

Sue Otis

ML-SD-MN-0796.0000
ML-SD-MN-0796.0000

From: TINA HALL [tinahall@donellis-associates.com]
Sent: Friday, July 23, 2010 8:05 AM
To: 'Sue Otis'; 'Tammy Smoot'
Subject: FW: Fwd: Fw: Invitation

This e-mail and the photos need to go in the Sibson file. They are a SD tract.

From: Sarah Metcalf [mailto:smetcalf12@gmail.com]
Sent: Thursday, July 22, 2010 4:01 PM
To: Nicole Aitken
Cc: Michael Schmaltz; Jessica.Greven@trow.com; Susan Parker; jrauh@neilpalmerllc.com; Richard Prior; Brett@magt.com; John Hunt; Tina Hall; Don Ellis
Subject: Re: Fwd: Fw: Invitation

FYI

Here are photos from the Sibson ROW tour, sorry for the delay I had some computer difficulties. Please let me know if anyone has any further questions on this tract.

The major concerns I got from the commissioner had to do with native grassland, specifically seed species matching and the time it takes native grasses to recover. He also brought up Keystones ability to maintain quality control between it's contractors, when it comes to clean up and reclamation. He noted to attention to detail the company showed with the quality control related to material and construction work. He also noted the discrepancy in the number of complaints recieve at the PUC between the spreads in the state. Most of which related some how to clean up/reclamation issues and wondered if there was a way to make sure "lessons learned" are carried forward to the next phase of the project.

I will send a follow up email to the Commissioner and inquire as to if he has any specific questions related to the tour that he would like further information from us on. Again let me know if you have any questions or comments.

Regards,

Sarah

On Thu, Jul 15, 2010 at 8:15 AM, Sarah Metcalf <smetcalf12@gmail.com> wrote:
Hello,

I toured the Sibson ROW yesterday with Commissioner Johnson, overall I thought that it went well, but may have some fall out concerning the Phase 4 project. The Sibson's brought up a number of issues they had with the project and eminent domain the Commissioner was very diplomatic in his responses at the same time remaining overall supportive of the project in general.

They detailed some of the hardships they felt they have suffered during the process from the trespass early in the project, trash left on the ROW this winter, as well as the reclamation issues they have now. On the ROW the weed were sprayed on Friday but were just starting to dye off yesterday. The grasses

7/23/2010

KEYSTONE 0976

have started to grow better and there was pretty good cover, I saw two species of wheat grass and a few smooth brome grass trying to come in. Unfortunately, the Commissioner was very concerned that the grass species seeded on the Sibson property are not similar at all to the grasses that were originally growing on the pasture land. I explained that unless a specific seed mix was identified by the landowner a standard mix was used as recommended by the env experts on the project. Sibson's said he had asked for the "county mix" used on CRP native grasses, I do not have a copy of their construction agreement to verify what they requested. The copy of the seed tag they have from the contractor shows the wheat grasses, brome and alfalfa were seeded, in their native pasture and over their alfalfa pasture which again the Commissioner asked why pure alfalfa wasn't seeded in this area. I couldn't answer but Sibson's said they would follow up with me as to what they want done on that section of land.

We saw two crop land tracts corn and soy beans, the Commissioner seemed very impressed to see that the crop land showed no sign of change as you went from ROW to adjacent land. There were some areas over center line that have some settling and long cracks, that are according to Sue 10-21 inches deep. The Commissioner asked if that was usually just a first year post construction issue and I said that it was, and that some subsidence and settling occurs just as it would with any excavation and back fill. I explained the tracking list that is maintained for the contractors so that these reclamation issues get addressed as they are identified by landowners, EI's or the areal monitoring.

He did have some concerns with the edges of the ROW, which on Sibson's land (and several other tracts I have been to) drop off at the edge and were not feather back into the adjacent land as well as it could have been. He kept commenting that it really was a big difference in how much more the grassland is impacted by construction than cropland. And how it was obvious that the farmer could work his crop land back to the original contours where as with the grassland he was stuck with the rough areas. He wanted to know that if it wouldn't be better to say that grassland would take 5 yrs to recover to better manage expectations of landowners. He also asked about what kind of quality control there was between the way each contractor operated.

We also looked at a wetland area and he wanted to know if it wouldn't be better to use just the trench line stripping on the grassland tracts as is done in wetlands. I explained that it can be a very site specific decision and in some places trench stripping is the best management practice and in others full ROW is best. Not stripping topsoil will allow native grasses to come back faster from the root zone, but the stripped topsoil will still contain a seed bank and by not stripping you get issues with compaction and the risk of mixing soils during the construction process.

Overall, I thought the tour was pretty good. I do think that the state of Sibson's grassland areas have the Commissioner concerned about Phase 4 due to the fact that the majority of that land on that project is native grassland. He also said that he hoped that "Lessons Learned" on Phase 1 would be carried over to Phase 4 and improve the process for those landowners. Please let me know if anyone would like further detail on this meeting. I will send some photos of the Sibson's ROW when I have them downloaded, as there were some reclamation issues that still need to be addressed.

Regards,

Sarah

On Mon, Jul 12, 2010 at 8:08 AM, Sarah Metcalf <smetcalf12@gmail.com> wrote:

7/23/2010

KEYSTONE 0977

FYI- I am scheduled to meet with Sibson's and Commissioner Johnson at 1:30pm Wed July 14th. The Sibson property has been sprayed for weeds and the need for grass seed will be assessed later in the season when the window for seeding is open again. I will report on the out come of the meeting.

Regards,

Sarah

On Fri, Jun 25, 2010 at 12:42 PM, Nicole Aitken <nicole_aitken@transcanada.com> wrote:
I would suggest we take a look at landowners immediately adjacent to the Sibsons also as Dusty will likely be looking to see if this is a "one of" or if all landowners are experiencing the same type of condition...

N.

From: Michael Schmaltz
Sent: Friday, June 25, 2010 9:04 AM
To: 'Jessica.Greven@trow.com'; Susan Parker
Cc: 'jrauh@neilpalmerllc.com'; Nicole Aitken; Richard Prior; 'Brett@magt.com'; 'smetcalf12@gmail.com'; John Hunt
Subject: Re: Fwd: Fw: Invitation

Suggest employing the same resolution I sent this morning as suggested on the Glanzer property. Perhaps Land could call today and see if the landowner is interested in addressing (mow or spray) immediately. If not we will need to get Operations weed spraying contractor notified immediately.

From: Sarah Metcalf <smetcalf12@gmail.com>
To: John Hunt
Cc: Jeff Rauh <jrauh@neilpalmerllc.com>; Michael Schmaltz; Susan Parker; Nicole Aitken; Richard Prior; Brett Koenecke <Brett@magt.com>
Sent: Fri Jun 25 08:43:07 2010
Subject: Fwd: Fw: Invitation

Pease forward to whom ever may need to know but I suggest we make a plan to take address the weed problem on the property. Their ROW is full of weeds, no noxious that I saw but when compared to the adjacent land the ROW looks terrible. I would be happy to attend the meeting but I won't have many good explanations as too why the Sibson's grassland is so poorly restored. I beleive that the weeds need to be controlled with spray or mowing, and there are some areas should be over seeded. Please advise.

Sarah

----- Forwarded message -----

From: <Dustin.Johnson@state.sd.us>
Date: Fri, Jun 25, 2010 at 9:27 AM
Subject: Fw: Invitation
To: smetcalf12@gmail.com, Kara.Semmler@state.sd.us, Deb.Gregg@state.sd.us

Sarah,

Want to come?

