	Dean Andvik	16015 33 rd SE Kindred ND	Cass	3-25-2022	Yes
Josh Roberts	Josh Roberts	16028 58 th St SE Kindred ND	Cass	3-25-22	Yes
Emily Braaten	Emily Braaten	5805 160 th Ave SE Kindred ND 58051	Richland	3-25-22	Yes

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Julian Braaten	Julian Braaten	5805 160 th Ave SE Kindred ND 58051	Richland	3/25/22	Yes

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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Randall Waloch	<i>Randall Waloch</i>	13062 86 th St SE	Sargent	3-31-22	Y
Rudi Christensen	<i>Rudi Christensen</i>	114 1 st Ave NW	Sargent	4-1-22	N
Shirley WALOCH	<i>Shirley Waloch</i>	P.O. Box 635-Gwinner	Sargent	4-1-22	X
<i>Miles Johnson</i>	<i>Miles Johnson</i>	8455 Hwy 32	Sargent	4-1-22	Y
Nancy Wrage	<i>Nancy Wrage</i>	P.O. Box 257, Gwinner	Sargent	4-1-22	Y
BETTY JOHNSON	<i>Betty Johnson</i>	8394 Hwy 32 Gwinner	Sargent	4-1-22	Y
PATRICIA PEARSON	<i>Patricia Pearson</i>	13352 91 st St SE Forman	SARGENT	4-4-22	Y

Judy Tyler	<i>Judy Tyler</i>	8671 Hwy 32 Forman	Sargent	4-4-22	Y
Jeffery Tyler	<i>Jeffery Tyler</i>	8671 Hwy 32 Forman	Sargent	4-4-22	Y

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Diana Bosse	<i>Diana Bosse</i>	95-97 125 th Ave SE Cogswell ND 58017	Sargent	3-27-22	
Gerry Bosse	<i>Gerry Bosse</i>	11	"	"	
Lindsey Bosse	<i>Lindsey Bosse</i>	9364 125 th Ave SE Cogswell, ND 58017	Sargent	3/27/22	
Brent Bosse	<i>Brent Bosse</i>	11	"		
Matthew Bosse	<i>Matthew Bosse</i>	12489 96 th St SE	"	3-30-22	
Casey Bosse	<i>Casey Bosse</i>	Cogswell, ND 58017	"	" "	
Richard Hayen	<i>Richard Hayen</i>	Cogswell N. Dak 58017	Sargent	4-4-22	

Kathy Hayen	<i>Kathy Hayen</i>	9053 124 th Ave SE Cogswell ND	Sargent	4-4-22	
DAVID EUBEN	<i>David Euben</i>	386 5 th St SE Cogswell ND	Sargent	4-4-22	

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
BRUCESPEICH	<i>Bruce Speich</i>	133 3rd AVE MILWAUKEE ND	SARGENT	3-22-22	YES
Self Halverson	<i>Self Halverson</i>	119 Main St.	Sargent	3-23-22	yes
Raymond Martinson	<i>Raymond Martinson</i>	14823 82nd St SE Milwauk	Sargent	4-4-22	Yes
Paul Martinson	<i>Paul Martinson</i>	14823 82nd St. SE. Milwauk, ND	Sargent	4-4-22	Yes


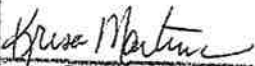

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within _____

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Action petitioned for	We, the undersigned, are North Dakota Residents who urge the _____ Service Commission that _____ to pass a resolution and notify the North Dakota Public for the Summit Carbon Solutions Pipeline. _____ is opposed to eminent domain

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Renee Zimelman	<i>Renee Zimelman</i>	8916 115 Ave SE Oakes, ND	Sargent	3-30-2022	self
Lutnn Anderson	<i>Lutnn Anderson</i>	11596 Hwy 11, Oakes, ND	Sargent	4-4-2022	self
Steve Anderson	<i>Steve Anderson</i>	11596 Hwy 11, Oakes, ND	Sargent	4-4-2022	Self

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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Russell Martinson		8067 150th Ave SE Milnor ND	Sargent	3/20/2022	X
Krisa Martinson		8067 150th Ave SE, Milnor ND	Sargent	3/20/22	X
Andrew Martinson		8067 150th Ave SE, Milnor ND	Sargent	3/20/22	X

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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
LEON L. MALLBERG	<i>Leon L. Mallberg</i>	941 13th STREET WEST DICKINSON, NORTH DAKOTA	STARK County	3-26-2022	SARGENT COUNTY LANDOWNER

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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Ben Hofer	<i>Ben Hofer</i>	14226 75th Milnor, ND	Ransom	3-26-22	<i>JES</i>
James Hofer	<i>James Hofer</i>	14226 75th SE Milnor, ND	Ransom	3-26-22	Sundale

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Melissa Jaskowski	<i>Melissa Jaskowski</i>	824 3 rd St. N. Wahpeton	Richland	03/27/2022	YES
DAN JASKOWSKI	<i>Dan Jaskowski</i>	824 3 rd St. N. ND	Richland	3/27/2022	YES

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
JOAN JOHNSON	<i>[Signature]</i>	21 BOBCAT DR, GWINNER	SARGENT	24 Mar 22	NO
Jay Enderson	<i>[Signature]</i>	412 3RD AVE SE	Sargent	3-29-22	NO
Dale Asche	<i>[Signature]</i>	10 4th Ave SE Gwinner	Sargent	04-01-22	YES

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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Shawn R. Klein	<i>Shawn R. Klein</i>	321 Havana ND 58043	Sargent	4/1/22	No
Alan Ostad	<i>Alan Ostad</i>	15825 91st SE	SARGENT	4/1/22	Yes

