

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION
OF DAKOTA ACCESS, LLC FOR AN
ENERGY FACILITY PERMIT TO
CONSTRUCT THE DAKOTA ACCESS
PIPELINE

HP14-002

**PRE-FILED TESTIMONY OF
Corliss Faye Wiebers**

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF Lincoln

Corliss Faye Wiebers, being first duly sworn on his/her oath, deposes and states as follows:

Please state your name and address.

Corliss Faye Wiebers

607 S Elm St PO Box 256

Lennox, SD 57039

How are you involved with the Dakota Access Pipeline project?

I am a landowner in Lincoln County, South Dakota affected by the proposed Dakota Access Pipeline.

Please describe the history of your family's land ownership, and whether farming will be continued by younger generations.

4/26/1883 Land was Homesteaded by Philip Eichhorn. He was given a Patent (deed) September, 1887.

4-16-1896 sold to Paul Nichel for \$1800.

2/28/1920 Quit claim deed from Rose (daughter of Paul and Sophia Nichel) & Milo Hoffman to Sophia Nichel.

4/23/1923 Sophia Nichel sold to Gilbert Schoffelman for \$18,000. \$112.50 per acre –

8-1-1930 Upon Gilbert's death distribution to heirs in 1931 – Dora (wife) 1/3 and to children remaining 2/3 rds (John, Hilda, Aldrich, Henry, Elmer, Laura, Esther)

10-27-1947 Dora Schoffelman sold 1.02 acres (Lot H1) to the state of South Dakota for roads.

4-23-1959 Upon Elmer's death his share was conveyed to his mother (Dora).

6/11/1959 John Schoffelman purchased from his siblings and his mother for \$37,840 - \$236.50 per acre.

12/4/1959 – John added Leona's name

5/18/2004 – termination of Leona's name on deed due to death

3/23/2004 – John deeded to children - Janice Petterson, Mavis Parry, Linda Goulet, Corliss Wiebers, Shirley Oltmanns, Marilyn Murray & Kevin Schoffelman w/John having Life Estate

4/13/2012 – Termination of John's Life Estate

The question of whether farming will be continued by future generations remains to be determined.

Tillable acres will probably continue to be leased for row-crop farming and pasture acres for cash rent for several years. However discussions have taken place for development of the land starting with the 3 building eligibilities.

Please describe your current farming operations.

The tillable acres are farmed by Jerry and Bill Crevier and the pasture is rented by Scott

Daggett.

To the best your knowledge, what area(s) of your property will the Dakota Access

Pipeline cross?

Based on the most recent maps by Dakota Access and flags placed in the road ditch, the pipeline would enter the NW corner going to the SE corner cutting diagonally across the entire farm. This area includes crop production land as well as pasture.

How close is the pipeline to any building, bin or pen, water source, or farming facilities (i.e., storage area, feedlot, grazing area, etc.)?

Approximately 300 yards to the nearest building and 340 yards to the well.

It is planned to go under the creek which drains the watershed NW of Tea and flows into the Sioux River.

The pipeline would cross the easement held by South Lincoln Rural Water.

As stated previously it would cross the grazing area.

Please describe any special characteristics of your property and farmland, and/or whether you plan to build any houses, outbuildings, shelter belts, or other structures on your property.

The land is drain tiled, some of which is clay.

Open Waterway ditch running south on east side of property.

It currently has 3 housing eligibilities with potential for additional future longer term development since Highway 17 runs on the west side of the property.

Please describe which of your farming operations or other land uses will be impaired by the Dakota Access Pipeline and how they will be impaired.

Initially, no access for daily operations on cropland on south half of property. Natural waterways blocked and would need to be reconstructed. The tillable acres won't produce the same and the quality of the pasture will be impaired.

Future development potential diminished due to restrictions of building on pipeline and lack of desire for homeowners to live near pipeline. There is currently an existing housing development ½ mile NE of our farm, located outside of the City of Tea as well as a second development planned (zoning has been changed to agriculture/residential) ½ mile directly north of our farm. These developments are outside of the City of Tea growth plan. Just because a particular city doesn't have these affected areas in their growth plan, doesn't mean they won't be developed – unless of course pipeline easements restrict the development.

Has your farmland been improved with drain tile? If so, please describe whether you are concerned that pipeline construction may damage and impair the drain tile performance and investment.

Yes, it has been drain tiled and parts of it are clay tile. I am concerned that the tile may crumble by excavating the ground near it, construction equipment going over it or by additional underground pressure from settling afterwards.

Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to the environment or the inhabitants within the siting area? If so, why?

Yes. Ruptures, oil leaks, environmental damages in the future. As steward of the land our obligation is also for future generations.

In February, the Wall Street Journal compared oil from 86 locations around the world and found Bakken crude oil to be the most explosive. This was introduced December 11, 2014 in the Assembly Resolution No 191 State of New Jersey 216th Legislature.

Do you believe that the Dakota Access Pipeline will substantially impair the health, safety and welfare of the inhabitants of the siting area? If so, why?

Watershed damage as East Beaver Creek drains the Watershed North and West of Tea and flows through our farm, eventually into the Big Sioux River and then the Missouri

Will eliminate the potential for future development due to people not wanting to reside near an oil pipeline.

Have you been sued by Dakota Access Pipeline to compel court ordered access to your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority (i.e., state statute) supporting its claim that you have no right to exclude Dakota Access from your land at the time of said lawsuit? and (2) Have you incurred legal fees in defending against this lawsuit?

Yes- I have been sued.

No- Dakota Access has not provided any legal authority (state statute).

Yes- I have incurred legal fees.

Please state any other concerns you have regarding the Dakota Access Pipeline.

The fact that their plan is to run the pipeline through Minnehaha and Lincoln county shows total disregard for the welfare of our state, it's inhabitants and the future development in this area. I'm concerned it will lower my property value. Their only concern seems to be what money they can save using the shortest direct route without a thought of the short and long term loss for the landowners.

Would you be available to present testimony and respond to questions during the formal hearing scheduled for September 29 through October 8, 2015?

No.

Does that conclude your testimony?

Yes.

Carliss Wiebers

Subscribed and sworn before me this 19 day of June, 2015.



Dawn Reif
Notary Public - South Dakota
My Commission Expires: 3/13/19

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION
OF DAKOTA ACCESS, LLC FOR AN
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PIPELINE

HP14-002

**PRE-FILED TESTIMONY OF
Delores (Andreessen) Assid**

STATE OF SOUTH DAKOTA) :SS
COUNTY OF Lincoln)

1 Delores Assid, being first duly sworn on his/her oath, deposes and states as follows:

2 **Please state your name and address.**

3 Delores Assid

4 3009 South Holly

5 Sioux Falls, SD 57105

6 **How are you involved with the Dakota Access Pipeline project?**

7 I am a landowner in Lincoln County, South Dakota affected by the proposed Dakota
8 Access Pipeline.

9 **Please describe the history of your family's land ownership, and whether farming
10 will be continued by younger generations.**

11 My grandfather, Henry Andreessen, homesteaded this land in 1883. He filed on the land
12 (a half section – 320 acres) in 1882 and then moved onto it in 1883. Henry farmed it for
13 44 years. My parents, Martin and Elsie Andreessen, inherited the farm in 1927, when I
14 was one year old. They retired from farming in 1948, but continued to own the land. My
15 parents rented the land to a farmer, Richard Gores. My sisters, Devona Smith and

16 Margaret Hilt, and I inherited the farm in 1988, when my mother passed away. We
17 continue to rent the farmland to a farmer, Doug Vanderwerff, who grows corn and
18 soybeans on it. My two daughters and my two nephews will someday inherit the farm
19 from my sisters and me. They plan on continuing to own the land and rent it out. One
20 daughter, Laurie Kunzelman, has been thinking about building a home on the farm.

21 **Please describe your current farming operations.**

22 We rent out the farm for cash rent. The tenant farmer, Doug Vanderwerff, grows corn
23 and soybeans, and has a little hay land on the half section. This man has been farming
24 our land for about 30 years and plans to continue to do so.

25 **To the best of your knowledge, what area(s) of your property will the Dakota Access
26 Pipeline cross?**

27 The pipeline would cross the east quarter section (160 acres) of the farm from the
28 northwest corner to the southeast corner, effectively cutting that quarter section in half.

29 **How close is the pipeline to any building, bin or pen, water source, or farming
30 facilities (i.e., storage area, feedlot, grazing area, etc.)?**

31 The pipeline would run approximately 50 feet from the land surrounding the farm
32 buildings and the windmill, which provides water for the house.

33 **Please describe any special characteristics of your property and farmland, and/or
34 whether you plan to build any houses, outbuildings, shelter belts, or other structures
35 on your property.**

36 My land has cement tile going from a pond north of the house to the road ditch south of
37 the house. The proposed pipeline **would** cross this tile. There is also tile a short distance
38 west of this tile. I'm not sure if the pipeline would cross that tile or not.

39 My daughter, Laurie Kunzelman, has been considering building a home on the southeast
40 corner of the farm, but the pipeline would prevent that. My sisters and I have also
41 considered selling one acreage on the northeast corner of the farm.

42 **Please describe which of your farming operations or other land uses will be**
43 **impaired by the Dakota Access Pipeline and how they will be impaired.**

44 Corn and soybeans are both grown yearly in alternating areas in that quarter section of
45 the farm. The pipeline would severely cut down on crop production of each of them.

46 The tenant would lose acres to plant, receive much less income from that quarter section,
47 and it would inconvenience him when trying to farm the land, with the pipeline cutting
48 that quarter section in half. Consequently, he would be unwilling to pay as much rent per
49 acre, so we would be losing income. No one else would be willing to farm it either, with
50 that pipeline running through there. Also, if we did try to sell any acreages, people would
51 not want to buy and build on the land with that pipeline under it. Dakota Access would
52 not allow any buildings on the easement, either.

53 **Has your farmland been improved with drain tile? If so, please describe whether**
54 **you are concerned that pipeline construction may damage and impair the drain tile**
55 **performance and investment.**

56 Yes, this quarter has two areas of drain tile. The pipeline would cross at least one of
57 them. The tile is cement and quite old. I am very much afraid that the tile would be
58 damaged. Then the water would not drain out of the low area and could reach the house
59 and other buildings. It would be very costly to replace the drain tiles if they were
60 damaged. I'm also afraid oil could get into the tiles and into the water if the tiles were
61 broken.

62 **Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to**
63 **the environment or the inhabitants within the siting area? If so, why?**

64 Yes, I definitely believe the pipeline would pose a threat to the environment and the
65 inhabitants of this farm. The oil could leak onto the land and into the water as it has often
66 done in many other areas. The oil could flow into Little Beaver Creek which runs through
67 the farm. Then it could get into Beaver Creek, and subsequently into the Sioux River and
68 the aquifer. The oil in this pipeline is a highly volatile substance. Pipelines explode,
69 rupture, and leak. Even with shut-off valves, a great deal of oil would escape into the
70 environment. If the pipeline exploded, it could definitely hurt or kill people and animals
71 in the area. Also, the oil could be poisonous and carcinogenic to the people and animals
72 in contact with it. I have designated wetlands on my farm which could be threatened by
73 the pipeline.

74 **Do you believe that the Dakota Access Pipeline will substantially impair the health,**
75 **safety and welfare of the inhabitants of the siting area? If so, why?**

76 Yes, it will most definitely impair the financial welfare of the tenant farmer and the
77 landowners (us), due to the amount of land that will be dug up all the way across that
78 quarter section. Crops will not be as good. This could happen again and again, anytime
79 the pipeline company would decide to go back in and dig it up to put more pipes in, or to
80 work on them for some reason. Yet the pipeline company is only offering a onetime
81 lump sum payment. I am also concerned that stray voltage could affect the health, safety,
82 and welfare of the tenant farmer, the residents, and anyone else near the pipeline. As I
83 stated before, the oil itself could affect the health, safety, and welfare of everyone in the
84 area because of the volatility of the oil and the chemicals that the oil contains. Dakota

85 Access cannot guarantee the safety of the pipeline. There have been more pipeline
86 accidents than train accidents involving oil.

87 **Have you been sued by Dakota Access Pipeline to compel court ordered access to**
88 **your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority**
89 **(i.e., state statute) supporting its claim that you have no right to exclude Dakota**
90 **Access from your land at the time of said lawsuit? and (2) Have you incurred legal**
91 **fees in defending against said lawsuit?**

92 Yes, Dakota Access has filed a lawsuit against us to allow them to enter our farm to
93 survey it. I told them "No" two different times, that they could not enter our land.

94 Yes, we have hired a lawyer, Glenn Boomsma, to represent us in this matter. This is
95 costing us a great deal of money.

96 **Has Dakota Access Pipeline made any statements to you that it is a "common**
97 **carrier" under South Dakota law? If so, please describe.**

98 No, they did not.

99 **Has any representative of Dakota Access Pipeline made any statements to you or**
100 **others that you believe are not true? If so, please explain.**

101 Yes, first of all they told me that I should allow them on my land. If I don't, they will
102 just take it by eminent domain, anyway. However, they do not have the right of eminent
103 domain as of yet.

104 Secondly, they told Rhonda Nielsen, who lives in the house on that quarter section, that
105 my sisters and I had agreed to let Dakota Access enter my land, survey it, and build the
106 pipeline there. They also told her there was nothing she could do about it. Rhonda was
107 very upset that we would do this. We never gave them permission to enter our land,
108 survey it, or build the pipeline there.

109 **Please state any other concerns you have regarding the Dakota Access Pipeline.**

110 South Dakota and Iowa both grow large amounts of corn. Ethanol producers in South
111 Dakota use much of this corn to produce ethanol, which greatly helps the economy of
112 South Dakota. The oil pipeline will benefit the economy of North Dakota and Texas, but
113 will be of only a small benefit to the economy of South Dakota. That oil is a non-
114 renewable source of fuel and produces greenhouse gases. Corn is a renewable source of
115 fuel. South Dakota should be putting all of its effort into increasing the supply and
116 demand for ethanol. This would be much more beneficial to the farmers and to the state.

117 **Would you be available to present testimony and respond to questions during the**
118 **formal hearing scheduled for September 29 through October 8, 2015?**

119 No. I am 89 years old and have recently had my left knee replaced. It is still giving me a
120 great deal of pain.

121 I give my permission for my daughter, Laurie Kunzelman, to speak on my behalf during
122 the formal hearing. Her address is 3604 East Woodsedge St., Sioux Falls, SD 57108.

123 **Does that conclude your testimony?**

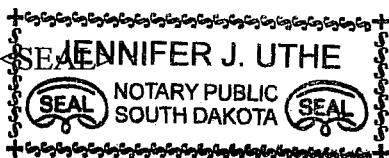
124 Yes.

125
126 Delores L. Assid
127

128
129
130 Subscribed and sworn before me this 19 day of June, 2015.

131
132 Joseph J. Utke
133 Notary Public - South Dakota

134 My Commission Expires: 9/9/2014



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PIPELINE

HP14-002

PRE-FILED TESTIMONY OF
Devona B. Smith

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF Lincoln)

1 Devona B. Smith, being first duly sworn on his/her oath, deposes and states as follows:

2 **Please state your name and address.**

3 Devona B. Smith

4 5702 S. Logan St. Apt. A

5 Centennial, Colorado 80121

6 **How are you involved with the Dakota Access Pipeline project?**

7 I am a landowner in Lincoln County, South Dakota affected by the proposed Dakota
8 Access Pipeline.

9 **Please describe the history of your family's land ownership, and whether farming
10 will be continued by younger generations.**

11 My grandfather, Henry Andreessen, homesteaded this land in 1883. He filed on the land
12 (a half section – 320 acres) in 1882 and then moved onto it in 1883. Henry farmed it for
13 44 years. My parents, Martin and Elsie Andreessen, inherited the farm in 1927. They
14 retired from farming in 1948, but continued to own the land. My parents rented the land
15 to a farmer, Richard Gores. My sisters Delores Assid and Margaret Hilt, and I inherited

002895

16 the farm in 1988, when my mother passed away. We continue to rent the farmland to a
17 farmer, Doug Vanderwerff, who grows corn and soybeans on it. My two nieces and my
18 two nephews will someday inherit the farm from my sisters and me. They plan on
19 continuing to own the land and rent it out. My niece Laurie Kunzelman, has been
20 thinking about building a home on the farm.

21 **Please describe your current farming operations.**

22 We rent out the farm for cash rent. The tenant farmer, Doug Vanderwerff, grows corn
23 and soybeans, and has a little hay land on the half section. This man has been farming
24 our land for about 30 years and plans to continue to do so.

25 **To the best of your knowledge, what area(s) of your property will the Dakota Access**
26 **Pipeline cross?**

27 The pipeline would cross the east quarter section (160 acres) of the farm from the
28 northwest corner to the southeast corner, effectively cutting that quarter section in half.

29 **How close is the pipeline to any building, bin or pen, water source, or farming**
30 **facilities (i.e., storage area, feedlot, grazing area, etc.)?**

31 The pipeline would run approximately 50 feet from the land surrounding the farm
32 buildings and the windmill, which provides water for the house.

33 **Please describe any special characteristics of your property and farmland, and/or**
34 **whether you plan to build any houses, outbuildings, shelter belts, or other structures**
35 **on your property.**

36 The land has cement tile going from a pond north of the house to the road ditch south of
37 the house. The proposed pipeline **would** cross this tile. There is also tile a short distance
38 west of this tile. I'm not sure if the pipeline would cross that tile or not.

39 My niece , Laurie Kunzelman, has been considering building a home on the southeast
40 corner of the farm, but the pipeline would prevent that. My sisters and I have also
41 considered selling one acreage on the northeast corner of the farm.

42 **Please describe which of your farming operations or other land uses will be**
43 **impaired by the Dakota Access Pipeline and how they will be impaired.**

44 Corn and soybeans are both grown yearly in alternating areas in that quarter section of
45 the farm. The pipeline would severely cut down on crop production of each of them.

46 The tenant would lose acres to plant, receive much less income from that quarter section,
47 and it would inconvenience him when trying to farm the land, with the pipeline cutting
48 that quarter section in half. Consequently, he would be unwilling to pay as much rent per
49 acre, so we would be losing income. No one else would be willing to farm it either, with
50 that pipeline running through there. Also, if we did try to sell any acreages, people would
51 not want to buy and build on the land with that pipeline under it. Dakota Access would
52 not allow any buildings on the easement, either.

53 **Has your farmland been improved with drain tile? If so, please describe whether**
54 **you are concerned that pipeline construction may damage and impair the drain tile**
55 **performance and investment.**

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60 damaged. I'm also afraid oil could get into the tiles and into the water if the tiles were
61 broken.

62 **Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to**
63 **the environment or the inhabitants within the siting area? If so, why?**

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65 inhabitants of this farm. The oil could leak onto the land and into the water as it has often
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67 the farm. Then it could get into Beaver Creek, and subsequently into the Sioux River and
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69 rupture, and leak. Even with shut-off valves, a great deal of oil would escape into the
70 environment. If the pipeline exploded, it could definitely hurt or kill people and animals
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72 in contact with it. I have designated wetlands on my farm which could be threatened by
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78 quarter section. Crops will not be as good. This could happen again and again, anytime
79 the pipeline company would decide to go back in and dig it up to put more pipes in, or to
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93 survey it. My sister Delores Assid told them "NO" two different times that they could
94 not enter our land.

95 Yes, we have hired a lawyer, Glenn Boomsma, to represent us in this matter. This is
96 costing us a great deal of money.

97 **Has Dakota Access Pipeline made any statements to you that it is a "common**
98 **carrier" under South Dakota law? If so, please describe.**

99 No, they did not.

100 **Has any representative of Dakota Access Pipeline made any statements to you or**
101 **others that you believe are not true? If so, please explain.**

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103 land. If she doesn't they will just take it by eminent domain, anyway.. However, they do
104 not have the right of eminent domain as of yet.

105 Secondly, they told Rhonda Nielsen, who lives in the house on that quarter section, that
106 my sisters and I had agreed to let Dakota Access enter my land, survey it, and build the
107 pipeline there. They also told her there was nothing she could do about it. Rhonda was

108 very upset that we would do this. We never gave them permission to enter our land,
109 survey it, or build the pipeline there.

110 **Please state any other concerns you have regarding the Dakota Access Pipeline.**

111 South Dakota and Iowa both grow large amounts of corn. Ethanol producers in South
112 pDakota use much of this corn to produce ethanol, which greatly helps the economy of
113 South Dakota. The oil pipeline will benefit the economy of North Dakota and Texas, but
114 will be of only a small benefit to the economy of South Dakota. That oil is a non-
115 renewable source of fuel and produces greenhouse gases. Corn is a renewable source of
116 fuel. South Dakota should be putting all of its effort into increasing the supply and
117 demand for ethanol. This would be much more beneficial to the farmers and to the state.

118 **Would you be available to present testimony and respond to questions during the**
119 **formal hearing scheduled for September 29 through October 8, 2015?**

120 No. I am 86 years old and do not drive and would not be able to come for the hearing.

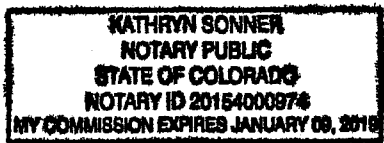
121 I give my permission for my niece, Laurie Kunzelman, to speak on my behalf during the
122 formal hearing. Her address is 3604 East Woodsedge St., Sioux Falls, SD 57108.

123 **Does that conclude your testimony?**

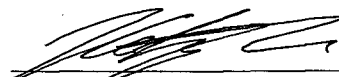
124 Yes.

125
126 Levona B Smith
127
128

129
130 Subscribed and sworn before me this 20 day of June, 2015.



136
137
138



Notary Public – South Dakota
My Commission Expires: 01-09-2019

<SEAL>

**BEFORE THE PUBLIC UTILITIES COMMISSION
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IN THE MATTER OF THE APPLICATION
OF DAKOTA ACCESS, LLC FOR AN
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HP14-002

**PRE-FILED TESTIMONY OF
Janice Elaine Petterson**

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF Lincoln

1 Janice Elaine Petterson, being first duly sworn on his/her oath, deposes and states as
2 follows:

3 **Please state your name and address.**

4 Janice Elaine Petterson

5 6401 S Lyncrest Ave Apt 307

6 Sioux Falls, SD 57108

7 **How are you involved with the Dakota Access Pipeline project?**

8 I am a landowner in Lincoln County, South Dakota affected by the proposed Dakota
9 Access Pipeline.

10 **Please describe the history of your family's land ownership, and whether farming**
11 **will be continued by younger generations.**

12 4/26/1883 Land was Homesteaded by Philip Eichhorn- he paid \$3.00 - toward the above
13 quarter. He was given a Patent (deed) September, 1887.

14
15 4-16-1896 sold to Paul Nichel for \$1800.

16

17 2/28/1920 Quit claim deed from Rose (daughter of Paul and Sophia Nichel) & Milo
18 Hoffman to Sophia Nichel.
19
20 4/23/1923 Sophia Nichel sold to Gilbert Schoffelman for \$18,000. \$112.50 per acre --
21
22 8-1-1930 Upon Gilbert's death distribution to heirs in 1931 -- Dora (wife) 1/3 and to
23 children remaining 2/3 rds (John, Hilda, Aldrich, Henry, Elmer, Laura, Esther)
24
25 10-27-1947 Dora Schoffelman sold 1.02 acres (Lot H1) to the state of South Dakota for
26 roads.
27
28 4-23-1959 Upon Elmer's death his share was conveyed to his mother (Dora).
29
30 6/11/1959 John Schoffelman purchased from his siblings and his mother for \$37,840 -
31 \$236.50 per acre.
32
33 12/4/1959 -- John added Leona's name
34
35 5/18/2004 -- termination of Leona's name on deed due to death
36
37 3/23/2004 -- John deeded to children - Janice Petterson, Mavis Parry, Linda Goulet,
38 Corliss Wiebers, Shirley Oltmanns, Marilyn Murray & Kevin Schoffelman w/John
39 having Life Estate
40
41 4/13/2012 -- Termination of John's Life Estate
42
43 The question of whether farming will be continued by future generations remains to be
44 determined.
45 Tillable acres will probably continue to be leased for row-crop farming and pasture acres
46 for cash rent for several years. However discussions have taken place for development of
47 the land starting with the 3 building eligibilities.
48

49 **Please describe your current farming operations.**

50 The tillable acres are farmed by Jerry and Bill Crevier and the pasture is rented by Scott
51 Daggett.
52

53 **To the best your knowledge, what area(s) of your property will the Dakota Access**
54 **Pipeline cross?**

55 Based on the most recent maps by Dakota Access and flags placed in the road ditch, the
56 pipeline would enter the NW corner going to the SE corner cutting diagonally across the
57 entire farm. This area includes crop production land as well as pasture.

