

Attachment No. 12



Serving South Dakota...
from South Dakota since 1916

PO Box 9 | De Smet, SD 57231 | Office - 605.854.3337
www.desmetfarmmutual.com | Fax - 605.854.3704

We have received multiple inquiries from De Smet Farm Mutual members regarding liability exposure related to the CO2 pipeline that is expected to run through or near their property. There are specific exclusions for liability protection (Coverage L) that apply to pollutants.

EXCLUSIONS THAT APPLY TO COVERAGE L – PERSONAL LIABILITY
AND TO COVERAGE M – MEDICAL PAYMENTS TO OTHERS

This policy does not apply to **bodily injury** or **property damage** which results directly or indirectly from:

the discharge, dispersal, release, or the escape of **pollutants** into or upon land, water or air.

CO2 and other chemicals (whether in solid, liquid, or gaseous form) would be pollutants as defined by your policy.

While we are not personally privy to any contracts between pipeline owners and landowners, please be aware that members may have exposure to significant personal liability for any damages caused by issues related to the pipeline on their property that are not covered by their liability insurance.

In the future, technology may render the pipeline useless or ineffective, pipeline owners and operators may change, and other factors could change that would increase the potential that you may be personally liable for cleanup, removal, and other activities that cause damage as a result of the pipeline being installed. Having a pipeline running through a member's property, carrying a pollutant, subjects them to substantial uninsurable exposure.