7/23/2010

KEYSTONE 0978

Dusty

From: Sue Sibson <suesibson@alliancewildblue.com>
To: Johnson, Dustin (PUC)
Sent: Fri Jun 25 08:33:18 2010
Subject: RE: Invitation

Dear Dusty Johnson:

If you want, Sarah along that is fine. Sarah was already here on June 1 at our request to look at the easement area.

Thanks

Sue and Mike

From: Dustin.Johnson@state.sd.us [mailto:Dustin.Johnson@state.sd.us]
Sent: Thursday, June 24, 2010 3:07 PM
To: suesibson@alliancewildblue.com
Subject: Re: Invitation

Can I have Sarah Metcalf along? If things aren't as they should be, I'd like to be able to ask her right then and there why that is.

Dusty

From: Sue Sibson <suesibson@alliancewildblue.com>
To: Johnson, Dustin (PUC)
Sent: Wed Jun 23 09:39:46 2010
Subject: RE: Invitation

Good Morning Dusty:

July 14 will work for us. You can let us know what time when the day gets closer.

Thanks

Sue and Mike

From: Dustin.Johnson@state.sd.us [mailto:Dustin.Johnson@state.sd.us]
Sent: Tuesday, June 22, 2010 4:52 PM
To: suesibson@alliancewildblue.com
Subject: Re: Invitation

Wednesday, July 14?

From: Sue Sibson <suesibson@alliancewildblue.com>
To: Johnson, Dustin (PUC)
Sent: Tue Jun 22 09:24:52 2010
Subject: Invitation

Hi Dusty Johnson:

We would like to invite you to our farm and give you a tour of the pipeline easement area. TransCanada has been in the media saying they will leave the land in better shape than they found it. We would like you see our land. Please let us know if you are willing to take a tour.

7/23/2010

KEYSTONE 0979

Sincerely,
Mike and Sue Sibson

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 9.0.829 / Virus Database: 271.1.1/2955 - Release Date: 06/22/10 01:36:00

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 9.0.829 / Virus Database: 271.1.1/2960 - Release Date: 06/24/10 01:35:00

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Sarah Metcalf
South Dakota Liaison Officer
Keystone Pipeline
110 3rd Street SW, Ste. #104
Huron, SD 57350
1-888-375-1370
(605) 228-4736 cell
SDLiaison@keystone.trow.com

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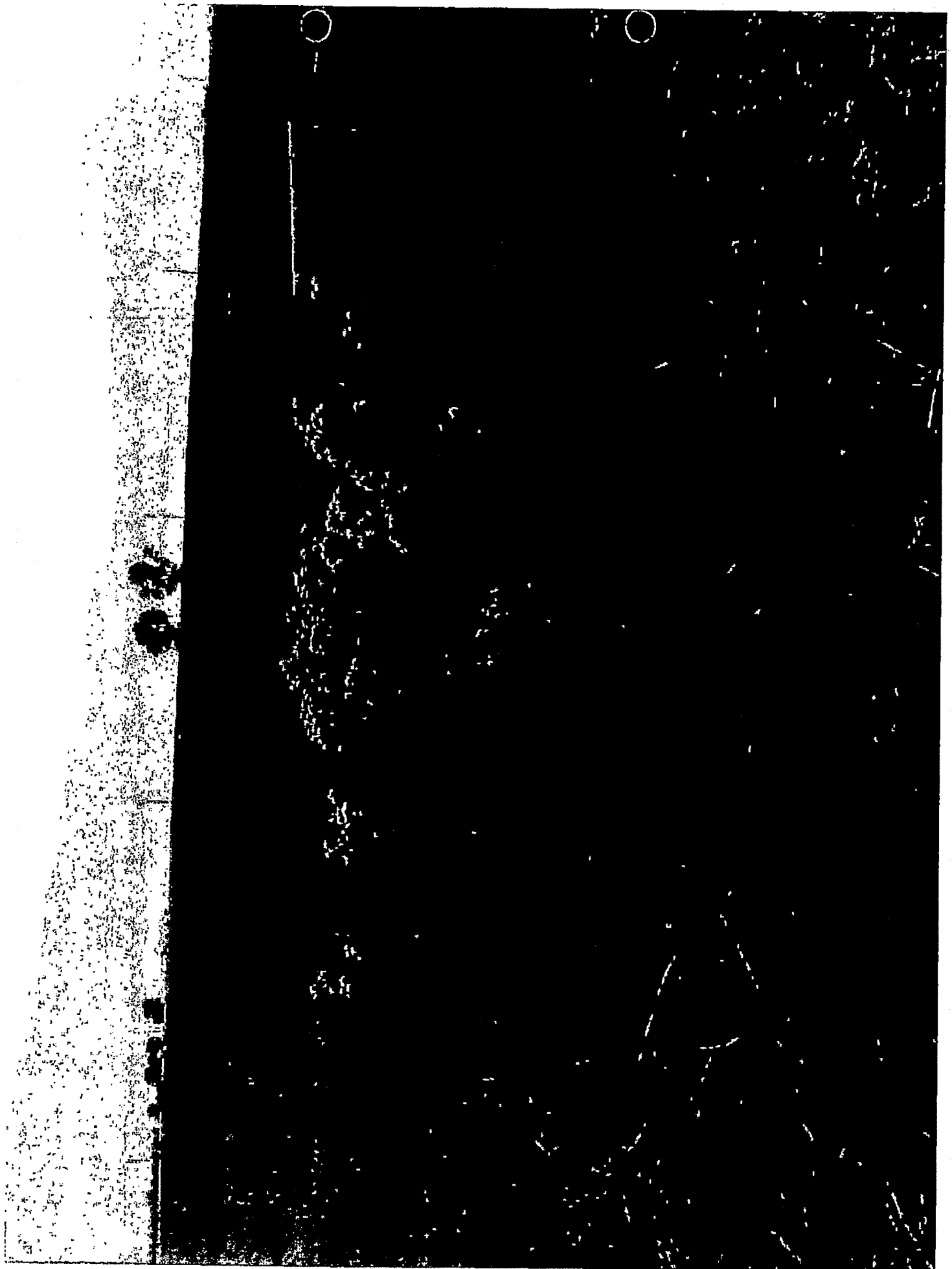
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Keystone Pipeline
110 3rd Street SW, Ste. #104