58 **How close is the pipeline to any building, bin or pen, water source, or farming**
59 **facilities (i.e., storage area, feedlot, grazing area, etc.)?**

60 Approximately 300 yards to the nearest building and 340 yards to the well.

61 It is planned to go under the creek which drains the watershed NW of Tea and flows into
62 the Sioux River.

63 The pipeline would cross the easement held by South Lincoln Rural Water.

64 As stated previously it would cross the grazing area.

65

66 **Please describe any special characteristics of your property and farmland, and/or**
67 **whether you plan to build any houses, outbuildings, shelter belts, or other structures**
68 **on your property.**

69 The land is drain tiled, some of which is clay.

70 Open Waterway ditch running south on east side of property.

71 It currently has 3 housing eligibilities with potential for additional future longer term
72 development since Highway 17 runs on the west side of the property.

73

74 **Please describe which of your farming operations or other land uses will be**
75 **impaired by the Dakota Access Pipeline and how they will be impaired.**

76 Initially, no access for daily operations on cropland on south half of property. Natural
77 waterways blocked and would need to be reconstructed. The tillable acres won't produce
78 the same and the quality of the pasture will be impaired.

79 Future development potential diminished due to restrictions of building on pipeline and
80 lack of desire for homeowners to live near pipeline. There is currently an existing
81 housing development ½ mile NE of our farm, located outside of the City of Tea as well
82 as a second development planned (zoning has been changed to agriculture/residential) ½
83 mile directly north of our farm. These developments are outside of the City of Tea growth
84 plan. Just because a particular city doesn't have these affected areas in their growth plan,
85 doesn't mean they won't be developed – unless of course pipeline easements restrict the
86 development.

87

88 **Has your farmland been improved with drain tile? If so, please describe whether**
89 **you are concerned that pipeline construction may damage and impair the drain tile**
90 **performance and investment.**

91 Yes, it has been drain tiled and parts of it are clay tile. I am concerned that the tile may
92 crumble by excavating the ground near it, construction equipment going over it or by
93 additional underground pressure from settling afterwards.

94

95 **Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to**
96 **the environment or the inhabitants within the siting area? If so, why?**

97 Yes. Ruptures, oil leaks, environmental damages in the future. As steward of the land
98 our obligation is for also for future generations.

99 In February, the Wall Street Journal compared oil from 86 locations around the world and
100 found Bakken crude oil to be the most explosive. This was introduced December 11,
101 2014 in the Assembly Resolution No 191 State of New Jersey 216th Legislature.

102

103 **Do you believe that the Dakota Access Pipeline will substantially impair the health,**
104 **safety and welfare of the inhabitants of the siting area? If so, why?**

105 Watershed damage as East Beaver Creek drains the Watershed North and West of Tea
106 and flows through our farm, eventually into the Big Sioux River and then the Missouri.
107 Will eliminate the potential for future development due to people not wanting to reside
108 near an oil pipeline.

109

110 **Have you been sued by Dakota Access Pipeline to compel court ordered access to**
111 **your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority**
112 **(i.e., state statute) supporting its claim that you have no right to exclude Dakota**
113 **Access from your land at the time of said lawsuit? and (2) Have you incurred legal**
114 **fees in defending against this lawsuit?**

115 Yes- I have been sued.

116 No- Dakota Access has not provided any legal authority (state statute).

117 Yes- I have incurred legal fees.

118

119 **Please state any other concerns you have regarding the Dakota Access Pipeline.**

120 The fact that their plan is to run the pipeline through Minnehaha and Lincoln county
121 shows total disregard for the welfare of our state, it's inhabitants and the future
122 development in the this area. I'm concerned it will lower my property value.

123 In the past 3 years, three developers have asked us about purchasing our land.

124 Crop loss will be considerably more than 3 years. Farmers on the Lewis & Clark pipeline
125 have said 10 years later, the corn is between 1 and 3 feet shorter than the rest of the field.

126 No South Dakota funding in place for pipeline accidents? Governor Bill Janklow had to
127 deal with funding when Williams Pipeline problems leaking, etc had to be found and the
128 Hayward School across the road on W 12th St. had to be closed.
129 June 9th USA Today had an article "7 Major Countries (including US & Germany)
130 pledged the end of Fossil Fuels by the end of the century" Why would we put this huge
131 pipe in the ground with no decommissioning and leave the landowner stuck with it?
132 Also the pipeline company could do anything with it in the future. Their easement gives
133 them the right to enter **anywhere** on our land **anytime**, for **whatever purpose** they
134 claim. This is a takeover of our land.
135 We need a greener/cleaner form of energy to preserve the land, water and air to feed and
136 sustain not just us, but more importantly future generations.

137
138 **Would you be available to present testimony and respond to questions during the**
139 **formal hearing scheduled for September 29 through October 8, 2015?**

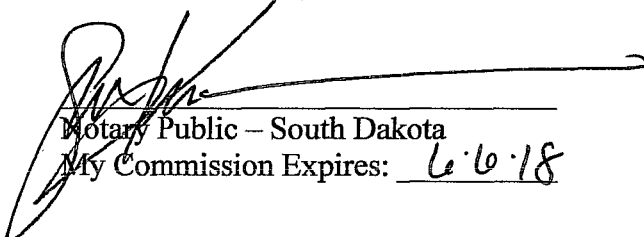
140 No, I will not present testimony during the hearing; however, I will be there to listen.

141
142 **Does that conclude your testimony?**

143 Yes.

144
145
146 *Janice Elaine Petterson*
147

148
149 Subscribed and sworn before me this 25th day of June, 2015.

150
151
152 
153 Notary Public – South Dakota
154 My Commission Expires: 6.6.18
155 <SEAL>

156
157

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE
APPLICATION OF DAKOTA ACCESS,
LLC FOR AN ENERGY FACILITY
PERMIT TO CONSTRUCT THE
DAKOTA ACCESS PIPELINE

HP14-002

**PRE-FILED TESTIMONY OF
Kevin John Schoffelman**

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF Minnehaha

1 Kevin John Schoffelman, being first duly sworn on his/her oath, deposes and states as
2 follows:

3 **Please state your name and address.**

4 **Kevin John Schoffelman**

5 712 W 4th Ave

6 Lennox, SD 57039

7 **How are you involved with the Dakota Access Pipeline project?**

8 I am a landowner in Lincoln County, South Dakota affected by the proposed Dakota
9 Access Pipeline.

10 **Please describe the history of your family’s land ownership, and whether farming**
11 **will be continued by younger generations.**

12 4/26/1883 Land was Homesteaded by Philip Eichhorn- he paid \$3.00 per acre- toward
13 the above quarter. He was given a Patent (deed) September, 1887.

14
15 4-16-1896 sold to Paul Nichel for \$1800.

16
17 2/28/1920 Quit claim deed from Rose (daughter of Paul and Sophia Nichel) & Milo
18 Hoffman to Sophia Nichel.

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4/23/1923 Sophia Nichel sold to Gilbert Schoffelman for \$18,000. \$112.50 per acre –

8-1-1930 Upon Gilbert's death distribution to heirs in 1931 – Dora (wife) 1/3 and to children remaining 2/3 rds (John, Hilda, Aldrich, Henry, Elmer, Laura, Esther)

10-27-1947 Dora Schoffelman sold 1.02 acres (Lot H1) to the state of South Dakota for roads.

4-23-1959 Upon Elmer's death his share was conveyed to his mother (Dora).

6/11/1959 John Schoffelman purchased from his siblings and his mother for \$37,840 - \$236.50 per acre.

12/4/1959 – John added Leona's name

5/18/2004 – termination of Leona's name on deed due to death

3/23/2004 – John deeded to children - Janice Petterson, Mavis Parry, Linda Goulet, Corliss Wiebers, Shirley Oltmanns, Marilyn Murray & Kevin Schoffelman w/John having Life Estate

4/13/2012 – Termination of John's Life Estate

The question of whether farming will be continued by future generations remains to be determined.

Tillable acres will probably continue to be leased for row-crop farming and pasture acres for cash rent for several years. However discussions have taken place for development of the land starting with the 3 building eligibilities.

Please describe your current farming operations.

The tillable acres are farmed by Jerry and Bill Crevier and the pasture is rented by Scott Daggett.

To the best your knowledge, what area(s) of your property will the Dakota Access Pipeline cross?

55 Based on the most recent maps by Dakota Access and flags placed in the road ditch, the
56 pipeline would enter the NW corner going to the SE corner cutting diagonally across the
57 entire farm. This area includes crop production land as well as pasture.

58 **How close is the pipeline to any building, bin or pen, water source, or farming**
59 **facilities (i.e., storage area, feedlot, grazing area, etc.)?**

60 Approximately 300 yards to the nearest building and 340 yards to the well.

61 It is planned to go under the creek which drains the watershed NW of Tea and flows into
62 the Sioux River.

63 The pipeline would cross the easement held by South Lincoln Rural Water.

64 As stated previously it would cross the grazing area.

65

66 **Please describe any special characteristics of your property and farmland, and/or**
67 **whether you plan to build any houses, outbuildings, shelter belts, or other structures**
68 **on your property.**

69 The land is drain tiled, some of which is clay.

70 Open Waterway ditch running south on east side of property.

71 It has 3 housing eligibilities with potential for additional future development since

72 Highway 17 runs on the west side of the property.

73

74 **Please describe which of your farming operations or other land uses will be**
75 **impaired by the Dakota Access Pipeline and how they will be impaired.**

76 Initially, no access for daily operations on cropland on south half of property. Natural
77 waterways blocked and would need to be reconstructed. The tillable acres won't produce
78 the same and the quality of the pasture will be impaired.

79 Future development potential diminished due to restrictions of building on pipeline and
80 lack of desire for homeowners to live near pipeline.

81

82 **Has your farmland been improved with drain tile? If so, please describe whether**
83 **you are concerned that pipeline construction may damage and impair the drain tile**
84 **performance and investment.**

85 Yes, it has been drain tiled and parts of it are clay tile. I am concerned that the tile may
86 crumble by excavating the ground near it, construction equipment going over it or by
87 additional underground pressure from settling afterwards.

88

89 **Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to**
90 **the environment or the inhabitants within the siting area? If so, why?**

91 Yes. Ruptures, oil leaks, environmental damages in the future. As steward of the land
92 our obligation is for also for future generations.

93 In February, the Wall Street Journal compared oil from 86 locations around the world and
94 found Bakken crude oil to be the most explosive. This was introduced December 11,
95 2104 in the Assembly Resolution No 191 State of New Jersey 216th Legislature.

96

97 **Do you believe that the Dakota Access Pipeline will substantially impair the health,**
98 **safety and welfare of the inhabitants of the siting area? If so, why?**

99 Watershed damage as East Beaver Creek drains the Watershed North and West of Tea
100 and flows through our farm, eventually into the Big Sioux River and then the Missouri.
101 Will eliminate the potential for future development due to people not wanting to reside
102 near an oil pipeline.

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Have you been sued by Dakota Access Pipeline to compel court ordered access to your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority (i.e., state statute) supporting its claim that you have no right to exclude Dakota Access from your land at the time of said lawsuit? and (2) Have you incurred legal fees in defending against said lawsuit?

Yes- I have been sued.

No- Dakota Access has not provided any legal authority (state statute).

Yes- I have incurred legal fees.

Has Dakota Access Pipeline made any statements to you that it is a “common carrier” under South Dakota law? If so, please describe.

No.

Has any representative of Dakota Access Pipeline made any statements to you or others that you believe are not true? If so, please explain.

No.

Please state any other concerns you have regarding the Dakota Access Pipeline.

The fact that their plan is to run the pipeline through Minnehaha and Lincoln county shows total dis-regard for the welfare of our state, it’s inhabitants and the future development in the this area. Lincoln County, and specifically north Lincoln County, is one of the fastest growing areas in the nation.

127 **Would you be available to present testimony and respond to questions during the**
128 **formal hearing scheduled for September 29 through October 8, 2015?**

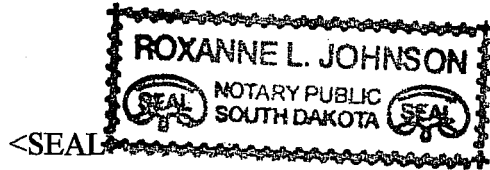
129 Yes

130 **Does that conclude your testimony?**

131 Yes.

132
133 Kevin J. Schaffner
134
135

136
137 Subscribed and sworn before me this 24th day of June, 2015.
138



Roxanne L. Johnson
Notary Public - South Dakota
My Commission Expires: Aug 6, 2016

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION
OF DAKOTA ACCESS, LLC FOR AN
ENERGY FACILITY PERMIT TO
CONSTRUCT THE DAKOTA ACCESS
PIPELINE

HP14-002

PRE-FILED TESTIMONY OF
Linda Ann Goulet

STATE OF SOUTH DAKOTA)
 :SS
COUNTY OF Lincoln)

1 Linda Ann Goulet _____, being first duly sworn on his/her oath,

2 deposes and states as follows:

3 **Please state your name and address.**

4 Linda Ann Goulet

5 27332 Atkins Place

6 Tea, SD 57064

7 **How are you involved with the Dakota Access Pipeline project?**

8 I am a landowner in Lincoln County, South Dakota affected by the proposed Dakota
9 Access Pipeline.

10

11 **Please describe the history of your family's land ownership, and whether farming**
12 **will be continued by younger generations.**

13

14 4/23/1923 Sophia Nichel sold to Gilbert Schoffelman for \$ 18,000. \$112.50 per acre.

15 **8/1/1930 Upon Gilbert's death distribution to heirs in 1931 – Dora (wife) 1/3 and to**
16 **children remaining 3/2rds (John, Hilda, Aldrich, Henry, Elmer, Laura and Esther)**

17 **6/11/1959 John Schoffelman purchased from his siblings and his mother for \$37,840.**
18 **236.50 per acre.**

19 **3/23/2004 John deeded to children – Janice Petterson, Mavis Parry, Linda Goulet,**
20 **Corliss Wiebers, Shirley Oltmanns, Marilyn Murray & Kevin Schoffelman w/John**
21 **having Life Estate.**

22 **4/13/2012 – Termination of John's Life Estate**

23 **The question of whether farming will be continued by future generations remains to**
24 **be determined.**

25 **Tillable acres will probably continue to be leased for row-crop farming. Pasture**
26 **acres and grasswater ways for cash rent for several years. However discussions**
27 **have taken place for development of the land starting with the 3 building eligibilities**
28 **it now holds.**

29

30

31

32 **Please describe your current farming operations.**

33 **The tillable acres are farmed by Jerry and Bill Crevier and the pasture along with**
34 **the grass waterways is rented by Scott Daggett.**

35

36

37

38 **To the best your knowledge, what area(s) of your property will the Dakota Access**
39 **Pipeline cross?**

40 **Based on the most recent maps by Dakota Access and flags placed in the road ditch,**
41 **the pipeline would enter the NW corner going to the SE corner cutting diagonally**
42 **across the entire farm. This area includes crop production land as well as pasture.**

43
44
45

46 **How close is the pipeline to any building, bin or pen, water source, or farming**
47 **facilities (i.e., storage area, feedlot, grazing area, etc.)?**

48 **Approximately 300 yards to the nearest building and 340 yards to the well.**

49 **It is planned to go under the creek which drains the watershed NW of Tea and flows**
50 **into the Sioux River.**

51 **The pipeline would cross the easement held by South Lincoln Rural Water.**

52 **As stated previously it would cross the grazing area.**

53
54
55

56 **Please describe any special characteristics of your property and farmland, and/or**
57 **whether you plan to build any houses, outbuildings, shelter belts, or other structures**
58 **on your property.**

59 **The land is drain tiled, some of which is clay.**

60 **Open Waterway ditch running south on east side of property.**

61 **It has 3 housing eligibilities with potential for future development since State**
62 **Highway # 17 runs on the west side of the property.**

63
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67 **Please describe which of your farming operations or other land uses will be**
68 **impaired by the Dakota Access Pipeline and how they will be impaired.**

69 **Initially, no access for daily operations on cropland on south half of property.**
70 **Natural waterways blocked and would need to be reconstructed. The tillable acres**
71 **won't produce the same and the quality of the pasture will be impaired. Future**
72 **development potential diminished due to restrictions of building on pipeline and**
73 **lack of desire for homeowners to live near pipeline.**

74 **There is currently an existing housing development ½ mile NE of our farm, located**
75 **outside of the City of Tea; as well as a second development planned (zoning has been**
76 **changed to agricultural/residential) ½ mile north of our farm. These developments**
77 **are outside the City of Tea growth plan. Just because a particular city doesn't have**
78 **these affected areas in their growth plan, doesn't mean they won't be developed –**
79 **unless of course pipeline easements restrict the development.**

80
81 **Has your farmland been improved with drain tile? If so, please describe whether**
82 **you are concerned that pipeline construction may damage and impair the drain tile**
83 **performance and investment.**

84 **Yes, it has been drain tiled and parts of it are clay tile. I am concerned that the tile**
85 **may crumble by excavating the ground near it, construction equipment going over it**
86 **or by additional underground pressure from settling afterwards.**

87

88

89

90

91 **Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to**
92 **the environment or the inhabitants within the siting area? If so, why?**

93 **Yes, Ruptures, oil leaks, environmental damages in the future.**

94 **In February, the Wall Street Journal compared oil from 86 locations around the**
95 **world and found Bakken crude oil to be the most explosive. This was introduced**
96 **December 11, 2014 in the Assembly Resolution No 191 State of New Jersey 216th**
97 **Legislature.**

98

99

100

101

102 **Do you believe that the Dakota Access Pipeline will substantially impair the health,**
103 **safety and welfare of the inhabitants of the siting area? If so, why? Yes,**

104 **Watershed damage as East Beaver Creek drains the Watershed North and West of**

105 **Tea and flows through our farm, eventually into the Bis Sioux River and then the**

106 **Missouri. Will eliminate the potential for future development due to people not**

107 **wanting to reside near an oil pipeline.**

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Have you been sued by Dakota Access Pipeline to compel court ordered access to

113

your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority

114

(i.e., state statute) supporting its claim that you have no right to exclude Dakota

115

Access from your land at the time of said lawsuit? and (2) Have you incurred legal

116

fees in defending against said lawsuit?

117

Yes – I have been sued.

118

No – Dakota Access has not provided any legal authority (state statute).

119

Yes – I have incurred legal fees.

120

121

122

123

Has Dakota Access Pipeline made any statements to you that it is a “common

124

carrier” under South Dakota law? If so, please describe. No

125

126

127

128

Has any representative of Dakota Access Pipeline made any statements to you or

129

others that you believe are not true? If so, please explain. Yes

130

They have stated they contacted all land owners once by letter and twice in person.

131 My experience, letter delivered 12/24/2014. While I was out-of-state my neighbor
132 left message to call # 605-277-1223 an speak to a Chris Hobbs, supervisor for
133 Dakota Access which I did as requested. I have had no other contact with Dakota
134 Access.

135

136

137

138

139 Please state any other concerns you have regarding the Dakota Access Pipeline.

140 Will devalue production ground and subsequent crop production.

141 Will eliminate opportunity for rural residential development.

142

143

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146 Would you be available to present testimony and respond to questions during the
147 formal hearing scheduled for September 29 through October 8, 2015?

148

149 Does that conclude your testimony?

150 Yes.

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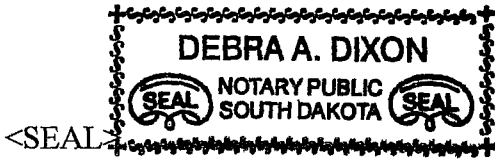
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158

Linda Ann Haultit

Subscribed and sworn before me this 19th day of June, 2015.

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Debra A Dixon
Notary Public – South Dakota
My Commission Expires: 03-12-2018

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION
OF DAKOTA ACCESS, LLC FOR AN
ENERGY FACILITY PERMIT TO
CONSTRUCT THE DAKOTA ACCESS
PIPELINE

HP14-002

**PRE-FILED TESTIMONY OF
Margaret (Andreessen) Hilt**

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF Lincoln)

1 Margaret Hilt, being first duly sworn on his/her oath, deposes and states as follows:

2 **Please state your name and address.**

3 Margaret Hilt

4 17500 Co Rd SS

5 Wray, CO 80758

6 **How are you involved with the Dakota Access Pipeline project?**

7 I am a landowner in Lincoln County, South Dakota affected by the proposed Dakota
8 Access Pipeline.

9 **Please describe the history of your family's land ownership, and whether farming
10 will be continued by younger generations.**

11 My grandfather, Henry Andreessen, homesteaded this land in 1883. He filed on the land
12 (a half section – 320 acres) in 1882 and then moved onto it in 1883. Henry farmed it for
13 44 years. My parents, Martin and Elsie Andreessen, began farming in 1927, after
14 inheriting the land. They retired from farming in 1948, but continued to own the land.

15 My parents rented the land to a farmer, Richard Gores. My sisters, Devona Smith and

002922

16 Delores Assid, and I inherited the farm in 1988, when my mother passed away. We
17 continue to rent the farmland to a farmer, Doug Vanderwerff, who grows corn and
18 soybeans on it. My two sons and my two nieces will someday inherit the farm from my
19 sisters and me. They plan on continuing to own the land and rent it out.

20 **Please describe your current farming operations.**

21 We rent out the farm for cash rent. The tenant farmer, Doug Vanderwerff, grows corn
22 and soybeans, and has a little hay land on the half section. This man has been farming
23 our land for about 30 years and plans to continue to do so.

24 **To the best of your knowledge, what area(s) of your property will the Dakota Access
25 Pipeline cross?**

26 The pipeline would cross the southeast quarter section (160 acres) of the farm from the
27 northwest corner to the southeast corner, effectively cutting that quarter section in half.

28 **How close is the pipeline to any building, bin or pen, water source, or farming
29 facilities (i.e., storage area, feedlot, grazing area, etc.)?**

30 The pipeline would run approximately 50 feet from the land surrounding the farm
31 buildings and the windmill, which provides water for the house.

32 **Please describe any special characteristics of your property and farmland, and/or
33 whether you plan to build any houses, outbuildings, shelter belts, or other structures
34 on your property.**

35 My land has cement tile going from a pond north of the house to the road ditch south of
36 the house. The proposed pipeline **would** cross this tile. There is also tile a short distance
37 west of this tile. I'm not sure if the pipeline would cross that tile or not. My sisters and I
38 have also considered selling one acreage on the northeast corner of the farm.

39 **Please describe which of your farming operations or other land uses will be**
40 **impaired by the Dakota Access Pipeline and how they will be impaired.**

41 Corn and soybeans are both grown yearly in alternating areas in that quarter section of
42 the farm. The pipeline would severely cut down on crop production of each of them.

43 The tenant would lose acres to plant, receive much less income from that quarter section,
44 and it would inconvenience him when trying to farm the land, with the pipeline cutting
45 that quarter section in half. Consequently, he would be unwilling to pay as much rent per
46 acre, so we would be losing income. No one else would be willing to farm it either, with
47 that pipeline running through there. Also, if we did try to sell any acreages, people would
48 not want to buy and build on the land with that pipeline under it. Dakota Access would
49 not allow any buildings on the easement, either.