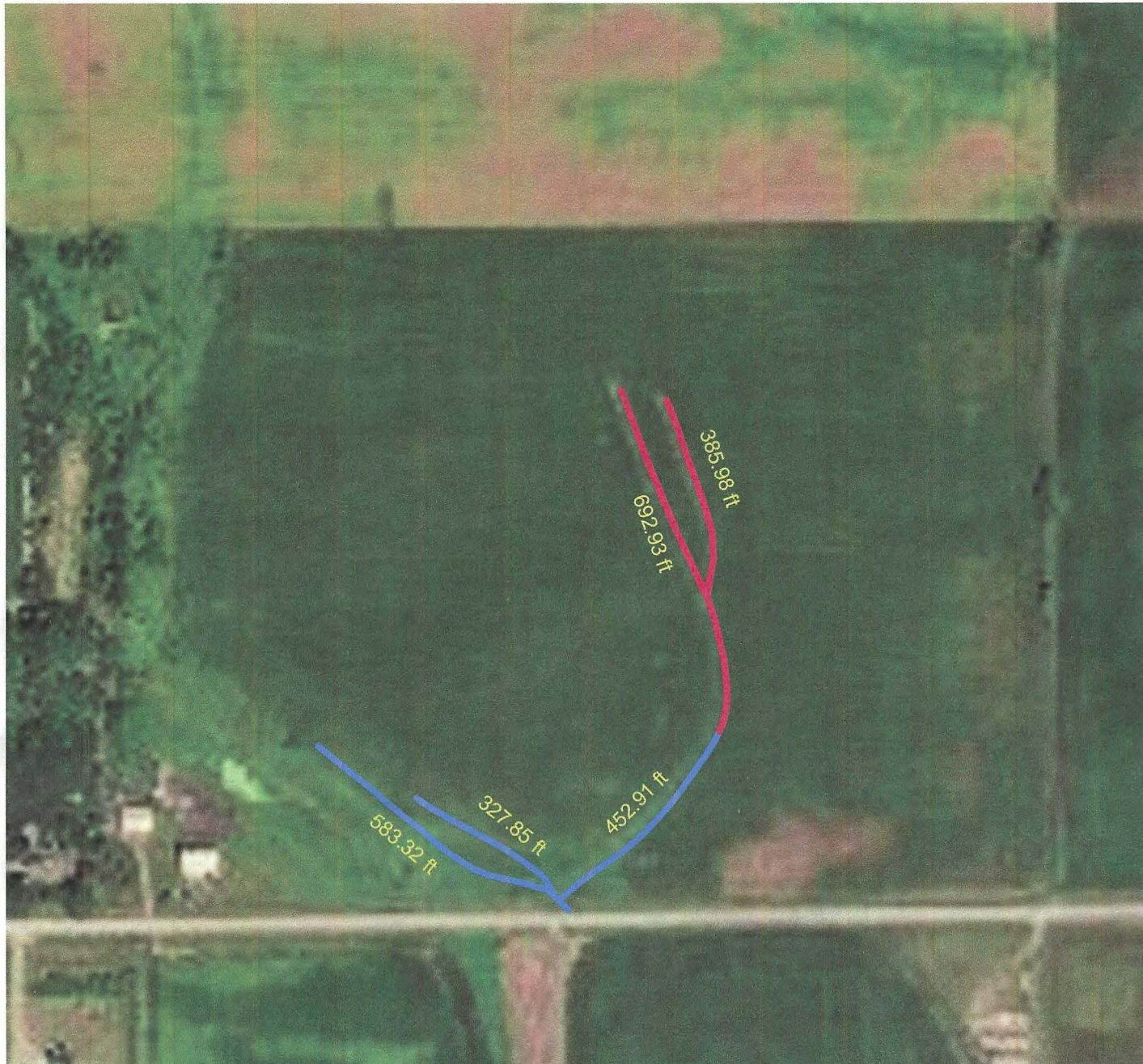






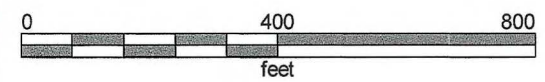
South West Quarter

Client: Funkie, Ray
Farm: Red Rock Twp Sec 20
Field: South West Quarter
Name: Spring 2020 Wolfe Plo
Date: 6/18/2020



4 Inch Tile	0.00 ft
5 Inch Tile	1078.90 ft
6 Inch Tile	1364.08 ft
8 Inch Tile	0.00 ft
10 Inch Tile	0.00 ft
12 Inch Tile	0.00 ft

6" tile #2⁴⁰/ft
 5" tile 2⁰⁰/ft



AB EXCAVATION

2515 150TH ST • ROCK RAPIDS, IA 51246

Alan & Jill Bruggeman - 712-472-2705 Cell - 712-470-1777

Austin Bruggeman - 712-470-2124

- TILE MACHINE • EXCAVATOR • DOZERS
- SCRAPER • BACKHOE • TRENCHER • PACKER



Soil stability/creek

Water coming out of the ground on the west side of our creek. This is bubbling out of the ground from a grassy area that extends 100' from the nearest tilled crop ground to the west.

The two side by side photos below show the mixing stream where the crystal clear creek water and muddy water are mixing and flowing down stream.

The third row photo is showing the upstream flowing water as it is going downhill. This is the intermittent creek that has had minnows come up and spawn some years. While I have never had documented the species of minnows, Phillip Kappen, Minnehaha Soil Conservation Supervisor in 2002, was examining our property for approval of a pond, commented that "this is ideal Topeka Shinner habitat". I told him that I had seen minnows swimming in there sometimes in the spring.

This creek flows southeast and into the Beaver Creek, known to have had Topeka Shinners.



Downloading...









Our family at our daughter's wedding in our backyard.





The barn was built in 1929.



Janet and I cross country skiing across our field. This is where Navigator wants to place their CO2 pipeline.



Our Dexter cattle on pasture.







Soil Map—Minnehaha County, South Dakota



Map Scale: 1:4,520 if printed on A landscape (11" x 8.5") sheet.
0 50 100 200 300 Meters
0 200 400 800 1200 Feet
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84

MAP LEGEND

- | | | |
|-------------------------------|--|---|
| Area of Interest (AOI) |  Area of Interest (AOI) |  Spoil Area |
| Soils |  Soil Map Unit Polygons |  Stony Spot |
| |  Soil Map Unit Lines |  Very Stony Spot |
| |  Soil Map Unit Points |  Wet Spot |
| Special Point Features |  Blowout |  Other |
| |  Borrow Pit |  Special Line Features |
| |  Clay Spot | Water Features |
| |  Closed Depression |  Streams and Canals |
| |  Gravel Pit | Transportation |
| |  Gravelly Spot |  Rails |
| |  Landfill |  Interstate Highways |
| |  Lava Flow |  US Routes |
| |  Marsh or swamp |  Major Roads |
| |  Mine or Quarry |  Local Roads |
| |  Miscellaneous Water | Background |
| |  Perennial Water |  Aerial Photography |
| |  Rock Outcrop | |
| |  Saline Spot | |
| |  Sandy Spot | |
| |  Severely Eroded Spot | |
| |  Sinkhole | |
| |  Slide or Slip | |
| |  Sodic Spot | |

