

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Saturday, December 31, 2022 9:10 AM  
**To:** Email Management Service  
**Cc:** [REDACTED]  
**Subject:** RE: [EXT] co2 pipeline

Mr. Klipfel,

Thank you for your email. A decision on the hearing date will be made at the PUC's January 5 meeting.

By law your comments and my response must be made public and will be placed in the comments section of docket HP22-001 on the PUC's website.

Sincerely,

*Chris Nelson*

South Dakota Public Utilities Commissioner  
500 E Capitol Ave  
Pierre, SD 57501  
605-773-3201  
[REDACTED]

**From:** Email Management Service <klipfarm@hotmail.com>  
**Sent:** Friday, December 30, 2022 6:13 PM  
**To:** Nelson, Chris [REDACTED]  
**Subject:** [EXT] co2 pipeline

Dear sir,

I would like to thank you for having a September date for the hearing on the summit pipeline, It gives us farmers a much better opportunity to attend.

mike klipfel  
McPherson co.

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Monday, January 2, 2023 9:12 AM  
**To:** Mark & Kim Hoffman  
**Cc:** [REDACTED]  
**Subject:** RE: [EXT] Summit PUC hearing scheduling

Mr. and Mrs. Hoffman,

Thank you for your email. A decision on the hearing date will be made at the PUC's January 5 meeting.

By law your comments and my response must be made public and will be placed in the comments section of docket HP22-001 on the PUC's website.

Sincerely,

*Chris Nelson*

South Dakota Public Utilities Commissioner  
500 E Capitol Ave  
Pierre, SD 57501  
605-773-3201  
[REDACTED]

**From:** Mark & Kim Hoffman <mkhoffman@valleytel.net>  
**Sent:** Saturday, December 31, 2022 10:15 AM  
**To:** Nelson, Chris [REDACTED]  
**Subject:** [EXT] Summit PUC hearing scheduling

Commissioner Nelson,

We, Landowners for Eminent Domain Reform, listened to your last PUC meeting where you discussed when to schedule the Summit PUC permit hearings. We were very thankful that you were sensitive to farmers' workloads and our attorney's prior scheduled hearing and were open to possibly scheduling the hearings in September 2023 vs April/May 2023.

As was noted, this is absolutely the worst time ever for farmers to attend a hearing and the majority of affected landowners we believe would be farmers.

We run a cow/calf operation near Leola, SD. We start calving the middle of April and finish the middle of June. Cows are put out to pasture in May and June as they are done calving. Also this is the time when we plant all of our crops which we raise to feed these cattle which are our livelihood.

We would appreciate it if the hearings would not be scheduled in April/May 2023 so we are able to attend and voice our concerns over this hazardous CO2 pipeline which would run diagonally across most of our land and right behind our home and farm and which land is being threatened to be taken by eminent domain by Summit Carbon Solutions.

Thank you for caring about the people of South Dakota!

Sincerely,

Mark and Kim Hoffman  
35415 Plum Rd  
Leola, SD 57456

**From:** Hanson, Gary (PUC)  
**Sent:** Saturday, December 31, 2022 12:46 PM  
**To:** Mark & Kim Hoffman  
**Subject:** Re: [EXT] Scheduling of Summit PUC hearings

Mark & Kim,

Thank you for your E and comments. I hope you have a great new year.

Gary

> On Dec 31, 2022, at 10:16 AM, Mark & Kim Hoffman <mkhoffman@valleytel.net> wrote:  
>  
> which

**From:** Klein Ranch <[kleinranch1@gmail.com](mailto:kleinranch1@gmail.com)>

**Date:** January 2, 2023 at 7:30:44 PM CST

**To:** "Hanson, Gary (PUC)" [REDACTED]

**Subject:** [EXT] Landowners for Eminent Domain Reform

Thank you for listening to us landowners for Eminent Domain Reform and our concerns with HP22-001 schedule dates of April. Everyone knows spring is the busiest time for us with crops and calving. This would be completely unfair as we couldn't attend. Please consider having the hearing in Sept or early 2024. If Summit Carbon is truly concerned about agriculture as they proclaim this should not be a problem since they care so much about us landowners. Please don't let Summit Carbon take our land that we paid for only for their greed..Please represent and protect South Dakota landowners and our future generations. Ron and Carol Klein

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Monday, January 2, 2023 9:10 AM  
**To:** Kevin & Kay  
**Cc:** [REDACTED]  
**Subject:** RE: [EXT] HP22-001

Kevin and Kay,

Thank you for your email. A decision on the hearing date will be made at the PUC's January 5 meeting.

By law your comments and my response must be made public and will be placed in the comments section of docket HP22-001 on the PUC's website.