50 **Has your farmland been improved with drain tile? If so, please describe whether**
51 **you are concerned that pipeline construction may damage and impair the drain tile**
52 **performance and investment.**

53 Yes, this quarter has two areas of drain tile. The pipeline would cross at least one of
54 them. The tile is cement and quite old. I am very much afraid that the tile would be
55 damaged. Then the water would not drain out of the low area and could reach the house
56 and other buildings. It would be very costly to replace the drain tiles if they were
57 damaged. I'm also afraid oil could get into the tiles and into the water if the tiles were
58 broken.

59 **Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to**
60 **the environment or the inhabitants within the siting area? If so, why?**

61 Yes, I definitely believe the pipeline would pose a threat to the environment and the
62 inhabitants of this farm. The oil could leak onto the land and into the water as it has often

63 done in many other areas. The oil could flow into Little Beaver Creek which runs through
64 the farm. Then it could get into Beaver Creek, and subsequently into the Sioux River and
65 the aquifer. The oil in this pipeline is a highly volatile substance. Pipelines explode,
66 rupture, and leak. Even with shut-off valves, a great deal of oil would escape into the
67 environment. If the pipeline exploded, it could definitely hurt or kill people and animals
68 in the area. Also, the oil could be poisonous and carcinogenic to the people and animals
69 in contact with it. I have designated wetlands on my farm which could be threatened by
70 the pipeline.

71 **Do you believe that the Dakota Access Pipeline will substantially impair the health,**
72 **safety and welfare of the inhabitants of the siting area? If so, why?**

73 Yes, it will most definitely impair the financial welfare of the tenant farmer and the
74 landowners (us), due to the amount of land that will be dug up all the way across that
75 quarter section. Crops will not be as good. This could happen again and again, anytime
76 the pipeline company would decide to go back in and dig it up to put more pipes in, or to
77 work on them for some reason. Yet the pipeline company is only offering a onetime
78 lump sum payment. I am also concerned that stray voltage could affect the health, safety,
79 and welfare of the tenant farmer, the residents, and anyone else near the pipeline. As I
80 stated before, the oil itself could affect the health, safety, and welfare of everyone in the
81 area because of the volatility of the oil and the chemicals that the oil contains. Dakota
82 Access cannot guarantee the safety of the pipeline. There have been more pipeline
83 accidents than train accidents involving oil.

84 **Have you been sued by Dakota Access Pipeline to compel court ordered access to**
85 **your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority**
86 **(i.e., state statute) supporting its claim that you have no right to exclude Dakota**

87 **Access from your land at the time of said lawsuit? and (2) Have you incurred legal**
88 **fees in defending against said lawsuit?**

89 Yes, Dakota Access has filed a lawsuit against us to allow them to enter our farm to
90 survey it. They have been told “No” two different times, that they could not enter our
91 land. Yes, we have hired a lawyer, Glenn Boomsma, to represent us in this matter. This
92 is costing us a great deal of money.

93 **Has Dakota Access Pipeline made any statements to you that it is a “common**
94 **carrier” under South Dakota law? If so, please describe.**

95 No, they did not.

96 **Has any representative of Dakota Access Pipeline made any statements to you or**
97 **others that you believe are not true? If so, please explain.**

98 Yes, first of all they told us we should allow them on my land. If we don’t, they will just
99 take it by eminent domain, anyway. However, they do not have the right of eminent
100 domain as of yet.

101 Secondly, they told Rhonda Nielsen, who lives in the house on that quarter section, that
102 my sisters and I had agreed to let Dakota Access enter my land, survey it, and build the
103 pipeline there. They also told her there was nothing she could do about it. Rhonda was
104 very upset that we would do this. We never gave them permission to enter our land,
105 survey it, or build the pipeline there.

106 **Please state any other concerns you have regarding the Dakota Access Pipeline.**

107 South Dakota and Iowa both grow large amounts of corn. Ethanol producers in South
108 Dakota use much of this corn to produce ethanol, which greatly helps the economy of
109 South Dakota. The oil pipeline will benefit the economy of North Dakota and Texas, but
110 will be of only a small benefit to the economy of South Dakota. That oil is a non-

111 renewable source of fuel and produces greenhouse gases. Corn is a renewable source of
112 fuel. South Dakota should be putting all of its effort into increasing the supply and
113 demand for ethanol. This would be much more beneficial to the farmers and to the state.

114 **Would you be available to present testimony and respond to questions during the**
115 **formal hearing scheduled for September 29 through October 8, 2015?**

116 No. I am 83 years old and live in Colorado and have no way to get there as it is a great
117 distance to travel.

118 I also gave my permission for, Laurie Kunzelman, to speak on my behalf during the
119 formal hearing. Her address is 3604 East Woodsedge St., Sioux Falls, SD 57108.

120 **Does that conclude your testimony?**

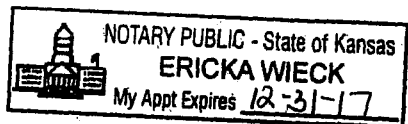
121 Yes.

122
123
124 Margaret Hilt
125 Margaret Hilt

126
127
128 Subscribed and sworn before me this 19th day of June, 2015.

129
130
131 Ericka Wieck
132 Notary Public - Kansas
133 My Commission Expires: 12-31-17

134 <SEAL>



**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION
OF DAKOTA ACCESS, LLC FOR AN
ENERGY FACILITY PERMIT TO
CONSTRUCT THE DAKOTA ACCESS
PIPELINE

HP14-002

**PRE-FILED TESTIMONY OF
Marilyn Jean Murray**

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF Minnehaha

Marilyn Jean Murray, being first duly sworn on his/her oath, deposes and states as follows:

Please state your name and address.

Marilyn Jean Murray

1416 S. Larkspur Trl.

Sioux Falls, SD 57106

How are you involved with the Dakota Access Pipeline project?

I am a landowner in Lincoln County, South Dakota affected by the proposed Dakota Access Pipeline.

Please describe the history of your family's land ownership, and whether farming will be continued by younger generations.

4/26/1883 Land was Homesteaded by Philip Eichhorn-
He was given a Patent (deed) September, 1887.

4-16-1896 sold to Paul Nichel for \$1800.

2/28/1920 Quit claim deed from Rose (daughter of Paul and Sophia Nichel) & Milo Hoffman to Sophia Nichel.

4/23/1923 Sophia Nichel sold to Gilbert Schoffelman for \$18,000. \$112.50 per acre –

8-1-1930 Upon Gilbert's death distribution to heirs in 1931 – Dora (wife) 1/3 and to children remaining 2/3 rds (John, Hilda, Aldrich, Henry, Elmer, Laura, Esther)

10-27-1947 Dora Schoffelman sold 1.02 acres (Lot H1) to the state of South Dakota for roads.

4-23-1959 Upon Elmer's death his share was conveyed to his mother (Dora).

6/11/1959 John Schoffelman purchased from his siblings and his mother for \$37,840 - \$236.50 per acre.

12/4/1959 – John added Leona's name

5/18/2004 – termination of Leona's name on deed due to death

3/23/2004 – John deeded to children - Janice Petterson, Mavis Parry, Linda Goulet, Corliss Wiebers, Shirley Oltmanns, Marilyn Murray & Kevin Schoffelman w/John having Life Estate

4/13/2012 – Termination of John's Life Estate

The question of whether farming will be continued by future generations remains to be determined.

Tillable acres will probably continue to be leased for row-crop farming and pasture acres for cash rent for several years. However discussions have taken place for development of the land starting with the 3 building eligibilities.

Please describe your current farming operations.

The tillable acres are farmed by Jerry and Bill Crevier and the pasture is rented by Scott Daggett.

To the best your knowledge, what area(s) of your property will the Dakota Access Pipeline cross?

Based on the most recent maps by Dakota Access and flags placed in the road ditch, the pipeline would enter the NW corner going to the SE corner cutting diagonally across the entire farm. This area includes crop production land as well as pasture.

How close is the pipeline to any building, bin or pen, water source, or farming facilities (i.e., storage area, feedlot, grazing area, etc.)?

Approximately 300 yards to the nearest building and 340 yards to the well.

It is planned to go under the creek which drains the watershed NW of Tea and flows into the Sioux River.

The pipeline would cross the easement held by South Lincoln Rural Water.

As stated previously it would cross the grazing area.

Please describe any special characteristics of your property and farmland, and/or whether you plan to build any houses, outbuildings, shelter belts, or other structures on your property.

The land is drain tiled, some of which is clay.

Open Waterway ditch running south on east side of property.

It currently has 3 housing eligibilities with potential for additional future longer term development since Highway 17 runs on the west side of the property.

Please describe which of your farming operations or other land uses will be impaired by the Dakota Access Pipeline and how they will be impaired.

Initially, no access for daily operations on cropland on south half of property. Natural waterways blocked and would need to be reconstructed. The tillable acres won't produce the same and the quality of the pasture will be impaired.

Future development potential diminished due to restrictions of building on pipeline and lack of desire for homeowners to live near pipeline. There is currently an existing housing development ½ mile NE of our farm, located outside of the City of Tea as well as a second development planned (zoning has been changed to agriculture/residential) ½ mile directly north of our farm. These developments are outside of the City of Tea growth plan. Just because a particular city doesn't have these affected areas in their growth plan, doesn't mean they won't be developed – unless of course pipeline easements restrict the development.

Has your farmland been improved with drain tile? If so, please describe whether you are concerned that pipeline construction may damage and impair the drain tile performance and investment.

Yes, it has been drain tiled and parts of it are clay tile. I am concerned that the tile may crumble by excavating the ground near it, construction equipment going over it or by additional underground pressure from settling afterwards.

Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to the environment or the inhabitants within the siting area? If so, why?

Yes. Ruptures, oil leaks, environmental damages in the future. As steward of the land our obligation is for also for future generations.

In February, the Wall Street Journal compared oil from 86 locations around the world and found Bakken crude oil to be the most explosive. This was introduced December 11, 2104 in the Assembly Resolution No 191 State of New Jersey 216th Legislature.

Do you believe that the Dakota Access Pipeline will substantially impair the health, safety and welfare of the inhabitants of the siting area? If so, why?

Watershed damage as East Beaver Creek drains the Watershed North and West of Tea and flows through our farm, eventually into the Big Sioux River and then the Missouri. Will eliminate the potential for future development due to people not wanting to reside near an oil pipeline.

Have you been sued by Dakota Access Pipeline to compel court ordered access to your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority (i.e., state statute) supporting its claim that you have no right to exclude Dakota Access from your land at the time of said lawsuit? and (2) Have you incurred legal fees in defending against this lawsuit?

Yes- I have been sued.

No- Dakota Access has not provided any legal authority (state statute).

Yes- I have incurred legal fees.

Please state any other concerns you have regarding the Dakota Access Pipeline.

The fact that their plan is to run the pipeline through Minnehaha and Lincoln county shows total disregard for the welfare of our state, it's inhabitants and the future development in the this area. I'm concerned it will lower my property value.

Would you be available to present testimony and respond to questions during the formal hearing scheduled for September 29 through October 8, 2015?

No.

Does that conclude your testimony?

Yes.

Marilyn Jean Murray

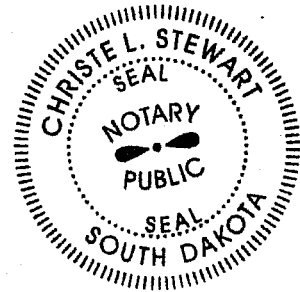
Subscribed and sworn before me this 18th day of June, 2015.

Christie L Stewart

Notary Public – South Dakota

My Commission Expires: 9-7-17

<SEAL>



BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION
OF DAKOTA ACCESS, LLC FOR AN
ENERGY FACILITY PERMIT TO
CONSTRUCT THE DAKOTA ACCESS
PIPELINE

HP14-002

PRE-FILED TESTIMONY OF
Matthew L Anderson

STATE OF SOUTH DAKOTA)
:SS
COUNTY OF MINNEHAHA)

1 Matthew L Anderson, being first duly sworn on his/her oath, deposes and states as follows:

2 **Please state your name and address.**

3 Matthew L Anderson

4 25985 461 Ave

5 Hartford, SD 57033

6 **How are you involved with the Dakota Access Pipeline project?**

7 I am a landowner in Minnehaha County, South Dakota. The proposed Dakota Access
8 Pipeline will cross my land.

9 **Please describe the history of your family's land ownership, and whether farming**
10 **will be continued by younger generations.**

11 January 1992 Elwayne and Marjorie Berens, my grandparents, bought the south 40 acres
12 of my property from Robert and Lois O'Kane. In September, 1995, my grandparents
13 bought the north 40 acres from Robert and Lois O'Kane.

14 I lived on the south 40 acres with my mom and sister from 1992-1995.

15 My grandparents rented out the property with the intentions to eventually sell the home
16 farm located a mile west of my property. They had plans to retire on these 80 acres. Due
17 to their premature deaths due to cancer, my mother inherited the 80 acres in 2003.

18 As of January 2014, I and my wife own the 80 acres and live there with my daughter.

19 We built a new home on the property in 2011.

20 **Please describe your current farming operations.**

21 Currently our farm is primarily row crop production. Some of the land including the
22 proposed pipeline route is classified by the USDA as Highly Erodible Land. This land is
23 very sensitive and has been in No-till or Conservation Minimum Till since converted to
24 cropland.

25 **To the best your knowledge, what area(s) of your property will the Dakota Access
26 Pipeline cross?**

27 The proposed route is just to the west of our farm buildings and home. It would cross
28 some highly productive farm ground.

29 **How close is the pipeline to any building, bin or pen, water source, or farming
30 facilities (i.e., storage area, feedlot, grazing area, etc.)?**

31 The proposed route is within 1000 feet of our farm buildings and pond.

32 Also, the route is even closer to a neighboring home and a neighboring shelter belt that is
33 being developed for potential future building.

34

35 **Please describe any special characteristics of your property and farmland, and/or
36 whether you plan to build any houses, outbuildings, shelter belts, or other structures
37 on your property.**

38 Our property consists of a larger pond (1acre) in the front yard that was once used to
39 water the cattle that my grandfather owned. The pond drains into a creek that runs
40 around our entire farm site and through the middle of our crop ground. This creek then
41 flows into our neighbors property and eventually leads to Skunk Creek. Our house is only
42 5 years old. We have a healthy shelter belt to protect our farm. We have a large barn, a
43 small building that house our dogs, two large machine sheds and a grain bin. We have
44 plans to add another grain bin in the future. Any spill from the pipeline will harm all of
45 this because the route for the pipeline is scheduled on the northwest hill of our property.
46 Our home, buildings and trees are all down the hill. We have recently put drain tile
47 around our farm land and any spill will go directly into the creek, pond, tile lines along
48 with flow down toward our home and buildings.

49 **Please describe which of your farming operations or other land uses will be**
50 **impaired by the Dakota Access Pipeline and how they will be impaired.**

51 Our no-till, conservation minimum till farming operation will be greatly impaired. The
52 organic matter and soil structure that we have worked towards for many years will be
53 destroyed and then the heat from the pipeline will never allow us to bring back the soil to
54 its current state. Also because of the pipeline construction, rock will be brought up to
55 the surface along with weed seeds. From talking with landowners that have had oil
56 pipelines installed on their property, I believe contractors will not remove the rocks or
57 return the land to its original state.

58 **Has your farmland been improved with drain tile? If so, please describe whether**
59 **you are concerned that pipeline construction may damage and impair the drain tile**
60 **performance and investment.**

61 We have improved the farmland with drain tile. The tile will be affected by construction.
62 The proper slope of the pipe is critical. A change in slope of a fraction of an inch will
63 have an effect on tile performance. Also I am concerned that the tile may be relocated or
64 rerouted (Agricultural Impact Mitigation Plan 6,f,e,4). Tile systems are specifically
65 designed and any change to tile routing will affect tile line performance and what it was
66 installed to do.

67

68 **Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to**
69 **the environment or the inhabitants within the siting area? If so, why?**

70 Yes. There will be a serious economic and environmental condition that will negatively
71 affect South Dakota. The proposed route will stop growth in some of the fastest growing
72 areas of South Dakota. Land values will be negatively affected for those with the
73 pipeline on their property, and for landowners near the pipeline. With less development
74 and lower property values, this will reduce state and local tax revenues permanently.
75 Dakota Access has stated that the pipeline will be depreciated over time and South
76 Dakota will end up with no tax revenue after a few years. Dakota Access won't be
77 paying tax on what goes through the pipe and landowners won't be fairly compensated
78 from a company running a business on their land.

79

80 **Do you believe that the Dakota Access Pipeline will substantially impair the health,**
81 **safety and welfare of the inhabitants of the siting area? If so, why?**

82 Yes, pipelines do leak. DAPL is putting a large burden on property owners and causing a
83 great deal of expense because of it. Property owners that want to protect their land are
84 forced to hire expensive lawyers and spend considerable time trying to protect their

85 homes. Since our pond and water ways are downhill from the proposed pipeline the oil
86 can and will leak into our water and affect our health. We also have a well on our farm
87 that the oil can get into. Several of our farm buildings and farm land are located in a
88 valley and that will be at great risk of any leaks and spills.

89 **Have you been sued by Dakota Access Pipeline to compel court ordered access to**
90 **your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority**
91 **(i.e., state statute) supporting its claim that you have no right to exclude Dakota**
92 **Access from your land at the time of said lawsuit? and (2) Have you incurred legal**
93 **fees in defending against said lawsuit?**

94 Yes, my wife and I have been sued. DAPL has not proven any legal authority supporting
95 its claim. Also we have incurred legal fees in defending our self against this lawsuit.

96 This is a great example of Dakota Access Pipeline substantially impair the welfare of the
97 inhabitants of the siting area.

98
99 **Has any representative of Dakota Access Pipeline made any statements to you or**
100 **others that you believe are not true? If so, please explain.**

101 Yes, they have made many statements that I feel are untrue. For example, Mr. Mahmoud
102 stated at the January 22 meeting in Sioux Falls that "Once the pipe's in the ground, you
103 typically don't know it's there." This is not true for grain farmers and ranchers. You will
104 be able to see crop damage for many years. A lot longer than what Energy Transfer is
105 paying farmers for damage. In some cases the land will never be back to its most
106 productive state.

107 **Please state any other concerns you have regarding the Dakota Access Pipeline.**

108 According to Energy Transfer the oil would be destined for Texas refineries. This does
109 not make sense to transport the oil all the way to the south coast. There it will be refined
110 and put on the world market. Some of the refined oil may be sent back to the Midwest,
111 but this would just keep adding cost and increasing the risk of spills.

112
113 **Would you be available to present testimony and respond to questions during the**
114 **formal hearing scheduled for September 29 through October 8, 2015?**

115 Yes, if need be.

116
117 **Does that conclude your testimony?**

118 Yes.

119
120
121 Matthew L Anderson

122
123
124 Subscribed and sworn before me this 26th day of June, 2015.

125
126
127 Megan Martyna
128 Notary Public – South Dakota
129 My Commission Expires: 1-24-2020



**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE
APPLICATION OF DAKOTA ACCESS,
LLC FOR AN ENERGY FACILITY
PERMIT TO CONSTRUCT THE
DAKOTA ACCESS PIPELINE

HP14-002

PRE-FILED TESTIMONY OF

MAVIS ARLENE PARRY

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF Minnehaha

1 MAVIS ARLENE PARRY, being first duly sworn on his/her oath, deposes and states as
2 follows:

3 **Please state your name and address.**

4 **MAVIS ARLENE PARRY**

5 **3 Mission Mountain RD**

6 **Clancy, Montana 59634**

7 **How are you involved with the Dakota Access Pipeline project?**

8 I am a landowner in Lincoln County, South Dakota affected by the proposed Dakota
9 Access Pipeline.

10 **Please describe the history of your family's land ownership, and whether farming**
11 **will be continued by younger generations.**

12 4/26/1883 Land was Homesteaded by Philip Eichhorn- he paid \$3.00 per acre- toward
13 the above quarter. He was given a Patent (deed) September, 1887.

14
15 4-16-1896 sold to Paul Nichel for \$1800.

16
17 2/28/1920 Quit claim deed from Rose (daughter of Paul and Sophia Nichel) & Milo
18 Hoffman to Sophia Nichel.

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4/23/1923 Sophia Nichel sold to Gilbert Schoffelman for \$18,000. \$112.50 per acre –

8-1-1930 Upon Gilbert's death distribution to heirs in 1931 – Dora (wife) 1/3 and to children remaining 2/3 rds (John, Hilda, Aldrich, Henry, Elmer, Laura, Esther)

10-27-1947 Dora Schoffelman sold 1.02 acres (Lot H1) to the state of South Dakota for roads.

4-23-1959 Upon Elmer's death his share was conveyed to his mother (Dora).

6/11/1959 John Schoffelman purchased from his siblings and his mother for \$37,840 - \$236.50 per acre.

12/4/1959 – John added Leona's name

5/18/2004 – termination of Leona's name on deed due to death

3/23/2004 – John deeded to children - Janice Petterson, Mavis Parry, Linda Goulet, Corliss Wiebers, Shirley Oltmanns, Marilyn Murray & Kevin Schoffelman w/John having Life Estate

4/13/2012 – Termination of John's Life Estate

The question of whether farming will be continued by future generations remains to be determined.

Tillable acres will probably continue to be leased for row-crop farming and pasture acres for cash rent for several years. However discussions have taken place for development of the land starting with the 3 building eligibilities.

Please describe your current farming operations.

The tillable acres are farmed by Jerry and Bill Crevier and the pasture is rented by Scott Daggett.

To the best your knowledge, what area(s) of your property will the Dakota Access Pipeline cross?

55 Based on the most recent maps by Dakota Access and flags placed in the road ditch, the
56 pipeline would enter the NW corner going to the SE corner cutting diagonally across the
57 entire farm. This area includes crop production land as well as pasture.

58 **How close is the pipeline to any building, bin or pen, water source, or farming**
59 **facilities (i.e., storage area, feedlot, grazing area, etc.)?**

60 Approximately 300 yards to the nearest building and 340 yards to the well.

61 It is planned to go under the creek which drains the watershed NW of Tea and flows into
62 the Sioux River.

63 The pipeline would cross the easement held by South Lincoln Rural Water.

64 As stated previously it would cross the grazing area.

65

66 **Please describe any special characteristics of your property and farmland, and/or**
67 **whether you plan to build any houses, outbuildings, shelter belts, or other structures**
68 **on your property.**

69 The land is drain tiled, some of which is clay.

70 Open Waterway ditch running south on east side of property.

71 It currently has 3 housing eligibilities with potential for additional future longer term
72 development since Highway 17 runs on the west side of the property.

73

74 **Please describe which of your farming operations or other land uses will be**
75 **impaired by the Dakota Access Pipeline and how they will be impaired.**

76 Initially, no access for daily operations on cropland on south half of property. Natural
77 waterways blocked and would need to be reconstructed. The tillable acres won't produce
78 the same and the quality of the pasture will be impaired.

79 Future development potential diminished due to restrictions of building on pipeline and
80 lack of desire for homeowners to live near pipeline. There is currently an existing
81 housing development ½ mile NE of our farm, located outside of the City of Tea as well
82 as a second development planned (zoning has been changed to agriculture/residential) ½
83 mile directly north of our farm. These developments are outside of the City of Tea growth
84 plan. Just because a particular city doesn't have these affected areas in their growth plan,
85 doesn't mean they won't be developed – unless of course pipeline easements restrict the
86 development.

87
88 **Has your farmland been improved with drain tile? If so, please describe whether**
89 **you are concerned that pipeline construction may damage and impair the drain tile**
90 **performance and investment.**

91 Yes, it has been drain tiled and parts of it are clay tile. I am concerned that the tile may
92 crumble by excavating the ground near it, construction equipment going over it or by
93 additional underground pressure from settling afterwards.

94
95 **Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to**
96 **the environment or the inhabitants within the siting area? If so, why?**

97 Yes. Ruptures, oil leaks, environmental damages in the future. As steward of the land
98 our obligation is for also for future generations.

99 In February, the Wall Street Journal compared oil from 86 locations around the world and
100 found Bakken crude oil to be the most explosive. This was introduced December 11,
101 2104 in the Assembly Resolution No 191 State of New Jersey 216th Legislature.

