

## Testimony for March 20, 2012 Energy Development and transmission Committee

Presented by Daryl Dukart of Dunn Center, Rancher from this area as well as a County commissioner for Dunn County.

My testimony today is as a Board Member of Dunn County Energy Development Organization (DCED). Our organization is a group of over seventy members today which are land owners, mineral owners or individuals who work with the oil industry. As we see the many positive things this era of energy development has brought to Western North Dakota and North Dakota in general we do have issue with some of the transmission and pipeline's as many land owners are dealing with very often.

My goal is to keep this testimony as short and brief as possible yet cover the necessary points we have discussed at our last two DCED meetings which covered pipelines and transmission lines.

1: Out of state land owners are not notifying their tenants or lessee of pipeline or electrical line easement that are going through the property they own. The lessee thus goes after the landsman or operating company in which they are not at fault for if the landowner does not inform them about the lease agreement they hold with another party. Pipeline and transmission easements need to have a standard line in them that ask the landowner if they have someone leasing the property at the time.

2: As we watch more and more gathering pipeline systems being placed on our properties we are becoming very concerned about the future generation of farmers and ranchers who will work this land 30, 50 to even 100 years from now. Our concern centers on not having good records available in some governmental organization so the future generations working with agriculture as well as future developers of any kind are aware of all these necessary lines. Well oil, gas, water and salt water are presently getting pushed into a line which is fine, as we understand and see the traffic it takes off our roads which makes them safer for us to travel on. We also recognize the tax payer dollars saved as to road repair and how it helps create even greater saving in the production cost to energy developing companies. We have do enough research to know that many operating companies and installation companies are recording and mapping these lines today, so it becomes a matter of getting this information gather into a state office for public knowledge. We have listened to stories about companies ditching in areas of older oil development and hitting old abandon lines which are not properly marked on longer, or the records from these old lines may have been keep in a file some place the present operating or installation companies are not aware. This could cause serious engergency or death to someone, we also know these lines are not one hundred percent cleaned out so when they are ripped apart from construction equipment there is a certain amount of old hydro carbons which contaminate an area.

3: Operations outside of the temporary easement area: A number of landowners are having issues with this over the last year in our area. What is happening is the installation company is hiring people totally unfamiliar with what is spelled out in the written easement and employees are moving vehicles and heavy equipment outside the temporary easement area damaging other land. We will say most companies are willing to reach settlement for damage. Our question is why do we have to watch over

these guys for every move they make, why the operating company isn't responsible to contact us if they go over the allowed easement areas.

4: Contractor's using the one call system are saying the system is over loaded right now. This needs to be improved before more major accidents happen.

5: Basin electric is in the developmental stages of placing a major electrical transmission line across most of Dunn County. A fair number of land owners are going to be impacted by this line and are not unhappy with the damage offers but do feel they need to receive either a annual per tower fee or and fee per acre for loss of production. Again this is about the present and future generation of agriculture as we live and work with energy development over a lengthy period of time. We have to say we still need the upfront damage caused during construction , however we also feel it would be of greater interest to us if a 5 or 10 year term land use easement agreements was reached with the present land owner and would get passed onto future land owners and have an inflation clause attached to them.

6: Let's not forget about what can happen! Many of you in this hearing today may of never heard about this spill or even remember it if you did hear about it. The picture book I handed out at the beginning of my testimony was from a pipeline leak in Northern Dunn County in the 1980's which entered the Little Missouri River. The individual who shared this picture with me said you can share them with them for the scar is healed but the memory I have is still like yesterday as a rancher. He said it took about eight years to get to the point which it was harder to see the destruction caused. A local rancher who rode the area often could relate fairly easily to the event yet on the ninth and tenth after the mishap. After about the twelfth year it became harder and harder to recognize and today it is healed and looks healthy with different trees and grasses but healthy.

Thank you,

Daryl Duakrt Board Member,

Dunn County Energy Development Organization