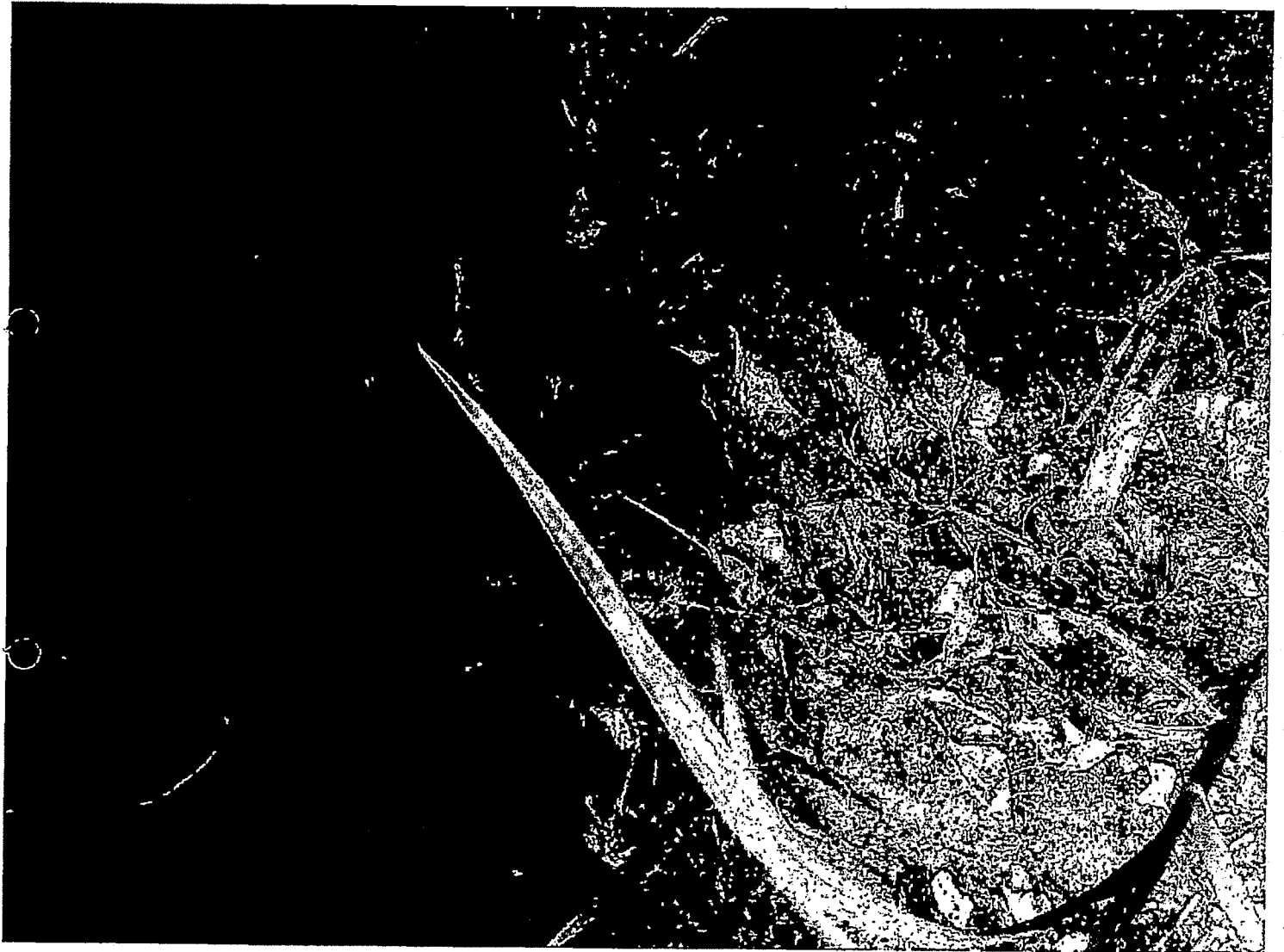
7/23/2010

KEYSTONE 0980

Huron, SD 57350
1-888-375-1370
(605) 228-4736 cell
SDLiaison@keystone.trow.com

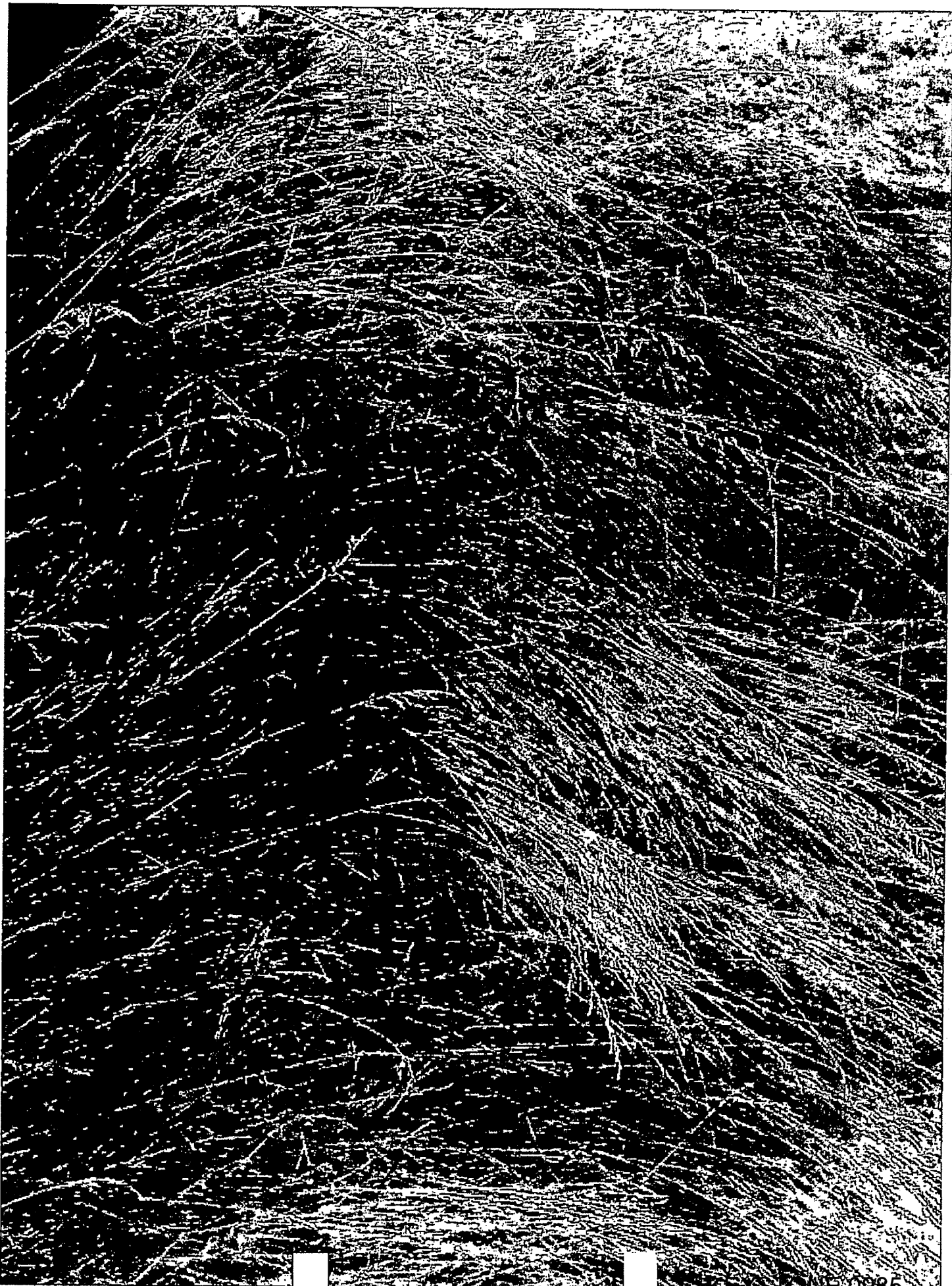
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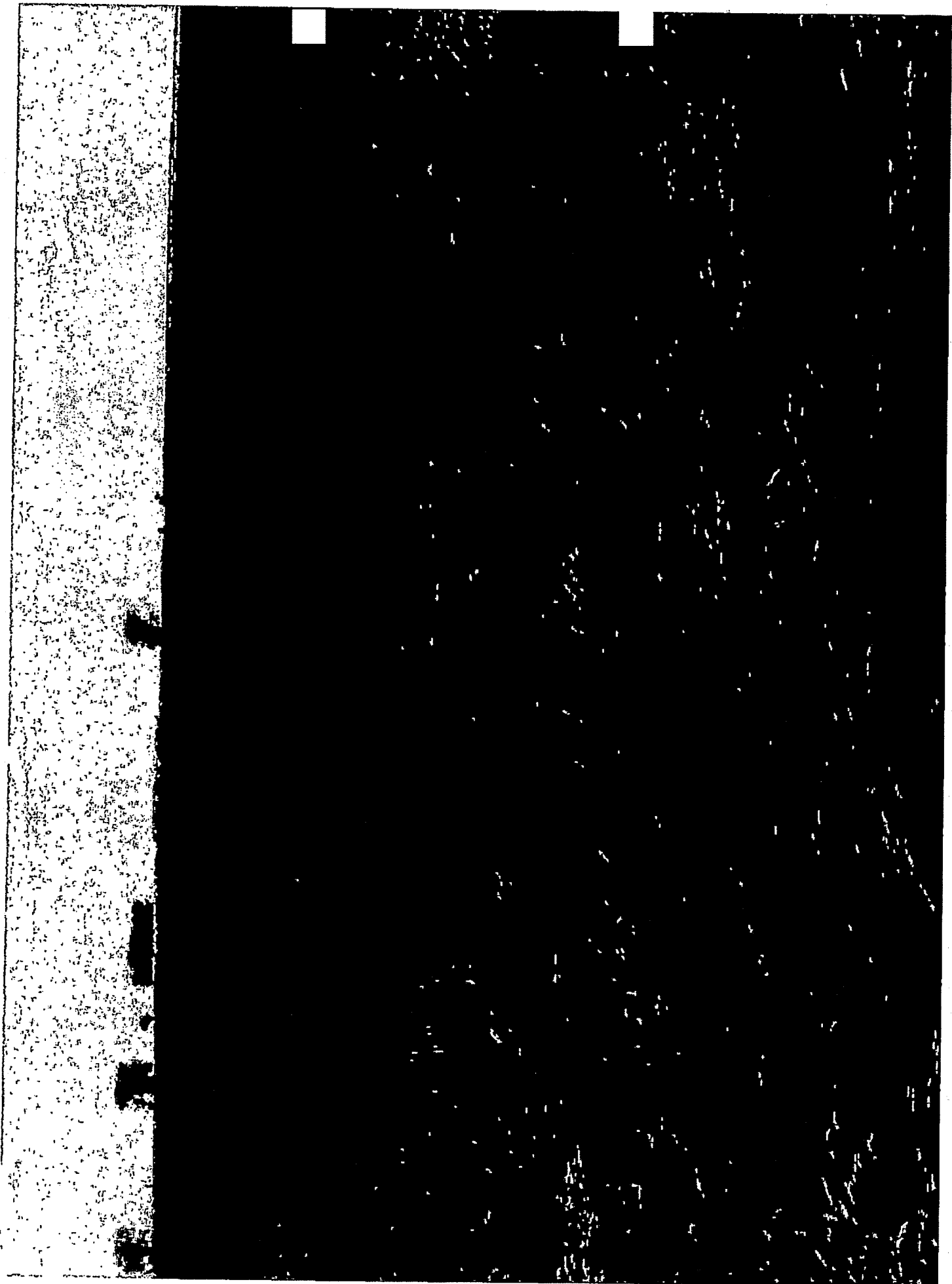


