

From: [REDACTED]
Sent: Tuesday, April 22, 2025 11:58 AM
To: PUC-PUC <PUC@state.sd.us>
Subject: [EXT] 22Apr25 Updated. Request to DENY Application: Docket HP24-001.

Tuesday April 22, 2025

Kevin R. Kabrud
[REDACTED]
Forbes, ND 58439
[REDACTED]

Public Utilities Commission
Capital Building 1st Floor
500 E. Capital Ave
Pierre, SD 57501

Subject: Updated. Request to DENY Application: Docket HP24-001.

For the Record:

Please add my Request to DENY Application
along with the other South Dakota Landowners
Request to DENY Application.

Affected South Dakota Land with Dwelling/House.
Legal Description: (Sec-Twp-Rng)
Brown County, SW 6-128-65 (128=Palmyra Twp.)

Only family, friends, neighbors, are allowed on our
land. NO Survey of any kind. No Weapon of Mass
Destruction waste CO2 pipeline will be allowed.

Following S.D. Codified Law, Supreme Court
decision, Guidance, and References should be
proof enough to DENY the Application:

This pipeline is a Weapon of Mass Destruction, period!

Military Doctrine, FEMA, FM 3-11.22 '07, Agency manuals
Definition of Weapon of Mass Destruction - Chemical,
biological, radiological, or nuclear weapon capable
of a high order of destruction or causing mass casualties....

SD Codified law 49-41B-22:
Applicant's Burden of Proof (no Threat)
"will not pose a threat of serious injury to the
environment nor inhabitants....

Per the South Dakota Public Utilities
Commission Information Guide to Siting
Pipelines.

Applicant Responsibility.

- will not pose a threat of serious injury to the environment nor to the social or economic condition of inhabitants or expected inhabitants in the Siting area.

S.D. 24, South Dakota Supreme Court

Dated August 8, 2024

CO2 is not a Commodity.

Para. 26 “Not a common carrier and
no Eminent Domain”

Para. 33 “Not a Commodity”

On March 6, 2025 South Dakota HB 1052
was signed into Law. HB1052 states:
Notwithstanding the provisions of any other
law, a person may not exercise the right of
eminent domain to acquire right-of-way for,
construct, or operate a pipeline for the
preponderant purpose of transporting
carbon oxide.

U.S. Constitution and S.D. Const.

5th Amendment US const. (Takings)

Dated Dec. 15, 1791

Eminent Domain is for use only by the
Government. Eminent domain is NOT a
concept for use by foreign/domestic
business entities.

South Dakota Constitution

Article XVII #4 page 56.

Dated January 2023

Corporations. Eminent domain shall never
abridged or so construed.....can not infringe
on the rights of individuals.

Also of concern:

That whole area (James River Basin near Redfield
north through Pembina, North Dakota) is sacred
area of the Yanktonai Dakota Sioux Tribe.

Applicant DID NOT adhere to and ignored:

Per the South Dakota Public Utilities Commission
Information Guide to Siting Pipelines.

Applicant Responsibility.

- will not pose a threat of serious injury to the environment nor to the social or economic con-

dition of inhabitants or expected inhabitants in
the Siting area.

Dated: Wednesday April 9, 2025

State: South Dakota, U.S.A.

County: Pennington, S.D.

Kevin R. Kabrud

I am a Farm Landowner and Army Veteran of 23 years service,
have not forgotten most of my military training, with the
wisdom of two Deployments. Third Generation Landowner.