102

103 **Do you believe that the Dakota Access Pipeline will substantially impair the health,**
104 **safety and welfare of the inhabitants of the siting area? If so, why?**

105 Watershed damage as East Beaver Creek drains the Watershed North and West of Tea
106 and flows through our farm, eventually into the Big Sioux River and then the Missouri.
107 Will eliminate the potential for future development due to people not wanting to reside
108 near an oil pipeline.

109
110 **Have you been sued by Dakota Access Pipeline to compel court ordered access to**
111 **your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority**
112 **(i.e., state statute) supporting its claim that you have no right to exclude Dakota**
113 **Access from your land at the time of said lawsuit? and (2) Have you incurred legal**
114 **fees in defending against this lawsuit?**

115 Yes- I have been sued.

116 No- Dakota Access has not provided any legal authority (state statute).

117 Yes- I have incurred legal fees.

118
119 **Please state any other concerns you have regarding the Dakota Access Pipeline.**

120 The fact that their plan is to run the pipeline through Minnehaha and Lincoln county
121 shows total disregard for the welfare of our state, it's inhabitants and the future
122 development in the this area. I'm concerned it will lower my property value.

123
124 **Would you be available to present testimony and respond to questions during the**
125 **formal hearing scheduled for September 29 through October 8, 2015?**

126 No.

127 Does that conclude your testimony?

128 Yes.

129

130

131 Mavis Allene Garraf

132

133

134 Subscribed and sworn before me this 19 day of June, 2015.

135

136

137 Notary Public - Montana

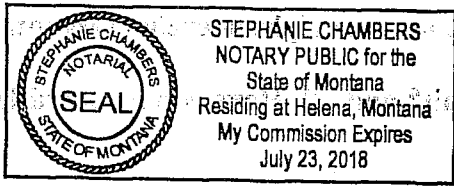
138 My Commission Expires: 07/23/2018

139

140 <SEAL>

141

142



Stephanie Chambers
Stephanie Chambers

sons to inherit ownership in both businesses. Estate plans have been made that my husband will inherit my ownership in our home and land.

Please describe your current farming operations.

Stofferahn Farms Partnership is owned by four family members and conducts the farming operations. This partnership farms approximately 2800 acres in Minnehaha, McCook and Turner counties in South Dakota. Stofferahn Farms grows soybeans for Nortec Seeds, Inc. to use as seed. I have done the accounting for the farming operation for 30 years and the seed business for 17 years and am very knowledgeable about all aspects of both businesses.

To the best your knowledge, what area(s) of your property will the Dakota Access Pipeline cross?

From verbal conversations with Dakota Access contract easement employee, Edwina Scroggins, the pipeline easement will run from north to south through the 118.36 acre land parcel owned by my husband and my brother in law that runs along Highway 38 utilizing approximately 4 acres of tillable crop land. She stated it will run right behind our 3.8 acre acreage where my home is situated and behind the seed business, Nortec Seeds, Inc. where I am an employee.

How close is the pipeline to any building, bin or pen, water source, or farming facilities (i.e., storage area, feedlot, grazing area, etc.)?

I do not know the exact yardage.

Please describe any special characteristics of your property and farmland, and/or whether you plan to build any houses, outbuildings, shelter belts, or other structures on your property.

Nortec Seeds, Inc.

In South Dakota the Stofferahn family has been in the seed business for over 40 years that began with my father in law. In 1998 when my husband purchased 50% of the business from his father the location was moved next to our home on Highway 38 in a 60x120 Morton shed that was built. Later the shed became a part of Stofferahn Farms Partnership and 3.96 acres was deeded to the partnership named Tract 1 where the shed sits today. Nortec Seeds, Inc. rents this shed to conduct its business. Beginning in the summer of 2014 before any knowledge of Dakota Access pipeline we began making plans for an expansion. The only available expansion is to the north because the land only goes 30 feet east, to the west there is a slough and to the south Highway 38. The expansion includes a new 60x152 Morton storage shed and another structure to house a soybean cleaning and treatment center with 6 bulk hopper bins. The expansion will include new offices and parking for semis and trucks. To the North of these new structures Nortec plans to have all research and test plots for customer and public viewing. Since we have a unique situation where my husband owns both the land and business more land can be deeded to Tract 1 to expand the business location when needed. Without this expansion Nortec cannot be competitive in the seed industry and

would have to move to a new location. To find this same excellent location would be costly along with constructing a whole new warehouse facility. At the present time expansion has not begun because of now knowing that the pipeline will be behind the business. If my two sons who plan to continue the business do not have the opportunity to expand in 10-30 years then there is no use wasting capital on a South Dakota business that cannot grow. Without expansion Nortec Seeds could possibly lose millions of dollars in sales over the life of the easement and to relocate would cost hundreds of thousands of dollars.

118.36 Acre Parcel of Land

This land was purchased by my husband and his brother in 1975. It is my husband's present intention that this land will be passed on to me. In 45 years of farming they have picked rock and made improvements so that it is a highly productive parcel of agriculture land. It is along Highway 38 where there is continued growth and in the future has the potential for development property. There is one housing eligibility on the land. My son had plans this year to use the housing eligibility to build a home on an acreage near where the pipeline is entering the land to the north. Of course that will no longer be a possibility. Because of the liability of the pipeline I believe it will reduce the property value of the land and the housing eligibility.

3.8 Acreage with Home, 66x99 Morton Shed and Shelter Belt

My husband and I built this home on the acreage in 1980 on Highway 38. In July, 2014, we started a renovation of the home before any knowledge of the pipeline. We put in a large amount of our retirement money for this project treating it as an investment. The renovation included new roof, steel shingles, new siding and windows, and brick-stone front with pillars. The inside was completely gutted and redone with solid wood floors, larger rooms, granite counters, stone archway to the kitchen. It has a two tier landscaping to the east and north, stamped concrete patios and there is a 66x99 Morton shed behind the house. Because of the good location we believed this would be a good investment. Now common sense is telling us who would ever want to buy a high-end home and acreage with a pipeline behind it and we are afraid that our retirement money will be lost.

Please describe which of your farming operations or other land uses will be impaired by the Dakota Access Pipeline and how they will be impaired.

The main concern I have is for the liability issues in regard to farming the land, compaction of the soil and whether the land will ever produce. If Stofferahn Farms hits the pipeline while doing normal farming practices is it liable for damages to neighbors or other landowners? Our insurance agent has told me that there is no insurance that we can obtain to cover this liability. The land in question has a mortgage on it for the purchase of other land. Our lending bank has said they will not sign off on the easement. From what I have learned in the proposed easement by Dakota Access there is nothing that addresses their liability for an oil event. From what I heard about the easement from other landowners is that the entire 118.36 acre parcel legal description is used in the easement not the 50 foot pipeline description. Dakota Access does not sign the easement. Dakota Access has the right to amend the easement to install more 30 inch pipelines on the 50 foot easement.

I have invested in ethanol plants with my husband to help with our nation's energy concerns and establish better corn prices. As far as I know the pipeline has no plans to

transport ethanol. In fact the oil industry has lobbied for less blending of ethanol which in turn lowers corn prices and hurts Stofferahn Farms economically.

Has your farmland been improved with drain tile? If so, please describe whether you are concerned that pipeline construction may damage and impair the drain tile performance and investment.

Yes. There are two tiles. At the present time I do not believe the pipeline path will cross the tiles.

Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to the environment or the inhabitants within the siting area? If so, why?

Yes. If there is a leak or oil event it will naturally run through the drainage tiles and tributaries that go into West Skunk Creek, Skunk Creek, Sioux River and could affect water aquifers for Sioux Falls and Minnehaha County communities. Bakken oil has been found to be one of the most explosive oils. It has exploded in rail cars and I believe it can do the same in a pipeline. I do not feel comfortable with the pipeline close to my home and place of work. I would not want my children and grandchildren living by a pipeline.

Do you believe that the Dakota Access Pipeline will substantially impair the health, safety and welfare of the inhabitants of the siting area? If so, why?

Yes. 570,000 barrels a day, 1440 psi, welded together segments so it is only the matter of where and when the oil events will happen. Will it be in the James River, Sioux River, Missouri River, Mississippi River or next to my home, working place or land? The land would never be able to be put back to the original natural resource it once was and could not probably be farmed. Five Stofferahn families depend on the income from Nortec Seeds so if we were unable to conduct day to day business it would greatly affect the welfare of all the families.

Have you been sued by Dakota Access Pipeline to compel court ordered access to your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority (i.e., state statute) supporting its claim that you have no right to exclude Dakota Access from your land at the time of said lawsuit? and (2) Have you incurred legal fees in defending against said lawsuit?

No.

Has Dakota Access Pipeline made any statements to you that it is a "common carrier" under South Dakota law? If so, please describe.

Yes. I attended the Hartford Chamber of Commerce meeting where Chuck Frye, Vice-President of Energy Transfer, made a presentation to the chamber on May 21, 2015. He stated that Dakota Access was a public common carrier. I asked him if they were public and not private and he stated that South Dakota recognizes them as a public common carrier. Several times during the presentation he referred to Dakota Access as a public common carrier.

Has any representative of Dakota Access Pipeline made any statements to you or others that you believe are not true? If so, please explain.

Yes. At the same Hartford Chamber meeting described in the previous question.

Mr. Frye was asked why they were taking this route for the pipeline being so close to Sioux Falls, a high population area, and not going farther west. His answer was that there would be more landowners to sign easements farther west. From my experience working in the seed business I do not believe this is true.

Mr. Frye was asked where the 4000 jobs for South Dakota would come from. He stated that they were reviewing contracts with different firms to put in the pipeline and the jobs are specialized and unionized. He stated that they would go to the local union places in South Dakota to pick up union workers from there. I do not believe there are many union places in the small towns of South Dakota to fill the temporary jobs quoted.

Mr. Frye was asked about if there was an oil event and oil in drainage tiles going to West Skunk Creek, Skunk Creek and the Sioux River. Mr. Frye stated that they would be able to stop oil in drainage tiles by finding the drainage tile and digging it up. I do not believe that Mr. Frye understands how farm drainage tiles work. Many drainage tiles are connected together to flow to an outlet point. I am not sure how oil could be found in them, how much land would have to be dug up or if they would ever have a plan to replace them if they were dug up before water damage would be done to the land.

Mr. Frye stated that a pipeline will not explode. I do not believe that to be factual.

Mr. Frye stated that the oil pipeline will not affect any property values because there are pipelines in Texas and it hasn't affected their values. I have talked to an auctioneer and three bankers/loan officers which have told me it is a complete unknown at this time. These bankers told me that their institutions are trying to decide if they will want to give a loan to someone who wanted to purchase land with the pipeline on it. Fewer bidders would affect the value of the land. South Dakota in this area has high productive agriculture land while Texas has more rangeland and wasteland.

Dakota Access has been running an advertisement. It states:

“Benefits for South Dakota’s Economy

DAPL will bring \$189 million in direct payments to landowners”

The \$189 million estimate is for North Dakota, South Dakota, Iowa and Illinois combined not just South Dakota. In Energy Transfer’s own presentation brochure it states income to South Dakota landowners for permanent easements and damages at approximately \$47 million. I believe this is misleading to the citizens of South Dakota.

Please state any other concerns you have regarding the Dakota Access Pipeline.

Dakota Access says it is a necessity that the land is needed so they can conduct their business on it. In 30 years they could conceivably make \$25 Billion dollars from this

pipeline over the land yet their offer to us is a minimal one- time payment. There is an argument to be made that our land is a natural resource just like oil so why are we not obtaining a royalty for our land.

I am a life-long resident of South Dakota and have worked along side my husband to grow our family businesses for our children and grandchildren. I am concerned that our land will be taken by eminent domain. I think about what damages and health risks that will be left to my children and grandchildren years from now. Public opinions and reactions can change very quickly on issues. Recently Pope Francis and world leaders are trying to lead us for a better environment. I believe when there is an oil event in South Dakota it will be the future legacy of the present South Dakota government.

SDCL 49-41B-22 Applicant's burden of proof.

(2) The facility will not pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area;

This paragraph in the above-named statute protects myself and my family from the economic harm that will be caused by Dakota Access pipeline to Nortec Seeds, Inc., and the retirement investment that has been made in our home.

Would you be available to present testimony and respond to questions during the formal hearing scheduled for September 29 through October 8, 2015?

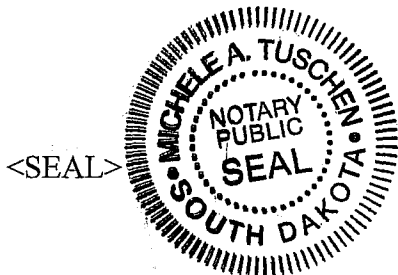
Yes.

Does that conclude your testimony?

Yes.

Nancy J. Stofferahn

Subscribed and sworn before me this 29th day of June, 2015.



Michele A. Tuschen
Notary Public – South Dakota
My Commission Expires: 10-15-17

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

<p>IN THE MATTER OF THE APPLICATION OF DAKOTA ACCESS, LLC FOR AN ENERGY FACILITY PERMIT TO CONSTRUCT THE DAKOTA ACCESS PIPELINE</p>	<p>HP14-002</p> <p>PRE-FILED TESTIMONY OF PEGGY HOOGESTRAAT</p>
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STATE OF SOUTH DAKOTA)
 :SS
COUNTY OF MINNEHAHA)

1 Peggy Hoogestraat, being first duly sworn on her oath, deposes and states as follows:

2 **Please state your name and address.**

3 Peggy Ann Hoogestraat
4 27575 462nd Avenue
5 Chancellor, SD 57015

6

7 **How are you involved with the Dakota Access Pipeline project?**

8 I am a landowner in Minnehaha County, South Dakota affected by the proposed Dakota
9 Access Pipeline.

10

11 **Please describe the history of your family's land ownership, and whether farming
12 will be continued by younger generations.**

13 Peggy's parents, Elwayne and Marjorie Berens, purchased 320 acres in Humboldt
14 Township from Roger Cronn and Velma Cronn in February, 1970. Elwayne and

15 Marjorie, along with their two daughters, Peggy and Pamela, then moved there from
16 Parker, South Dakota.

17 In March, 1979 Elwayne and Marjorie purchased 120.24 acres adjoining to the north of
18 their 320 acres. This was purchased from Willard Heiden and Donna Heiden with a
19 contract for deed. The contract was paid in full by May 6, 1989.

20 The north 102.24 acres had a railroad line (Chicago and Northwestern Transportation Co)
21 along the north edge of the property. In 1983, the Berens' purchased the railroad right-
22 of-way along that north edge due to the abandoning of the railroad line.

23 Due to the premature deaths of their parents, sisters Peggy and Pamela inherited the
24 above described property. With the distribution of all property, Peggy received the north
25 160 acres as well as the 120.24 acres purchased in 1979.

26 Peggy has rented the cropland and pasture to Robert Person (Pamela's husband) and
27 Matthew Anderson (Peggy's son).

28 Because of the close proximity to Sioux Falls and Hartford, some of the property is more
29 desirable. Peggy has received inquiries into the purchase of the Humboldt Township
30 property. One party was interested in the entire property (see Exhibit 1 hereto) while
31 others desired the property along the northern edge which is bordered by Highway 38
32 (see Exhibit 2 hereto). After four inquiries, Peggy stopped keeping track of the number
33 of inquiries. Peggy's intentions are to possibly build a home for herself along Highway
34 38, or if that is not accomplished, to pass the property on to the grandchildren. There are
35 seven eligibilities listed for the 280.24 acres owned by Peggy.

36 The Peggy A. Revocable Trust is set up to allow Peggy's children to receive income from
37 the land trust as specified in the trust. The residual cash assets and principal upon

38 termination of the land trust will go to the grandchildren. Upon Peggy's death, Matthew
39 Anderson has a lease option to rent all agricultural land held in the Family Trust.

40 Easements on the property include a Right of Way agreement on March 31, 1896 with
41 Northwestern Telephone Exchange for construction, operation and maintenance of its
42 telephone and telegraph lines.

43 Another Right of Way Easement agreement was signed by Peggy with the Minnehaha
44 Community Water, Corp. on February 16, 2006 (see Exhibit 3 hereto). This easement
45 area runs along the North boundary of the Northeast Quarter of Section 24, Township
46 102 North, Range 52 West of the Fifth Principal Meridian, Minnehaha County, South
47 Dakota.

48

49 **Please describe your current farming operations.**

50 My son, Matthew Anderson, farms the cropland. He works on improving the soil for
51 better crop production through humus left behind, proper tillage and fertilizer. He assists
52 me in fencing and the installation of agricultural tiles. This not only improves the
53 production of the land but it helps improve downstream water quality. Brother-in-law,
54 Robert Person, rents the pasture. He assists with the fencing as well as controls the
55 weeds and fertilizes the pasture as needed.

56

57 Because Matthew Anderson and Robert Person have always been good stewards of the
58 land, I have allowed a very reasonable rental rate through the years.

59

60 To the best your knowledge, what area(s) of your property will the Dakota Access
61 Pipeline cross?

62 The pipeline will enter my property from the north along Highway 38. It will cross
63 where the only entrance along Highway 38 is located. The pipeline will cut through 47
64 acres of cropland. In 2013 and 2014, this field was tiled and the abandoned railroad bed
65 was leveled. The pipeline will then cross a new fence that was installed in 2014. The
66 pipeline will enter my pasture ground and cross a wetland area that includes a tributary of
67 Skunk Creek. There are several springs in the pasture including a spring just to the east
68 of the construction site. There are two cattle stock dams (dug outs) along the pipeline
69 area (see Exhibit 4 hereto). An overflow of waters from Beaver Lake goes through this
70 area as well. Ag tiles located to the south and west drain into the pasture. The pipeline
71 would cross highly erodible hills. The pipeline will continue south and east. It will exit
72 my property by crossing another new fence installed in 2014. The pipeline will then
73 cross a minimum maintenance road. This road has been improved by landowners who
74 have needed this road for transportation of farm vehicles and equipment. This road is not
75 desirable for heavy traffic.

76

77 **How close is the pipeline to any building, bin or pen, water source, or farming**
78 **facilities (i.e., storage area, feedlot, grazing area, etc.)?**

79 The pipeline will run within feet of the stock dams located in the pasture. One of the
80 dams may even be destroyed by the path. The pipeline would cross a Skunk Creek
81 tributary. It would also be within yards of a spring on the east. It will be crossing a large
82 portion of the pasture.

83

84 **Please describe any special characteristics of your property and farmland, and/or**
85 **whether you plan to build any houses, outbuildings, shelter belts, or other structures**
86 **on your property.**

87 The north 120.24 acres has both tillable land and pasture land (see Exhibit 5 hereto). The
88 topography is gently rolling to very rolling. The stock dam was recently cleaned out.

89 The pasture has a new fence on the east and north sides. The pasture has a creek that runs
90 through it and has never been farmed. A spring on the east side of the pasture keeps the
91 ground saturated. This tract also had tiling done (completed in 2014) and has a minimum
92 maintenance road on the east boundary (dirt road). The tillable land is clean and
93 productive and the pasture has been well kept-managed as well. The land as it is today is
94 in its highest and best use. As there is an interest in new home sites along Highway 38,
95 some acres with building eligibilities could be sold. As mentioned earlier, I could have
96 sold property along Highway 38 many times but I wanted to keep it for myself or future
97 generations-specifically my grandchildren of whom I have three at this time. I actually
98 have seven eligibilities with the 280.24 acres that I own and I would need to work with
99 Minnehaha County to be able to use all of the eligibilities. Some of the eligibilities are
100 considered "conditional" because of the location within the property.

101 The south 160 acres has a mixture of tillable crop land and pasture. The topography is
102 gently rolling to rolling and is a clean, well farmed-managed tract. This pasture also has
103 a good recently cleaned out stock dam which includes about 8 acres in a grass waterway.
104 There is a minimal maintained road on the east side for access. There is a new fence on
105 the pasture on the east side.

106

107 **Please describe which of your farming operations or other land uses will be**
108 **impaired by the Dakota Access Pipeline and how they will be impaired.**

109 Improvements on the land discussed have been a process for generations. Since 2012, I
110 have made over \$50,000.00 worth of improvements in the area that the pipeline would
111 cross. That does not include my own personal labor. Cleaning out the stock dams for a
112 water source for cattle cost \$4,196.44. Disturbance of soil in the area of the dams will
113 probably change the flow of water which kept the dams full. Construction will probably
114 destroy the south stock dam. A fresh water source for cattle in the pasture would be
115 impaired.

116 Agricultural tiles in the pipeline area were improved in the years 2013 and 2014 at a cost
117 of approximately \$24,578.67 (see Exhibit 6 hereto). These tiles will be directly affected
118 by the pipeline and will no longer serve their purpose. Most of those tiles will be
119 destroyed in the process. If tiles are replaced, as settling occurs, those tiles will also fail.

120 An easement agreement and cost would prohibit me from future agricultural tile
121 replacement.

122 Drainage of additional tiles from the south and west of the installation area will be
123 affected if the end of their drain system is damaged. Production of crops would be
124 greatly impaired by improper drainage and improper replacement of the soil. Production
125 records for the 47 acre field by Highway 38 show that in 2013 soybean yields were up
126 because of the installation of the tiles (see Exhibit 7 hereto). The 2014 corn records show
127 a yield increase (see Exhibit 8 hereto). Notice that more acres were planted in that field
128 in 2014 because of the dirt work done to remove the railroad bed (see Exhibit 9 hereto).

129 Dirt work was done to level the abandoned railroad bed at a cost of \$3,581.64 (see
130 Exhibit 10 hereto). The crop production will be reduced in the area because of a hasty

131 installation of a pipeline. The buildup of humus and nutrients will not be regained within
132 three years.

133 A wetland determination costing \$848.20 was done to determine what and where tiling
134 could be done (see Exhibit 11 hereto). All of the work done by county and local
135 authorities will have been in vain. Hills, slopes and water areas will be changed forever.
136 Heat release from the oil pipes will dry out the soil and affect the productivity of the
137 cropland and pastures.

138 Rocks brought to the surface in the cropland and the pasture will need to be removed. I
139 am concerned the contractor will not do that adequately.

140 The pipeline will cross two areas of new fences installed just last year at the cost of
141 \$17,132.00 (see Exhibit 12 hereto). Wires cut to allow construction machinery through
142 will weaken the whole system of fencing along the route.

143 Weed seeds that have sat vacant for years will be brought to the surface and will cost
144 additional money to control.

145 Continuing to feed the same number of cattle will not be possible during construction or
146 even for years as the grass grows back (see Exhibit 13 hereto). Grass seed purchased in
147 other states will not have the same variety traits needed to produce properly in South
148 Dakota soils and conditions. This will impair the operations of my brother-in-law (not to
149 mention other farmers and ranchers across the state).

150 The water sources for the cattle will be cut off during the construction of the pipeline.

151 The water sources are on the far east side of the pastures.

152 Because of highly erodible conditions throughout much of the pasture, damage will result
153 because of constant erosion until the ground cover returns.

154 I am not able to purchase liability insurance to cover expenses involved with a Dakota
155 Access Pipeline spill, leak or explosion on my property. My farm policy excludes
156 coverage for "Pollutant." I could be sued by a neighbor or others if damage is done to
157 neighboring land. I do not want to pass that liability on to my grandchildren.

158 Because of liability issues, lending institutions could choose not to allow or continue
159 loans connected with the property.

160 The only north driveway will be compromised for months as the installation process
161 proceeds.

162 In recent years, neighbors and myself worked on improving the safety of the minimum
163 maintenance road along the east side of my property, specifically along the side of the
164 160 acre property. The road is needed to continue farm operations such as planting and
165 harvesting as well as hauling cattle. The destruction of this fragile road system is at risk.
166 The surrounding landowners will be impaired if the road is not returned to its prior
167 condition.

