

April 16, 2024

Lawrence Bender  
Frederikson & Byron, P.A.  
1133 College Drive, Ste. 1000  
Bismarck, Nd 58501-1215

**RE: CO<sub>2</sub> Pipeline – Valera Hayen**  
**SCS Proposed Route Descript.: Township 130 North Range 58 West**  
**Sections: 11, 14, and 15**

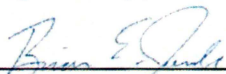
Mr. Bender:

I have been trying to have a dialogue with you and your client for many months now and your client, Summit, has failed to engage in any meaningful way. Additionally, we have not heard from you – ever – as to working on re-routes around our client’s land nor have you addressed her opposition to your proposed hazardous pipeline or the many concerns she raised during testimony last year. Given you have had over a year to do this and you have not contacted us at all in this regard, we are at a loss how to proceed other than vigorously opposing your client’s applications.

In any event, enclosed with this letter you two color maps of show Valera Hayen’s re-route proposals for Sections 11 and 15. Ms. Hayen is proposing that you follow the parcel boundaries lines in both Sections 11 and 15. This is our client’s ongoing attempts to reach a palpable resolution to this controversy. However, if we continue to not hear from you and your client continues to refuse to engage on this matter, we will have to proceed to request denial of your client’s Application for Certificate of Corridor Compatibility and its Application for Route Permit.

We are providing this information to you in the hope that Summit will start to show at least a minimum good-faith effort to engage with us to address the adverse effects upon landowners who do not want any part of this proposed hazardous pipeline. We respectfully request we hear from you soon.

Respectfully,

  
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Brian E. Jorde  
[bjorde@dominalaw.com](mailto:bjorde@dominalaw.com)

682 PU-22-391 Filed: 7/1/2024 Pages: 6  
LO Exhibit LO-6 - Jorde Letter (Hayen) Dated  
04/16/24 (Dkt. #574)

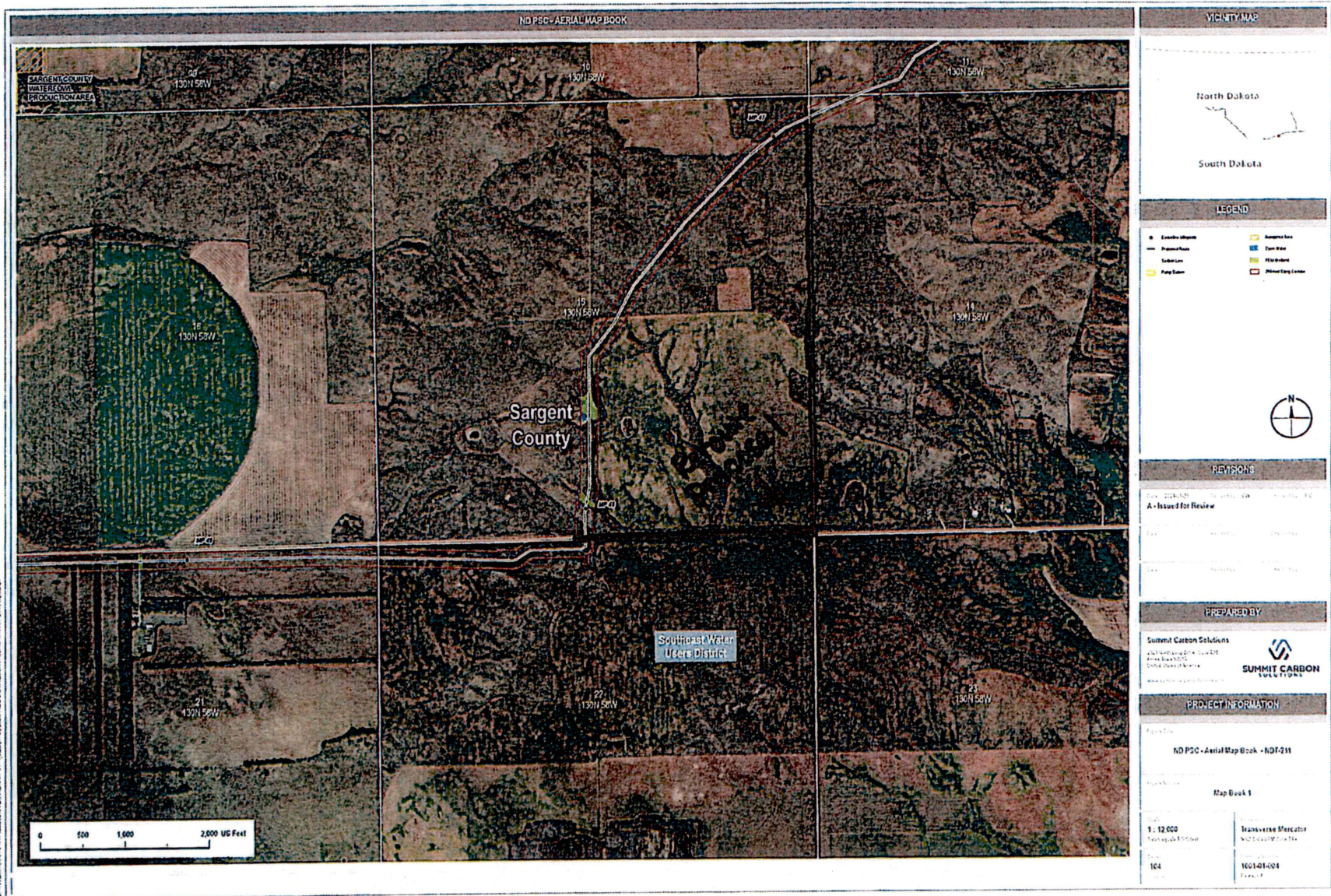
Knoll Leibel, LLP, on behalf of the Intervenor