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Minnehaha County, South Dakota
 Survey Area Data: Version 25, Sep 8, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 12, 2022—Jun 29, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Denis Andersen
Janet



Approved APH Production and Yield Report

APH Yield Computation for Crop Year 2023

1/19/2023
Page 1 of 30
American Agri-Business Insurance Co. (601)

RAYMOND FUNKE & DAVID FUNKE PARTNER		Heidebrink & Assoc Agency Inc	
48244 266TH ST BRANDON, SD 57005	Policy: 2023-SD-601-2960723 EIN: XX-XXX5821 Entity Type: Partnership	Agent: Chad L Heidebrink 224 E MAIN ST PO BOX 884 LIVERNE, MN 56156-1806 Business: (507) 283-4085 Business Fax: (507) 283-2749 Email: chheidebrink@iw.net	Agency Code: 272030
Business: (605) 321-8313			
Email:			

Dennis A.

Unit OU 0001-0002 2023 - SD - Minnehaha - Corn Line # 55 Plan: RP - Cov. Level - 75%	Unit OU 0001-0003 2023 - SD - Minnehaha - Corn Line # 54 Plan: RP - Cov. Level - 75%
FSA Farm/Tract/Field: 8223/11393/7 8223/11397/6,8 Farm Name: Rocky/Skybergs Practice / Type: Non-Irrigated(003) / Grain(016) Insured Share: 1.0000 Block:	FSA Farm/Tract/Field: 13893/2637/1,2 Farm Name: Anderson Practice / Type: Non-Irrigated(003) / Grain(016) Insured Share: 1.0000 Block:
Other Entities: Legal Description: 0014-101N-048W Do Not Apply YC? <input type="checkbox"/>	Other Entities: Legal Description: 0020-102N-047W Do Not Apply YC? <input type="checkbox"/>
New Producer? <input type="checkbox"/> Added Land P/T/W? <input type="checkbox"/>	New Producer? <input type="checkbox"/> Added Land P/T/W? <input type="checkbox"/>

CRN

Year	Production	Rec Type ^A	Acres	PP Acres	Yield	APH	Year	Production	Rec Type ^A	Acres	PP Acres	Yield	APH
2007	4,853.4		43.90	0	106 A	146+	2004	9,969.3		62.70	0	159 A	207+
2008	561.8		5.30	0	106 A	144+	2006	10,892.4		62.60	0	174 A	217+
2009	9,067.3		43.90	0	207 A	242+	2008	11,706.2		62.60	0	187 A	225+
2010	3,325.0		19.00	0	175 A	208+	2010	12,019.2		62.60	0	192 A	225+
2011	11,222.0		62.00	0	181 A	211+	2012	9,785.6		62.60	0	x156 A	184+
2013	7,199.6		43.90	0	164 A	199+	2014	10,279.5		62.30	0	165 A	188+
2015	7,971.6		43.60	0	182 A	202+	2016	12,562.6		62.60	0	201 A	219+
2017	8,322.0		43.80	0	190 A	205+	2018	12,510.0	A	62.55	0	200 A	213+
2019	7,295.0	A	42.91	0	170 A	180+	2020	8,967.3	M	62.74	0	143 A	151+
2022	4,281.5	M	43.85	0	97 A	107+	2022	10,623.4	M	62.55	0	170 A	173+

RMA TYield: 176 Prior APH Yield: 187 Yield Limit: Yield Adjusted *	Total (of Yield History): 1,578 Avg. Yield: 158 Approved APH Yield: 183	RMA TYield: 176 Prior APH Yield: 202 Yield Limit: Yield Exclusion	Total (of Yield History): 1,747 Avg. Yield: 175 Approved APH Yield: 202
Multi Crop Year Reporting Reason: Required: <input type="checkbox"/> Inspection <input type="checkbox"/> Field Review Processor Number/Name and/or Number of Trees or Vines:	Organic: <input type="checkbox"/> Organic Transitional: <input type="checkbox"/>	Multi Crop Year Reporting Reason: Required: <input type="checkbox"/> Inspection <input type="checkbox"/> Field Review Processor Number/Name and/or Number of Trees or Vines:	Organic: <input type="checkbox"/> Organic Transitional: <input type="checkbox"/>