168

169 **Has your farmland been improved with drain tile? If so, please describe whether**
170 **you are concerned that pipeline construction may damage and impair the drain tile**
171 **performance and investment.**

172 Tiling has been done on this property even before my parents owned the land. My
173 parents continued to improve the tiling system during their ownership. In 2013 and 2014,
174 I completed additional tiling on the north 120.24 acres, as mentioned in a previous
175 answer (see Exhibit 14 hereto). The process could not be completed in 2013 because of
176 wet conditions. At the same time, the railroad bed was leveled and tiling was installed in
177 that area as well. These tiles were placed approximately 3.5 to 3.75 feet deep. In some

178 parts where a hill was crossed, the tiles may be up to 3.5 to 6 feet deep. All of this was
179 completed according to the rules and regulations of the Minnehaha Conservation District.
180 Tiling is also located on the southwest portion of my property. This continues through
181 the pasture and releases the water in the proposed construction area. Another area of
182 tiling is located on the south edge of the pasture, very near the last segment of the
183 pipeline.

184 Tiling removes only excess water. It does not reduce the amount of plant-available
185 water. Well-drained soil encourages deep and healthy root systems. Tiling systems to
186 the north and south of my property have worked together for years to provide effective
187 management practices of erosion, water runoff, and quality water.

188 I believe that most South Dakota tiles in the area of the pipeline construction will be
189 destroyed with the installation of the pipeline. The remaining tile will not function
190 properly because of the disturbance of the whole system. This will not only impair my
191 farming operation but the quality of life for families in the surrounding area.

192

193 **Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to**
194 **the environment or the inhabitants within the siting area? If so, why?**

195 At the January 13, 2015 meeting with the Minnehaha County Commission, Lincoln
196 County Commission, and the Sioux Falls City Council, Joey Mahmoud explained that the
197 Dakota Access Pipeline will be a large pipeline that will be used to ship about one-third
198 of the Bakken crude oil produced today. He also explained that if problems arise, it
199 would take several minutes to shut down the valves on the 30" pipe. Any leak, spill or
200 explosion would involve a large amount of volatile crude oil before the entire flow would
201 stop. At that meeting, Joey and other Dakota Access employees did not answer the

202 question as to how far apart the valves are along the pipeline. They explained that valves
203 were placed before and after certain water bodies to decrease the amount of damage.
204 A decrease in the amount of damage is not reassuring to me when it is near a private well,
205 a tributary, creek, lake, river or anywhere.
206 Because of the large amount of crude oil passing through the pipeline each day, there is a
207 threat of serious injury to the environment and the inhabitants within the siting area. The
208 present state and local governments are powerless to protect citizens at this time.
209 Recent projects to improve water quality on the Big Sioux River and Skunk Creek will be
210 in vain because of future leaks or spills and because of the destruction of connected
211 agricultural tiles throughout southeastern South Dakota during the installation process.
212 Erosion in the siting area will cause injury to the environment.

213

214 **Do you believe that the Dakota Access Pipeline will substantially impair the health,**
215 **safety and welfare of the inhabitants of the siting area? If so, why?**

216 Previous pipeline accidents have shown there is no doubt that the health and safety of
217 people and animals will be impaired when accidents occur. Pipeline accidents are not
218 rare. I do not claim to be an expert on the complications involved but the dangers are
219 obvious. There are deer, fox, geese, ducks, coyote, gophers and various birds in the area
220 of my property.

221 The welfare of inhabitants of the siting area will be greatly impaired as well.

222 Landowners involved with the pipeline installation, as well as surrounding neighbors,
223 will experience a loss in value of their property. Who will want to live around such a
224 large pipeline carrying a dangerous product? Just because it will be out of sight doesn't
225 mean it won't be a problem. Local counties, townships and schools will receive less

226 property tax from citizens of the area. Claims are made that the values will not go down
227 but that is because that has not been tested yet. We now have a big test to face in the
228 future.

229 Claims are made that schools, townships and counties will benefit from the taxes paid on
230 personal property owned by Dakota Access in the state of South Dakota. That personal
231 property will depreciate through the years, thus decreasing the amount of taxes received
232 within the state considerably. This appears to be a “Robin Hood” activity-taking from
233 the landowners and giving to the schools, townships and counties. Meanwhile, a Texas
234 company will profit from the use of the landowner’s property.

235 Southeastern farmers have invested a lot in agricultural tiles in recent years. Crop
236 farmers will receive less income once their fields are disturbed. In our lifetime, the soil
237 will not be back to its present state of productivity. Farmers need to meet the needs of a
238 hungry world. The disturbed tile lines will not drain properly. Some land areas will
239 become new wetlands because the present agricultural tiles will no longer work together.
240 Grasslands will also be less productive, resulting in a hardship for those who rely on that
241 source for the herds of cattle, sheep or bison that they have worked so hard to build up.
242 The welfare of the farmers of South Dakota will be affected if farmland is handed over to
243 Dakota Access/Energy Transfer for their profit. Farmers would receive more benefits if
244 the land was used for crops including corn for ethanol. Ethanol saves consumers money
245 while offering an opportunity for farmers to sell their corn locally. That not only relieves
246 the congestion of rail cars but it keeps the price of corn at profitable margin. Support of
247 ethanol keeps land values and farm income from going down. Support of ethanol keeps
248 the jobs in South Dakota. Most of the jobs created by the proposed pipeline will be done
249 by out of state employees. Refer to the comments sent to the PUC throughout the

250 process. Many of the comments have come from out of state employees wanting a job in
251 South Dakota. The economic opportunities of out of state employees seem to have
252 priority over the South Dakota citizens.

253

254 **Have you been sued by Dakota Access Pipeline to compel court ordered access to**
255 **your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority**
256 **(i.e., state statute) supporting its claim that you have no right to exclude Dakota**
257 **Access from your land at the time of said lawsuit? and (2) Have you incurred legal**
258 **fees in defending against said lawsuit?**

259 Yes

260 (1) No

261 (2) Yes

262

263 **Has Dakota Access Pipeline made any statements to you that it is a “common**
264 **carrier” under South Dakota law? If so, please describe.**

265 I have only heard statements about that in public meetings or have seen it written in some
266 papers.

267

268 **Has any representative of Dakota Access Pipeline made any statements to you or**
269 **others that you believe are not true? If so, please explain.**

270 I have heard from Joey Mahmoud, Edwina Scroggins (land agent), and a select few
271 landowners that Dakota Access Pipeline will do everything it can to accommodate the
272 landowners. Edwina was told by me that I have plans for future homes along Highway
273 38. She was also told about the recently installed agricultural tiles (see Exhibit 15

274 hereto). She offered a revised map showing the pipeline moved over a short distance (see
275 Exhibit 16 hereto). When it came time for the installation, the revision would not have
276 made any difference.

277 The Stofferahn family north of my property will have their business development plans
278 extremely altered due to the lack of accommodation by Dakota Access Pipeline.

279 Widows are going to experience less income from their farmland which will be crossed
280 by the pipeline. No one is accommodating them. Families with plans of development for
281 future homes, buildings or shelter belts have been told their plans cannot be
282 accommodated. Only a select few landowners have actually been "accommodated". I
283 wonder how you get on that list of landowners.

284 Another comment made is that the pipeline route was reviewed and researched before the
285 actual route was determined. It appears that a line was drawn across the Midwest states
286 and then Dakota Access began the process of applying for a permit. Out dated maps
287 were used in the permit process. One map used still showed a railroad that had been
288 abandoned in the 1980's. Research would have shown that the route would cross:

- 289 1. Highly populated areas
- 290 2. Growth areas of towns in South Dakota
- 291 3. Highly productive farm ground in all states involved
- 292 4. Agricultural tiles connected throughout all of the states involved

293 Dakota Access has purposely kept landowners uninformed. Difficulty in finding
294 information in the process has caused a lot of confusion and frustration. More complete
295 information about the process was not available until after the application for a permit
296 was presented to the PUC in December, 2014. Many landowners had already been
297 approached. Maps found online are not only outdated but are difficult to read.

298 An Energy Transfer handout given at the January 13, 2015 joint meeting of the
299 Minnehaha County Commission, Lincoln County Commission, and the Sioux Falls City
300 Council was different than the handout given at the January 22, 2015. That caused a
301 problem in the presentation given by Joy Hohn at the 22nd meeting.

302 Most landowners have had to keep up with their jobs and have not had the time needed to
303 research the whole project. To add to the disappointments, the State of South Dakota is
304 very incomplete in informing the landowners.

305 It should not be assumed that all citizens subscribe to newspapers or know how to use a
306 computer. Many misaddressed certified letters (to notify of upcoming public meetings)
307 for landowners directly affected by the pipeline and surrounding landowners were not
308 delivered in a timely manner (see Exhibit 17 hereto). At that time, I had to convince a
309 nearby landowner that, in fact, the pipeline was crossing his property. Despite the fact
310 that he was never asked for survey permission, he believes surveying has been completed
311 on his land. Another landowner was told to sign the easement or he would get less
312 money later, especially if he fights the pipeline.

313
314 **Please state any other concerns you have regarding the Dakota Access Pipeline.**

315 My greatest concern is that if the PUC grants, with conditions, the permit to install the
316 Dakota Access Pipeline, conditions placed by the PUC will not necessarily be met. The
317 PUC does not police the installation or have state inspectors on the job to make sure the
318 conditions are met. Easement agreements will not be enforced. We have thus given an
319 out of state business the opportunity to use our land and resources as it so chooses. There
320 will be no turning back. There are additional pipelines already planned.

321 January handouts from Energy Transfer state a project objective-“Interconnect with third-
322 parties for redelivery of crude oil to processing facilities and refineries located in the
323 Midwest and Gulf Coast for production of motor fuels and other crude oil derivatives that
324 support the U.S. economy” (see Exhibits 18 and 19 hereto). It has been understood that
325 the crude oil would go to the Gulf Coast and later could be available as fuel for any
326 country. Energy Transfer sometimes changes the story-for example-some North
327 Dakotans have been told that the oil will be going to Illinois for distribution to refineries
328 in the eastern states. This was read in a May 27th, 2015 article that I cannot copy because
329 of copyright laws. My concern is that Energy Transfer changes the story to cover the
330 possibility of the crude oil crossing the United States only to be used eventually by a
331 foreign country. We have no guarantee that the oil will stay in the United States.
332 I am concerned that the proposed pipeline’s capacity may be increased beyond 570,000
333 barrels per day by adding additional pump stations at closer intervals along the pipeline
334 route and by injecting higher levels of drag reducing agents.
335 I am concerned of the possibility of additional pipes installed within the easement in the
336 future as well as other types of fluid transported throughout the pipes.
337 The state of South Dakota does not have funds to cover future oil spills, leaks, or
338 explosions.
339 There is no safe way to transport crude oil. The United States, in coordination with
340 Canada, has developed new regulations that govern the transportation of crude oil,
341 ethanol and other flammable liquids by rail. The rule focuses on safety improvements
342 designed to prevent accidents, mitigate consequences in the event of an accident and
343 support emergency response.

344 I am concerned about the outdoor storage of pipe shipped in for the use of the proposed
345 pipeline. Premature aging and deterioration due to the elements will be experienced
346 before all of the pipe will be installed.

347 South Dakota may not experience problems with the pipeline while “on our watch” but
348 the problems will come. I hold the PUC very responsible for the future of South Dakota.
349 I am concerned that Dakota Access has convinced many landowners that there is no need
350 for concern. Landowners have been told that they have no choice in the process and that
351 their land will be taken by eminent domain anyway.

352 My concern is that, eventually, we will have tourists coming to South Dakota to view the
353 oil spills, leaks and explosions rather than going to see Mount Rushmore. I favor sales
354 tax paid by tourists rather than property tax paid by a Texas company.

355 I am concerned for the Dewey C. Gevik Outdoor Conservation Learning Area in
356 Minnehaha County. The Gevik Learning Area makes possible an interpretive educational
357 experience that is open to the public, featuring several conservation practices such as the
358 restoration of a wetland, grassed waterway with a rock weir structure, rock crossings,
359 shelterbelts, native grass plantings, and hiking trails. Located just one-half mile west of
360 Wall Lake, the Learning Area showcases natural resources at their finest while also
361 filtering the water flowing into Wall Lake. Three walking trails offer access to all the
362 diverse environments, and ninety-four species of birds have been documented by bird
363 watching clubs. Observation decks have been constructed so people can relax as they
364 enjoy watching wildlife in their natural habitat. The proposed Dakota Access Pipeline
365 will cross through the area just described.

366 Neighboring landowners have no rights in regards to the pipeline. It is alarming how
367 close many already established homes will be to the pipeline. In the past, I have had to

368 get permission from the neighbors downstream before I could install agricultural tile.
369 Now they have no rights, even if this pipeline is within feet of their property or home.
370 These neighbors will receive no compensation for the loss of property value or loss of
371 safety.

372 The land agent told me there would be inspectors on the site. Dakota Access or the
373 contractor will provide the inspectors-the land agent stated that she was an inspector for
374 her own husband's construction company (one of the companies hired by Dakota
375 Access). I did not have comfort in knowing the connection between the husband and
376 wife.

377 At the January 13th joint meeting, Joey Mahmoud stated that possibly not all contractors
378 will do everything right. This was said as questions were asked about roads and a
379 possible negative impact. There will be many construction companies involved. Joey
380 mentioned that he could deduct from their (the contractors) pay if the job was not done
381 right. Joey stated that Dakota Access would make it right. My concern is that the
382 damage cannot be reversed. This could include improper procedures done on the roads,
383 across water or electrical lines, or with the landowner.

384 I am concerned that most easement agreements are one-sided and are similar to a
385 permanent land take-over.

386 Additional concerns have been addressed in each question presented in the
387 Interrogatories and Requests for Production of Documents to Dakota Access LLC.

388

389 **Why have you become involved with this process so extensively?**

390 Because I care about others as I have been taught. My example of farm ownership and
391 management is not much different than many South Dakotans. I am just a steward of the
392 land. God has given me this land to use as a tool in life.

393 I have lived in eastern South Dakota all of my life. I have watched farm families that
394 have made plans for their future and the future generations-it is called a transition
395 process. Those families have spent their savings, time and energy to improve and pass
396 the land on to the next generation or to sell the property for their retirement. They have
397 considered changes will come because of death, illness, or even undesirable weather
398 conditions. One change they did not expect was their plans would be stopped because of
399 an out of state business wanting to do business through their land. Dakota Access and
400 Energy Transfer have thrown money at the issues and claim they have fairly reimbursed
401 the farmers for the inconvenience.

402 I am concerned that the installation of the Dakota Access Pipeline will, in fact, deter the
403 progress that generations of South Dakotans have accomplished. I am concerned that the
404 proposed large capacity pipeline will move a dangerous and explosive product across the
405 highly populated eastern South Dakota.

406 South Dakota has a responsibility to use its resources to produce food. We must wisely
407 use our natural resources for agriculture and tourism. South Dakota has experienced an
408 orderly development of this region. Today's decisions could set a precedent for
409 additional pipelines coming to South Dakota.

410 We can hope there is no oil spill, but hope is not a plan.

411

412 **Are you able to provide any documentation to support your testimony above.**

413 Yes. Attached hereto and incorporated herewith are the following documents;

- 414 **Exhibit 1:** May 4, 2015 letter to Robert Person;
- 415 **Exhibit 2:** May 4, 2015 letter to Dave Benning;
- 416 **Exhibit 3:** February 16, 2006 Right Of Way Easement;
- 417 **Exhibit 4:** Tributary of Skunk Creek;
- 418 **Exhibit 5:** The North 120.24 acres of both tillable and pasture land;
- 419 **Exhibit 6:** Invoice #1223 dated June 5, 2013 from Kaffar Tiling & Ditching in
420 the amount of \$24,578.67
- 421 **Exhibit 7:** Production records from Farm Credit Services of America for the 47
422 acre field by Highway 38 show that in 2013 soybean yields were up
423 because of the installation of the tiles;
- 424 **Exhibit 8:** The 2014 corn records from Farm Credit Services of America;
- 425 **Exhibit 9:** 2014 cornfield "Mom's Hwy 38";
- 426 **Exhibit 10:** Invoice #1224 dated June 5, 2013 from Kaffar Tiling & Ditching I
427 the amount of \$3,581.64;
- 428 **Exhibit 11:** Invoice #13222 dated June 11, 2013 from Minnehaha Conservation
429 District in the amount of \$848.20;
- 430 **Exhibit 12:** Invoice #273 dated April 18, 2014 in the amount of \$17,132.70;
- 431 **Exhibit 13:** United States Dept. of Agriculture Seeding Plan and Record for late
432 spring 5/15 to 6/15;
- 433 **Exhibit 14:** North 120.24 acres;
- 434 **Exhibit 15:** Proposed Route – DAPL;
- 435 **Exhibit 16:** Revised map showing the pipeline moved over a short distance;
- 436 **Exhibit 17:** Misaddressed certified letter;
- 437 **Exhibit 18:** Handout from Energy Transfer (Asset Overview);

438 **Exhibit 19:** Handout from Energy Transfer (Project Overview)

439 These documents were referenced in my testimony on the prior pages.

440

441 **Would you be available to present testimony and respond to questions during the**
442 **formal hearing scheduled for September 29 through October 8, 2015?**

443 Yes

444

445 **Does that conclude your testimony?**

446 Yes.

447

448

449

450

451

Peggy Hoogestraat
Peggy Hoogestraat

452 Subscribed and sworn before me this 24 day of June, 2015.

453

454

455

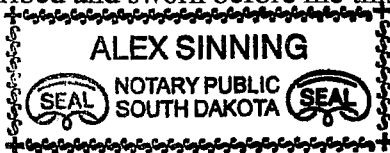
456

457

458

459

460



Alex Sinning
Notary Public – South Dakota
My Commission Expires: 8-25-2020

<SEAL>

Alex Sinning
My Commission Expires 8-25-2020

5/4/15

Robert Person
25875 Skunk Creek Ave
Hartford, SD 57033-6348

Dear Robert,

I am in the process of gathering historical information connected with property that I own west of 460th Avenue along Highway 38 west of Hartford. This information is needed because of a proposed pipeline to be installed across the property.

In the past, I have had four or more inquiries to purchase the property listed above. At one time, you asked if the land was available for sale as well as all land south to the property owned by Pamela Person. Land prices were not discussed as I had no intention of selling at that time but discussed the fact that you would be contacted if that changed.

I need a note (with your signature) from you stating that you in fact did inquire about the purchase of the land west of Hartford. This does not legally bind you to anything other than contributing to the historical information.

A brief note and your signature at the bottom of this letter would be sufficient.

Thank you for your time in consideration of this matter.

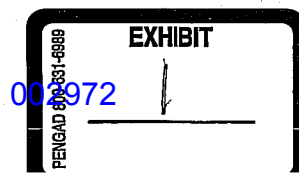
Sincerely,

Peggy Hoogestraat

Peggy Hoogestraat
27575 462nd Ave
Chancellor, SD 57015
605-214-0623

*I have talked to Peggy in the Past about
Intrest in buying the Land above from her,*

Robert Person



5/4/15

Dave Benning
The Gold Mine, Inc.
3505 E 10th St
Sioux Falls, SD 57103

Dear Dave,

I am in the process of gathering historical information connected with property that I own west of 460th Avenue along Highway 38 west of Hartford. This information is needed because of a proposed pipeline to be installed across the property.

In the past, I have had four or more inquiries to purchase the property listed above. At one time, you asked if the land was available for sale to build a storage building there. Land prices were not discussed as I had no intention of selling at that time but I kept your contact information.

I need a note (with your signature) from you stating that you in fact did inquire about the purchase of the land west of Hartford. This does not legally bind you to anything other than contributing to the historical information.

A brief note and your signature at the bottom of this letter would be sufficient.

Thank you for your time in consideration of this matter.

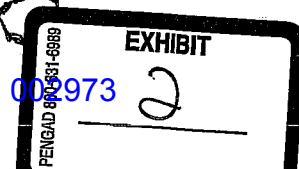
Sincerely,

Peggy Hoogestraat

Peggy Hoogestraat
27575 462nd Ave
Chancellor, SD 57015
605-214-0623

I David Benning inquired about purchasing Peggy Hoogestraat land along Highway 38 west of Hartford about 8 years ago. I wanted to put storage units on it.

*Sincerely
David Benning*



RIGHT OF WAY EASEMENT

In consideration of the mutual benefits to be derived, the undersigned Grantor does hereby grant, sell, and convey to the MINNEHAHA COMMUNITY WATER, CORP. a perpetual easement with the right to construct, install use, operate, inspect, maintain, replace and remove water lines and appurtenant facilities over, under and upon the herein described real property together with the rights of ingress and egress thereto.

This easement shall be occupied only by mainline distribution pipe, together with its appurtenances, which shall be located within an area 40 feet in width, running immediately adjacent to the public right-of-way line along the entire North boundary of the Northeast Quarter of Section 24, Township 102 North, Range 52 West of the Fifth Principal Meridian, Minnehaha County, South Dakota.

The consideration herein recited shall be a single payment of a Land Disturbance Fee of 10¢ per linear foot of main pipeline for any and all damages incurred by Grantor by reason of the installation, operation, and maintenance of the above improvements. Grantee agrees that it will, at no expense to Grantor, following installation or maintenance of the pipeline return the premises to its former condition as is reasonably possible. Grantee agrees to maintain the easement in good repair so that no unreasonable damage will result therefrom to Grantor.

This easement shall run with the land for the benefit of grantee, its successors and assigns and all provisions hereof shall be binding on Grantor, her heirs, personal representatives, successors, or assigns.

Executed on February 16th, 2006

Peggy Ann Hoogestraat
 Grantor - PEGGY ANN HOOGESTRAAT

ACKNOWLEDGMENT

STATE OF South Dakota)
) SS
 COUNTY OF Turner)

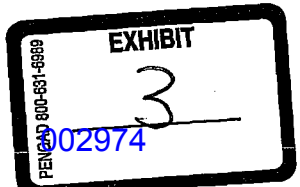
On this 16th day of February, 2006, before me, the undersigned, a Notary Public, in and for the county and state aforesaid, came PEGGY ANN HOOGESTRAAT, who is personally known to me to be the same person who executed the attached Right Of Way Easement for Minnehaha Community Water, Corp., and such person duly acknowledged execution of the same for the purposes therein contained.

