

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

<p>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</p>	<p>HLP22-002</p> <p>LANDOWNER INTERVENORS TRIAL EXHIBIT LIST</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------

Landowners respectfully submits the following exhibits that may be used at trial:

Trial Ex. #	<p style="text-align: center;"><u>DESCRIPTION OF EXHIBIT</u></p> <p style="text-align: center;">Classifications: A = No objections; B = Waive foundation, authenticity, & identification only; C = All Objections Reserved.</p>	Navigator Class.	PUC Staff Class.	Rural Water Class	SD Electric Class	Engineers Class	Laborers Class	AFL-CIO Class	Offered	Objection	Received	Not Received
LO1	RESERVED											
LO2	SD PUC – Information Guide to Siting Pipelines											
LO3	Exemplar Navigator SD Easement Agreement											
LO4	Exemplar Lawsuit Alleging Landowner Negligence and Trespass (Zurich Ins. vs Andrew)											

Trial Ex. #	<p align="center"><u>DESCRIPTION OF EXHIBIT</u></p> <p align="center">Classifications: A = No objections; B = Waive foundation, authenticity, & identification only; C = All Objections Reserved.</p>	Navigator Class.	PUC Staff Class.	Rural Water Class	SD Electric Class	Engineers Class	Laborers Class	AFL-CIO Class	Offered	Objection	Received	Not Received
LO5	Article – “It’s Time to End Carbon Capture of Climate Policy”											
LO6	Article – Calling on Policymakers to Reject Carbon Capture and Storage - False Solution											
LO7	Indigenous Environmental Network – CCS Arguments											
LO8	NYT Article – “Every Dollar Spent on This Climate Change Technology [CCS] is a Waster”											
LO9	Iowa State University – Soil Compaction and Crop Yield Impacts post-pipeline construction											
LO10	Iowa State University – Pipeline Right-of-Way construction activities impact on deep soil compaction											
LO11	Iowa Chapter Physicians for Social Responsibility – Carbon Capture and Public Health (Sherri Deal-Tyne)											
LO12	Compilation – Insurance Coverage Letters											
LO13	Direct Testimony Denis & Janet Andersen w/ Attachments											
LO14	Andersen Smoke Test Photos											
LO15	Andersen Plume Test Photos											
LO16	Andersen Photos											

Trial Ex. #	<u>DESCRIPTION OF EXHIBIT</u>	Navigator Class.	PUC Staff Class.	Rural Water Class	SD Electric Class	Engineers Class	Laborers Class	AFL-CIO Class	Offered	Objection	Received	Not Received
	Classifications: A = No objections; B = Waive foundation, authenticity, & identification only; C = All Objections Reserved.											
LO17	Andersen Property Contour Map and Tile lines											
LO18	Andersen – CO2 Pipeline Design: A review (Article)											
LO19	Andersen – USDA Map											
LO20	Andersen – Video of Property											
LO21	Andersen Insurance Information											
LO22	Direct Testimony Daniel & Diana Nelson w/ Attachments											
LO23	Daniel & Diana Nelson Insurance Exclusions											
LO24	Direct Testimony Tom Schwebach, Marilyn Schewback, & Rosemary Schwebach w/ Attachments											
LO25	Direct Testimony Marvin Abraham w/ Attachment											
LO26	Direct Testimony Mark Javers w/ Attachments											
LO27	Direct Testimony Roger Van Dyke w/ Attachments											
LO28	Direct Testimony Brian Teal w/ Attachments											
LO29	Brian Teal Insurance Information											
LO30	Direct Testimony Berton Risty w/ Attachments											
LO31	Direct Testimony Beverly Nelson & Scott Nelson w/ Attachments											

Trial Ex. #	<u>DESCRIPTION OF EXHIBIT</u> Classifications: A = No objections; B = Waive foundation, authenticity, & identification only; C = All Objections Reserved.	Navigator Class.	PUC Staff Class.	Rural Water Class	SD Electric Class	Engineers Class	Laborers Class	AFL-CIO Class	Offered	Objection	Received	Not Received
LO32	Direct Testimony Richard Lacey w/ Attachments											
LO33	Direct Testimony Becky Poss w/ Attachments											
LO34	Direct Testimony Connie Beyer-Lalonde w/ Attachments											
LO35	Connie Beyer-Lalonde Property Specific Documents											
LO36	Connie Beyer-Lalonde Insurance Information											
LO37	Direct Testimony Ann Cowart & Don Cowart w/ Attachments											
LO38	Don Cowart Insurance Information											
LO39	Direct Testimony Dana Bosma w/ Attachments											
LO40	Bosma Property Specific Documents											
LO41	Bosma Insurance Information											
LO42	Direct Testimony Todd Dawley & Linda Dawley w/ Attachments											
LO43	Direct Testimony Jessica & Patrick Deering w/ Attachments											
LO44	Direct Testimony Julie Burkhart & Bruce Burkart w/ Attachments											
LO45	Direct Testimony Dave Larson w/ Attachments											
LO46	Direct Testimony Karla Lems, Dwayne Pederson Land Company, Dakota Aeration, Inc.,											