^A Record Types: Harvested Production (A-H): A = Sold/Commercial Storage, B = Farm Stored/Measured by Insured, C = Pick/Daily Sales Records, D = Automated Yield Monitoring System, E = Farm Stored/Measured by Authorized Representative, F = Livestock Feeding Records, G = Field Harvest Records, H = Other Unharvested (I-K): I = Destroyed (ARPI Only), J = Put to Another Use (ARPI Only), K = Production Appraised by AIP (ARPI Only), L = Unreported Production (ARPI Only), M = Claim for Indemnity, N = Appraisal (non-loss), O = UUF or third party damage, P = Unharvested with Harvest Incomplete, (ARPI Only), Q = Zero production when no claim/appraisal/UUF/3rd party or production record. For CCIP policies only, Z = Zero Planted Acres
^B Yield Types: A=Actual / B=Assigned Yield / C=Global Yield by added Prod-Type-Variety / E=0% Yield / F=Assigned Yield / HJ=Special TYield for New Producer / J=Temporary Actual / L=Special TYield for Added Land /

Denis Andersen
Janet

Approved APH Production and Yield Report
RAYMOND FUNKE & DAVID FUNKE PARTNER Policy #: 2023-SD-601-2960723

1/19/2023
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Unit OU 0001-0003 2023 - SD - Minnehaha - Soybeans Line # 26 Plan: RP - Gov. Level - 75% FSA Farm/Tract/Field: 13893/2837/1,2 Insured Share: 1.0000 Farm Name: ANDERSON Block: Practice / Type: Non-Irrigated(003) / Commodity(091) Other Entities: Legal Description: 0020-102N-047W Do Not Apply YC? <input type="checkbox"/> New Producer? <input type="checkbox"/> Added Land P/T/V/? <input type="checkbox"/>	Unit OU 0001-0004 2023 - SD - Minnehaha - Soybeans Line # 25 Plan: RP - Gov. Level - 75% FSA Farm/Tract/Field: 13893/2823/1 Insured Share: 1.0000 Farm Name: KUHNERTS Block: Practice / Type: Non-Irrigated(003) / Commodity(091) Other Entities: Legal Description: 0022-101N-048W Do Not Apply YC? <input type="checkbox"/> New Producer? <input type="checkbox"/> Added Land P/T/V/? <input type="checkbox"/>
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Denis
A.
Soybeans

Year	Production	Rec Type*	Acres	PP Acres	Yield	APH	Year	Production	Rec Type*	Acres	PP Acres	Yield	APH
2003	2,089.1		62.70	0	33 A	45+	2003	3,233.4		95.10	0	34 A	46+
2005	3,756.0		62.60	0	60 A	71+	2005	5,342.4		95.40	0	56 A	67+
2007	2,441.4		62.60	0	39 A	48+	2007	4,483.8		95.40	0	47 A	56+
2009	3,380.4		62.60	0	54 A	62+	2009	5,342.4		95.40	0	56 A	64+
2011	3,255.2		62.60	0	52 A	59+	2011	5,247.0		95.40	0	55 A	62+
2013	4,006.4		62.60	0	64 A	70+	2013	5,247.0		95.40	0	55 A	61+
2015	4,382.0		62.60	0	70 A	75+	2015	6,778.4		95.40	0	71 A	76+
2017	4,006.4		62.60	0	64 A	68+	2017	6,105.6		95.40	0	84 A	68+
2019	3,191.0 A		58.02	0	55 A	57+	2019	5,531.0 A		92.19	0	60 A	62+
2021	3,567.0 A		60.55	0	59 A	60+	2021	6,485.0 A		95.37	0	68 A	69+

