

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION
OF NAVIGATOR HEARTLAND GREENWAY, LLC
FOR A PERMIT UNDER THE SOUTH DAKOTA
ENERGY CONVERSION AND TRANSMISSION
FACILITIES ACT TO CONSTRUCT THE
HEARTLAND GREENWAY PIPELINE IN
SOUTH DAKOTA,

HP 22-002

LANDOWNERS
INTERROGATORIES AND REQUESTS
FOR PRODUCTION OF DOCUMENTS

TO: Navigator Heartland Greenway, LLC, and attorneys of record, James E. Moore, Navigator CO2 Ventures, LLC; Kevin Strehlow, Navigator Energy Services; Sarah Dempsey, Navigator CO2:

Landowners Dwayne Pederson Land Co., LLC; Dakota Aeration, Inc.; Pederson Ag, LLC; Sherwood Beek and Kristi Devick Beek hereby request answers to the following Interrogatories, pursuant to SDCL 15-6-33. You are reminded that your answers must include all information available not only to you, but also available to your agents, attorneys, insurers or others including but not limited to the entities listed above who have information available to you upon your inquiry of them.

These Interrogatories are to be considered continuing in nature and in the event you discover information during the course of this litigation which would add to or alter your answers to these Interrogatories, you are instructed to furnish such information at the earliest practicable time. Objection will be made at trial to any attempt to introduce evidence or testimony which is sought by these Interrogatories and to which no disclosure has been made.

In these Interrogatories to you, the following definitions and instructions apply.
Note that when documents are identified (as defined in Definition No. 2 below), there is

an automatic demand for production, made pursuant to SDCL 15-6-34 (with an option to you to produce copies in lieu of the formal inspection).

DEFINITIONS AND INSTRUCTIONS

In these Interrogatories:

1. Document includes any written, recorded, or graphic matter, however produced or reproduced, including, but not limited to, correspondence, telegrams, or other written communications, photographs, drawings, contracts, agreements, notes, memoranda, work papers, diaries, minutes of meetings, or any other writings.

2. Identify means, with respect to a document, to set forth the following information:

- (a) Its nature (e.g., letter, memorandum, report, etc.);
- (b) The date it bears or, if undated, the date it was written or created;
- (c) The identity of the person(s) who wrote or created it;
- (d) The identity of the person(s) who received it;
- (e) Its file number or other identifying mark or code;
- (f) Its general subject matter; and
- (g) Its present or last known location and custodian.

In all other cases where identification of a document is requested, in lieu of such specification, you may supply legible copies of such documents.

The words "you" and "your" in these Interrogatories refer to Application, its agents, attorneys, and any other person acting on Applicant's behalf, and any Interrogatory employing such language should be considered as requiring that information possessed by such persons be included in the Answers to these

Interrogatories, if applicable. Please set out each Interrogatory immediately preceding the answer thereto.

Demand, pursuant to SDCL 15-6-34, is herewith made that when any document is identified in your answers to these Interrogatories you produce the same for inspection and copying at 10:00 a.m. on the fifth business day following your service of your answers to these Interrogatories at the office of the undersigned. In lieu of such formal inspection, you may instead submit legible copies of such documents with your Interrogatory answers.

INTERROGATORIES

INTERROGATORY #1: Please state in detail all evidence you rely upon that the Navigator pipeline will not pose a threat of serious injury to the environment:

ANSWER:

INTERROGATORY #2: Please state in detail all evidence you rely upon that the Navigator pipeline will not pose a threat to the social condition of inhabitants or expected inhabitants in the siting area:

ANSWER:

INTERROGATORY #3: Please state in detail all evidence you rely upon that the Navigator pipeline will not pose a threat to the economic conditions of inhabitants or expected inhabitants in the siting area:

ANSWER:

INTERROGATORY #4: Please state in detail all evidence you rely upon that the Navigator pipeline will not substantially impair the health of the inhabitants in the siting area:

ANSWER:

INTERROGATORY #5: Please state in detail all evidence you rely upon that the Navigator pipeline will not substantially impair the safety of the inhabitants in the siting area:

ANSWER:

INTERROGATORY #6: Please state in detail all evidence you rely upon that the Navigator pipeline will not substantially impair the welfare of the inhabitants in the siting area:

ANSWER:

INTERROGATORY #7: Please state in detail all evidence you rely upon that the Navigator pipeline will not unduly interfere with the orderly development of the region:

ANSWER:

INTERROGATORY #8: : Please state in detail all evidence you rely upon that the Navigator pipeline will not have permanent effects on surrounding land uses:

ANSWER:

INTERROGATORY #9: Please state in detail all evidence you rely upon that the land uses within the right-of-way should not change from their current use because of the pipeline.