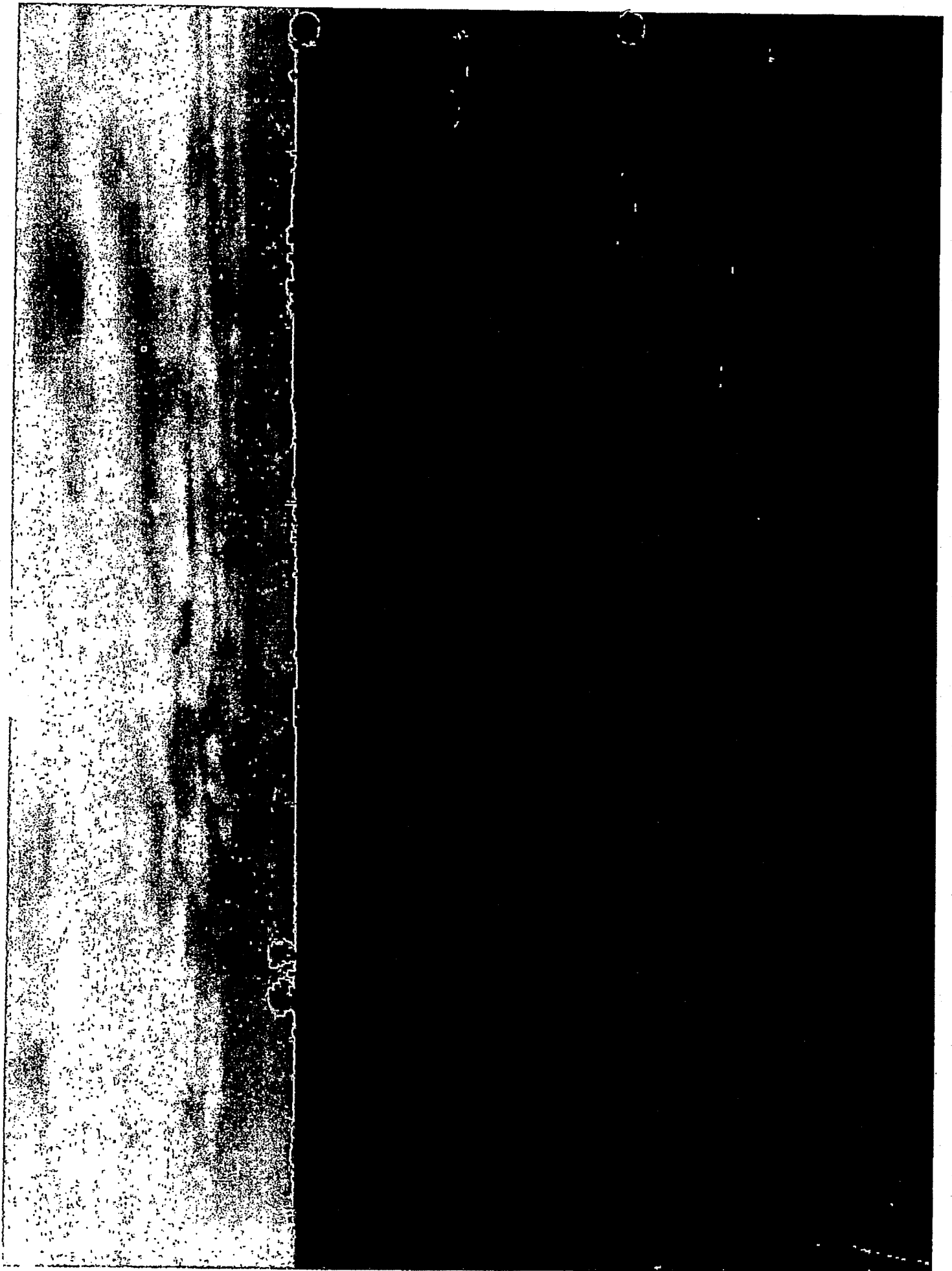
KEYSTONE 0983





KEYSTONE 0985





Keystone Pipeline Project

Contact Summary Report

Tract No. ML-SD-MN-0796.0000

Directly Affected Adjacent

Legal Description $\frac{1}{4}$ W1/2 - SEC. 33 - TWP. 106N - RGE. 57W

Additional Legal Information: MINER COUNTY S.D.