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Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Mike HAYEN	<i>Michael Hayden</i>	12025 Hwy 11 Casswell ND 58017	Sargent	4-1-2022	yes
Elliott Hayden	<i>Elliott Hayden</i>	12025 Hwy Casswell ND 58017	Sargent	4-1-2022	Yes
Garrett Hayden	<i>Garrett Hayden</i>	12025 Hwy 11 Casswell ND 58017	Sargent	4/1/22	Yes
Lashana Hayden	<i>Lashana Hayden</i>	12025 Hwy 11 Casswell ND 58017	Sargent	04/01/2022	Yes

Resolution for Petition to Oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>Sargent County Board of Commissioners</u> pass a resolution and notify the North Dakota Public Service Commission that <u>Sargent County</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Rob Rude	<i>Rob Rude</i>	7309 S Lincoln Fwy	Cass	3-31-22	Y
LEA MURPHY	<i>Lea Murphy</i>	474 1st W Walcott	Litchfield	3/31/22	Y
BRIAN ORDAHL	<i>Brian Ordahl</i>	539 2nd Ave S, Kindred	Cass	4-2-22	Y
Taya Ordahl	<i>Taylor</i>	539 2nd Ave S Kindred	Kindred Cass	4/2/22	N
RACHEL BRAATEN	<i>Rachel Braaten</i>	570 Sunset Blvd OT Hwy WIS80412	Cass	4/2/22	YES

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>Sargent County Commissioners</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>Sargent County</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
PAUL MATHEWS	<i>Paul Mathews</i>	9066 119 th Ave SE Coosworth ND	Sargent Co	3/22/22	yes
Fawn Sawyer-Blixt	<i>Fawn Sawyer-Blixt</i>	9222 116 th Ave SE	Sargent Co.	3/22/22	NO
Scott Blixt	<i>Scott Blixt</i>	9222 116 th Ave SE	Sargent Co	3/22/22	NO
DAN DELAHOUDE	<i>Dan Delahoude</i>	9087 119 th Ave SE Coosworth ND	SARGENT	3/22/22	YES
Phyllis Delahoude	<i>Phyllis Delahoude</i>	9087 119 th Ave SE Coosworth	Sargent	3-22-22	yes
VALERIA HAYEN	<i>Valeria Hayen</i>	9164 119 th Ave SE Coosworth ND	Sargent	3-22-22	yes
Colleen Carpenter	<i>Colleen Carpenter</i>	9223 123 rd Ave SE Coosworth ND	Sargent	3-23-22	yes

Lee Zimbelman	<i>Lee Zimbelman</i>	9069 115 th Ave SE Coosworth	Sargent	3-23-22	NO
TERRY ZIMBELMAN	<i>Terry Zimbelman</i>	8916 115 th Ave SE Coosworth	Sargent	3-23-22	yes
Steve Ringdahl	<i>Steve Ringdahl</i>	1658 88 th St SE Oakes ND	Sargent	3/24/22	Yes

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

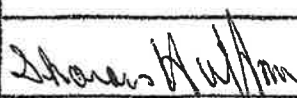
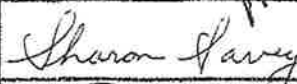

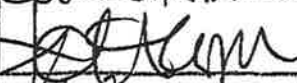
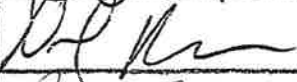


Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>Sargent County Commissioners</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>Sargent County</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Michelle Ringdahl	<i>Michelle Ringdahl</i>	11658 88 th St SE	Sargent	3-24-22	yes
Regina Coleman	<i>Regina Coleman</i>	81705 88 th St.	Sargent	3-23-22	yes
Judy Ringdahl	<i>Judy Ringdahl</i>	8394 115 th Ave. (X)	Sargent	3-24-22	yes
Linda Humphrey	<i>Linda Humphrey</i>	8346 120 th Ave. SE	Sargent	3-24-22	yes
Marian Humphrey	<i>Marian Humphrey</i>	8346 120 th Ave SE	Sargent	3-24-22	yes
Kathy Lindvall	<i>Kathy Lindvall</i>	8561 121 st Ave SE	Sargent	3-24-22	yes
Norma Hager	<i>Norma Hager</i>	8780 121 st Ave SE	Sargent	3-24-22	yes




Randy Plack	<i>Randy Plack</i>	427 N 10 th St Dakes	Dickey	3-24	yes
Perren Plack	<i>Perren Plack</i>	313 N 15 th St Dakes	Dickey	3-24	yes
Greg Hatfield	<i>Greg Hatfield</i>	9581 119 th Ave SE Coonville	Sargent	3-24	yes

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>Sargent County Commissioners</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>Sargent County</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
SHARRN ^{MUFFMAN}		9521 119 Ave SE	Sargent	3-24-22	Yes
Sharon Sarey		322 N 11th St. #7	Dickey	3-25-22	Yes
Sara Planteen		12649 95th St SE	Sargent	3/25/22	Yes
Kate Wartasek		475 4th St SW	Sargent	3/25/22	no
Neil Planteen		12649 95th St SE	Sargent	3/25/22	Yes
Perry Planteen		12650 95th St SE	Sargent	3/25/22	yes
Bernie Planteen		12650 95th St SE	Sargent	3/25/22	Yes

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Edna L. Suran		12567 91st St SE	Sargent	3-25-22	Yes
Keela Suran		12567 91st St SE	Sargent	3/25/22	Yes
Ryan Lindvall		12667 94th St SE	Sargent	3-27-22	Yes

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>Sargent County Commissioners</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>Sargent County</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Robert Lindberg	<i>Robert Lindberg</i>	8961 121 Ave SE Cognell, ND	SARGENT	3/27/22	Yes
Robert Plack	<i>Robert Plack</i>	8768 122 Ave SE	Sargent	3/27/22	Yes
Mark E Bopp	<i>Mark Bopp</i>	200 2nd St SE Forman ND	Sargent	3/27/22	Yes
Kim Swanson	<i>Kim Swanson</i>	246 Maple Ave W Forman ND	Sargent	3/27/22	No
Brad Swanson	<i>Brad Swanson</i>	242 Maple Ave W Forman ND	Sargent	3/27/22	NO
Matt McLean	<i>Matt McLean</i>	9061 131 Ave SE Forman ND 58032	Sargent	3/27/22	Yes
Reed Hanson	<i>Reed Hanson</i>	416 4th St SE Sargent ND 58032	Sargent	3/27/22	Yes