Sincerely,

*Chris Nelson*

South Dakota Public Utilities Commissioner  
500 E Capitol Ave  
Pierre, SD 57501  
605-773-3201  
[REDACTED]

**From:** Kevin & Kay <kjlapka@valleytel.net>  
**Sent:** Saturday, December 31, 2022 9:19 AM  
**To:** Nelson, Chris [REDACTED] [REDACTED] Haeder, Josh [REDACTED]  
**Subject:** [EXT] HP22-001

Sent from [Mail](#) for Windows

Our names are Kevin and Kay Lapka, farmers from Leola, SD and members of Landowners for Eminent Domain Reform. We wanted to thank you for suggesting a scheduling date for the hearing concerning Summit Carbon Solutions CO2 pipeline project not earlier than September. We commend you for listening and hearing. Sincerely, Kevin and Kay

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Monday, January 2, 2023 9:13 AM  
**To:** Cox  
**Cc:** [REDACTED]  
**Subject:** RE: [EXT] Landowner for Eminent Domain Reform and HP22-001.

Mr. and Mrs. Feickert,

Thank you for your email. A decision on the hearing date will be made at the PUC's January 5 meeting.

By law your comments and my response must be made public and will be placed in the comments section of docket HP22-001 on the PUC's website.

Sincerely,

*Chris Nelson*

South Dakota Public Utilities Commissioner  
500 E Capitol Ave  
Pierre, SD 57501  
605-773-3201  
[REDACTED]

**From:** Cox <sfeickert@valleytel.net>  
**Sent:** Saturday, December 31, 2022 2:17 PM  
**To:** Hanson, Gary (PUC) [REDACTED] Nelson, Chris [REDACTED] Haeder, Josh  
[REDACTED]  
**Subject:** [EXT] Landowner for Eminent Domain Reform and HP22-001.

Subject: Landowner for Eminent Domain Reform

Commissioners,

We are thankful that you are all willing to hear the concerns of farmers and ranchers regarding HP22-001.

We would like to request that you choose later hearing dates for this case for September 2023 or January 2024

preferably January of 2024. Please know this case is so important to farmers and ranchers in our state and we appreciate

that you are willing to hear our concerns!

Thank you!

Sid and Launa Feickert

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Monday, January 2, 2023 9:14 AM  
**To:** Brian Hoffman  
**Cc:** [REDACTED]  
**Subject:** RE: [EXT] CO2 pipeline hearings

Mr. Hoffman,

Thank you for your email. A decision on the hearing date will be made at the PUC's January 5 meeting.

By law your comments and my response must be made public and will be placed in the comments section of docket HP22-001 on the PUC's website.

Sincerely,

*Chris Nelson*

South Dakota Public Utilities Commissioner  
500 E Capitol Ave  
Pierre, SD 57501  
605-773-3201  
[REDACTED]

**From:** Brian Hoffman <bdhoffman@valleytel.net>  
**Sent:** Saturday, December 31, 2022 3:02 PM  
**To:** Nelson, Chris [REDACTED]  
**Subject:** Fwd: [EXT] CO2 pipeline hearings

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

**Subject:** CO2 pipeline hearings  
**Date:** 2022-12-30 17:14  
**From:** Brian Hoffman <bdhoffman@valleytel.net>  
**To:** [puc@state.sd.us](mailto:puc@state.sd.us)

Commissioners,



My name is Brian Hoffman, I am a member of the Landowners for Eminent Domain Reform. I strongly urge you to hold fast with your decision to hold the hearings on the summit pipeline in September, HP22-001. This will allow all effected landowners to participate in the hearings. The March, April or May timeframe occurs during the busiest and most important time on the farms and ranches that are directly affected by the pipeline making it impossible for many of the owners to give their testimony. The CO2 pipeline is a risky, as to date, unregulated, project being run by inexperienced managers supported by money grabbers.

Sincerely,

Brian Hoffman

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Monday, January 2, 2023 9:15 AM  
**To:** Jodi Waltman  
**Cc:** [REDACTED]  
**Subject:** RE: [EXT] HP-22-001 Carbon Pipeline

Ms. Waltman,

Thank you for your email. A decision on the hearing date will be made at the PUC's January 5 meeting.

By law your comments and my response must be made public and will be placed in the comments section of docket HP22-001 on the PUC's website.

Sincerely,

*Chris Nelson*

South Dakota Public Utilities Commissioner  
500 E Capitol Ave  
Pierre, SD 57501  
605-773-3201  
[REDACTED]

**From:** Jodi Waltman <jlwaltman92@gmail.com>  
**Sent:** Saturday, December 31, 2022 3:40 PM  
**To:** Nelson, Chris [REDACTED]; Hanson, Gary (PUC) [REDACTED]; Haeder, Josh [REDACTED]  
**Subject:** [EXT] HP-22-001 Carbon Pipeline

Dear Commissioners,

Thank you for considering a Sept. 2023 date or later (Jan. 2024) for the hearing on the Summit Carbon Pipeline. As a farmer/rancher, this is much more doable and works better for me to be able to attend the hearing and act as an intervenor.