Landowner(s): MICHAEL B. and SUSAN K. SIBSON

Address: 23782 426TH AVE. City/Town: HOWARD

County: MINER Township: _____ State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : (605) 770-2800

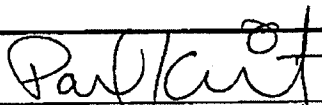
Tenant(s): NA

Address: _____ City/Town: _____

County: _____ Township: _____ State: S.D. Zip Code: _____

Telephone: Home : (605) _____ Business : (605) _____

Contact Summary: On 10-6-09 I received a call from Sue Sibson asking the status of the rocks that she thinks are buried on their property and that were suppose to be hauled off. I explained to Sue that I sent an e-mail out to the RCS explaining what she had requested and was waiting a response. Sue said that she was not going to let anyone back onto her property to retrieve the rocks. I told Sue that I thought it was still an active construction area and she said Paul you are not going to pull this on us again. I explained that it has been really wet and only specialized crews have worked since Saturday. Sue said, Paul I signed an agreement and you did too requesting the rocks be hauled off. She said the rocks were not hauled off and that is a breach of contract. Sue said "Paul you signed that agreement and I will haul you in". I asked Sue, " You are going to haul me to Jail for what?" Sue then raised her voice and I asked her to calm down and told her there was no reason to raise her voice. She laughed and said I have not raised my voice. I then asked her if she had talked to Mike Brouillette from Michels and she said no she thought she was suppose to talk to me or Sarah first. I said that was correct, but I wanted to make sure that I was not answering something that someone had already answered. Sue said I will just call Mike or Sarah Metcalf and I am done talking with you. I said thank you and hung up.



Land Representative

10-6-09

Date

Keystone Pipeline Project

Contact Summary Report

Tract No. ML-SD-MN-0796.0000

Directly Affected X Adjacent

Legal Description 1/4 W1/2 - SEC. 33 - TWP. 106N - RGE. 57W

Additional Legal Information: MINER COUNTY S.D.

Landowner(s): MICHAEL B. and SUSAN K. SIBSON

Address: 23782 426TH AVE. City/Town: HOWARD

County: MINER Township: State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : (605) 770-2800

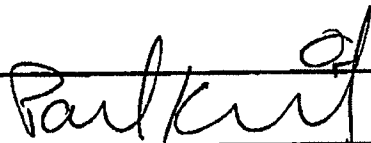
Tenant(s): NA

Address: City/Town:

County: Township: State: S.D. Zip Code:

Telephone: Home : (605) Business : (605)

Contact Summary: On 10-1-09 I called Sue and Mike and told them that I had e-mailed them the dewatering direction from Steve Craycroft the Environmental Compliance Manager. Sue then went on to say that yesterday she watched Michels bury the rocks on the ROW. She said that they requested the rocks be hauled off. She wanted to know what to do next? I told her I would bring it up at and let the contractor know. She said the ROW was cleaned up and reseeded and the y removed all of the mats. Sue said that for \$10,000 the rocks can stay buried.



Land Representative

10-1-09

Date

From: Craycroft, Stephen <Stephen.Craycroft@aecom.com>
To: <pkliest@donellis-associates.com>
Subject: FW: Wetland on Sibson Property
Date: Mon, 21 Sep 2009 09:06:29 -0700

ML-SD-MN-0795.0000
ML-SD-MN-0796.0000
COPY

Paul:

Below is a description of the work that will take place to install the pipeline on the Sibson property (tract 0796) at wetland NWI_426261.

The contractor will segregate topsoil over a 15 foot area across the trench line and use the topsoil to construct a soil dike between the timber mats and the open trench line. The trench spoil will be stacked on the spoil side to create a dike along the east side ROW edge. Water collected within the trench line between the topsoil and spoil piles will be pumped across 238th Street onto the landowner immediately south of the roadway. Trench water will be pumped into straw bale and geo-textile straw on the south side of the 238th Street. The contractor will need to temporarily disconnect the buried phone line at station 19005+20 in order to complete the tie-in weld. Once the contractor installs the pipe section concrete weights will be installed and backfill/cleanup will begin. Foam trenchbreakers will be installed at the entry and exit points of the wetland. Cleanup will be completed in two days.

This description of work complies with the Project's permit requirements, including dewatering trench water while installing the pipeline.

Please let me know if you have any additional questions.

Best Regards,

Steve Craycroft

Keystone Project

Environmental Compliance Manager

816-880-4881 ext. 144

970-219-0184 (cell)

Keystone Pipeline Project

Contact Summary Report

ML-SD-MN-0796.0000

Tract No. ML-SD-MN-0795.0000 Directly Affected X Adjacent _____

Legal Description S2SW4 - SEC. 28 & all sec 33 - TWP. T-106-N - RGE. R-57-W

Additional Legal Information: Miner County, SD

Landowner(s): Michael B & Susan K Sibson

Address: 23782 426th Ave City/Town: Howard

County: _____ Township: _____ State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : 605-770-2800

Tenant(s): N/A

Address: _____ City/Town: _____

County: _____ Township: _____ State: _____ Zip Code: _____

Telephone: Home : _____ Business : _____

1-23-2009 I met with the Sibsons. They said they want their attorney to review the atws agreement before they sign it. We partially filled out a construction agreement but they want their attorney to review it before they sign it and they will not sign it until they get a few questions answered. They want a permanent fence put up along the West edge of the ROW when construction is done. They will turn that everything East into pasture as they don't want to farm over the pipe. There are a few acres of farm ground that will be cut off by the ROW and want to know if they are going to be compensated for crop loss on it. They want a temporary fence put along the East side of the ROW in 3 areas for their cattle during construction. They will need access across the ROW for their cattle in 2 areas. They want speed limit signs put on the roads surrounding their house. They said they will be watching and they better not see any trash, cigarette butts, or sunflower seeds on their property especially outside the ROW.

I wrote a check for the claim of Michael Sibson and Garry Nutter for extra mileage and labor from the 2008 harvest.

Eric Munz
Land Representative

1-23-2009
Date

Keystone Pipeline Project

Contact Summary Report

Tract No. ML-SD-MN-0796.0000

Directly Affected X Adjacent

Legal Description 1/4 W1/2 - SEC. 33 - TWP. 106N - RGE. 57W

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Address: 23782 426TH AVE. City/Town: HOWARD

County: MINER Township: State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : (605) 770-2800

Tenant(s): NA

Address: City/Town:

County: Township: State: S.D. Zip Code:

Telephone: Home : (605) Business : (605)

Contact Summary: On 9-10-09 I received a call from Brian Collabella, an EI with AECOM, and he said he received a call from the contractor about pumping water on the Abandoned 237 street that the Sibson's now own. I told him that the Sibson's had said no in the past but wanted to know how much water and where they were going to put it. I asked Brian these questions and he said he would go to the site and find out. Brian called back and said he went to the site and Mike Sibson was there and he told them where they could pump water and gave them permission to pump this bell hole out into a certain location.

I then called Mike Sibson and he confirmed to me that he did give permission for the contractor to pump this certain bell hole out and to pump into this certain location.

Parkit
Land Representative

9-10-09
Date

Keystone Pipeline Project

Contact Summary Report

Tract No. ML-SD-MN-0796.0000

Directly Affected X Adjacent

Legal Description 1/4 W1/2 - SEC. 33 - TWP. 106N - RGE. 57W

Additional Legal Information: MINER COUNTY S.D.