Andrew Hanson	<i>Andrew Hanson</i>	3010 89th St SE Forman ND	Sargent	3-28-22	Yes
Sandra Hanson	<i>Sandra Hanson</i>	12787 Hwy 11 Forman ND 58032	Sargent	3-28-22	NO
Arden Hanson	<i>Arden Hanson</i>	12787 Hwy 11 Forman ND 58032	Sargent	3-28-22	Yes

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the <u>Sargent County Commissioners</u> to pass a resolution and notify the North Dakota Public Service Commission that <u>Sargent County</u> is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
DAVID BLADOW	<i>[Signature]</i>	8536 Hwy 32 Winner ND	Sargent	3-29-22	yes
Dennis McLaen	<i>[Signature]</i>	13756 Hwy 11 Rutland ND	Sargent	3-29-22	yes
Nicholas McLaen	<i>[Signature]</i>	13758 Hwy 11 Rutland, ND	Sargent	3-29-22	Yes
William Hopfen	<i>[Signature]</i>	126 1 st St N Rutland ND	Sargent	3-29-22	yes
Dale A. McLaen	<i>[Signature]</i>	13756 Hwy 11, Rutland ND	Sargent	3/29/2022	NO
DAVID BEGGM	<i>[Signature]</i>	204 3 rd ST SW FORMAN, ND	SARGENT	3-29-2022	NO
Deborah Banish	<i>[Signature]</i>	13804 96 th St SE Rutland ND	Sargent.	3-31-22	Yes
DAWN RONEY	<i>[Signature]</i>	11776 Hwy 11 Forman	Sargent	3-31-22	yes

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LARRY CHRISTENSEN	<i>[Signature]</i>	309 Dakota Street	SARGENT	4-1-22	NO
Sherry Hosford	<i>[Signature]</i>	436 4 th St SW, Forman ND	Sargent	4-1-22	Yes
Bryan Blaw	<i>[Signature]</i>	9160 1384 Ave SE Rutland ND	Sargent	4-1-22	Yes

**RESOLUTION TO FORMALLY OPPOSE THE USE OF EMINENT DOMAIN BY
SUMMIT CARBON SOLUTIONS CARBON PIPELINE IN EMMONS COUNTY**

NOW THEREFORE BE IT RESOLVED; that the Emmons County Board of Commissioners formally opposes the use of eminent domain practices to secure easements in Emmons County by Summit Carbon Solutions LLC for their carbon pipeline project.

Chairman Magrum - Yea / Nea


Vice Chairman Eberle - Yea / Nea

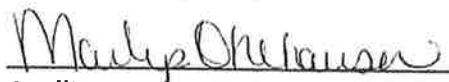
Commissioner Weichel - Yea / Nea

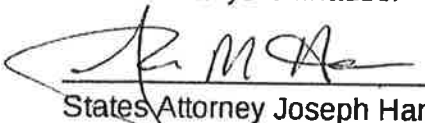
Commissioner Hulm - Yea / Nea

Commissioner Kalberer - Yea / Nea

Resolution Passes by a vote of 5-0

 5-3-22
Chairman Erin Magrum Date

 5-3-22
Auditor Mariys Ohlhauser Date

 5-3-2022
States Attorney Joseph Hanson Date

Emmons County

Summit Carbon Solutions has been approaching land owners to sign easements for a Carbon Dioxide Pipeline. Landowners are rightfully upset at the tactics that have been employed throughout the negotiation process. This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon Solutions seeking eminent domain for this project.

We the undersigned are concerned citizens who urge our county commissioners to act now to pass a resolution officially opposing eminent domain for the Summit Carbon Solutions pipeline within Emmons County

Date

Date	
	4-21-22

4-21-22

4.22.22

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4/22/22

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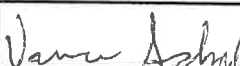
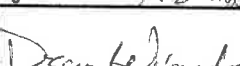
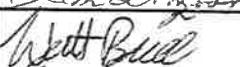

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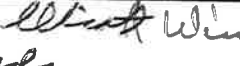
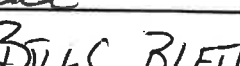
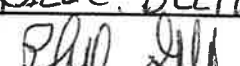
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Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Burleigh County, ND

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the Burleigh County Commission to pass a resolution and notify the North Dakota Public Service Commission that is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Monica Renfeld		3712 41st Ave New Salem ND	Morton	5-18-22	YES
DEAN TWARDOSZ		2535 NW 136th Ave ND	Burleigh	5-20-22	yes
Dallas Elph		3920 62nd St NE, BIS	Burleigh	5-23-22	yes
Vance Schock		8129 162nd Ave Baldwin	Burleigh	5-25	yes
Dean Wingerter		232 Telshe Dr, BIS	Burleigh	5-27-22	yes
Wyatt Bonnell		528 Sherwood Ln, BIS	Burleigh	5-27-22	NO
Robert Miller		10801 52nd St NE	Burleigh	5-31-22	Yes

Elliot Winer		70 54th St SE	Emmons	6-6-22	YES
BILL BLETH		13250 34th St. N.W.	Burleigh	6/10/22	NO
Philip Gandy		4455 Turnbow Ln	Burleigh	6-15-22	NO