Jodi Waltman  
36924 115th St.  
Wetonka, S.D. 57481  
McPherson County

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Tuesday, January 3, 2023 8:03 AM  
**To:** [REDACTED]  
**Subject:** FW: [EXT] CO2 pipeline insurance

**From:** Nancy Klipfel <mamaklip@hotmail.com>  
**Sent:** Monday, January 2, 2023 1:37 PM  
**To:** Nelson, Chris [REDACTED]  
**Subject:** [EXT] CO2 pipeline insurance

Please consider this. We landowners can't get liability when the CO2 pipeline breeches!  
Thank you from a McPherson and Brown County landowner.

Chlorine Poles



Dear [redacted]

Thank you for your liability coverage inquiry into the Navigator CO2 pipeline that is located on your property. There is specific exclusions for liability protection involving the release of CO2. The following policy language:

Coverage L (liability) does not apply to:

bodily injury or property damage arising out of the actual, alleged, or threatened presence, discharge, dispersal, seepage, migration, release, or exposure to contaminants or pollutants at or from the source of the injury or damage;

It also does not cover:

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

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

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

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

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

As history has proved, any pipeline has a chance to fail, leak and even result in injury to life and property. To place this type of risk or burden upon unwilling landowners, that you are not to placing a risk to your livelihood without your permission.

In summary, having a pipeline running through your property, carrying CO2, creates a substantial uninsurable exposure.

Sincerely,

[Redacted signature block]

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Tuesday, January 3, 2023 8:03 AM  
**To:** [REDACTED]  
**Subject:** FW: [EXT]

**From:** Beverly Nelson <banelsonxx@gmail.com>  
**Sent:** Monday, January 2, 2023 1:39 PM  
**To:** Nelson, Chris [REDACTED]  
**Subject:** [EXT]

Commissioner Nelson,

A decision to avoid the April/May time frame for the PUC CO2 Summit hearings (HP-22-001) is both wise and fair. It avoids an unnecessary added burden on farmers and ranchers during the busy spring planting/calving season. The fact that the ethanol executives would complain speaks volumes about their attitude towards producers.

Respectfully,  
Bev Nelson  
Landowners for Eminent Domain Reform

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Tuesday, January 3, 2023 8:03 AM  
**To:** [REDACTED]  
**Subject:** FW: [EXT] HP 22-001 Hearing dates

**From:** Mark & Holly Lapka <mhlapka@valleytel.net>  
**Sent:** Monday, January 2, 2023 6:29 PM  
**To:** Nelson, Chris [REDACTED]; Hanson, Gary (PUC [REDACTED]) Haeder, Josh  
[REDACTED]  
**Subject:** [EXT] HP 22-001 Hearing dates

Commissioners, I am contacting you as a farmer and landowner in South Dakota. The original proposed hearing dates around the first of may are unworkable for many landowners. That time frame is the most important time of year for a farmer. We are right in the middle of spring time activities of planting and calving. Unfortunately there is no workaround for these activities. Please consider the the September or January timeframes. Those timeframes would allow for better involvement of all sides. Thank you for your consideration.

Mark Lapka

Leola, SD

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Tuesday, January 3, 2023 8:04 AM  
**To:** [REDACTED]  
**Subject:** FW: [EXT] Landowners for Eminent Domain Reform

**From:** Klein Ranch <kleinranch1@gmail.com>  
**Sent:** Monday, January 2, 2023 7:15 PM  
**To:** Nelson, Chris [REDACTED]  
**Subject:** [EXT] Landowners for Eminent Domain Reform

Thank you for listening to us landowners for Eminent Domain Reform and our concerns with HP22-001 scheduling dates. Everyone knows the spring is the busiest time with calving and crops. It would be completely unfair to have meeting in April so we can't attend. Please consider the hearing for this Sept or early 2024. Please don't let Summit take our land rights for their private greed. Please represent and protect South Dakota landowners.. Ron and Carol Klein

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Tuesday, January 3, 2023 8:04 AM  
**To:** [REDACTED]  
**Subject:** FW: [EXT] Scheduling of hearing for Docket HP 22-001 (Commission Docket for SCS Carbon Pipeline)

**From:** Kay and Arny <kayarny@alliancecom.net>  
**Sent:** Monday, January 2, 2023 10:20 PM  
**To:** Nelson, Chris [REDACTED]  
**Subject:** [EXT] Scheduling of hearing for Docket HP 22-001 (Commission Docket for SCS Carbon Pipeline)

January 2, 2023

In regards to Docket HP22-001 (Commission Docket for SCS Carbon Pipeline)

Commissioner Nelson,

I have heard there is some pressure to change the hearing dates that you were trying to schedule for September of 2023 or January of 2024. Thank you for realizing that April and May are extremely busy and stressful times for farmers. I have filed for intervener status at the hearing.