Trial Ex. #	<p align="center"><u>DESCRIPTION OF EXHIBIT</u></p> <p align="center">Classifications: A = No objections; B = Waive foundation, authenticity, & identification only; C = All Objections Reserved.</p>	Navigator Class.	PUC Staff Class.	Rural Water Class	SD Electric Class	Engineers Class	Laborers Class	AFL-CIO Class	Offered	Objection	Received	Not Received
	& Pederson Ag, LLC w/ Attachments											
LO47	Direct Testimony Glenn Burggraff, Jackie Burggraff, Frank Burggraff & Lynda Burggraff w/ Attachments											
LO48	Direct Testimony Keith Myrlie & Bonnie Myrlie w/ Attachments											
LO49	Direct Testimony Ron Teal & Angela Teal w/ Attachments											
LO50	Direct Testimony Spencer Jacobson & Todd Jacobson w/ Attachments											
LO51	Direct Testimony Ryon Smeenk, Merlyn Smeenk, Lonna Smeenk & Lonna Smeenk Living Trust w/ Attachments											
LO52	Smeenk Insurance Information											
LO53	Direct Testimony Brad Severson & LuAnn Severson											
LO54	Direct Testimony Kathy Jo Serck, POA for Lois Jean Rolling w/ Attachments											
LO55	Direct Testimony Marlys Stensaas w/ Attachments											
LO56	Direct Testimony Tab Peper w/ Attachments											
LO57	Direct Testimony Art Richert & Beverly Richert w/ Attachments											

Trial Ex. #	<u>DESCRIPTION OF EXHIBIT</u> Classifications: A = No objections; B = Waive foundation, authenticity, & identification only; C = All Objections Reserved.	Navigator Class.	PUC Staff Class.	Rural Water Class	SD Electric Class	Engineers Class	Laborers Class	AFL-CIO Class	Offered	Objection	Received	Not Received
LO58	Direct Testimony Daniel R. Paulson & Jillane L. Paulson w/ Attachments											
LO59	Direct Testimony Rick Luze & Ray Luze w/ Attachments											
LO60	Direct Testimony Cathy Lu Miller w/ Attachments											
LO61	Direct Testimony Marilyn Olson w/ Attachments											
LO62	Direct Testimony Tony Ventura, Robyn Ventura, Jenae Ruesink-Cross & the Overseth-Ruesink Legacy Trust w/ Attachments											
LO63	Overseth-Ruesink Legacy Trust Zoning/Building Permit Application											
LO64	Overseth-Ruesink Auto-Owners Insurance Policy (7-7-2023)											
LO65	Direct Testimony Walter Theis w/ Attachments											
LO66	Walter Theis Property Specific Documents											
LO67	Direct Testimony Warren Jackson w/ Attachments											
LO68	Direct Testimony Wayne Burggraff w/ Attachments											
LO69	Direct Testimony Leroy Zorr & Paulette Zorr w/ Attachments											
LO70	RESERVED											

Trial Ex. #	<u>DESCRIPTION OF EXHIBIT</u> Classifications: A = No objections; B = Waive foundation, authenticity, & identification only; C = All Objections Reserved.	Navigator Class.	PUC Staff Class.	Rural Water Class	SD Electric Class	Engineers Class	Laborers Class	AFL-CIO Class	Offered	Objection	Received	Not Received
LO71	Direct Testimony Daryl Nelson & Joan Nelson w/ Attachments											
LO72	Daryl Nelson & Joan Nelson Insurance Information											
LO73	Direct Testimony Gerald Haak & Gary Haak w/ Attachments											
LO74	Direct Testimony Daniel Janssen, Robert Janssen & Mary Ann Janssen-Nelson w/ Attachments											
LO75	Direct Testimony Dennis Jarabek, Janelle Jarabek, Myron Christopherson w/ Attachments											
LO76	Jarabek Insurance Information											
LO77	Direct Testimony Merlin Knutson & Lisa Knutson w/ Attachments											
LO78	Direct Testimony Mark LeBrun & Helen LeBrun w/ Attachments											
LO79	RESERVED											
LO80	Direct Testimony Rick Bonander & Tamara Ford w/ Attachments											
LO81	Bonander-Ford Insurance Information											
LO82	Direct Testimony Arnold Erickson & Kay Burkhart w/ Attachments											
LO83	Erickson-Burkhart Property Specific Documents											
LO84	Erickson Insurance Letter & Building Eligibility											