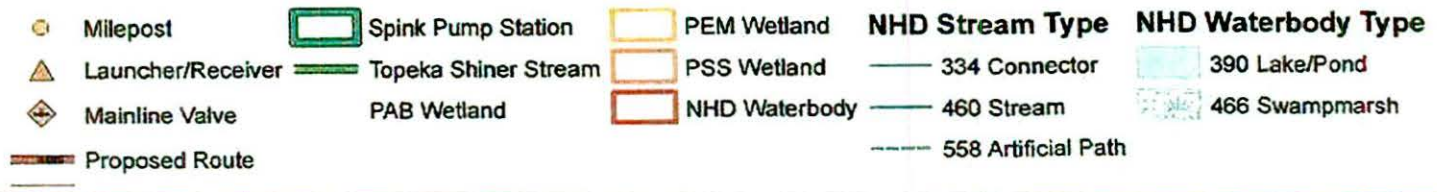
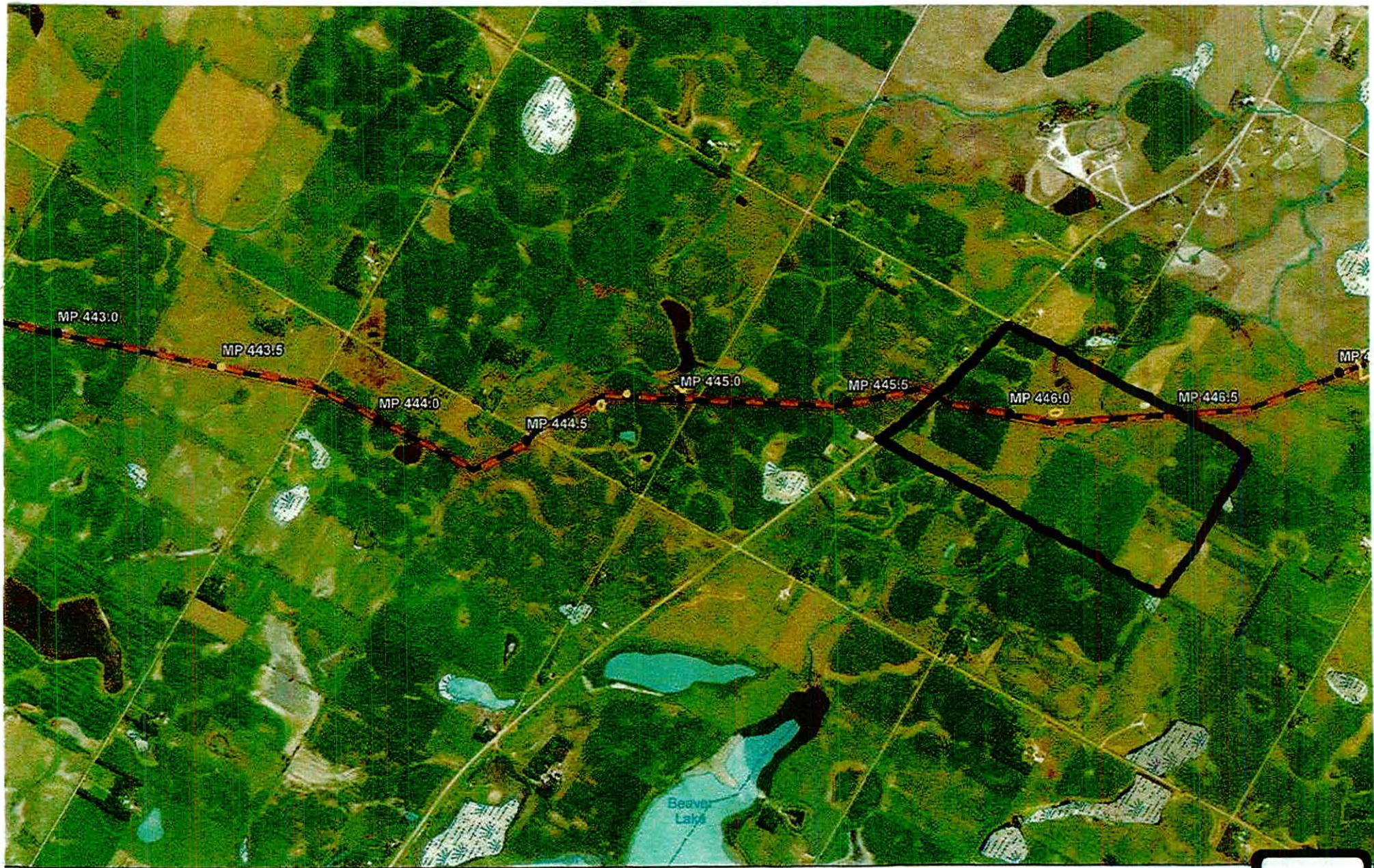
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written

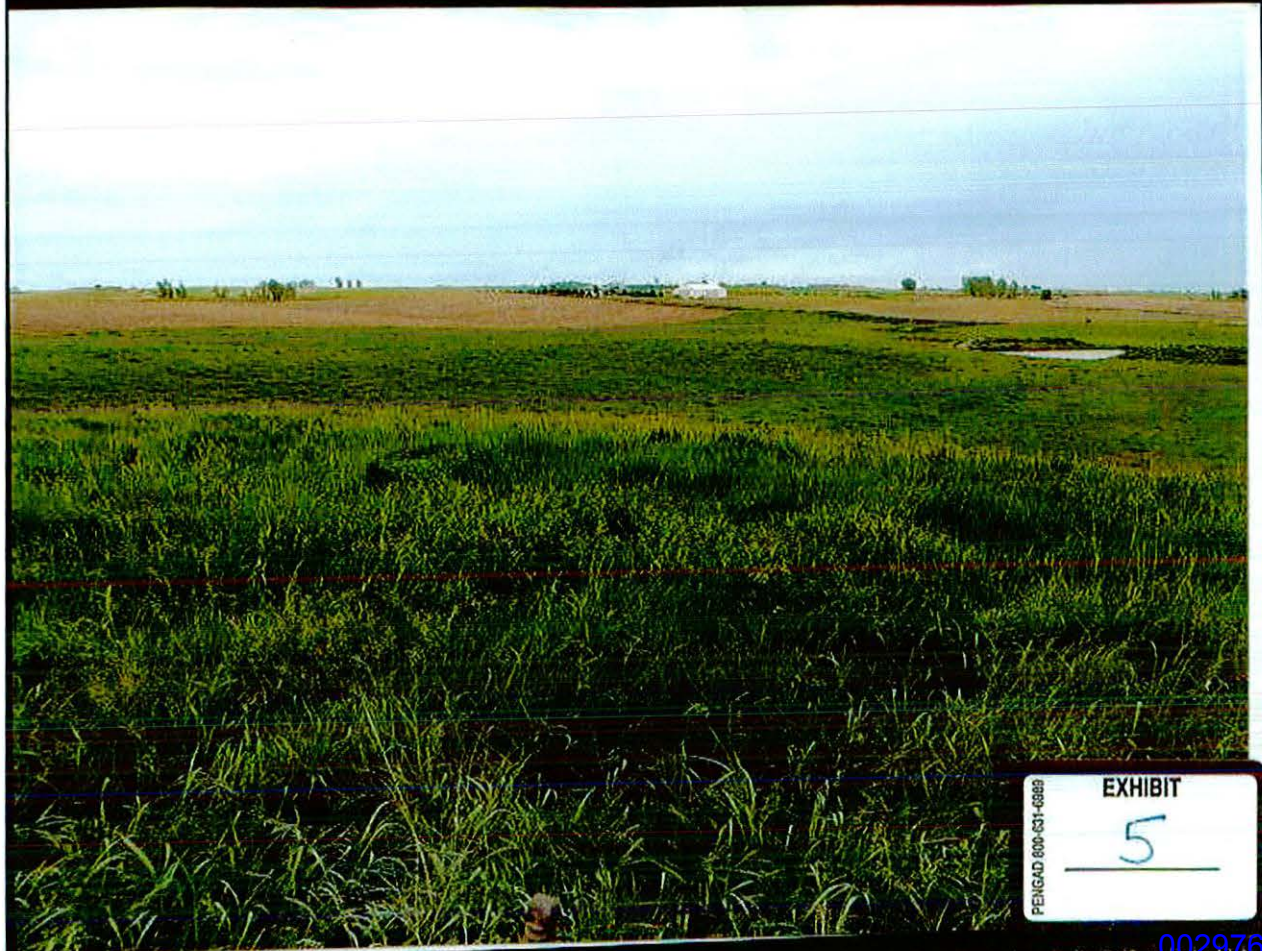
Greg P. Prince
 Notary Public

[NOTARY SEAL]

My Commission Expires: March 31, 2008
 GREG P. PRINCE
 My Commission Expires







FENGAD 800-631-6889
EXHIBIT
5

002976



002977



002978



Handwritten text in a cursive script, likely a date or location, positioned between the two photographs. The text is difficult to read due to its cursive style and the image quality.



002979

Kaffar Tiling & Ditching

512 S. Main
 Humboldt, SD 57035
 (605) 941-7320

Invoice

Date	Invoice #
6/5/2013	1223

Bill To

			Project
Quantity	Description	Rate	Amount
6,900	5" perforated tile	1.65	11,385.00T
2,000	5" NonPerforated Tile	1.75	3,500.00T
5,810	4" perforated tile	1.45	8,424.50T
60	6" Dual Wall Pipe	2.50	150.00T
10	Tile Junction	30.00	300.00T
11	5" internal endplug	2.00	22.00T
5	6" rodent guard	5.75	28.75T
5	4" internal endplug	1.75	8.75T
4	5" Wye	6.50	26.00T
5	5" reducing tee	5.50	27.50T
1	4" Wye	4.55	4.55T
3	416C IT CAT Backhoe	70.00	210.00T

Subtotal \$24,087.05

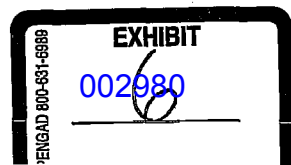
Excise Tax (2.041%) \$491.62

Total \$24,578.67

As mandated by the State of South Dakota, a 2.041% Excise Tax must be paid.

It's been a pleasure working with you!

OK#1035
 7-8-13





Serviced by RAIN & HAIL LLC

Approved Insurance Provider Ace Property & Casualty Ins. Co.

EXHIBIT 7
6869-169-008 QVGN3C

CROP INSURANCE										PRODUCTION AND ACREAGE REPORTING FORM																									
Policy Number <u>RH-SD-0863411</u>										<input type="checkbox"/> Production Report and/or <input type="checkbox"/> Acreage Report																									
Policy Holder Information					Agency/Agent Information					County		Cropland Acres		Crop		**New Producer		Plan Level		Options, Elections, or Endorsements		% Price Elect, Proj Price, or Amt of Ins													
Insured's Name <u>MATTHEW L ANDERSON</u>					Farm Credit Services of America SIOUX FALLS																														
Insured's Street or Mailing Address <u>25985 461ST AVE HARTFORD SD 57033</u>					PO Box 88737 Sioux Falls SD 57108																														
Insured's Phone <u>(605) 951-8926</u> Person Type <u>S</u>					Phone <u>(605) 362-5218</u>																														
ID # <u>XXXXX6473</u> ID # Type <u>SSN</u>					Code <u>SD470204</u>					State <u>SD</u>		Crop Year <u>2015</u>		** I certify I have not produced the insured crop in the county for more than two years.																					
Insured's Authorized Representative										Is applicant insuring the tenant/landlords share? <input type="checkbox"/> Yes <input type="checkbox"/> No																									
County <u>MINNEHAHA</u>		Unit # <u>0001-0003</u>		County <u>MINNEHAHA</u>		Unit # <u>0001-0004</u>		County		Unit #		County		Unit #		County		Unit #																	
Crop <u>SOYBEANS</u>		Farm Name <u>MOM'S HWY 38</u>		Crop <u>SOYBEANS</u>		Farm Name <u>ROBERTS EAST</u>		Crop		Farm Name		Crop		Farm Name		Crop		Farm Name																	
Yield # <u>6</u>		Area Class.		FSA Farm # <u>0</u>		Yield # <u>9</u>		Area Class.		FSA Farm # <u>0</u>		Yield #		Area Class.		FSA Farm #																			
Practice - NON IRR				FSA Farm/Tract/Field #				Practice - NON IRR				FSA Farm/Tract/Field #				Practice				FSA Farm/Tract/Field #															
Irrigation		Cropping		Organic		Interval		Sec/Tnshp/Rng/Other		Irrigation		Cropping		Organic		Interval		Sec/Tnshp/Rng/Other		Irrigation		Cropping		Organic		Interval		Sec/Tnshp/Rng/Other							
Type - COMM				0013-102N-052W				Type - COMM				0024-102N-052W				Type																			
Commodity		Class		Sub Class		Intended Use		Commodity		Class		Sub Class		Intended Use		Commodity		Class		Sub Class		Intended Use		Commodity		Class		Sub Class		Intended Use					
Year	Production	Acres	Yield	Type	T Yield	Year	Production	Acres	Yield	Type	T Yield	Year	Production	Acres	Yield	Type	T Yield	Year	Production	Acres	Yield	Type	T Yield	Year	Production	Acres	Yield	Type	T Yield	Year	Production	Acres	Yield	Type	T Yield
2005	0.00	0.00	0.00		38.00	2005	0.00	0.00	0.00		43.00																								
2006	0.00	0.00	0.00		Prior Yld/Guar	2006	0.00	0.00	0.00		Prior Yld/Guar																								
2007	0.00	0.00	0.00		46.00	2007	0.00	0.00	0.00		48.00																								
2008	0.00	0.00	0.00			2008	0.00	0.00	0.00																										
2009	0.00	0.00	38.00	L	Rate Yield	2009	0.00	0.00	0.00		Rate Yield																								
2010	0.00	0.00	38.00	L	46.00	2010	0.00	0.00	0.00		51.00																								
2011	2118.00	42.00	50.00	A	Yield Flag	2011	0.00	0.00	43.00	T	Yield Flag																								
2012	0.00	0.00	0.00	Z	TA	2012	0.00	0.00	43.00	T	TA																								
2013	2640.66	45.50	58.00	A	Total Yield	2013	1545.83	25.00	62.00	A	Total Yield																								
2014	0.00	0.00	0.00	Z		2014	2889.00	53.00	55.00	A																									
Total	Prelmn Yld	Yld Indcatr	Record Type	Appr Yield	Appr Guar	Avg Yield	Total	Prelmn Yld	Yld Indcatr	Record Type	Appr Yield	Appr Guar	Avg Yield	Total	Prelmn Yld	Yld Indcatr	Record Type	Appr Yield	Appr Guar	Avg Yield	Total	Prelmn Yld	Yld Indcatr	Record Type	Appr Yield	Appr Guar	Avg Yield	Total	Prelmn Yld	Yld Indcatr	Record Type	Appr Yield	Appr Guar	Avg Yield	
				48.00	29.90						51.00	33.15																							
Multi Crop Yr Rptg Resn							Multi Crop Yr Rptg Resn							Multi Crop Yr Rptg Resn							Multi Crop Yr Rptg Resn														
Prsr #/Name							Prsr #/Name							Prsr #/Name							Prsr #/Name														
# of Trees/Vines							# of Trees/Vines							# of Trees/Vines							# of Trees/Vines														
Added Land New Crop P/T/TMA							Added Land New Crop P/T/TMA							Added Land New Crop P/T/TMA							Added Land New Crop P/T/TMA														
Acres							Acres							Acres							Acres														
Plant Date							Plant Date							Plant Date							Plant Date														
Insured's Interest							Insured's Interest							Insured's Interest							Insured's Interest														
Other persons sharing in crop							Other persons sharing in crop							Other persons sharing in crop							Other persons sharing in crop														
1.000							1.000																												
<input type="checkbox"/> Insured			<input type="checkbox"/> Uninsured			<input type="checkbox"/> Uninsurable			<input type="checkbox"/> Insured			<input type="checkbox"/> Uninsured			<input type="checkbox"/> Uninsurable			<input type="checkbox"/> Insured			<input type="checkbox"/> Uninsured			<input type="checkbox"/> Uninsurable			<input type="checkbox"/> Insured			<input type="checkbox"/> Uninsured			<input type="checkbox"/> Uninsurable		
<input type="checkbox"/> Unreported			<input type="checkbox"/> Zero Acreage			<input type="checkbox"/> High Risk			<input type="checkbox"/> Unreported			<input type="checkbox"/> Zero Acreage			<input type="checkbox"/> High Risk			<input type="checkbox"/> Unreported			<input type="checkbox"/> Zero Acreage			<input type="checkbox"/> High Risk			<input type="checkbox"/> Unreported			<input type="checkbox"/> Zero Acreage			<input type="checkbox"/> High Risk		
<input type="checkbox"/> PP			<input type="checkbox"/> Required Field Review			<input type="checkbox"/> Required Inspection			<input type="checkbox"/> PP			<input type="checkbox"/> Required Field Review			<input type="checkbox"/> Required Inspection			<input type="checkbox"/> PP			<input type="checkbox"/> Required Field Review			<input type="checkbox"/> Required Inspection			<input type="checkbox"/> PP			<input type="checkbox"/> Required Field Review			<input type="checkbox"/> Required Inspection		



Serviced by RAIN & HAIL LLC

Approved Insurance Provider Ace Property & Casualty Ins. Co.

For Your Records

EXHIBIT 8
6869-139-008 CIV/DNE

CROP INSURANCE										PRODUCTION AND ACREAGE REPORTING FORM																															
Policy Number <u>RH-SD-0663411</u>										<input type="checkbox"/> Production Report and/or <input type="checkbox"/> Acreage Report																															
Policy Holder Information					Agency/Agent Information					County		Cropland Acres		Crop		**New Producer		Plan		Level		Options, Elections, or Endorsements		% Price Elect, Proj Price, or Amt of Ins																	
Insured's Name <u>MATTHEW L ANDERSON</u>					Farm Credit Services of America SIOUX FALLS					MINNEHAHA				CORN		<input type="checkbox"/>		RP		70		TA, YA, EU		100%																	
Insured's Street or Mailing Address <u>25985 461ST AVE HARTFORD SD 57033</u>					PO Box 88737 Sioux Falls SD 57109					MINNEHAHA				SOYBEANS		<input type="checkbox"/>		RP		65		TA, YA, EU		100%																	
Insured's Phone <u>(605) 951-8926</u>			Person Type <u>S</u>		Phone <u>(605) 362-5218</u>			Code <u>SD470204</u>		State <u>SD</u>		Crop Year <u>2015</u>		Is applicant insuring the tenant/landlords share? <input type="checkbox"/> Yes <input type="checkbox"/> No		** I certify I have not produced the insured crop in the county for more than two years.																									
Insured's ID # <u>XXXXX6473</u>					Insured's Email					Insured's Authorized Representative																															
County <u>MINNEHAHA</u>		Unit # <u>0001-0001</u>		County <u>MINNEHAHA</u>		Unit # <u>0001-0002</u>		County <u>MINNEHAHA</u>		Unit # <u>0001-0003</u>		Crop <u>CORN</u>		Farm Name <u>VOGT/GREGERSEN</u>		Crop <u>CORN</u>		Farm Name <u>HOME</u>		Crop <u>CORN</u>		Farm Name <u>MOM'S HWY 38</u>																			
Yield # <u>3</u>		Area Class		FSA Farm # <u>0</u>		Yield # <u>1</u>		Area Class		FSA Farm # <u>9976</u>		Yield # <u>5</u>		Area Class		FSA Farm # <u>0</u>		Practice - NON IRR		FSA Farm/Tract/Field #		Practice - NON IRR		FSA Farm/Tract/Field #																	
Irrigation		Cropping		Organic		Interval		Irrigation		Cropping		Organic		Interval		Irrigation		Cropping		Organic		Interval		Irrigation																	
Type - GSG		0003-101N-051W		Type - GSG		0019-102N-051W		Type - GSG		0013-102N-052W		Commodity		Class		Sub Class		Intended Use		Commodity		Class		Sub Class		Intended Use															
Year		Production		Acres		Yield		Type		T Yield		Year		Production		Acres		Yield		Type		T Yield		Year		Production		Acres		Yield		Type		T Yield							
2002		0.00		0.00		151.00		T		151.00		2005		0.00		0.00		0.00		A		151.00		2008		0.00		0.00		0.00		151.00									
2003		0.00		0.00		151.00		T		Prior Yld/Guar		2006		0.00		0.00		0.00		A		155.00		2009		0.00		0.00		0.00		155.00									
2004		0.00		0.00		151.00		T		155.00		2007		1016.00		8.00		127.00		A		155.00		2010		0.00		0.00		0.00		152.00									
2005		1002.00		6.00		167.00		A		Rate Yield		2008		0.00		0.00		0.00		Z		155.00		2011		0.00		0.00		0.00		155.00									
2009		0.00		0.00		0.00		Z		Rate Yield		2012		797.60		16.00		50.00		A		145.00		2015		0.00		0.00		0.00		145.00									
2010		0.00		0.00		0.00		Z		155.00		2013		4350.00		27.00		161.00		A		145.00		2016		0.00		0.00		0.00		145.00									
2011		0.00		0.00		0.00		Z		Yield Flag		2014		1400.00		8.00		175.00		A		145.00		2017		0.00		0.00		0.00		145.00									
2012		0.00		0.00		0.00		Z		Yield Flag		2018		0.00		0.00		0.00		Z		155.00		2019		0.00		0.00		0.00		155.00									
2013		0.00		0.00		0.00		Z		Total Yield		2019		11165.00		47.00		238.00		A		155.00		2020		0.00		0.00		0.00		155.00									
2014		0.00		0.00		0.00		Z		Total Yield		2020		0.00		0.00		0.00		Z		155.00		2021		0.00		0.00		0.00		155.00									
Total		Prelmn Yld		Yld Indcatr		Record Type		Appr Yield		Appr Guar		Avg Yield		Total		Prelmn Yld		Yld Indcatr		Record Type		Appr Yield		Appr Guar		Avg Yield		Total		Prelmn Yld		Yld Indcatr		Record Type		Appr Yield		Appr Guar		Avg Yield	
								155.00		108.50												160.00		112.00										184.00		128.80					
Multi Crop Yr Rptg Resn					***R/O:					Multi Crop Yr Rptg Resn					***R/O:					Multi Crop Yr Rptg Resn					***R/O:																
Prsr #/Name		# of Trees/Vines		Added Land New Crop P/T/TMA		Prsr #/Name		# of Trees/Vines		Added Land New Crop P/T/TMA		Prsr #/Name		# of Trees/Vines		Added Land New Crop P/T/TMA		Prsr #/Name		# of Trees/Vines		Added Land New Crop P/T/TMA		Prsr #/Name		# of Trees/Vines		Added Land New Crop P/T/TMA		Prsr #/Name		# of Trees/Vines		Added Land New Crop P/T/TMA		Prsr #/Name		# of Trees/Vines		Added Land New Crop P/T/TMA	
Acres		Plant Date		Acres		Plant Date		Acres		Plant Date		Acres		Plant Date		Acres		Plant Date		Acres		Plant Date		Acres		Plant Date		Acres		Plant Date		Acres		Plant Date		Acres		Plant Date			
Insured's Interest <u>1.000</u>					Other persons sharing in crop					Insured's Interest <u>1.000</u>					Other persons sharing in crop					Insured's Interest <u>1.000</u>					Other persons sharing in crop																
<input type="checkbox"/> Insured		<input type="checkbox"/> Uninsured		<input type="checkbox"/> Uninsurable		<input type="checkbox"/> Insured		<input type="checkbox"/> Uninsured		<input type="checkbox"/> Uninsurable		<input type="checkbox"/> Insured		<input type="checkbox"/> Uninsured		<input type="checkbox"/> Uninsurable		<input type="checkbox"/> Insured		<input type="checkbox"/> Uninsured		<input type="checkbox"/> Uninsurable		<input type="checkbox"/> Insured		<input type="checkbox"/> Uninsured		<input type="checkbox"/> Uninsurable		<input type="checkbox"/> Insured		<input type="checkbox"/> Uninsured		<input type="checkbox"/> Uninsurable							
<input type="checkbox"/> Unreported		<input type="checkbox"/> Zero Acreage		<input type="checkbox"/> High Risk		<input type="checkbox"/> Unreported		<input type="checkbox"/> Zero Acreage		<input type="checkbox"/> High Risk		<input type="checkbox"/> Unreported		<input type="checkbox"/> Zero Acreage		<input type="checkbox"/> High Risk		<input type="checkbox"/> Unreported		<input type="checkbox"/> Zero Acreage		<input type="checkbox"/> High Risk		<input type="checkbox"/> Unreported		<input type="checkbox"/> Zero Acreage		<input type="checkbox"/> High Risk		<input type="checkbox"/> Unreported		<input type="checkbox"/> Zero Acreage		<input type="checkbox"/> High Risk							
<input type="checkbox"/> PP		<input type="checkbox"/> Required Field Review		<input type="checkbox"/> Required Inspection		<input type="checkbox"/> PP		<input type="checkbox"/> Required Field Review		<input type="checkbox"/> Required Inspection		<input type="checkbox"/> PP		<input type="checkbox"/> Required Field Review		<input type="checkbox"/> Required Inspection		<input type="checkbox"/> PP		<input type="checkbox"/> Required Field Review		<input type="checkbox"/> Required Inspection		<input type="checkbox"/> PP		<input type="checkbox"/> Required Field Review		<input type="checkbox"/> Required Inspection		<input type="checkbox"/> PP		<input type="checkbox"/> Required Field Review		<input type="checkbox"/> Required Inspection							

2014 cornfield
"Mom's Hwy 38"



Kaffar Tiling & Ditching

512 S. Main
Humboldt, SD 57035
(605) 941-7320

Invoice

Date	Invoice #
6/5/2013	1224

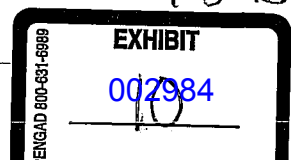
Bill To

			Project
Quantity	Description	Rate	Amount
3	416C IT CAT Backhoe	70.00	210.00T
11	312CL Caterpillar Excavator	135.00	1,485.00T
11	D5H CAT Dozer	165.00	1,815.00T
Subtotal			\$3,510.00
Excise Tax (2.041%)			\$71.64
Total			\$3,581.64

As mandated by the State of South Dakota, a 2.041% Excise Tax must be paid.