RMA TYield: 51 Prior APH Yield: 61 Yield Limit: Trend Adjusted +	Total (of Yield History): 550 Avg. Yield: 55 Approved APH Yield: 62
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Multi Crop Year Reporting Reason: Required: <input type="checkbox"/> Inspection <input type="checkbox"/> Field Review <input type="checkbox"/> Organic: <input type="checkbox"/> Processor Number/Name and/or Number of Trees or Vines: _____ <input type="checkbox"/> Organic Transitional: <input type="checkbox"/>	Multi Crop Year Reporting Reason: Required: <input type="checkbox"/> Inspection <input type="checkbox"/> Field Review <input type="checkbox"/> Organic: <input type="checkbox"/> Processor Number/Name and/or Number of Trees or Vines: _____ <input type="checkbox"/> Organic Transitional: <input type="checkbox"/>
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* Record Types: Harvested Production (A-H): A = Sold/Commercial Storage, B = Farm Stored/Measured by Insured, C = Pick/Daily Sales Records, D = Automated Yield Monitoring System, E = Farm Stored/Measured by Authorized Representative, F = Livestock Feeding Records, G = Field Harvest Records, H = Other Unharvested (I-K): I = Destroyed (ARPI Only), J = Put to Another Use (ARPI Only), K = Production Appraised by AIP (ARPI Only), L = Unreported Production (ARPI Only), M = Claim for Indemnity, N = Appraisal(non-loss), O = UUF or third party damage, P = Unharvested with Harvest Incomplete. (ARPI Only), Q = Zero production when no claim/appraisal/UUF/3rd party or production record. For CCIP policies only, Z = Zero Planted Acres
 # Yield Types: A=Actual / B=Assigned Yield / C=Special TYield for added Prac-Type-Variety / E=80% TYield / F=Assigned Yield / H,J=Special TYield for New Producer / J=Temporary Actual / L=Special TYield for Added Land / N=90% of TYield / P=75% of Prev APH / R=Replicated Annual Yield / S=85% of TYield / T=Transitional Yield (TYield) / X=Forage for on-farm use / Z=Zero Acres Planted



United States Department
of Agriculture

Natural Resources
Conservation Service

NRCS-CPA-026E
9/2000

HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name Address:	Denis Andersen 48512 260th St, Valley Springs, SD 57068-6720	Request Date:	11-13-01	County:	Minnehaha
Agency or Person Requesting Determination:	Denis Andersen	Tract No:	2637	PSA Farm No.:	9149

Section I - Highly Erodible Land

Is a soil survey now available for making a highly erodible land determination?	-
Are there highly erodible soil map units on this farm?	-

Fields in this section have undergone a determination of whether they are highly erodible land (HEL) or not; fields for which an HEL Determination has not been completed are not listed. In order to be eligible for USDA benefits, a person must be using an approved conservation system on all HEL.

Field(s)	HEL(Y/N)	Sodbust(Y/N)	Acres	Determination Date
-	-	-		
-	-	-		
-	-	-		
-	-	-		
-	-	-		
-	-	-		
-	-	-		
-	-	-		
-	-	-		
-	-	-		

The Highly Erodible Land determination was completed in the-

Section II - Wetlands

Are there hydric soils on this farm?	- Y
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Fields in this section have had wetland determinations completed. See the Definition of Wetland Label Codes for additional information regarding allowable activities under the wetland conservation provisions of the Food Security Act and/or when wetland determinations are necessary to determine USDA program eligibility.

Field(s)	Wetland Label*	Occurrence Year (CW)**	Acres	Determination Date	Certification Date
1	- W		0.5	6-17-02	6-17-02
1	- NW		16.1	6-17-02	6-17-02
2	- NW		46.1	6-17-02	6-17-02
NC	- PC		2.5	6-17-02	6-17-02
NC	- W		2.0	6-17-02	6-17-02
NC	- NW		18.3	6-17-02	6-17-02
-	-				
-	-				
-	-				
-	-				
-	-				
-	-				
-	-				
Field(s)	Wetland Label*	Occurrence Year (CW)**	Acres	Determination Date	Certification Date
-	-				