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Burleigh County, ND

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the Burleigh County Commission to pass a resolution and notify the North Dakota Public Service Commission that is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
MARLEN COLEMAN	<i>Marlen Coleman</i>	910 17 th ST N	Burleigh	5-12-22	yes
Jim Adams	<i>Jim Adams</i>	5051 275 St SE	\	5/13/22	yes
KENNETH J. SCHMIDT	<i>Kenneth Schmidt</i>	2205 36TH AVE SW	OLIVER CENTER, ND	5-13-22	YES
Les Fleck	<i>Les Fleck</i>	6180 Hwy 6	Morton Solen ND 58570	5-13-22	yes
Margaret Haider	<i>Margaret Haider</i>	703 N. 35 th St, Bismarck ND	Burleigh	5-16-22	No
Jason Austin	<i>Jason Austin</i>	8300 12 th St. SE D.S.	Burleigh	5-16-22	yes
Leprie Schmidt	<i>Leprie Schmidt</i>	Baldwin ND 8904 162nd Ave NE	Burleigh	5/16/22	yes

W. Aye Faltus	<i>W. Aye Faltus</i>	32351 184th St NE Bismarck	BURleigh	5-16-22	yes
RICK HAIDER	<i>Rick Haider</i>	13401 15 th St NW	Burleigh	5/18/22	YES
Jim Heister	<i>Jim Heister</i>	6019 223 rd St NE McKenzie	Burleigh	5/18/22	yes

Petition to: Formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Burleigh County, ND

Petition summary and background	This pipeline poses health and safety risks to both citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project.
Action petitioned for	We, the undersigned, are North Dakota Residents who urge the Burleigh County Commission to pass a resolution and notify the North Dakota Public Service Commission that is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Printed Name	Signature	Signature Address	County of Residence	Date	Landowner
Fred Bergquist	<i>Fred Bergquist</i>	29300 Hwy 31 Wing, ND	Burleigh	6-20-22	Yes
Bonnie Munsch	<i>Bonnie Munsch</i>	3229 123 rd Ave NW Bismarck, ND	Burleigh	6-23-22	yes
Dorey V Johnson	<i>Dorey Johnson</i>	12450 80 th St NE Wing	Burleigh	7-14-22	yes
Danene Oswald	<i>Danene Oswald</i>	29570 327th St. NE ND	Burleigh	7-14-2022	yes



Dear [REDACTED]

Thank you for your liability coverage inquiry into the Navigator CO2 pipeline that is expected to run through your property. There is specific exclusions for liability protection involving the release of any contaminants per the following policy language:

Coverage L (liability) does not apply to:

Bodily injury or property damage arising out of the actual, alleged, or threatened presence, discharge, dispersal, seepage, migration, release, escape of, or exposure to contaminants or pollutants at or from any source or location.

We also do not cover:

Any loss, cost, or expense arising out of any request, demand, order, or statutory or regulatory requirement that any insured or others test for, monitor, clean up, remove, contain, treat, detoxify, neutralize, remediate, dispose of, or in any way respond to or assess the effects of contaminants or pollutants;

Any loss, cost, or expense arising out of any claim or suit by or on behalf of a governmental authority of damages because of testing for, monitoring, cleaning up, removing, containing, treating, detoxifying, neutralizing, remediating, disposing of, or in any way responding to or assessing the effects of contaminants or pollutants;

While I am personally not privy to any proposed hold harmless agreements or the contract between the pipeline owners and yourselves; regardless of any agreements in place, there is significant personal liability exposure for yourselves while using your land for farming operations, for your own enjoyment and for your benefit renting the land out for others to do the same.

For example, if you or your tenants or even someone without permission attempts to dig, plow, trench and pierces the pipeline causing a leak, the resulting damage may be argued to be your responsibility.

As time passes, nearby landowners may change hands, the pipeline owners and operators may change, future technology may render the pipeline useless or ineffective. All of these factors among others, increase the potential that you may be held personally liable in the future for cleanup, removal and other activities that could cause damage as a result of this pipeline being installed.

As history has proved, any pipeline has a chance to fail, leak and seep resulting in significant damage to life and property. To place this type of risk or burden upon unwilling landowners, like yourselves, is tantamount to placing a risk to your livelihood without your permission.

In summary, having a pipeline running through your property, carrying CO2, a pollutant, subjects you to substantial uninsurable exposure.

Sincerely,

[REDACTED]



MSDS FOR
CARBON DIOXIDE (COMPRESSED)

009

Rev 5(11/2005)

**1. Identification of the Substance/ Preparation
and of the Company**

Product Name: **Carbon Dioxide (Compressed)**

Chemical Formula: CO₂

Company Identification: Energas Limited
Westmorland Street
Hull HU2 0HX

Emergency Telephone No: 01482 329333

2. Composition/ Information on Ingredients

Substance/ Preparation: Substance
Components/ Impurities: Contains no other
impurities which will
influence the classification
of the product.

CAS Number: 00124-38-9
EEC Number: 2046969 (from EINECS)

3. Hazardous Properties

Liquefied gas.
In high concentrations may cause asphyxiation.

4. First Aid Measures

Inhalation:

Low concentrations of carbon dioxide cause
increased respiration and headaches.

In high concentrations may cause asphyxiation.

Symptoms may include loss of mobility/
consciousness.

Victim may not be aware of asphyxiation.

Remove victim to uncontaminated area wearing self-
contained breathing apparatus.

Keep victim warm and rested. Call a doctor.

Apply artificial respiration if breathing has stopped.

Skin/ Eye Contact:

Flush eyes copiously with water for at least 15
minutes. Obtain medical assistance.

5. Fire Fighting Measures

Suitable Extinguishing Media:

All known extinguishants can be used.

Specific Hazards:

Exposure to fire may cause containers to rupture/
explode. Non-flammable.

Specific Methods:

If safe to do so, stop flow of product.

Move container away or cool with water from a
protected position.

Hazard Combustion Products:

None.

Special Protective Equipment for Fire Fighters:

In confined spaces use self-contained breathing
apparatus.

