

January 12, 2023

This is an open letter to all of the Honorable Members of the North Dakota Senate and House of Representatives and their respective Energy and Natural Resources Committees:

Subject: S B No 2212 A Bill for an Act to amend and reenact subsection 10 of section 32-15-02 and section 49-19-12 of the North Dakota Century Code, relating to eminent domain and carbon dioxide pipelines; and to declare an emergency.

Dear Senators and Representatives,

As a 4th generation owner of Burleigh County family farmland in the latest route of the proposed Summit Co2 pipeline being located within six miles north of the State Capital grounds, who has worked as a Natural Resources attorney for over 50 years, this is to respectfully request your support of the subject legislation.

Inasmuch as Co2 pipelines utterly fail to meet the threshold test of having a public purpose (as hydrocarbon pipelines transporting a critical energy supply clearly do) adoption of this widely-supported legislation would immediately accomplish the following objective:

Elimination of any taking or use of privately owned ranch and farmlands for construction of carbon dioxide pipelines and related facilities by use of the power of eminent domain.

I hope that you will agree that eminent domain should never again be afforded to an entity formed for private gain which serves no public purpose.

Nothing in this bill would prohibit any private enterprise pipeline, operating under State rules and regulations, from obtaining their easements by arms-length negotiations with landowners under the tried and true American enterprise system.

Thank you for your public service and your support of this legislation.

Sincerely,



Gordon R. Morris