Enclosures

**Trial Practice. Not Just Talk.™**

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North Dakota

South Dakota

LEGEND

- County Shaded
- ◆ State Boundaries
- Property Lines
- Section Lines
- Park Units
- PTO Shaded
- ◆ Redistricting Lines




REVISIONS

Date	Description	By	Checked
07/20/2021	Final Review	SK	SK
<b>A - Issued for Review</b>			

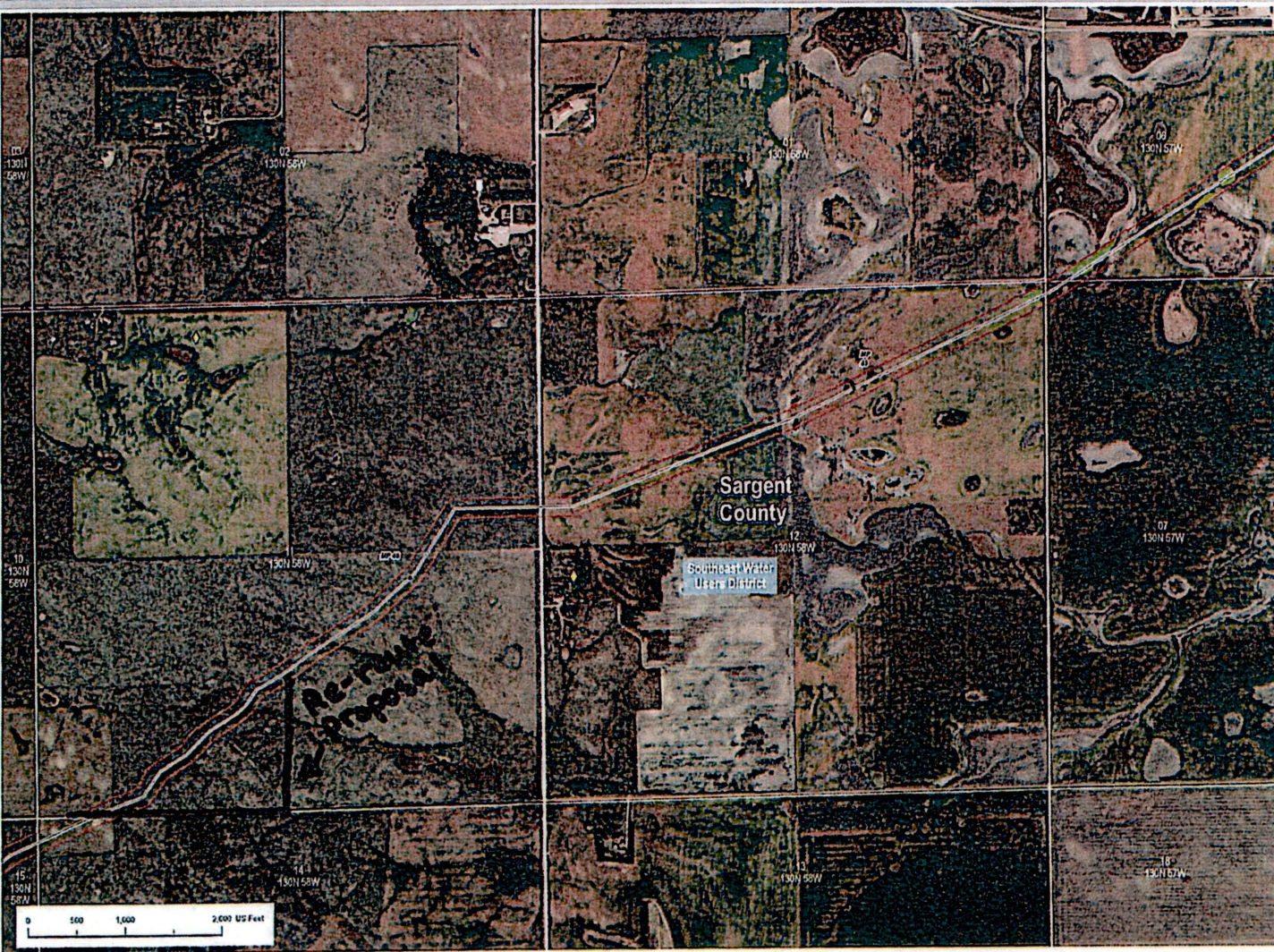
PREPARED BY

**Surrend Carbon Solutions**  
 2020 Harding Drive, Suite 200  
 Grand Forks, ND 58001  
 United States of America  
 www.surrendcarbon.com



PROJECT INFORMATION

Map Book 1  
**ND PSC - Aerial Map Book - ND1-211**  
 Scale: 1:12,000  
 Projection: Transverse Mercator  
 Datum: NAD 83  
 Zone: 10N  
 Contour Interval: 100 Feet





May 17, 2024

Lawrence Bender  
Frederikson & Byron, P.A.  
1133 College Drive, Ste. 1000  
Bismarck, Nd 58501-1215

**RE: C0<sub>2</sub> Pipeline – Valera Hayen**  
**SCS Proposed Route Descript.: Township 130 North Range 58 West**  
**Sections: 11, 14, and 15**  
**Sargent County**

Mr. Bender:

We have not heard from your client, Summit, regarding Valera Hayen's April 16, 2024 re-route proposal for Sections 11 and 15. In fact we have not heard from you for over a year related to any efforts to re-route around Ms. Hayen's property. You have been on notice of her opposition since before she became a formal intervenor in these proceedings.

Because we did not hear from you, our client has decided to propose a new re-route for the pipeline. Valera Hayen is opposed to the hazardous pipeline on her property and proposes Summit move the pipeline entirely off her property. This proposal would follow the Zoning Regulation for Jackson Township in Sargent County, North Dakota.

Enclosed with the letter is a map that shows Valera Hayen's new re-route proposal. This is our client's ongoing attempts to reach a palpable resolution to this controversy. However, if we continue to not hear from you and your client continues to refuse to engage on this matter, we will have to proceed to request denial of your client's Application for Certificate of Corridor Compatibility and its Application for Route Permit.

We are providing this information to you in the hope that Summit will start to engage with us to address the adverse effects upon landowners who do not want any part of this proposed hazardous pipeline. We respectfully request we hear from you soon.

Lawrence Bender  
May 17, 2024  
Page 2 of 2

Respectfully,



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Brian E. Jorde  
[bjorde@dominalaw.com](mailto:bjorde@dominalaw.com)

Enclosures