Landowner(s): MICHAEL B. and SUSAN K. SIBSON

Address: 23782 426TH AVE. City/Town: HOWARD

County: MINER Township: State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : (605) 770-2800

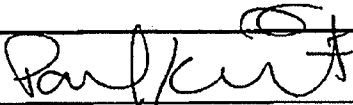
Tenant(s): NA

Address: City/Town:

County: Township: State: S.D. Zip Code:

Telephone: Home : (605) Business : (605)

Contact Summary: On 9-2-09 I called and talked to Sue and Mike and asked how the Construction was progressing on their property. I received an e-mail from Sue last week stating that they would need to move cattle across the ROW over the weekend and wanted the Contractor informed. I notified Michel's Construction and they stated no activity would be taking place. Sue said everything went very well and were appreciative of the work that has taken place to get the cattle access. She thanked me for calling and said she would contact me first if any issues came up.



Land Representative

9-2-09

Date

Keystone Pipeline Project

Contact Summary Report

ML-SD-MN-0796.0000

Tract No. ML-SD-MN-0795.0000 Directly Affected X Adjacent _____

Legal Description S2SW4 - SEC. 28 & all sec 33 - TWP. T-106-N - RGE. R-57-W

Additional Legal Information: Miner County, SD

Landowner(s): Michael B & Susan K Sibson

Address: 23782 426th Ave City/Town: Howard

County: _____ Township: _____ State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : 605-770-2800

Tenant(s): N/A


Address: _____ City/Town: _____

County: _____ Township: _____ State: _____ Zip Code: _____

Telephone: Home : _____ Business : _____

6-23-2009 Sue called and said some workers were driving off ROW on her property. She said they drove down the section line and entered a gate where they don't have permission. She said they section line road was closed by the County and she owns it. She said they were putting up the goal posts by the power lines. She also asked for 48 hr notice before anyone enters her property. I told her we gave her notice in April that construction would be starting and they can expect activity anytime after that.

Eric Munz
Land Representative



6-23-2009
Date

Keystone Pipeline Project

Contact Summary Report

ML-SD-MN-0796.0000

Tract No. **ML-SD-MN-0795.0000** Directly Affected X Adjacent _____

Legal Description S2SW4 - SEC. 28 & all sec 33 - TWP. T-106-N - RGE. R-57-W

Additional Legal Information: Miner County, SD

Landowner(s): Michael B & Susan K Sibson

Address: 23782 426th Ave City/Town: Howard

County: _____ Township: _____ State: SD Zip Code: 57349

Telephone: Home :(605) 772-5184 Business : 605-770-2800

Tenant(s): N/A

Address: _____ City/Town: _____

County: _____ Township: _____ State: _____ Zip Code: _____

Telephone: Home : _____ Business : _____

6-03-2009 I called Sue and told her the survey crew was planning on finishing up on their property today. I asked her about the fence estimate. She said her fence people were waiting until the property was staked before they do an estimate. She will mail it to the Huron office when she gets it.

Eric Munz

Land Representative

6-03-2009

Date

6-9-

ML-SD-MN-0795.0000

ML-SD-MN-0796.0000

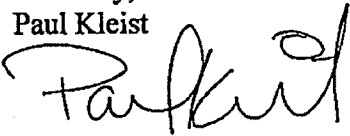
W1/2 Sec. 33 and the SW1/2 Sec. 28, T-106N, R-57W

Mike and Sue Sibson,

Sue about 2 months ago you called my office saying you saw an ad in the paper relating to water lines that could be replaced within 500' of residences. You stated you were unsure if your line fell into the condition of the PUC order but wanted to be on the list. TransCanada has followed up on your request and found that the water line that runs to your house is at least 1000' from the Keystone Pipeline.

I have attached a photo from KingBrook Rural Water that shows the water system near your home. Please note that Keystone Pipeline is further away than 500'. Please contact me at the information below if you have any further questions.

Sincerely,
Paul Kleist



PAUL KLEIST
Right of Way Supervisor
South Dakota
Keystone Pipeline Project
605-352-1375 Office
605-461-9005 Cell
110 3rd Street SW Suite 104
Huron, SD 57350

"think safe, act safe, be safe, safety is my goal"

KEYSTONE 0996

From: Charles Stewart <Charles.Stewart@universalensco.com>
 To: Jeff Rauh <jrauh@neilpalmerllc.com>, Kerwin Kostad <kkostad@donellis-associates.com>
 Cc: Paul Kleist <pkleist@donellis-associates.com>, Denny Needham <dneedham@donellis-associates.com>, Tina Hall <tinahall@donellis-associates.com>, Nate Krommendyk <nate_chelle@dutchmail.com>, Paul Fuhrer <paul_fuhrer@transcanada.com>
 Subject: RE: Sue Sibson --Kingbrook Rural Water
 Date: Thu, 4 Jun 2009 11:18:21 -0500

ML-SD-MN-0795.0000
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Kerwin/Jeff,

Kingbrook sent me their water line service map for the Sibson property on which I plotted the Keystone pipeline from the land plat (See attachment). While the dimensions are not such that you can determine the exact spacing, it is clear that the closest distance between the Sibson water service line and Keystone pipeline is more than 1000 feet, probably between 1200 and 1300 feet. The only way to get the exact spacing would be to pay Kingbrook to dig up the service line and have our surveyors measure the spacing.

Charles E. Stewart

Project Manager

Keystone Pipeline Project

816-880-4881 Office

832-465-5982 Cell

charles.stewart@universalensco.com

From: Jeff Rauh [mailto:jrauh@neilpalmerllc.com]
Sent: Thursday, June 04, 2009 8:09 AM
To: 'Kerwin Kostad'; Charles Stewart
Cc: 'Paul Kleist'; 'Denny Needham'; 'Tina Hall'; 'Nate Krommendyk'; Paul Fuhrer
Subject: RE: Sue Sibson --Kingbrook Rural Water

Kerwin -

I believe Charles Stewart has (or had) the action on this item as it relates to Kingbrook. While the PUC Condition does not address required communication with landowners who seek replacement as Sue has done, I presume after our check with Kingbrook is complete, the issue will come back to Land so we can close the loop with Sue to let her know we have addressed her request. (And, given her history with the project, we should make sure our work in response to her request is well documented.)

https://register.cnchost.com/home/apps/mail/mbox_message.cgi?pFolder=Trash&pLastFolder=Tras... 6/9/2009

KEYSTONE 0997

APPENDIX B

Table 3: Status of implementation of South Dakota PUC conditions

49

At the request of any landowner or public water supply system that offers to provide the necessary access to Keystone over his/her property or easement(s) to perform the necessary work, Keystone shall replace at no cost to such landowner or public water supply system, any polyethylene water piping located within 500 feet of the Project. Keystone shall not be required to replace that portion of any piping that passes through or under a basement wall or other wall of a home or other structure. At least forty-five (45) days prior to commencing construction, Keystone shall publish a notice in at least one newspaper of general circulation in each county through which the Project will be constructed advising landowners and public water supply systems of this condition.

MICHAEL SIBSON - SUSAN SIBSON

M.L.S. 4/11/00
M.L.S. 4/11/00

Keystone Pipeline

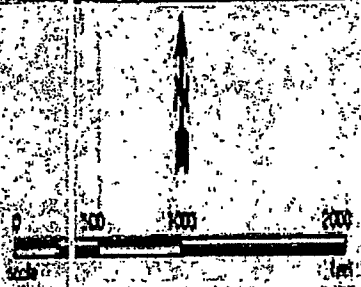
MICHAEL SIBSON - SUSAN SIBSON

Sibson water service line

Kingbrook Water Supply Line

1000 feet

T 106 R
R 57 W
Sec. 33



ICER

David Croni-Reckert
and Associates Company
Consulting Engineers
Rock, Florida, USA

Date
Drawn By
Approved

MAY 2008
JUC
BAJ

KINGBROOK
RURAL WATER SYSTEM
ARLINGTON, SOUTH DAKOTA
DISTRIBUTION SYSTEM

© 2009 TeleAtlas
Image USA Farm Service Agency
43°56'22.37"N 97°40'49.38"W elev. 1389 ft

Keystone Pipeline Project

Contact Summary Report

Tract No. ML-SD-MN-0796.0000

Directly Affected X Adjacent _____

Legal Description $\frac{1}{4}$ W1/2 - SEC. 33 - TWP. 106N - RGE. 57W

Additional Legal Information: MINER COUNTY S.D.