Trial Ex. #	<p align="center"><u>DESCRIPTION OF EXHIBIT</u></p> <p align="center">Classifications: A = No objections; B = Waive foundation, authenticity, & identification only; C = All Objections Reserved.</p>	Navigator Class.	PUC Staff Class.	Rural Water Class	SD Electric Class	Engineers Class	Laborers Class	AFL-CIO Class	Offered	Objection	Received	Not Received
LO85	Direct Testimony Miles Lacey w/ Attachments											
LO86	Lacey Insurance Documents											
LO87	Direct Testimony David Vinzant & RoSchelle Vinzant w/ Attachments											
LO88	Loren Staroba Direct Testimony w/ Attachments											
LO89	Marvin Lugert Direct Testimony											
LO90	Dr. John Abraham Direct Testimony w/ Attachment											
LO91	Dr. John Abraham Surrebuttal Testimony w/ Attachment											
LO92	Sheri Deal-Tyne Direct Testimony w/ Attachments											
LO93	Richard McKean Direct Testimony											
LO94	Curtis Jundt Direct Testimony											
LO95	Richard Kuprewicz Direct Testimony w/ Attachments											
LO96	Richard Kuprewicz Surrebuttal Testimony w/ Exhibits											
LO97	Silvia Secchi Direct Testimony w/ Attachments											
LO98	Bill Caram Direct Testimony w/ Attachments											
LO99	Carolyn Raffensperger Direct Testimony w/ Attachments											

Trial Ex. #	<u>DESCRIPTION OF EXHIBIT</u> Classifications: A = No objections; B = Waive foundation, authenticity, & identification only; C = All Objections Reserved.	Navigator Class.	PUC Staff Class.	Rural Water Class	SD Electric Class	Engineers Class	Laborers Class	AFL-CIO Class	Offered	Objection	Received	Not Received
LO100	Dr. Ted Schettler Direct Testimony w/ Attachments											
LO101	Pamela Richart Surrebuttal Testimony w/ Attachment											
LO102	Navigator SD Route Maps											
LO103	Landowners for Eminent Domain Reform (LEDR) Materials											
LO104	Photo – Tractor 6’ Diameter tires											
LO105	Exemplar Right of Entry, Easement and Option Agreement – Overseth (Ventura)											
LO106	Navigator Plume Modeling Summary (Designated Confidential by Navigator) DO NOT UPLOAD											
LO107	Moody County’s Response to Navigator Discovery											
LO108	Navigator’s Responses to Landowner’s Request for Admissions											
LO109	Navigator’s Responses to Landowner’s Interrogatories 1 st Set											
LO110	Jerry Briggs Testimony re Satartia Mississippi Incident											
LO111	PMHSA Satartia Report Excerpts											
LO112	Satartia Affected Area Maps											

Trial Ex. #	<u>DESCRIPTION OF EXHIBIT</u> Classifications: A = No objections; B = Waive foundation, authenticity, & identification only; C = All Objections Reserved.	Navigator Class.	PUC Staff Class.	Rural Water Class	SD Electric Class	Engineers Class	Laborers Class	AFL-CIO Class	Offered	Objection	Received	Not Received
LO113	DeBrae Burns Testimony re Satartia Mississippi											
LO114	Jack Willingham Testimony re Satartia Mississippi											
LO115	Dan Zegart Testimony re Satartia Mississippi											
LO116	Matthew Liebman Testimony re CO2 pipelines											
LO117	Mark Maple Testimony for Illinois Commerce Commission											
LO118	Cassandra Adams Testimony re Satartia Mississippi											
LO119	Hydrogen Sulfide Chart											
LO120	Janet Holmes Testimony											
LO121	Linda Garrett Testimony re Satartia Mississippi											
LO122	Terry Gann Testimony re Satartia Mississippi											
LO123	LEDR One Page Info sheet											
LO124	Exemplar Navigator Easement - Burggraff											
LO125	Navigator's Discovery Responses to Landowners 2 nd Set											
LO126	Lincoln County Potential Impact Area infographic											
LO127	Minnehaha County Potential Impact graphic											
LO128	Navigator Promotional Materials											

Trial Ex. #	<p align="center"><u>DESCRIPTION OF EXHIBIT</u></p> <p align="center">Classifications: A = No objections; B = Waive foundation, authenticity, & identification only; C = All Objections Reserved.</p>	Navigator Class.	PUC Staff Class.	Rural Water Class	SD Electric Class	Engineers Class	Laborers Class	AFL-CIO Class	Offered	Objection	Received	Not Received
LO129	CO2 Exposure Risk Charts											
LO130	Warning Carbon Dioxide Sign											
LO131	Glenn Scott Testimony w/Attachments											
LO132	RJ Wright Testimony w/Attachments											
	Landowners reserve the right to use demonstratives during the hearing											
	Any Exhibits necessary for Impeachment											
	Any Exhibits necessary for Rebuttal											

By: /s/ Brian E. Jorde

Brian E. Jorde

DOMINALAW Group

2425 S. 144th Street

Omaha, NE 68144

(402) 493-4100

bjorde@dominalaw.com

Landowners' Lawyers

By: /s/ Ryan Cwach

Ryan Cwach

Birmingham & Cwach Law Office

124 Walnut Ave., Ste. 201

Yankton, SD 57078

(605) 260-4747

ryan@birmcwachlaw.com

Landowners' Lawyers