It's been a pleasure working with you!

CK# 3410
7-8-13





Minnehaha Conservation District

2408 E. Benson Road
Sioux Falls, SD 57104

BILL TO

Matthew Anderson
25985 461st Ave.
Hartford, SD 57033

DATE INVOICE #
6/11/2013 13222

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
	IN PARTNERSHIP WITH BRIAN TOP			
	T-12205			
Certified Wetla...	Certified Wetland Determination	1	700.00	700.00
Certified Wetla...	Certified Wetland Determination	74.1	2.00	148.20
				848.20
			0.00	0.00
<p><i>Paid by Peggy Hoogestraat</i> <i>CK# 3404 3-25-13 \$424.10</i> <i>CK# 3409 6-18-13 \$424.10</i></p>				

DUE UPON RECEIPT

Total

\$848.20

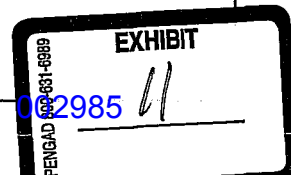
Method of Payment:

VISA Master Card
 Discover Check or Money Order Enclosed

Card No.

Exp. Date ____/____/____

Your Signature _____



Preferred Fencing & Cedar Removal

INVOICE

Bill To

Hartford Farms
c/o Peggy Hoogestrand

Invoice # 0273

Date of Services

7/18/14

Services Rendered

Quantity

Rate

Amount

New fence built and old
fence torn out. All materials
supplied by contractor

New fence built

9,665^{sq}

\$1.55

14,980²⁵

Old fence torn out

7,195

.20

1,493

P.D. # 4430
CK

Bank van check
through 17132.DD

DUE UPON RECEIPT

(late fee incurred if payment not received after 10 days)

Total Services:

16,473²⁵

Tax:

6.58⁹⁵

Total Invoiced:

\$17,132²⁰

We appreciate the work!

CEDAR REMOVAL, FENCING, CONTINUOUS FENCE, GATES, TUBS AND ALLEYS AVAILABLE

PLEASE REMIT PAYMENT TO: BOE COLEMAN

boemancoleman@yahoo.com * 308-520-5534 * 51506 872 Rd. * Orchard, NE 68764

002996

IGAD 800-888-8888

EXHIBIT

12

CPA-4 ID 14

SEEDING PLAN AND RECORD

Cooperator Peggy Hoogestraat County Minnehaha MLRA 102B
 Program CTA Practice No. 327 Practice Name Conservation Cover
 CI or Referral No _____ Seeded by: _____

PLANNED

APPLIED

Field Number	1	
Seedbed preparation	Clean, smooth, weed free seedbed will be prepared	
Seeding Equipment	Special Grass Drill	
Acres	1	
Seeding date	LATE SPRING 5/15 TO 6/15	
Site	Ly	Ly
Protection Provided	Clip weeds before they compete for moisture and light.	

PLANNED

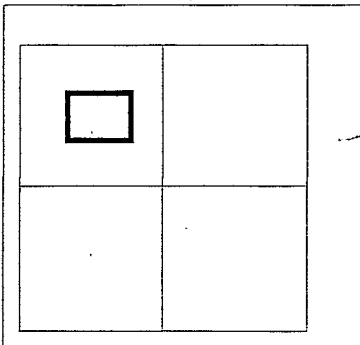
Seed Species	Variety or Seed Source 1/ may be Common or improved variety listed	Pure Live Seed (PLS) lbs/ac Full Rate	Percent in Mixture	Pure Live Seed (PLS) lbs/ac Needed	Acres to Seed	PLS lbs Required
Big bluestem	Bison	7.43	25.0	1.86	1	1.86
Green needlegrass	Common	7.26	15.0	1.09	1	1.09
Western wheatgrass	Common	9.72	20.0	1.94	1	1.94
Switchgrass	Dacotah	4.47	20.0	0.89	1	0.89
Indiangrass	Central Iowa Germplasm	6.77	20.0	1.35	1	1.35

Origin of non-varietal (common) grass seed of both native and introduced species is limited to IA, MN, MT, ND, NE, SD, and WY.
 Thickspike wheatgrass may be substituted for western wheatgrass if the later is not available and only west of the Missouri River. Multiply the western wheatgrass seeding rate by .72.

APPLIED

Seed Species	Variety or Seed Source	Percent Purity	Percent Germination	Pounds Bulk Seed Planted	Acres Certified	PLS Pounds Planted
Big bluestem	Bison					
Green needlegrass	Common					
Western wheatgrass	Common					
Switchgrass	Dacotah					
Indiangrass	Central Iowa Germplasm					

Plan Map



Tract _____
 N _____
 S. _____
 T. _____
 R. _____

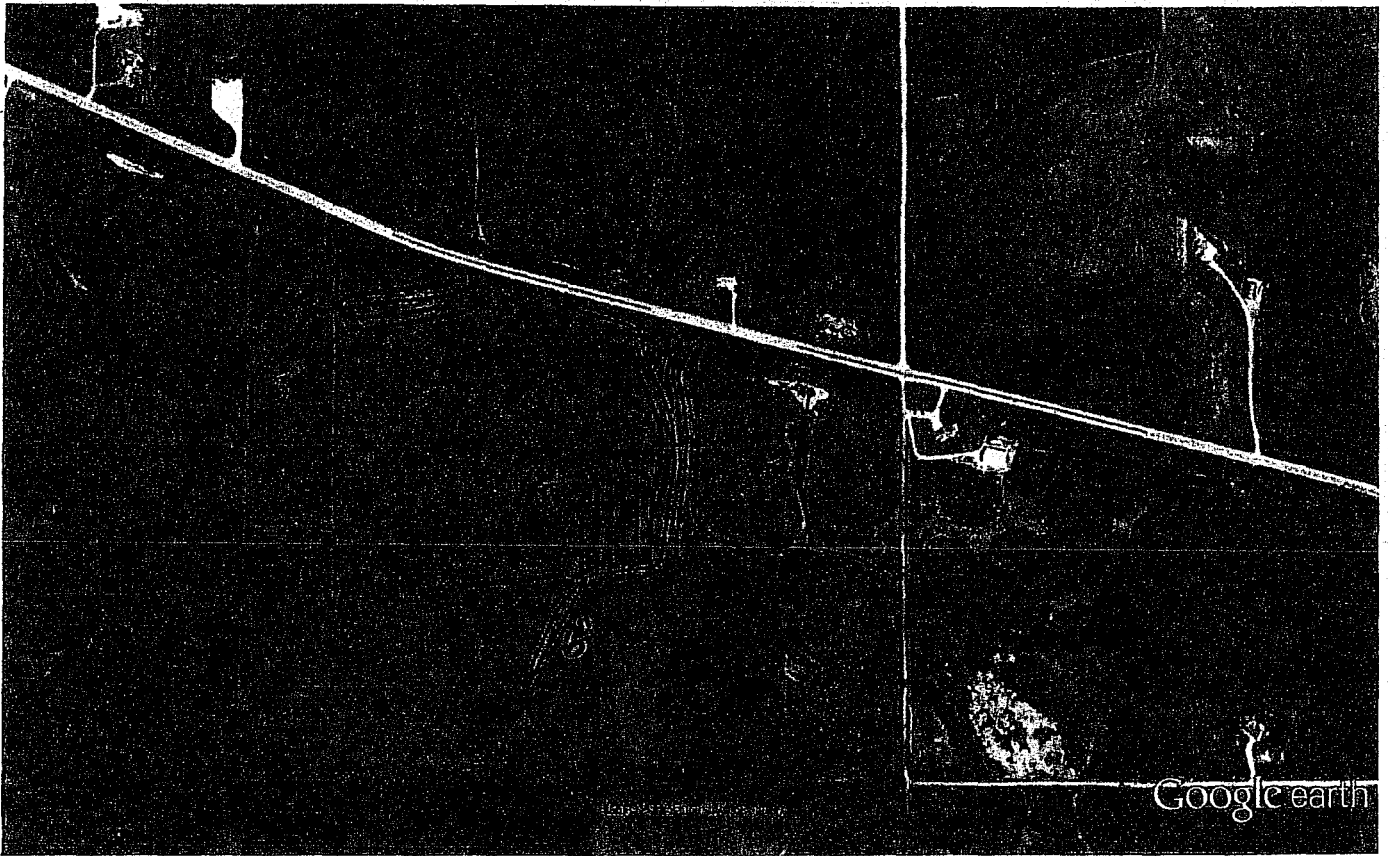
Planning assistance by ML Lacey
 (Name and Date)

Practice Meets SD Standards and Specifications: Yes No

Certified By: _____
 (Name and Date)

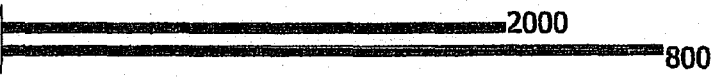
Recheck of Quantities By: _____
 (Name and Date)

000987
 EXHIBIT
 13
 PENCGAD 800-831-6888



Google earth

feet
meters



PENGAD 800-681-6880
EXHIBIT
02988 14



Peggy Hoogestraat <gardengalpeggy@gmail.com>

Fwd: Shot- Proposed Route- DAPL

Edwina Scroggins <scrogginsedwina@yahoo.com>
To: "gardengalpeggy@gmail.com" <gardengalpeggy@gmail.com>

Fri, Nov 14, 2014 at 4:59 PM

Here is the second proposed route, this is the best they could do. Hope this will help. Just let me know.

Thanks,
Edwina Scroggins

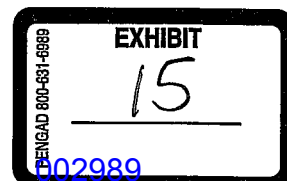
575-779-6536

God's Blessings!

Begin forwarded message:

From: Marlon Scroggins <mscrogg57@gmail.com>
Date: November 14, 2014 at 1:33:24 PM CST
To: Edwina Scroggins <scrogginsedwina@yahoo.com>
Subject: Shot

Thanks: Marlon Scroggins
Construction Manager
Dakota Access Pipeline Project
4401 S. Technology Dr. South Suite
Sioux Falls, SD.
575-779-6496
mscrogg57@gmail.com





MP 445.5

MP 445.5
MP 445.5

38

MP 446.0

MP 446.0
MP 446.0

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EXHIBIT

16

PENGAD 800-631-6969

460th Ave

Google earth
259th St

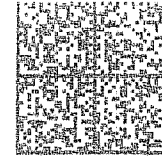
AFTER FIVE DAYS RETURN TO
MAY ADAM
Since 1881
P.O. Box 160
PIERRE, SOUTH DAKOTA 57501-0160

recd 1-9-15

CERTIFIED MAIL™

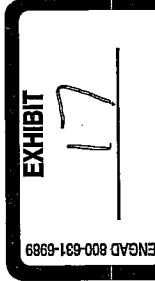


7013 2250 0000 2643 7774

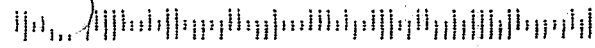


U.S. POSTAGE
ZIP 57501 \$ 006.69⁰
02 1W
0001372345 JAN 07 2015

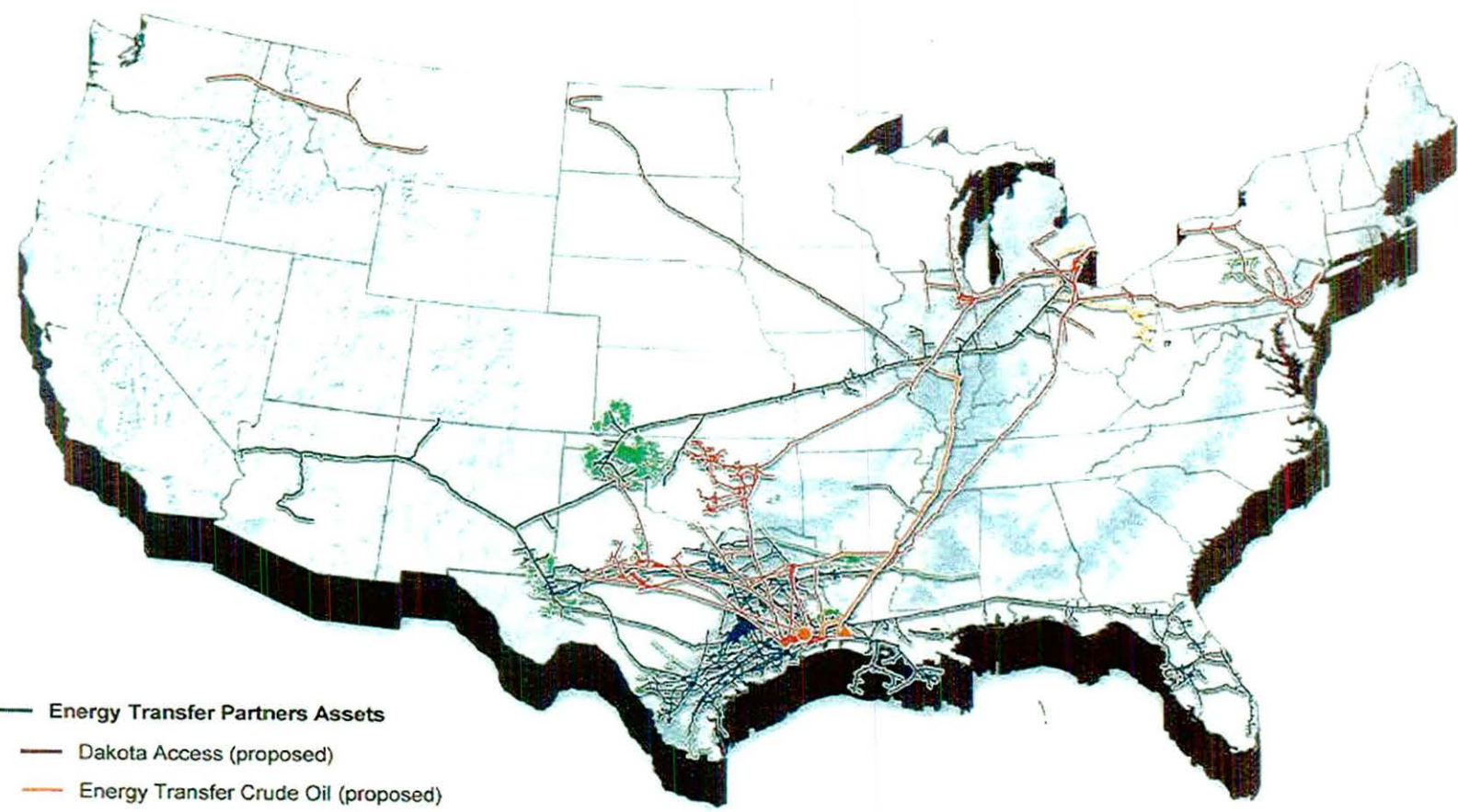
Mary A. Titus
27575 462nd Avenue
Chancellor, South Dakota 57015-5712



570155712 R002



Energy Transfer Partners - Asset Overview



- Energy Transfer Partners Assets
- Dakota Access (proposed)
- Energy Transfer Crude Oil (proposed)
- ET Rover Pipeline (proposed)
- Regency Energy Partners Assets
- Sunoco Logistics Assets

EXHIBIT
18
PENGAD 000-031-0999

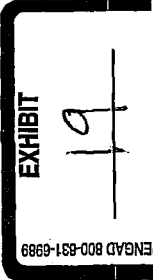
Project Overview

- Dakota Access, LLC has secured long-term binding contractual commitments to:

- Transport approximately 450,000 barrels per day of crude oil starting Q4 2016
- Potential to transport approximately 570,000 or more barrels per day depending upon additional potential shipper commitments

- Objective:

- Move crude oil from the Bakken Three Forks area in northwestern North Dakota to the Patoka Hub in Patoka, Illinois
- Interconnect with third-parties for re-delivery of crude oil to processing facilities and refineries located in the Midwest and Gulf Coast for production of motor fuels and other crude oil derivatives that support the US economy



**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION
OF DAKOTA ACCESS, LLC FOR AN
ENERGY FACILITY PERMIT TO
CONSTRUCT THE DAKOTA ACCESS
PIPELINE

HP14-002

**PRE-FILED TESTIMONY OF
ROD & JOY HOHN**

STATE OF SOUTH DAKOTA)
 :SS
COUNTY OF MINNEHAHA)

Rod & Joy Hohn, being first duly sworn on his/her oath, deposes and states as follows:

Please state your name and address.

Rod & Joy Hohn
46178 263rd Street
Hartford, SD 57033
rjchohn@gmail.com

How are you involved with the Dakota Access Pipeline project?

I am a landowner in Minnehaha County, South Dakota affected by the proposed Dakota
Access Pipeline.

**Please describe the history of your family's land ownership, and whether farming
will be continued by younger generations.**

002994

Our land is adjacent to Joy's brothers land, which is where she was raised. That home place was purchased by her father in 1950 and has been passed down to her brother so that the farming operation could continue. Joy's brothers land will also be affected by the proposed Dakota Access Pipeline. We had purchased our adjacent land to the home place to build upon our families farming operation with her brother. Since Joy's brother has no children that would continue the farming operation, our children (ages 12 and 10) have been very active and show great interest in this operation. They have helped with planting & harvest (our 12 year old drove the tractor pulling the grain cart for last fall's harvest), taking care of the cattle (including pulling calves from their mothers) and general upkeep of our farm places (mowing lawn, planting the garden, etc.).

Please describe your current farming operations.

We grow corn, soybeans and livestock. We use conventional and no till operations.

To the best your knowledge, what area(s) of your property will the Dakota Access Pipeline cross?

It will cross through our west quarter along the section line.

How close is the pipeline to any building, bin or pen, water source, or farming facilities (i.e., storage area, feedlot, grazing area, etc.)?

Approximately ¼ of a mile

Please describe any special characteristics of your property and farmland, and/or whether you plan to build any houses, outbuildings, shelter belts, or other structures on your property.

We have two (2) building eligibility's on that section of land and have plans for future development.

Please describe which of your farming operations or other land uses will be impaired by the Dakota Access Pipeline and how they will be impaired.

The highly productive land used for raising our crops will be greatly impaired by the pipeline. If the pipeline is built, our crops will never be the same. Disturbed soil from pipeline installation and the heat produced from the pipeline after installation will both have detrimental effects on crop land. It will never return to it's highly productive state. In addition, when an oil spill occurs, it will leave our farmland and crops saturated. That land can no longer be farmed and is considered worthless. That was proven by the oil spills in both Benton, Mich. on Sept. 16, 2014 and in Bismarck, ND on Sept. 29, 2013. We are also greatly concerned with stray voltage that may come from this pipeline. The soil, mineral and moisture content of the land in addition to steel posts are all conductors of electricity. There are 3 wells on that section of land that our family runs livestock through. If stray voltage were to occur, it could be hazardous and possibly deadly to our livestock.

Has your farmland been improved with drain tile? If so, please describe whether you are concerned that pipeline construction may damage and impair the drain tile performance and investment.

We do not have drain tile that we are aware of.

Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to the environment or the inhabitants within the siting area? If so, why?

Yes! We are very concerned about an oil leak which would get into our water supply. In addition, the pipeline is proposed to run ¼ mile to the west of Wall Lake, which is approximately 2 ¼ miles from our land. Wall Lake is part of the aquifer system to the city of Sioux Falls. It is the backup reservoir to our highest populated city. An oil leak will have devastating effects!

Do you believe that the Dakota Access Pipeline will substantially impair the health, safety and welfare of the inhabitants of the siting area? If so, why?

Yes!! This proposed pipeline will be carrying **HAZARDOUS MATERIAL!** It is extremely flammable. Bakken crude oil has a low flashpoint and may be more explosive than conventional crude oil. It is also toxic!! The cancer-causing agent, benzene, is detected in the oil. Breathing benzene can cause drowsiness, dizziness, tachycardia (rapid heart rate), headache, tremors, confusion, unconsciousness, and death. We are very concerned for all the inhabitants in the sitting area.

Have you been sued by Dakota Access Pipeline to compel court ordered access to your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority (i.e., state statute) supporting its claim that you have no right to exclude Dakota Access from your land at the time of said lawsuit? and (2) Have you incurred legal fees in defending against said lawsuit?

Yes, we have be served with a Summons and Complaint for Preliminary Injunction to Provide Survey Access. No, Dakota Access has not provided us with any legal authority supporting its claim. Yes, we have and continue to incur legal fees.

Has any representative of Dakota Access Pipeline made any statements to you or others that you believe are not true? If so, please explain.

At the January 22, 2015 public meeting in Sioux Falls, Joy had asked the Dakota Access representatives numerous questions regarding the pipeline project. After she asked these questions and gave her concerns, Joey Mahmoud, Vice President - Engineering, stated that we have "already talked about most of these issues". That statement was simply not true. None of the questions that she asked have ever been personally addressed to her or to our family ~ not that night and not to this day.

Please state any other concerns you have regarding the Dakota Access Pipeline.

We are concerned with all of the proposed project "benefits" that Dakota Access is proposing. The estimated monetary benefits that the state receives in the **short term** does not compare to the **long term** monetary benefits that Dakota Access and the 'big oil' companies will be filling their pockets with 'indefinitely'. Alaska does not have

income tax due to revenues that they receive off the pipelines. Do not approve a pipeline that will not benefit our state for the life of that pipeline.

If the pipeline permit is approved, we are also greatly concerned with how that will effect our property value.

When an oil spill happens, who will pay for the clean up? When our farmland is left saturated and worthless, what kind of financial compensation will be offered? Will it be to the landowners satisfaction or will things wind up in long protracted legal battles in court?

Pipeline spills are inevitable whether it be from material, welding and equipment failure, corrosion or the environment. Pipelines require constant monitoring and accidents may result from undetected failures due to insufficient or delayed monitoring, deficient integrity management procedures or inadequate training of control center personnel.

very concerned about the quality and installation of the pipeline as well as the monitoring of this line.

Another GREAT concern is that there is no state agency/inspectors/etc that will enforce permit conditions, easement agreements or "police" the pipeline. That is very FRIGHTENING to us and our family. They are just given a free pass to do as they please on the land that we have worked so hard to take care of!!

Would you be available to present testimony and respond to questions during the formal hearing scheduled for September 29 through October 8, 2015?

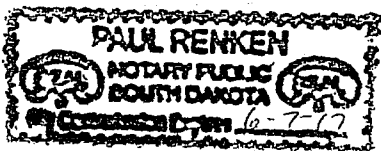
Yes, but only Joy would be available.

Does that conclude your testimony?

Yes.

Paul Renken

Subscribed and sworn before me this 29th day of June, 2015.

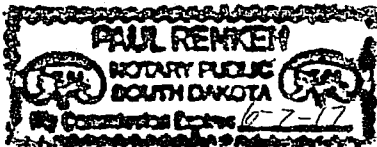


<SEAL>

Paul Renken
Notary Public – South Dakota
My Commission Expires: 6-7-17
County of Minnehaha

Jay Holm

Subscribed and sworn before me this 29th day of June, 2015.



<SEAL>

Paul Renken
Notary Public – South Dakota
My Commission Expires: 6-7-17
County of Minnehaha

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

<p>IN THE MATTER OF THE APPLICATION OF DAKOTA ACCESS, LLC FOR AN ENERGY FACILITY PERMIT TO CONSTRUCT THE DAKOTA ACCESS PIPELINE</p>	<p align="center">HP14-002</p> <p align="center">PRE-FILED TESTIMONY OF Ronald H. Stofferahn</p>

STATE OF SOUTH DAKOTA)
) :SS
COUNTY OF MINNEHAHA)

Ronald H. Stofferahn, being first duly sworn on his/her oath, deposes and states as follows:

Please state your name and address.