6. Accidental Release Measures

Personal Precautions

Evacuate area.

Ensure adequate air ventilation.

Wear self-contained breathing apparatus when
entering area unless atmosphere is proved to be
safe.

Environmental Precautions

Try to stop release.

Prevent from entering sewers, basements and
workpits, or any place where its accumulation can be
dangerous.

Clean Up Methods

Ventilate area.

7. Handling and Storage

Handling:

Refer to Energas Storage and Handling instructions.

Use only properly specified equipment which is
suitable for this product, its supply pressure and
temperature.

Open cylinder valve slowly to avoid pressure shock.

Do not allow backfeed into the container.

Suck back of water into the container must be
prevented.

Contact Energas Limited if in doubt.

Storage:

Keep container below 50°C in a well-ventilated place.

8. Exposure Controls/ Personal Protection

Exposure Limit Value:

LTEL : 5000 ppm (8 hr TWA ref. period)

STEL : 15000 ppm (15 min. ref. period)



MSDS FOR CARBON DIOXIDE (COMPRESSED)

009

Rev 5(11/2005)

Personal Protection:

Ensure adequate ventilation.

9. Physical and Chemical Properties

Appearance/ Colour: Colourless gas.
Odour: Odourless

Melting Point: -56°C
Boiling Point: -75°C
Critical Temperature: 30°C
Relative Density (Liquid): 0.82 (liquid = 1)
Relative Density (Gas): 1.52 (air = 1)
Vapour Pressure @ 20°C: 57.3 bar
Solubility (water): 2000 mg/l

10. Stability and Reactivity

Stable under normal conditions.

11. Toxicological Information

Carbon Dioxide is classified as a non-flammable, non-toxic liquefied gas. It is normally present in atmospheric air at a level of approximately 350 parts per million (0.035%). It is a normal product of metabolism being held in bodily fluids and tissues where it forms part of the bodies normal chemical environment. In the body it acts in the linking of respiration, circulation and vascular response to the demands of metabolism both at rest and in exercise.

The effects of inhaling low concentrations of carbon dioxide are physiologically reversible but in high concentrations the effects are toxic and damaging.

NB The effects of carbon dioxide are entirely independent of the effects of oxygen deficiency.

The oxygen content in the atmosphere is therefore not an effective indication of the danger. It is possible to have acceptable low oxygen content of 18% and a high carbon dioxide content, of 14%, which is very dangerous.

Individual tolerances can vary widely, dependant on the physical conditions of the person and the temperature and humidity of the atmosphere, but as a general guide, the effects of inhaling varying concentrations of carbon dioxide are likely to be as follows: -

Concentration by Volume - Likely Effects

- | | |
|-----------|---|
| 1 to 1.5% | Slight effect on chemical metabolism after exposures of several hours. |
| 3% | The gas is weakly narcotic at this level, giving rise to deeper breathing, reduced hearing ability, coupled with headache, an increase in blood pressure and pulse rate. |
| 4 - 5% | Stimulation of the respiratory centre occurs resulting in deeper and more rapid breathing. Signs of intoxication will become evident after 30 minutes exposure. |
| 5 - 10% | Breathing becomes more laborious with headache and loss of judgement. |
| 10 - 100% | When the carbon dioxide concentration increases above 10%, unconsciousness will occur in under one minute and unless prompt action is taken, further exposure to high levels will eventually result in death. |

The recommended exposure limit for carbon dioxide is 5000 parts per million (0.5%) by volume, calculated on an 8 hour time weighted average concentration in air.

Depending on regulations in individual countries carbon dioxide concentration peaks up to 30000 parts per million (3.0%) in air are allowed, where by the duration of exposure is between 10 minutes and 1 hour.

Cardiac or respiratory defects are likely to increase the hazards of inhalation.

Wherever any doubt exists, the recommended exposure limit of 5000 parts per million carbon dioxide in air should be regarded as the maximum level of the individual concerned.

12. Ecological Information

May contribute to the "Greenhouse Effect" when discharged in large quantities.

May cause pH changes in water.

13. Disposal Considerations

Vent to atmosphere in a well ventilated place.



MSDS FOR
CARBON DIOXIDE (COMPRESSED)

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009

Rev 5(11/2005)

Do not discharge into any place where its accumulation could be dangerous.

Contact Energas Limited if guidance is required.

Before using this product in any new process or experiment, a thorough material compatibility and safety study should be carried out.

14. Transport Information

UN No. : 1013
Class/ Division : 2.2
ADR/RID item : 2A
Emergency Action Code : 2T
Hazard Identification No. : 20
CEPIC Tremcard No. : 11-1/20g39
Labelling ADR : Label 2.2: Non-toxic,
non-flammable gas.

Details given in this document are believed correct at the time of going to press.

Whilst proper care has been taken in the preparation of this document, no liability for injury or damage resulting from its use can be accepted.

Refer to Energas Limited General Safety and Handling Data Sheet for further details.

Avoid transport on vehicles where the load space is not separated from the driver's compartment.

Ensure vehicle driver is aware of the potential hazards of the load and knows what to do in the event of an accident or emergency.

Ensure all cylinder valves are closed and not leaking and the load is firmly secured and complies with the applicable regulations.

15. Regulatory Information

EC Classification: Not classified as a dangerous substance.

- Symbols - road transport symbols are used and selected to the most stringent product classification.

EC or ADR - Label 2.2: Non-toxic, non-flammable gas.

Risk Phrases

RA5 Asphyxiant in high concentrations

Safety Phrases

S9 Keep container in a well ventilated place.
S23 Do not breathe gas.

16. Other Information

Valve Connection: BS 341 No. 8

Ensure all users of this product understand the hazards of asphyxiation.