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

*DEFINITIONS OF WETLAND LABEL CODES

AW	Artificial Wetland. An area that is artificial or irrigation induced wetland. These wetlands are not subject to the wetland conservation provision.
AW/FW	An area that contains both AW and FW.
AW/W	An area that contains both AW and W.
CC	Commenced Conversion exemption.
CPD	Corps Permit Decision. Corps of Engineers permit decisions regarding section 404 of the Clean Water Act will be relied upon to satisfy the wetland conservation provisions of the Food Security Act of 1985, as amended.
CMW	An area that receives a Categorical Minimal Effect determination.
CW	Converted Wetlands. An area converted between December 23, 1985 and November 28, 1990. IN any year that an agricultural commodity is planted on these converted wetlands, you will ineligible for USDA benefits.
**CW+year	An area converted after November 28, 1990. You will be ineligible for USDA program benefits until this wetland is restored.
CWNA	Converted Wetland Non-Agricultural use. A wetland area converted to other than agricultural commodity production.
CWTE	Converted Wetland Technical Error. An area converted or commenced based on an incorrect NRCS determination or misinformation from a NRCS or FSA employee.
FW	Farmed Wetland. An area that is farmed wetland; was manipulated and planted before December 23, 1985, but still meets wetland criteria. These may be farmed and maintained in the same manner as long as they are not abandoned.
FWP	Farmed Wetlands Pasture. An area that is pasture or hayland, manipulated before December 23, 1985 but still meets wetland criteria. These may be farmed and maintained in the same manner as long as they are not abandoned.
MIW	Mitigation Wetlands. Wetlands on which a person is actively mitigating a frequently cropped area or a wetland converted between December 23, 1985 and November 28, 1990. A converted wetland, farmed wetland, or farmed wetland pasture on which functions and values were lost are compensated for through wetland restoration, enhancement or creation.
MW	Minimal effect Wetland. An area determined to be minimal effect. These wetlands are to be farmed according to the minimal-effect agreement signed at the time the minimal-effect determination was made.
MWM	An area determined to be minimal effect with mitigation.
NI	Not Inventoried - No wetland determination has been completed.
NW	Non-Wetland. An area that does not contain a wetland.
NW/NAD	An area determined to be a non-wetland resulting from a decision from the National Appeals Division.
OW	Other Waters of the U.S. Area that fall under the jurisdiction of the Clean Water Act.
PC	Prior Converted cropland, which was drained filled, or manipulated before December 23, 1985; was cropped prior to December 23, 1985; was not abandoned; and does not meet FW criteria. These are not subject to the wetland conservation provision unless the area reverts to wetland as a result of abandonment.
PC/NW	An area that contains both PC and NW.
TP	Third Party Exemption.
W	Wetlands. An area meeting wetland criteria, including wetland farmed under natural conditions. If you plan to clear, drain, fill, level or manipulate these areas, contact NRCS and the Army Corp of Engineers prior to any such activity.
WX	A wetland area that has been manipulated after December 23, 1985, but was not, for the purpose of making production possible and production was not made possible. These include wetlands manipulated by drainage maintenance agreements.

LAND RECLAMATION of the Bison Pipeline

TRANSCANADA'S BISON PIPELINE in
Montana 04/12/2011

Pictures: Bob Zellar – Billing Gazette
Lincoln Star Journal

A cattleguard damaged during installation of the Bison high pressure gas pipeline in southeast Montana 04/12/2011



Blowing and blown soil on Robert Rusley's property on the Bison high pressure gas pipeline right of way in southeast Montana. 10/27/2010

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A pipeline sign lies fallen in a trench left after the soil over the Bison pipeline sunk in spring on Robert Rusley's property in southeast Montana 04/12/2011



One sign has fallen while another leans in the soft soil on the Bison high pressure gas pipeline right of way in southeast Montana 04/12/2011



Janelle Reiger walks on a concrete creek crossing damaged during installation of the Bison high pressure gas pipeline in southeast Montana 04/12/2011



Janelle Reiger stand in a trench left after the soil over the Bison pipeline sunk this spring on Wade Klauzer's property in southeast Montana 04/12/2011



Wade Kllauzer stands by a trench left after the soil over the Bison pipeline sunk this spring on his property in southeast Montana 04/12/2011



A pipeline sign lies fallen in a trench left after the soil over the Bison pipeline
sunk this spring on Robert Rusley's property in southeast Montana
04/12/2011



Water erosion on Wade Klauzer's property on the Bison high pressure gas pipeline right of way in southeast Montana 04/12/2011



Janelle Reiger walks by a trench left after the soil over the Bison pipeline sunk
this spring in southeast Montana 04/12/2011