Ronald H. Stofferahn
315 N. Ford St.
Humboldt, SD 57035

How are you involved with the Dakota Access Pipeline project?

I am a landowner and business owner in Minnehaha County, South Dakota affected by the proposed Dakota Access Pipeline.

Please describe the history of your family's land ownership, and whether farming will be continued by younger generations.

I have been farming in South Dakota for over 40 years. The particular parcel of land that Dakota Access wants to go through runs along Highway 38 and was purchased by my brother, Tom Stofferahn, and myself in 1975. The land is rented to Stofferahn Farms Partnership. I have one son. My son is a partner in Stofferahn Farms Partnership. My brother, Tom Stofferahn, and myself own Nortec Seeds, Inc. My son is an employee for Nortec Seeds, Inc.

Please describe your current farming operations.

Stofferahn Farms Partnership is owned by four family members and conducts the farming operations. This partnership farms approximately 2800 acres in Minnehaha, McCook and Turner counties in South Dakota. Stofferahn Farms grows soybeans for Nortec Seeds, Inc. to use as seed.

To the best your knowledge, what area(s) of your property will the Dakota Access Pipeline cross?

Even though I own the land with my brother, Tom Stofferahn, as tenants in common, Dakota Access has never contacted me by mail, phone or personally. From verbal conversations my brother has had with Dakota Access I understand the pipeline easement will run from north to south through the 118.36 acre land parcel that runs along Highway 38 utilizing approximately 4 acres of tillable crop land. It will run behind my seed business, Nortec Seeds, Inc.

How close is the pipeline to any building, bin or pen, water source, or farming facilities (i.e., storage area, feedlot, grazing area, etc.)?

I do not know the exact yardage.

Please describe any special characteristics of your property and farmland, and/or whether you plan to build any houses, outbuildings, shelter belts, or other structures on your property.

Nortec Seeds, Inc.

In South Dakota the Stofferahn family has been in the seed business for over 40 years that began with my father. In 1998 when my brother and myself purchased the business from our father the location was moved next to my brother's home on Highway 38 in a 60x120 Morton shed that we built. Later the shed became a part of Stofferahn Farms Partnership and we deeded 3.96 acres to the partnership named Tract 1 where the shed sits today. Nortec Seeds, Inc. rents this shed to conduct its business. Beginning in the summer of 2014 before any knowledge of Dakota Access pipeline we began making plans for an expansion. The only available expansion is to the north because the land only goes 30 feet east, to the west there is a slough and to the south Highway 38. The expansion includes a new 60x152 Morton storage shed and another structure to house a soybean cleaning and treatment center with 6 bulk hopper bins. The expansion will include new offices and parking for semis and trucks. To the North of these new structures we plan to have all research and test plots for customer and public viewing. Since we have a unique situation where we own both the land and business we can deed more land to Tract 1 to expand the business location when needed. Without this expansion we feel we cannot be competitive in the seed industry and would have to move to a new location. To find this same excellent location would be costly along with constructing a whole new warehouse facility. At the present time we have not begun any

construction for the expansion because we now know that the pipeline will be behind the location of the business. Without expansion Nortec Seeds could possibly lose millions of dollars in sales over the life of the easement and to relocate would cost hundreds of thousands of dollars.

118.36 Acre Parcel of Land

This land was purchased by myself and my brother in 1975. In 45 years of farming we have picked rock and made improvements so that it is a highly productive parcel of agriculture land. It is along Highway 38 where there is continued growth and in the future has the potential for development property. There is one housing eligibility on the land. Because of the liability of the pipeline I believe it will reduce the property value of the land and the housing eligibility.

Please describe which of your farming operations or other land uses will be impaired by the Dakota Access Pipeline and how they will be impaired.

The main concern I have is for the liability issues in regard to farming the land, compaction of the soil and whether the land will ever produce. If Stofferahn Farms hits the pipeline while doing normal farming practices is it liable for damages to neighbors or other landowners? Our insurance agent has told us that there is no insurance that we can obtain to cover this liability. The land in question has a mortgage on it for the purchase of other land. Our lending bank has said they will not sign off on the easement. From what I have learned about the proposed easement by Dakota Access there is nothing that addresses their liability for an oil event. From what I heard about the easement from other landowners the entire 118.36 acre parcel legal description is used in the easement not the 50 feet pipeline description. Dakota Access does not sign the easement. Dakota Access has the right to amend the easement to install more 30 inch pipelines on the 50 foot easement.

I have invested in ethanol plants to help with our nation's energy concerns and establish better corn prices. As far as I know the pipeline has no plans to transport ethanol. In fact the oil industry has lobbied for less blending of ethanol which in turn lowers corn prices and hurts Stofferahn Farms economically.

Has your farmland been improved with drain tile? If so, please describe whether you are concerned that pipeline construction may damage and impair the drain tile performance and investment.

Yes. There are two tiles. At the present time I do not believe the path of the pipeline will cross these tiles.

Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to the environment or the inhabitants within the siting area? If so, why?

Yes. If there is a leak or oil event it will naturally run through the drainage tiles and tributaries that go into West Skunk Creek, Skunk Creek, Sioux River and could affect water aquifers for Sioux Falls and Minnehaha County communities. An oil leak behind our business would make it difficult if not impossible to conduct day to day business activities at Nortec Seeds, Inc.

Do you believe that the Dakota Access Pipeline will substantially impair the health, safety and welfare of the inhabitants of the siting area? If so, why?

Yes. 570,000 barrels a day, 1440 psi, welded together segments so it is only the matter of where and when the oil events will happen. If an oil event happens on my land I do not believe it could be farmed. Five Stofferahn families depend on the income from Nortec Seeds, Inc. so if it were closed because of an oil event it would greatly affect the welfare of all the families.

Have you been sued by Dakota Access Pipeline to compel court ordered access to your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority (i.e., state statute) supporting its claim that you have no right to exclude Dakota Access from your land at the time of said lawsuit? and (2) Have you incurred legal fees in defending against said lawsuit?

Yes. I was served a Summons and Complaint at my business in March, 2015. This is the first contact that I have ever had with Dakota Access.

No. They have not showed me a permit to survey. Dakota Access in legal documents has defined themselves as a public common carrier but I do not know who gave them this legal authority.

Yes. I have incurred legal fees.

Has Dakota Access Pipeline made any statements to you that it is a “common carrier” under South Dakota law? If so, please describe.

In the Complaint for Preliminary Injunction to Provide Survey Access that was served on me they stated in paragraph 3 that they are a common carrier and have the privilege of eminent domain pursuant to SDCL 49-2-12 and 49-7-13.

Has any representative of Dakota Access Pipeline made any statements to you or others that you believe are not true? If so, please explain.

Again I have never personally been contacted by a representative of Dakota Access.

Please state any other concerns you have regarding the Dakota Access Pipeline.

I am a life-long resident of South Dakota and have been engaged in farming and the seed business for over 40 years. I have worked to grow these businesses for my own financial well being and for my family. I have always supported the State of South Dakota. I am concerned that the State of South Dakota is going to take my land through eminent domain and it would greatly reduce the value of Nortec Seeds, Inc. and the property value of my land. I would like to pass these businesses on to my children and grandchildren.

SDCL 49-41B-22 Applicant's burden of proof.

(2) The facility will not pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area;

This paragraph in the above-named statute protects me from the economic harm that will be caused by Dakota Access pipeline to Nortec Seeds, Inc., myself and my family.

Would you be available to present testimony and respond to questions during the formal hearing scheduled for September 29 through October 8, 2015?

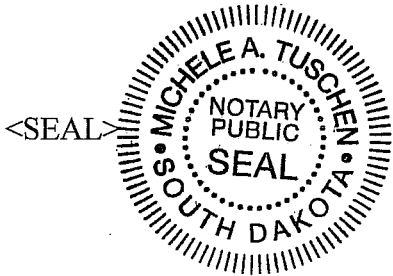
No.

Does that conclude your testimony?

Yes.

Ronald H. Stoffel

Subscribed and sworn before me this 29th day of June, 2015.



Michele A. Tuschen
Notary Public – South Dakota
My Commission Expires: 10-15-17

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

<p>IN THE MATTER OF THE APPLICATION OF DAKOTA ACCESS, LLC FOR AN ENERGY FACILITY PERMIT TO CONSTRUCT THE DAKOTA ACCESS PIPELINE</p>	<p style="text-align:center">HP14-002</p> <p style="text-align:center">PRE-FILED TESTIMONY OF Shirley Mae Oltmanns</p>
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STATE OF SOUTH DAKOTA)

:SS

COUNTY OF Minnehaha

Shirley Mae Oltmanns , being first duly sworn on his/her oath, deposes and states as follows:

Please state your name and address.

Shirley Mae Oltmanns

26576 466th Ave

Sioux Falls, SD 57106

How are you involved with the Dakota Access Pipeline project?

I am a landowner in Lincoln County, South Dakota affected by the proposed Dakota Access Pipeline.

Please describe the history of your family's land ownership, and whether farming will be continued by younger generations.

4/26/1883 Land was Homesteaded by Philip Eichhorn- he paid \$3.00 per acre- toward the above quarter. He was given a Patent (deed) September, 1887.

4-16-1896 sold to Paul Nichel for \$1800.

2/28/1920 Quit claim deed from Rose (daughter of Paul and Sophia Nichel) & Milo Hoffman to Sophia Nichel.

4/23/1923 Sophia Nichel sold to Gilbert Schoffelman for \$18,000. \$112.50 per acre –

8-1-1930 Upon Gilbert's death distribution to heirs in 1931 – Dora (wife) 1/3 and to children remaining 2/3 rds (John, Hilda, Aldrich, Henry, Elmer, Laura, Esther)

10-27-1947 Dora Schoffelman sold 1.02 acres (Lot H1) to the state of South Dakota for roads.

4-23-1959 Upon Elmer's death his share was conveyed to his mother (Dora).

6/11/1959 John Schoffelman purchased from his siblings and his mother for \$37,840 - \$236.50 per acre.

12/4/1959 – John added Leona's name

5/18/2004 – termination of Leona's name on deed due to death

3/23/2004 – John deeded to children - Janice Petterson, Mavis Parry, Linda Goulet, Corliss Wiebers, Shirley Oltmanns, Marilyn Murray & Kevin Schoffelman w/John having Life Estate

4/13/2012 – Termination of John's Life Estate

The question of whether farming will be continued by future generations remains to be determined.

Tillable acres will probably continue to be leased for row-crop farming and pasture acres for cash rent for several years. However discussions have taken place for development of the land starting with the 3 building eligibilities.

Please describe your current farming operations.

The tillable acres are farmed by Jerry and Bill Crevier and the pasture is rented by Scott Daggett.

To the best your knowledge, what area(s) of your property will the Dakota Access Pipeline cross?

Based on the most recent maps by Dakota Access and flags placed in the road ditch, the pipeline would enter the NW corner going to the SE corner cutting diagonally across the entire farm. This area includes crop production land as well as pasture.

How close is the pipeline to any building, bin or pen, water source, or farming facilities (i.e., storage area, feedlot, grazing area, etc.)?

Approximately 300 yards to the nearest building and 340 yards to the well.

It is planned to go under the creek which drains the watershed NW of Tea and flows into the Sioux River.

The pipeline would cross the easement held by South Lincoln Rural Water.

As stated previously it would cross the grazing area.

Please describe any special characteristics of your property and farmland, and/or whether you plan to build any houses, outbuildings, shelter belts, or other structures on your property.

The land is drain tiled, some of which is clay.

Open Waterway ditch running south on east side of property.

It currently has 3 housing eligibilities with potential for additional future longer term development since Highway 17 runs on the west side of the property.

Please describe which of your farming operations or other land uses will be impaired by the Dakota Access Pipeline and how they will be impaired.

Initially, no access for daily operations on cropland on south half of property. Natural waterways blocked and would need to be reconstructed. The tillable acres won't produce the same and the quality of the pasture will be impaired.

Future development potential diminished due to restrictions of building on pipeline and lack of desire for homeowners to live near pipeline. There is currently an existing housing development ½ mile NE of our farm, located outside of the City of Tea as well

as a second development planned (zoning has been changed to agriculture/residential) ½ mile directly north of our farm. These developments are outside of the City of Tea growth plan. Just because a particular city doesn't have these affected areas in their growth plan, doesn't mean they won't be developed – unless of course pipeline easements restrict the development.

Has your farmland been improved with drain tile? If so, please describe whether you are concerned that pipeline construction may damage and impair the drain tile performance and investment.

Yes, it has been drain tiled and parts of it are clay tile. I am concerned that the tile may crumble by excavating the ground near it, construction equipment going over it or by additional underground pressure from settling afterwards.

Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to the environment or the inhabitants within the siting area? If so, why?

Yes. Ruptures, oil leaks, environmental damages in the future. As steward of the land our obligation is for also for future generations.

In February, the Wall Street Journal compared oil from 86 locations around the world and found Bakken crude oil to be the most explosive. This was introduced December 11, 2104 in the Assembly Resolution No 191 State of New Jersey 216th Legislature.

Do you believe that the Dakota Access Pipeline will substantially impair the health, safety and welfare of the inhabitants of the siting area? If so, why?

Watershed damage as East Beaver Creek drains the Watershed North and West of Tea and flows through our farm, eventually into the Big Sioux River and then the Missouri. Will eliminate the potential for future development due to people not wanting to reside near an oil pipeline.

Have you been sued by Dakota Access Pipeline to compel court ordered access to your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority (i.e., state statute) supporting its claim that you have no right to exclude Dakota Access from your land at the time of said lawsuit? and (2) Have you incurred legal fees in defending against this lawsuit?

Yes- I have been sued.

No- Dakota Access has not provided any legal authority (state statute).

Yes- I have incurred legal fees.

Please state any other concerns you have regarding the Dakota Access Pipeline.

The fact that their plan is to run the pipeline through Minnehaha and Lincoln county shows total disregard for the welfare of our state, it's inhabitants and the future development in the this area. I'm concerned it will lower my property value, and quality of life of any future inhabitants.

Would you be available to present testimony and respond to questions during the formal hearing scheduled for September 29 through October 8, 2015?

No.

Does that conclude your testimony?

Yes.

Shirley M. Altman

Subscribed and sworn before me this 22nd day of June, 2015.



Jane Fallon
Notary Public – South Dakota
My Commission Expires: 7-6-17

<SEAL>

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF DAKOTA ACCESS, LLC FOR AN ENERGY FACILITY PERMIT TO CONSTRUCT THE DAKOTA ACCESS PIPELINE	HP14-002 PRE-FILED TESTIMONY OF Thomas E. Stofferahn

STATE OF SOUTH DAKOTA)
 :SS
COUNTY OF MINNEHAHA)

Thomas E. Stofferahn, being first duly sworn on his/her oath, deposes and states as follows:

Please state your name and address.

Thomas E. Stofferahn
45938 SD Hwy 38
Humboldt, SD 57035

How are you involved with the Dakota Access Pipeline project?

I am a landowner and business owner in Minnehaha County, South Dakota affected by the proposed Dakota Access Pipeline.

Please describe the history of your family’s land ownership, and whether farming will be continued by younger generations.

I have been farming in South Dakota for 45 years. The particular parcel of land that Dakota Access wants to go through runs along Highway 38 and was purchased by my brother, Ron Stofferahn, and myself in 1975. The land is rented to Stofferahn Farms Partnership. I have two sons. One son is a partner and the other son is an employee in Stofferahn Farms Partnership. My brother, Ron Stofferahn, and myself own Nortec

Seeds, Inc. Both of my sons, my wife, and nephew are employees of Nortec Seeds, Inc. Estate plans have been made for my sons to inherit my ownership in both businesses. Estate plans have been made for my wife to inherit the land and home acreage.

Please describe your current farming operations.

Stofferahn Farms Partnership is owned by four family members and conducts the farming operations. This partnership farms approximately 2800 acres in Minnehaha, McCook and Turner counties in South Dakota. Stofferahn Farms grows soybeans for Nortec Seeds, Inc. to use as seed.

To the best your knowledge, what area(s) of your property will the Dakota Access Pipeline cross?

From verbal conversations with Dakota Access contract easement employee, Edwina Scroggins, the pipeline easement will run from north to south through the 118.36 acre land parcel I own with my brother that runs along Highway 38 utilizing approximately 4 acres of tillable crop land. She stated it will run right behind our 3.8 acre acreage where my home is situated that I own with my wife, Nancy Stofferahn, and also right behind our seed business, Nortec Seeds, Inc.

How close is the pipeline to any building, bin or pen, water source, or farming facilities (i.e., storage area, feedlot, grazing area, etc.)?

I do not know the exact yardage.

Please describe any special characteristics of your property and farmland, and/or whether you plan to build any houses, outbuildings, shelter belts, or other structures on your property.

Nortec Seeds, Inc.

In South Dakota the Stofferahn family has been in the seed business for over 40 years that began with my father. In 1998 when my brother and myself purchased the business from our father the location was moved next to my home on Highway 38 in a 60x120 Morton shed that we built. Later the shed became a part of Stofferahn Farms Partnership and we deeded 3.96 acres to the partnership named Tract 1 where the shed sits today. Nortec Seeds, Inc. rents this shed to conduct its business. Beginning in the summer of 2014 before any knowledge of Dakota Access pipeline we began making plans for an expansion. The only available expansion is to the north because the land only goes 30 feet east, to the west there is a slough and to the south Highway 38. The expansion includes a new 60x152 Morton storage shed and another structure to house a soybean cleaning and treatment center with 6 bulk hopper bins. The expansion will include new offices and parking for semis and trucks. To the North of these new structures we plan to have all research and test plots for customer and public viewing. Since we have a unique situation where we own both the land and business we can deed more land to Tract 1 to expand the business location when needed. It is my intention to sell my portion of Nortec

Seeds to my two sons and they will continue to operate the business in the future. Without this expansion we feel we cannot be competitive in the seed industry and would have to move to a new location. To find this same excellent location would be costly along with constructing a whole new warehouse facility. At the present time we have not begun any construction for the expansion because we now know that the pipeline will be behind the location of the business. If my sons do not have the opportunity to expand in 10-30 years than there is no use wasting capital on a South Dakota business that cannot grow. Without expansion Nortec Seeds could possibly lose millions of dollars in sales over the life of the easement and to relocate would cost hundreds of thousands of dollars.

118.36 Acre Parcel of Land

This land was purchased by myself and my brother in 1975. In 45 years of farming we have picked rock and made improvements so that it is a highly productive parcel of agriculture land. It is along Highway 38 where there is continued growth and in the future has the potential for development property. There is one housing eligibility on the land. My son had plans this year to use the housing eligibility to build a home on an acreage near where the pipeline is entering the land to the north. Of course that will no longer be a possibility. Because of the liability of the pipeline I believe it will reduce the property value of the land and the housing eligibility.

3.8 Acreage with Home, 66x99 Morton Shed and Shelter Belt

My wife and I built this home on the acreage in 1980 on Highway 38. In July, 2014, we started a renovation of the home before any knowledge of the pipeline. We put in a large amount of our retirement money for this project treating it as an investment. The renovation included new roof, steel shingles, new siding and windows, and brick-stone front with pillars. The inside was completely gutted and redone with solid wood floors, larger rooms, granite counters, stone archway to the kitchen. It has a two tier landscaping to the east and north, stamped concrete patios and there is a 66x99 Morton shed behind the house. Because of the good location we believed this would be a good investment. Now common sense is telling us who would ever want to buy a high-end home and acreage with a pipeline behind it and we are afraid that our retirement money will be lost.

Please describe which of your farming operations or other land uses will be impaired by the Dakota Access Pipeline and how they will be impaired.

The main concern I have is for the liability issues in regard to farming the land, compaction of the soil and whether the land will ever produce. If Stofferahn Farms hits the pipeline while doing normal farming practices is it liable for damages to neighbors or other landowners? Our insurance agent has told us that there is no insurance that we can obtain to cover this liability. The land in question has a mortgage on it for the purchase of other land. Our lending bank has said they will not sign off on the easement. From what I have learned about the proposed easement by Dakota Access there is nothing that addresses their liability for an oil event. From what I heard on the easement from other landowners the entire 118.36 acre parcel legal description is used on the easement not the 50 feet pipeline description. Dakota Access does not sign the easement. Dakota Access has the right to amend the easement to install more 30 inch pipelines on the 50 foot easement.

I have invested in ethanol plants to help with our nation's energy concerns and establish better corn prices. As far as I know the pipeline has no plans to transport ethanol. In fact

the oil industry has lobbied for less blending of ethanol which in turn lowers corn prices and hurts Stofferahn Farms economically.

Has your farmland been improved with drain tile? If so, please describe whether you are concerned that pipeline construction may damage and impair the drain tile performance and investment.

Yes. There are two lines. At the present time I do not believe the pipeline path will cross the tiles.

Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to the environment or the inhabitants within the siting area? If so, why?

Yes. If there is a leak or oil event it will naturally run through the drainage tiles and tributaries that go into West Skunk Creek, Skunk Creek, Sioux River and could affect water aquifers for Sioux Falls and Minnehaha County communities. Bakken oil has been found to be explosive when transporting by rail and there is nothing I have seen to prove that it will any different in a pipeline. In my opinion residing or working near the pipeline has an increased safety risk.

Do you believe that the Dakota Access Pipeline will substantially impair the health, safety and welfare of the inhabitants of the siting area? If so, why?

Yes. There is a saying that when you pour cement it is not whether if it will crack but when. I believe the same saying can be applied to pipelines. 570,000 barrels a day, 1440 psi, welded together segments so it is only the matter of where and when the oil events will happen. Will it be in the James River, Sioux River, Missouri River, Mississippi River or on my land? The land would never be able to be put back to the original natural resource it once was and could probably not be farmed. Five Stofferahn families depend on the income from Nortec Seeds so if we were unable to conduct business it would greatly affect the welfare of all the families.

Have you been sued by Dakota Access Pipeline to compel court ordered access to your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority (i.e., state statute) supporting its claim that you have no right to exclude Dakota Access from your land at the time of said lawsuit? and (2) Have you incurred legal fees in defending against said lawsuit?

Yes. I was served a Summons and Complaint at my business in March, 2015.

No. They have not showed me a permit to survey. Dakota Access in legal documents has defined themselves as a public common carrier but I do not know who gave them this legal authority.

Yes. I have incurred legal fees.

Has Dakota Access Pipeline made any statements to you that it is a "common carrier" under South Dakota law? If so, please describe.

In the Complaint for Preliminary Injunction to Provide Survey Access that was served on me they stated in paragraph 3 that they are a common carrier and have the privilege of eminent domain pursuant to SDCL 49-2-12 and 49-7-13.

Please state any other concerns you have regarding the Dakota Access Pipeline.

I am a life-long resident of South Dakota and have been engaged in farming and the seed business for about 45 years. I have worked to grow these businesses for my own financial well being and for my family. I have always supported the State of South Dakota. I am concerned that the State of South Dakota is going to take my land through eminent domain and I will lose everything I have worked for my entire life to develop these businesses into what they are today. I would like to pass them on to my children and grandchildren.

SDCL 49-41B-22 Applicant's burden of proof.

(2) The facility will not pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area; This paragraph in the above-named statute protects me from the economic harm that will be caused by Dakota Access pipeline to Nortec Seeds, Inc., myself and my family.

Would you be available to present testimony and respond to questions during the formal hearing scheduled for September 29 through October 8, 2015?

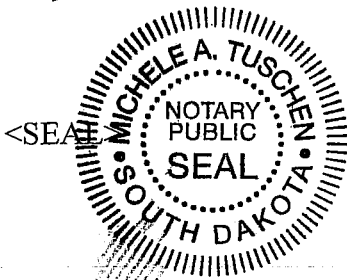
Yes.

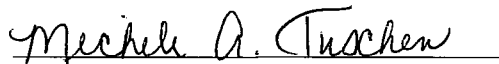
Does that conclude your testimony?

Yes.



Subscribed and sworn before me this 29th day of June, 2015.




Notary Public – South Dakota
My Commission Expires: 10-15-17