Landowner(s): MICHAEL B. and SUSAN K. SIBSON

Address: 23782 426TH AVE. City/Town: HOWARD

County: MINER Township: _____ State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : (605) 770-2800

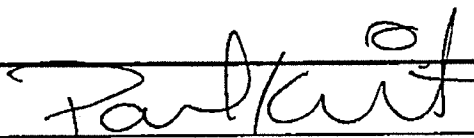
Tenant(s): NA

Address: _____ City/Town: _____

County: _____ Township: _____ State: S.D. Zip Code: _____

Telephone: Home : (605) _____ Business : (605) _____

Contact Summary: Contact Summary: On 6-25-09 I received permission from John Hunt to pay the Sibson's for the fence that they have requested. I called the Sibson's and set up an appointment to meet with them at 4pm at their house. I drew up the paperwork and drove to the Sibson's home and met with Michael and Susan. They reviewed the documents and signed them. I wrote the check to Michael B. and Susan K. Sibson in the amount of \$21,818.06 for the cost to install and tear down after time the fence.


Land Representative

6-25-09
Date

[Add Addresses to Contacts](#) | [Mark as Junk Mail](#)

~~From: John Hunt <john_hunt@transcanada.com>~~
To: <smetcalf12@gmail.com>, <pkliest@donellis-associates.com>
Subject: Re: Sibson Fences ML-SD-MN-0795.0000 and ML-SD-MN-0796.0000
Date: Wed, 24 Jun 2009 08:59:13 -0600

[▶ Show Full Message Headers](#)

~~Let's move forward with them on this basis.~~

— Original Message —

From: Sarah Metcalf <smetcalf12@gmail.com>
To: John Hunt
Sent: Wed Jun 24 06:49:41 2009
Subject: Re: Sibson Fences ML-SD-MN-0795.0000 and ML-SD-MN-0796.0000

It totals, ~~\$21,808.00~~ the bid is for a very good steel and wood post fencing with 12 16-20' steel gates.

On Wed, Jun 24, 2009 at 7:35 AM, John Hunt <john_hunt@transcanada.com> wrote:

What is the amount Paul? I can't read it on my blackberry.
Thanks,
John.

[Add Addresses to Contacts](#) | [Mark as Junk Mail](#)

View Encoding ...

From: Tina Hall <tinahall@donellis-associates.com>

To: 'Paul Kleist' <pkliest@donellis-associates.com>

Cc: <smetcalf12@gmail.com>

Subject: RE: Re: Sibson Fences ML-SD-MN-0795.0000 and ML-SD-MN-0796.0000

Date: Wed, 24 Jun 2009 11:56:47 -0500

▶ [Show Full Message Headers](#)

- That's the way I read it - go ahead and get it done

-----Original Message-----

From: Paul Kleist [<mailto:pkliest@donellis-associates.com>]

Sent: Wednesday, June 24, 2009 10:12 AM

To: tinahall@donellis-associates.com

Cc: smetcalf12@gmail.com

Subject: Fwd: Re: Sibson Fences ML-SD-MN-0795.0000 and ML-SD-MN-0796.0000

Subject: Fwd: Re: Sibson Fences ML-SD-MN-0795.0000 and ML-SD-MN-0796.0000

Tina,

Is this an approval to pay the Fence?

Paul Kleist

ROW Supervisor

Keystone Pipeline Project

South Dakota

605-352-1375 office

605-461-9005 cell

Think safe, act safe, be safe! Safety is my goal

Mike and Sue Sibson
23782 426th Ave
Howard SD 57349

Paul Kleist/Right of Way Supervisor South Dakota
Keystone Pipeline
110 3rd St SW
Suite# 104
Huron SD 57350


June 22, 2009

RE: fence estimate for Sibson land

Dear Paul,

Enclosed is a copy of the fence estimate from Heartland Custom Fencing, L.L.C.
Please note their payment plan. We would like a decision about our fence request within
7 days or less of this letter.

Thank you.
Sincerely,


Mike and Sue Sibson

Keystone Pipeline Project

Contact Summary Report

Tract No. ML-SD-MN-0796.0000

Directly Affected Adjacent

Legal Description. $\frac{1}{4}$ W1/2 - SEC. 33 - TWP. 106N - RGE. 57W

Additional Legal Information: MINER COUNTY S.D.

Landowner(s): MICHAEL B. and SUSAN K. SIBSON

Address: 23782 426TH AVE. City/Town: HOWARD

County: MINER Township: State: SD Zip Code: 57349

Telephone: Home :(605) 772-5184 Business :(605) 770-2800

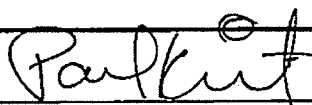
Tenant(s): NA

Address: City/Town:

County: Township: State: S.D. Zip Code:

Telephone: Home :(605) Business :(605)

Contact Summary: On 6-6-09 I called and left the Sibson's a message stating that the water line that goes to there house is located about 1000 feet from the Keystone Pipeline. This is in regards to Sue's inquiry about the ad that was published in the papers for a PUC Condition. Sue called me about 2 months ago and said she was not sure if the water line was the type that fell into the condition or not and asked me to check it out. The line is greater than 1000 feet from the residence.


Land Representative

6-6-09
Date

Keystone Pipeline Project

Contact Summary Report

ML-SD-MN-0796.0000

Tract No. ML-SD-MN-0795.0000 Directly Affected X Adjacent

Legal Description S2SW4 - SEC. 28 & all sec 33 - TWP. T-106-N - RGE. R-57-W

Additional Legal Information: Miner County, SD

Landowner(s): Michael B & Susan K Sibson

Address: 23782 426th Ave City/Town: Howard

County: Township: State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : 605-770-2800

Tenant(s): N/A

Address: City/Town:

County: Township: State: Zip Code:

Telephone: Home : Business :

5-13-2009 Sue called and left a message for me to call her back on her home phone. I called her and she said she was doing a courtesy call and trying to get along with us by telling us they put cattle in the pasture and to call her before the survey crew stakes so they can make sure the gates are shut and the cows don't bother the survey guys.

Eric Munz

Land Representative

5-13-2009

Date

Keystone Pipeline Project

Contact Summary Report

ML-SD-MN-0796.0000

Tract No. ML-SD-MN-0795.0000 Directly Affected X Adjacent _____

Legal Description S2SW4 - SEC. 28 & all sec 33 - TWP. T-106-N - RGE. R-57-W

Additional Legal Information: Miner County, SD

Landowner(s): Michael B & Susan K Sibson

Address: 23782 426th Ave City/Town: Howard

County: _____ Township: _____ State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : 605-770-2800

Tenant(s): N/A

Address: _____ City/Town: _____

County: _____ Township: _____ State: _____ Zip Code: _____

Telephone: Home : _____ Business : _____

4-10-2009 I, Paul Kleist and Sarah Metcalf met with Mike and Sue. They gave us 2 options. Fence where they want or pay them \$30,000.00 for loss of income and they will keep their cattle out of the area where the pipeline will go. They believe their yearlings are curious and will get in the way of construction and PETA will go after them for not being responsible farmers and putting their cattle in harms way. Sue said If we don't give them the fence they will bill us for extra security and having to watch their cattle.

