

Good morning Mr./ Madam Chairman and committee members!

My name is Cassie Smith and my husband and I are in favor of SB 2228. We are landowners in Oliver County and the land we own has been in my husband's family for multiple generations. We have been presented with the same one-sided lease that all our surrounding neighbors have been, regarding carbon capture. This industry would definitely impact our below-ground property. But along with that comes infrastructure on the surface. Along with many of our neighbors, my family is now privileged enough to enjoy the beautiful serenity of a dark, quiet, star-filled night sky and picturesque countryside from our new home that we are closing on this afternoon. If some industry, such as carbon capture, decides they want to corrupt that by taking our land to put an injection well or monitoring well across the road from us right outside our front door, we currently can't do a whole lot about it. As century code currently reads, our private property rights are essentially not ours. Like others, we placed our home in its position for a reason. We believe we have a beautiful view and enjoy watching our livestock, wildlife, and farming activities from the comfort of our (soon-to-be) front deck. For now we settle for our livingroom window. We would hope that someday, at least one of our four children will want to come back and live on the farm and take over. If we are ever forced to look at an ugly pump or deal with the traffic, noise and light pollution that that would bring with it, I couldn't blame the kids if they didn't want to deal with that in their future. I have told my kids multiple times that they can ask to use or borrow their siblings' things, but if the answer is "no" they need to figure out how to deal with that by either offering something in exchange, or moving on to something different. I don't see this scenario any differently than an outside entity asking to use our land, but they need to be able to deal with the possibility of an unwanted answer and be flexible and willing enough to work with the land owner instead of just taking it by force.

Here's another scenario: If a neighboring rancher's cattle crosses the fence and grazes our pasture, could the neighbor tell us that the free fertilizer is our "equitable compensation" for the grazing that we are losing? I know this isn't the case, because as a Deputy Clerk of District Court, I have seen cases where people get in trouble for allowing their cattle to cross fence lines repeatedly. How is this different than some big company coming in and taking our land for their profit and supposedly "equitably" compensating us for it afterward?

I am not saying that we oppose this or any other industry altogether, I'm only saying that we, as landowners, deserve to be able to control what and whom is on or in our land in order to preserve our legacy for future generations.

For these reasons, and many others, we strongly encourage a "DO PASS" vote on SB 2228.

Thank you.

Gary and Cassie Smith, Beulah, ND