MSDS FOR
CARBON DIOXIDE (COMPRESSED)

009

Rev 5(11/2005)

CYLINDER IDENTIFICATION TO BS EN 1089-3
GROUND COLOUR : DUSTY GREY (RAL 7037)

ENERGAS GENERAL SAFETY AND HANDLING DATA

1. GENERAL

Only trained persons should handle compressed gases.
Observe all regulations and local requirements regarding the storage of containers.
Do not remove or deface labels provided by the supplier for the identification of the container contents.
Ascertain the identity of the gas before using it.
Know and understand the properties and hazards associated with each gas before using it.
When doubt exists as to the correct handling procedure for a particular gas contact the supplier.

2 HANDLING AND USE

Wear stout gloves.

Never lift a container by the cap or guard unless the supplier states it is designed for that purpose.
Use a trolley or other suitable device or technique for transporting heavy containers, even for a short distance.
Where necessary wear suitable eye and face protection. The choice between safety glasses, chemical goggles, or full-face shield will depend on the pressure and nature of the gas being used.

Where necessary for toxic gases see that self-contained positive pressure breathing apparatus or full face air line respirator is available in the vicinity of the working area.
Employ suitable pressure regulating devices on all containers when the gas is being emitted to systems with a lower pressure rating than that of the container.
Ascertain that all electrical systems in the area are suitable for service with each gas.

Never use direct flame or electrical heating devices to raise the pressure of a container. Containers should not be subjected to temperatures above 45°C.
Never re-compress a gas mixture without consulting the supplier. Never attempt to transfer gases from one container to another.
Do not use containers as rollers or supports, or for any other purpose than to contain the gas as supplied.
Never permit oil, grease or other readily combustible substances to come into contact with valves of containers containing oxygen or other oxidants.

Keep container valve outlets clean and free from contaminants, particularly oil and water.

Do not subject containers to abnormal mechanical shocks which may cause damage to their valves or safety devices.

Never attempt to repair or modify container valves or safety relief devices. Damaged valves should be reported immediately to the supplier.

Close the container valve whenever gas is not required even if the container is still connected to the equipment.

3 STORAGE

Containers should be stored in a well-ventilated area. Some gases will require a purpose built area.
Store containers in a location free from fire risk and away from sources of heat and ignition. Designation as a no smoking area may be desirable.

Gas containers should be segregated in the storage area according to the various categories.

The storage area should be kept clear and access should be restricted to authorised persons only, the area should be clearly marked as a storage area and appropriate hazard warning signs displayed (Flammable Toxic etc.).

The amount of flammable or toxic gases should be kept to a minimum.

Flammable gases should be stored away from other combustible materials.

Containers held in storage should be periodically checked for general condition and leakage.

Containers in storage should be properly secured to prevent toppling or rolling.

Vertical storage is recommended where the container is designed for this.

Container valves should be tightly closed and where appropriate, valve outlets should be capped or plugged. Protect containers stored in the open against rusting and extremes of weather.

Containers should not be stored in conditions likely to encourage corrosion.

Store full and empty containers separately and arrange full containers so that the oldest stock is used first.

PRODUCTION SITE ADDRESSES

Engineering and Welding Limited
Westmorland Street
Hull
HU2 0HX

Energas Limited
Haslams Lane
Alfreton Road
Derby, DE22 1EB

Energas Limited
Brownroyd Street
Off Thornton Road, Bradford
West Yorkshire, BD8 9AF

Tel: 01482 329333
Fax: 01482 212335

Tel: 01332 364121
Fax: 01332 291590

Tel: 01274 549090
Fax: 01274 548181

FOR FURTHER INFORMATION CONTACT YOUR NEAREST DISTRIBUTION CENTRE

PSC HEARING IN WAHPETON, NORTH DAKOTA- SUMMIT PIPELINE EASEMENT ISSUES

APRIL 11, 2023

MY NAME IS STEVEN A. ACKERMAN. I AM A PROFESSIONAL LAND SURVEYOR LICENCED IN NORTH DAKOTA WITH REGISTRATION NO. 2958, IN MINNESOTA WITH REGISTRATION NO. 17004, AND IN SOUTH DAKOTA WITH REGISTRATION NO. 5226

PSC MEMBERS

AS YOU WILL RECALL I SPOKE BEFORE YOU ON MARCH 28TH IN GWINNER AS A REPRESENTATIVE OF THE NORTH DAKOTA SOCIETY OF PROFESSIONAL LAND SURVEYORS REGARDING OUR CONCERNS WITH SUMMIT CARBON SOLUTIONS.

TODAY I COME BEFORE YOU AS A LAND SURVEYOR WHO RESIDES HERE IN RICHLAND COUNTY.

I HAVE BEEN A PROFESSIONAL LAND SURVEYOR FOR 38 YEARS, AND COMBINED WITH MY NON PROFESSIONAL YEARS, I HAVE 44 YEARS OF EXPERIENCE.

WE LAND SURVEYORS ARE HELD TO A HIGH STANDARD. WE ARE EXPERTS IN OUR FIELD. WE TAKE AN OATH TO PROTECT THE HEALTH AND WELFARE OF THE PUBLIC. WE HAVE A THING CALLED ETHICS. THOSE ETHICS COME INTO PLAY WHEN WE SEE SOMETHING THAT WE FEEL DOESN'T MEET STANDARDS. WE ARE SUPPOSED TO DO SOMETHING ABOUT IT. THAT'S WHAT I AM DOING HERE TODAY.

PRETTY MUCH ON A DAILY BASIS I AM CALLED UPON TO EVALUATE LEGAL DESCRIPTIONS AND EASEMENT DESCRIPTIONS, AND ALSO WRITE OR PRODUCE LEGAL DESCRIPTIONS AND EASEMENT DESCRIPTIONS.

I AM CONCERNED ABOUT THE EASEMENT AGREEMENTS BEING RECORDED NOT JUST IN RICHLAND COUNTY, BUT ALL COUNTIES AFFECTED BY THIS PROPOSED PIPELINE.

