

**RECEIVED**

OCT 25 2022

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

**October 19, 2022**

**Regarding: (1) A Carbon Dioxide Transmission Pipeline Docket  
HP 22-001 and  
(2) 71 CIV 22-57 Spink County, 5th Judicial Circuit SD, on SCS  
Carbon Transport, Inc, Plaintiff v. various Spink County  
Defendants**

**TO:**

**✓ SD Public Utilities Commission  
500 E Capitol Ave, Pierre, SD 57501  
5th Circuit Court, Fifth Judicial Circuit  
101 1st Ave SE, PO Box 1087  
Aberdeen, SD 57402-1087  
SCS Carbon Transport, LLC  
503 S Pierre St, PO Box 160  
Pierre, SD 57501**

**Honorable Judges, esteemed Commissioners, and carbon  
lawyers:**

**We are owners of Township [REDACTED]  
[REDACTED] Spink County. Carbon Summit's team has informed us  
from the beginning that, no matter what we say, it has the right  
to survey and examine our properties which are along its  
anticipated route.**

**Please note that my sister Beverly Felderman nor I Marilynne  
Felderman have never disputed that. What we have said, in  
writing or orally, is that we do not intend to give Summit  
permission for such access. We object to such use. We reject  
the offer of money for easement.**


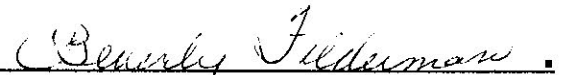
**To the contrary, we owners of this half section expected Summit  
to use its legal powers and to be on the land toward the end of  
July. Please see our letter, attached, of July 8, 2022 to our**

**renters and nearby neighbors notifying them of the arrival of Summit's surveyors and that no one should impede legal and legitimate Summit activities. We have been assuming Summit Carbon accomplished this action months ago.**

**Please be aware that, although we have been showered with Summit's papers, calls, texts, and now County Sheriff summons, Summit has never given us paperwork allowing us to declare our understanding of its access rights in surveying and examining our property.**

**In fact, today's summons documents still provide no means for accepting or rejecting or otherwise showing that we have no intention of "interfering with Summit's right." May Summit use its legal right to enter our land without our permission? Of course. That does not make the access palatable.**

**Sincerely,**

 .  .  
**Marilynne Felderman, Trustee.**      **Beverly Felderman** 10/19/22  
**Marilynne Felderman Trust** 10/14/22

**Attachment: July 8, 2022 to Gary and Tom Felderman et al**

July 8, 2022

Dear Gary and Tom,

Carbon Solutions wants to use a tiny portion of our rural credit land (the NE corner) to gain its pipeline's access through your land.

Beverly and I have told Carbon Solutions we do not agree to let them enter our property for their survey work. They so far have not sent us any document to approve or disapprove their entry. The denial was via phone.

However, earlier on, we did sign the first documents sent by Carbon Solutions' SD attorneys declining to accept the easement offer. We have written the SD Public Utility Commission, asking its rejection of Carbon Solutions' proposal. We have no intention of changing our minds on this issue.

We do understand that the surveying contractors of Carbon Solutions have a legal right to enter our property to survey. And that the surveyors are/were anticipating July 20 or later for such activity.

Beverly and I do not expect you, as renters and neighbors to our land, to question, stop, prevent in any way the lawful surveying of our land. However, per our land rental agreement, should you see any degradation to the land proper or to your crops, please let us know immediately so that we can raise an appropriate objection with Carbon Solutions.

Be safe. With love,

Marilynne and Beverly

P.S. 

Cc: Jeff Felderman, Chad Felderman, Dana Felderman, Scott Thompson, Beverly Felderman