Eric Munz

Land Representative

4-10-2009

Date

Keystone Pipeline Project

Contact Summary Report

ML-SD-MN-0796.0000

Tract No. ML-SD-MN-0795.0000 Directly Affected X Adjacent _____

Legal Description S2SW4 - SEC. 28 & all sec 33 - TWP. T-106-N - RGE. R-57-W

Additional Legal Information: Miner County, SD

Landowner(s): Michael B & Susan K Sibson

Address: 23782 426th Ave City/Town: Howard

County: _____ Township: _____ State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : 605-770-2800

Tenant(s): N/A

Address: _____ City/Town: _____

County: _____ Township: _____ State: _____ Zip Code: _____

Telephone: Home : _____ Business : _____

4-06-2009 Sue called to confirm the meeting with myself, Sarah Metcalf, and Paul Kleist on Fri 4-10-2009 at 1:00 at their place.

Eric Munz
Land Representative

4-06-2009
Date

Keystone Pipeline Project

Contact Summary Report

ML-SD-MN-0796.0000

Tract No. ML-SD-MN-0795.0000 Directly Affected X Adjacent _____

Legal Description S2SW4 - SEC. 28 & ^{w2} all sec 33 - TWP. T-106-N - RGE. R-57-W

Additional Legal Information: Miner County, SD

Landowner(s): Michael B & Susan K Sibson

Address: 23782 426th Ave City/Town: Howard

County: _____ Township: _____ State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : 605-770-2800

Tenant(s): N/A

Address: _____ City/Town: _____

County: _____ Township: _____ State: _____ Zip Code: _____

Telephone: Home : _____ Business : _____

1-23-2009 I met with the Sibsons. They said they want their attorney to review the atws agreement before they sign it. We partially filled out a construction agreement but they want their attorney to review it before they sign it and they will not sign it until they get a few questions answered. They want a permanent fence put up along the West edge of the ROW when construction is done. They will turn that everything East into pasture as they don't want to farm over the pipe. There are a few acres of farm ground that will be cut off by the ROW and want to know if they are going to be compensated for crop loss on it. They want a temporary fence put along the East side of the ROW in 3 areas for their cattle during construction. They will need access across the ROW for their cattle in 2 areas. They want speed limit signs put on the roads surrounding their house. They said they will be watching and they better not see any trash, cigarette butts, or sunflower seeds on their property especially outside the ROW.

I wrote a check for the claim of Michael Sibson and Garry Nutter for extra mileage and labor from the 2008 harvest.

Eric Munz
Land Representative

1-23-2009
Date

Keystone Pipeline Project

Contact Summary Report

Tract No. ML-SD-MN-0796.0000 Directly Affected X Adjacent

Legal Description W2 - SEC. 33 - TWP. T-106-N - RGE. R-57-W

Additional Legal Information: Miner County, SD

Landowner(s): Michael B & Susan K Sibson

Address: 23782 426th Ave City/Town: Howard

County: Township: State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : 605-770-2800

Tenant(s): N/A

Address: City/Town:

County: Township: State: Zip Code:

Telephone: Home : Business :

1-15-2009 I called and talked to Sue. I told her I would be contacting her in the next week or two to meet with them about atws. She said Mondays are bad and I should call around noon to get ahold of them. She said she will also want to talk about getting their property staked to identify the ROW.

Eric Munz 
Land Representative

1-15-2009
Date

October 27, 2008

Gary Nutter
42381 236th St
Howard SD 57349

Mike Sibson
23782 426th Ave
Howard SD 57349

Sarah Metcalf
Keystone Pipeline
110 3rd Street SW
Suite #104
Huron SD 57350

Dear Sarah Metcalf:

Due to the construction of a substation located in Section 1 Perry Township Davison County Mitchell SD, the road (412th Ave) was too rough for loaded farm vehicles and equipment to travel. We had to travel extra miles to get our harvested crops to storage bins. The road was closed for travel during our harvest.

We would like reimbursement for the labor costs (inconvenience) and extra miles traveled for 2008 soybean and corn harvest.

Harvest expense Davison County:

Trucks 36 miles @ \$3.00 a load = \$108.00

Combine and tractor with gravity wagons 16 miles @ \$2.00 a load = \$32.00

Pickup 32 miles @ .585 = \$18.72

Labor 4 hours @ \$15.00 = \$60.00

Total \$218.72

Sincerely,

Gary Nutter Mike Sibson
Gary Nutter and Mike Sibson

Sue Called Sara

First time on

10-17-08

Mark Hoffman
605-256-8270
East River Electric

WAPA has 412th Ave
Westinarty power shut down
and it is
still shut down.

Keystone Pipeline Project

Contact Summary Report

Tract No. ML-SD-MN-0796.0000 Directly Affected X Adjacent

Legal Description W2 - SEC. 33 - TWP. T-106-N - RGE. R-57-W

Additional Legal Information: Miner County, SD

Landowner(s): Michael B & Susan K Sibson

Address: 23782 426th Ave City/Town: Howard

County: Township: State: SD Zip Code: 57349

Telephone: Home :(605) 772-5184 Business : 605-770-2800

Tenant(s): N/A

Address: City/Town:

County: Township: State: Zip Code:

Telephone: Home : Business :

10-27-2008 I mailed a letter with an explanation of our survey activity on their property and where to find the CMR plan online.

Eric Munz
Land Representative



10-27-2008
Date

Keystone Pipeline 110 3rd Street SW - Suite 104 Huron, SD 57350

October 27, 2008

Michael and Susan Sibson
23782 426th Avenue
Howard SD 57349

Tract #: ML-SD-MN-0795.0000 & ML-SD-MN-0796.0000

T106N-R57W

T106N-R57W

&

28 : S2SW4

33 : W2

Dear Mr. and Mrs. Sibson:

Per your request, the following are findings of survey activity of your property:

Meghan, as I explained on the phone, drove by the property and did not need to survey.

The other information I received was a partial wetland survey about .34 miles on section 33. One wetland was identified. There was no cultural survey on either tract. No cultural resources were identified. No Threatened & Endangered species surveys have been conducted on either tract.

You may find our Construction Mitigation and Reclamation plan online: [puc.sd.gov / commission docket/hydrocarbonpipeline/ 2007/ HP07-0001](http://puc.sd.gov/commission_dockets/hydrocarbonpipeline/2007/HP07-0001) under Exhibit B.

Regards,



Eric Munz
Sr. Land Agent
Keystone Pipeline
605-461-8568
Northernmn2001@yahoo.com

KEYSTONE 1012

Keystone Pipeline Project

Contact Summary Report

Tract No. ML-SD-MN-0796.0000 Directly Affected X Adjacent

Legal Description W2 - SEC. 33 - TWP. T-106-N - RGE. R-57-W

Additional Legal Information: Miner County, SD

Landowner(s): Michael B & Susan K Sibson

Address: 23782 426th Ave City/Town: Howard

County: Township: State: SD Zip Code: 57349

Telephone: Home : (605) 772-5184 Business : 605-770-2800


Tenant(s): N/A

Address: City/Town:

County: Township: State: Zip Code:

Telephone: Home : Business :

10-24-2008 Susan called and asked if I had a report yet of surveys on her property. I told her I would get it sent to her soon. She also asked for Sarah Metcalf's phone number. I gave it to her.

Eric Munz 
Land Representative

10-24-2008
Date