BY THE WAY, I AM NOT OPPOSED TO THE PIPELINE. HOWEVER, I AM OPPOSED TO THE TYPE AND MANNER OF THE EASEMENTS BEING UTILIZED BY SUMMIT.

ON MARCH 30TH I DID A SAMPLING OF THESE EASEMENTS THAT ARE RECORDED IN RICHLAND COUNTY. THERE WERE 78 OF THEM. I PULLED EVERY 7TH ONE, I THEREFORE SAMPLED 11 OF THESE EASEMENTS.

10 OF THESE SAMPLES, THEREBY REPRESENTING 70 DOCUMENTS OR SO THAT ARE RECORDED, SPEAK OF AN EXHIBIT B THAT IS SUPPOSED TO INDICATE THE LIMITS OF THE CONSTRUCTION EASEMENT, ACCESS EASEMENT, AND PIPELINE EASEMENT.

THE WORD EXHIBIT B APPEARS 9 TIMES ON THESE EASEMENT DOCUMENTS. THE PROBLEM IS THAT EXHIBIT B IS NOT ATTACHED TO THE DOCUMENT.

EXHIBIT B IS SUPPOSED TO BE THE SURVEY, PREPARED ACCORDING TO NORTH DAKOTA CENTURY CODE, AND AN ATTORNEY GENERAL OPINION THAT SAYS ANY EXHIBIT, ATTACHED TO A DOCUMENT THAT CONVEYS AN INTEREST IN REAL ESTATE, MUST BE SIGNED AND SEALED BY NORTH DAKOTA REGISTERED LAND SURVEYOR.

WHEN THE LANDOWNER IS APPROACHED AS TO THE LOCATION OF THE PIPELINE AND ACCESS EASEMENTS, HE IS SHOWN AN EXHIBIT B, WHICH FROM WHAT I HAVE SEEN, CONSISTS OF AN AERIAL PHOTO WITH SOME LINES DRAWN ON IT. WHEN THE LANDOWNER MEETS WITH THEIR ATTORNEY FOR REVIEW OF THE EASEMENT DOCUMENT, EXHIBIT B IS PART OF THE PACKAGE.

UNFORTUNATELY, EXHIBIT B IS PULLED, NOT INCLUDED, WHEN THE EASEMENT IS RECORDED.

WITHOUT EXHIBIT B IN THE PUBLIC RECORD, THE PUBLIC HAS NO WAY OF KNOWING WHERE THESE EASEMENTS ARE LOCATED. THAT CREATES SOME SIGNIFICANT ISSUES. ISSUES FOR REAL ESTATE FOLKS, ATTORNEYS, TITLE COMPANIES, SURVEYORS, BUYERS, SELLERS, HEIRS OF THE PROPERTY, EMERGENCY MANAGEMENT, BANKERS, ABSTRACTORS, PLANNERS, AND SO ON.

ALSO, WITHOUT EXHIBIT B IN THE PUBLIC RECORD, THESE EASEMENT DOCUMENTS ARE NOTHING MORE THAN A BLANKET EASEMENT. THAT IS, THIS EASEMENT IS AN EASEMENT OVER THE ENTIRE QUARTER SECTION INVOLVED AS IDENTIFIED IN EXHIBIT A OF THE DOCUMENT. IT IS NOT JUST A NARROWLY DEFINED CORRIDOR. ATTORNEYS AND TITLE COMPANIES OBJECT TO BLANKET EASEMENTS. IN THE BLANKET EASEMENT SCENARIO, THE READER OF THE EASEMENT HAS NO IDEA WHERE THE EASEMENT IS LOCATED, AND SO THE BLANKET EASEMENT IS AN ENCUMBRANCE OVER EVERY ACRE IN THE OWNERSHIP PROPERTY DEFINED IN EXHIBIT A.

AT THE PSC HEARING IN GWINNER A FEW WEEKS AGO THE REPRESENTATIVE FROM SUMMIT REPLIED THEY ARE FILING STRIP EASEMENTS, AGAIN, WITHOUT EXHIBIT B IN THE PUBLIC RECORD THESE DOCUMENTS ARE NOTHING MORE THAN A BLANKET EASEMENT.

SO HERE WE ARE: EXHIBIT B, EXHIBIT B, EXHIBIT B, EXHIBIT B, EXHIBIT B. EXHIBIT B EXHIBIT B EXHIBIT B, EXHIBIT B, THAT'S 9 TIMES ITS REFERENCED IN THESE DOCUMENTS, WOULD NOT A REASONABLE PERSON THINK THAT A RETRACEABLE, MEANINGFUL, PRECISE, WELL WRITTEN, EXHIBIT B WOULD THEN BE INCLUDED IN THE DOCUMENT?

THIS PROFESSIONAL LAND SURVEYOR CERTAINLY THINKS IT BELONGS IN THERE.

I HAVE BEEN TOLD, AND UNDERSTAND THAT AT THE BISMARCK PSC MEETING ON MARCH 14TH THAT SUMMIT SUBMITTED THAT EXHIBIT B WILL BE RECORDED WHEN CONSTRUCTION IS COMPLETE. IN THE MEANTIME, THESE LANDOWNERS HAVE TITLE PROBLEMS BECAUSE OF THE BLANKET NATURE OF THE EASEMENT. PLUS, SHOULDN'T THE PRECISELY DESCRIBED AND ILLUSTRATED EXHIBIT B BE RECORDED BEFORE CONSTRUCTION STARTS, NOT AFTER CONSTRUCTION IS COMPLETED. WITHOUT PRECISION OF LOCATION, THE LANDOWNER IS AT THE MERCY OF AN AMBIGUOUSLY DRAFTED DOCUMENT THAT IS INTERPRETED BY SUMMIT. A FEW FEET HERE, A FEW FEET THERE BECOMES, YARDS, BECOMES ACRES, AND THE LOCATION OF THE EASEMENT CORRIDOR COULD CHANGE MARKEDLY FROM WHAT SUMMIT REPRESENTED WHEN THE LANDOWNER SIGNED THE EASEMENT DOCUMENT.