September, January or February would be the only times that would not impact our farming operation negatively. Calving, planting, haying, spraying, and harvesting are all operations we just have to be at home for.

Thank you for hosting the meetings for the landowners to express their concerns on the Carbon pipelines. I am a landowner for eminent domain reform. I farm east of Sioux Falls, SD on the farm that my father and grandfather farmed.

Thank you for your service to all of South Dakota.

Arny Erickson

Landowner for Eminent Domain Reform

48494 260<sup>th</sup> Street

Valley Springs, SD 57068



605-941-9486

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Tuesday, January 3, 2023 8:39 AM  
**To:** [REDACTED]  
**Subject:** FW: [EXT] HP22-001, Landowners for eminent domain reform.

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

**From:** Clayton Rentschler <claytonrentschler1962@gmail.com>  
**Sent:** Tuesday, January 3, 2023 8:34 AM  
**To:** Nelson, Chris [REDACTED]; Haeder, Josh [REDACTED]  
**Subject:** [EXT] HP22-001, Landowners for eminent domain reform.

I would like to thank the PUC for their diligence and patience on this delicate manner. A project of this magnitude should not be rushed or pushed through at the expense of unwilling landowners/farmers.

We support the hearing dates of September 2023 or January 2024. From the looks of things we were still be shoveling snow in April!!!!

I would like to remind you of my wife's comments. She is a Sunday school teacher for preschool.

Thou shalt not covet thy neighbors house. Don't wish for other peoples things.

Thou shall not steal. No one is permitted to take something that belongs to another. Not only is it God's law but it is the basic law of the society we live in.

Thank you and stay safe.

Verlyn and Anna Rentschler legacy trust

Clayton Rentschler  
claytonrentschler1962@gmail.com

Charles Rentschler  
rentschlercv@hotmail.com

Cindy Menning

Crystal Page  
kcpage@santel.net

Cathy Loehr  
cathy.loehr246@gmail.com

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Tuesday, January 3, 2023 9:18 AM  
**To:** [REDACTED]  
**Subject:** FW: [EXT]

**From:** hmlebrun@goldenwest.net <hmlebrun@goldenwest.net>  
**Sent:** Tuesday, January 3, 2023 9:13 AM  
**To:** Nelson, Chris [REDACTED]  
**Subject:** [EXT]

We are writing in regard to the HP-22-001 permit meeting in April. This is a busy time for spring planting and calving. What is the big rush? Please consider dates later in September or January 2024. This pipeline is dangerous and we are against it.

Thank you for your time and consideration.  
Mark and Helen LeBrun  
47827 238 ST  
Egan, SD 57024

[REDACTED]

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**From:** Nelson, Chris  
**Sent:** Tuesday, January 3, 2023 9:56 AM  
**To:** [REDACTED]  
**Subject:** FW: [EXT] Please keep Docket HP22-001 hearing on schedule for Sept 2023 or January 2024

**From:** Kay and Arny <kayarny@alliancecom.net>  
**Sent:** Tuesday, January 3, 2023 9:42 AM  
**To:** Nelson, Chris <Chris.Nelson@state.sd.us>  
**Subject:** [EXT] Please keep Docket HP22-001 hearing on schedule for Sept 2023 or January 2024

Concerning the scheduling of the hearing for Docket HP 22-001

Commissioner Chris Nelson,

I farm with my husband and son east of Sioux Falls and I also own land east of Dell Rapids that my brothers farm. Both farms have been in our families for four generations and both are affected by the CO2 pipelines. I am a land owner for eminent domain reform.

I understand that you are getting push back about the scheduling of Docket HP 22-001 in September 2023 or January 2024. I want to thank you for being considerate of Brian Jorde's schedule. However, what is more important to those of us that farm, is that we can participate as interveners at this hearing. April and May are crazy busy and very stressful on the farm. We were so grateful when the discussion suggested the dates of September or January. It would be extremely helpful to us if the hearing could be held during one of those months.

If the pipeline and ethanol plants are so sure the pipelines are going to insure prosperity for all the grain farmers, certainly they can understand how important it is to plant our corn in a timely manner. Considering the weather this winter, I anticipate the spring to be wet and the early good planting days to be few.

Thank you for your consideration of this matter.

Kay Burkhart

48494 260<sup>th</sup> Street

Valley Springs, SD 57068