ANSWER:

INTERROGATORY #10: : Please state in detail all evidence you rely upon that the Navigator pipeline will not cause a decrease in property values concerning the property in and adjacent to the pipeline easement.

ANSWER:

INTERROGATORY #11: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline may pose a threat of serious injury to the environment:

ANSWER:

INTERROGATORY #12: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline may pose a threat to the social condition of inhabitants or expected inhabitants in the siting area:

ANSWER:

INTERROGATORY #13: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline may pose a threat to the economic conditions of inhabitants or expected inhabitants in the siting area:

ANSWER:

INTERROGATORY #14: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline may substantially impair the health of the inhabitants in the siting area:

ANSWER:

INTERROGATORY #15: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline may substantially impair the safety of the inhabitants in the siting area:

ANSWER:

INTERROGATORY #16: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline may substantially impair the welfare of the inhabitants in the siting area:

ANSWER:

INTERROGATORY #17: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline may unduly interfere with the orderly development of the region:

ANSWER:

INTERROGATORY #18: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline may have permanent effects on surrounding land uses:

ANSWER:

INTERROGATORY #19: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline may change land uses within the right-of-way from their current use:

ANSWER:

INTERROGATORY #20: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline may cause a decrease in property values concerning the property in and adjacent to the pipeline easement.

ANSWER:

INTERROGATORY #21: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline has the potential to pose a threat of serious injury to the environment:

ANSWER:

INTERROGATORY #22: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline has the potential to pose a threat to the social condition of inhabitants or expected inhabitants in the siting area:

ANSWER:

INTERROGATORY #23: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline has the potential to pose a threat to the economic conditions of inhabitants or expected inhabitants in the siting area:

ANSWER:

INTERROGATORY #24: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline has the potential to substantially impair the health of the inhabitants in the siting area:

ANSWER:

INTERROGATORY #25: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline has the potential to substantially impair the safety of the inhabitants in the siting area:

ANSWER:

INTERROGATORY #26: Please state in detail any and all evidence that the Navigator pipeline has the potential to substantially impair the welfare of the inhabitants in the siting area:

ANSWER:

INTERROGATORY #27: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline has the potential to unduly interfere with the orderly development of the region:

ANSWER:

INTERROGATORY #28: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline has the potential to have permanent effects on surrounding land uses:

ANSWER:

INTERROGATORY #29: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline has the potential to change the land uses within the right-of-way should not change from their current use because of the pipeline:

ANSWER:

INTERROGATORY #30: Please state in detail any and all evidence you have or have available to you or are aware of that the Navigator pipeline has the potential to cause a decrease in property values concerning the property in and adjacent to the pipeline easement.

ANSWER:

INTERROGATORY #31: Please set forth in detail with respect to Navigator managed pipeline and critical infrastructure any and all spills, breaks, leaks, ruptures, failures, that have occurred including the amount of product leaked and the damages caused:

ANSWER:

INTERROGATORY #32: You claim that the purpose of your hazardous pipeline is to capture carbon dioxide from approximately 21 ethanol and fertilizer plants. For these 21, identify the names and addresses of each ethanol and fertilizer plant with whom

you presently have an executed contract or executed agreement and state the general terms of purpose of said contract and agreement:

ANSWER:

INTERROGATORY #33: You claim that any carbon dioxide you capture and transport will be stored permanently and securely underground. Explain in detail how permanent storage can be guaranteed. Explain how secure storage can be guaranteed.

ANSWER:

INTERROGATORY #34: Explain in detail how safe and secure transport of carbon dioxide through the proposed pipeline can be guaranteed.

ANSWER:

INTERROGATORY #35: Please describe in detail the storage facility to which the South Dakota pipeline will transport carbon dioxide, including the status and expected timeline of any easement and permit for said storage facility.

ANSWER:

INTERROGATORY #36: List the South Dakota landowners from who you have obtained an easement for your proposed hazardous pipeline. Please organize by county and within each county by name of landowner in alphabetical order:

ANSWER:

REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION #1: Produce a true and accurate copy of all contract and all agreements of any kind presently in place between you or any affiliated entity or person and others that in any way relate to the capture of carbon dioxide with or for any Ethanol and fertilizer plants located in South Dakota that you intend to do business with for CO2 capture:

RESPONSE:

REQUEST FOR PRODUCTION #2: Produce true and accurate copies of all documents and data describing each and every parcel of land currently impacted or crossed by your proposed hazardous pipeline route in South Dakota that has a "high-risk feature" anywhere located upon that parcel of land. Include the address, tax ID, parcel ID, hazardous pipeline tract number, and basic legal description of each such parcel.