I CAN SEE ONE REASON FOR SUMMIT NOT WANTING TO RECORD EXHIBIT B IS THAT THEY SUBMIT THAT THE PIPELINE MAY CHANGE COURSE OR LOCATION FROM THEIR ORIGINAL INTENT OR DESIGN. AND THAT IS UNDERSTANDABLE THAT THE COURSE MAY CHANGE. HOWEVER, THEY ALREADY HAVE A SYSTEM WITHIN THE EASEMENT DOCUMENT THAT SAYS IF A CHANGE TAKES PLACE, THEN WHAT IS KNOWN AS EXHIBIT B-1 WILL COME INTO PLAY, EXHIBIT B-1 WILL REPLACE EXHIBIT B WITH THE ACTUAL LOCATION OF THE PIPELINE AND THEN THIS ADDENDUM WILL BE RECORDED. SO AGAIN, THERE IS NO REASON NOT TO RECORD EXHIBIT B BEFORE CONSTRUCTION. LANDOWNERS, TOWNSHIP OFFICIALS, COUNTY COMMISSIONERS, ARE YOU LISTENING?

OK, NOW LETS GET TO THE GOOD PART.

IN THE LAST FEW EASEMENT DOCUMENTS RECORDED IN RICHLAND COUNTY THERE IS AN EXHIBIT B INCLUDED.

THIS EXHIBIT B IS NOT A SURVEY OR ANY KIND OF MAP OR LEGAL DESCRIPTION. INSTEAD EXHIBIT B SIMPLY CONTAINS TWO SENTENCES.

SENTENCE 1: "EXHIBIT B IS A SKETCH OF THE INTENDED LOCATION OF THE EASEMENT AS OF THE DATE OF THIS DOCUMENT AND IT REMAINS ON FILE WITH THE COMPANY".

SO NOW WE HAVE A QUAGMIRE: EXHIBIT B IS SUPPOSED TO BE A SURVEY RECORD AND LEGAL DESCRIPTION, BUT BY THIS ACTION, THE SHEET LABELED EXHIBIT B IS TWO SENTENCES. AND NOW WE HAVE A DOCUMENT THAT APPEARS TO BE IN TWO LOCATIONS. DOES ANYONE SEE A PROBLEM HERE? LANDOWNERS, ARE YOU LISTENING?

THE LAST SENTENCE ON THE SHEET LABELED EXHIBIT B IN THESE LATEST DOCUMENTS READS: "EXHIBIT B WILL NOT BE RECORDED". I REPEAT: "EXHIBIT B WILL NOT BE RECORDED".

SO, THERE YOU HAVE IT, THERE IS NO INTENTION BY SUMMIT TO RECORD EXHIBIT B THAT IDENTIFIES THE PIPELINE LOCATION AND ITS LEGAL DESCRIPTION. IF THERE IS NO EXHIBIT B THEN THERE IS NO STRIP EASEMENT, AND THAT KEEPS THE LANDOWNER IN THE BLANKET EASEMENT. TO MAKE IT PERFECTLY CLEAR, WE HAVE A RECORDED PAGE LABELED EXHIBIT B THAT SAYS EXHIBIT B WILL NOT BE RECORDED. THIS THING SPINS ON ITSELF. ITS ABSOLUTELY REDICULOUS. DOES ANYONE ELSE SEE A PROBLEM HERE?

AGAIN, TO REITERATE, WITH NO EXHIBIT B IN THE PUBLIC RECORD, THESE EASEMENTS BECOME BLANKET EASEMENTS. AND WHAT I SAY TO THE LAND OWNERS IS THAT YOU DO NOT WANT A BLANKET EASEMENT ENCUMBRANCE ON YOUR PROPERTY.

I RESPECTFULLY PLEAD WITH THE PSC, THAT YOU REQUIRE THE PROPER EXHIBIT B TO BE RECORDED BEFORE THE PERMIT TO CONSTRUCT IS GRANTED.

IF YOU CAN'T DO THAT, THEN I AM SPEAKING TO YOU LANDOWNERS HERE TODAY, AND THE ONES THAT ARE NOT HERE AND PERHAPS ARE LISTENING, I AM ASKING THAT YOU THINK TWICE ABOUT SIGNING ONE OF THESE EASEMENTS THAT DOES NOT CONTAIN THE PROPER EXHIBIT B, WHICH IS ONE WITH A SURVEY AND LEGAL DESCRIPTION SIGNED BY A REGISTERED LAND SURVEYOR.

FOR THE BENEFIT OF THE LANDOWNERS, I WANT YOU TO KNOW THAT I HAVE SPOKEN TO THE COUNTY RECORDERS IN RICHLAND AND SARGENT COUNTIES. THEY ALSO QUESTION THE ABSENCE OF EXHIBIT B. HOWEVER, THEIR DUTY IS TO RECORD A DOCUMENT IF IT MEETS THE RECORDING STANDARD, THAT IS GRANTOR, GRANTEE, SIGNATURES, NOTARY AND SO ON. THEY CANNOT REJECT A DOCUMENT EVEN IF THEY FEEL THE DOCUMENT HAS AN ERROR FOR SOME REASON OR ANOTHER. SO LONG AS THE DOCUMENT MEETS THE RECORDING STANDARDS, THEY HAVE TO ACCEPT IT, SO THAT'S WHY THESE INADEQUATE AND DANGEROUS EASEMENTS ARE BEING RECORDED.

THAT'S ALL I HAVE, THANK YOU FOR LISTENING.

Summit/TRC Solutions

EXHIBIT B

Exhibit B is a sketch of the intended location of the easement as of the date of this document and it remains on file with the company. Exhibit B will not be recorded.