RESPONSE:

REQUEST FOR PRODUCTION #3: Produce a list of landowner names and parcel addressed, tax IDs, parcel IDs, hazardous pipeline tract numbers and basic legal descriptions for any parcel of land in the state of South Dakota where you intend to locate your hazardous pipeline but where you have not yet conducted any "actual site visits".

RESPONSE:

REQUEST FOR PRODUCTION #4: Produce lists of the names and principal places of business of each and every entity of any kind and persons that own any interest in Navigator Heartland Greenway, LLC.

RESPONSE:

REQUEST FOR PRODUCTION #5: Produce a copy of all data and documents of any kind, including but not limited to correspondence of any kind, that you or any person or entity working on your behalf has provided to any South Dakota state official, local elected officials or government employees, and any lobbyists registered to lobby in the State of South Dakota. When producing such information, identify specifically what was provide to whom.

RESPONSE:

REQUEST FOR PRODUCTION #6: Produce a list of every owner and investor of Navigator Heartland Greenway, LLC.

RESPONSE:

REQUEST FOR PRODUCTION #7: Please set forth in detail with respect to Navigator managed pipelines all evidence you have or have available to you or are aware of that the pipelines existence or use has caused a serious threat to the environment.

RESPONSE:

REQUEST FOR PRODUCTION #8: Please set forth in detail with respect to Navigator managed pipelines all evidence you have or have available to you or are aware of that the pipelines existence or use has caused a serious injury to the inhabitants or expected inhabitants of siting area.

RESPONSE:

REQUEST FOR PRODUCTION #9: Please set forth in detail with respect to Navigator managed pipelines all evidence you have or have available to you or are aware of that the pipeline existence or use has caused a serious injury to the economic condition of inhabitants or expected inhabitants of a siting area.

RESPONSE:

REQUEST FOR PRODUCTION #10: Please set forth in detail with respect to Navigator managed pipelines all evidence you have or have available to you or are aware of that the pipelines existence or use has substantially impaired the health of the inhabitants of a siting area.

RESPONSE:

REQUEST FOR PRODUCTION #11: Please set forth in detail with respect to Navigator managed pipelines all evidence you have or have available to you or are aware

of that the pipelines existence or use has substantially impaired the safety of the inhabitants of a siting area.

RESPONSE:

REQUEST FOR PRODUCTION #12: Please set forth in detail with respect to Navigator managed pipelines all evidence you have or have available to you or are aware of that the pipelines existence or use has substantially impaired the welfare of the inhabitants of a siting area.

RESPONSE:

REQUEST FOR PRODUCTION #13: Please set forth in detail with respect to Navigator managed pipelines all evidence you have or have available to you or are aware of that the pipelines existence or use has unduly interfered with the orderly development of the region.

RESPONSE:

REQUEST FOR PRODUCTION #14: Please set forth in detail with respect to Navigator managed pipelines all evidence you have or have available to you or are aware of that the pipelines existence or use has had a permanent effect on the surrounding land uses.

RESPONSE:

REQUEST FOR PRODUCTION #15: Please set forth in detail with respect to Navigator managed pipelines all evidence you have or have available to you or are aware of that the pipelines existence or use has caused changes in the land uses within the right-of-way.

RESPONSE:

REQUEST FOR PRODUCTION #16: Please set forth in detail with respect to Navigator managed pipelines all evidence you have or have available to you or are aware of that the pipelines existence or use has caused a decrease in property values, concerning the property in and adjacent to a pipeline easement.

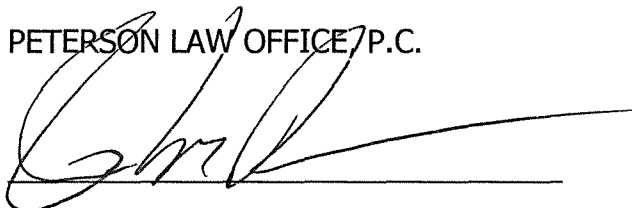
RESPONSE:

REQUEST FOR PRODUCTION #17: Produce a list of every entity and person who will own any interest in the completed pipeline project in South Dakota.

RESPONSE:

Dated this 30th day of January, 2023.

PETERSON LAW OFFICE/P.C.



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Attorney for Landowners

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of January, 2023, I served a true and correct copy of the foregoing Interrogatories and Requests for Production of Documents upon the following parties via the South Dakota Public Utilities Commission filing system and via email transmission to the following:

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Additionally via United States mail with first-class postage affixed thereon to:

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Attorney Representing
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