

DIRECT TESTIMONY OF

LINDA GREEN,

INTERVENOR

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Q1. Please state your name and address for the record.

Linda Webber Green

Q2. And where are you presently located?

Sac City, Iowa

Q3. Are you affiliated with property located in the State of Illinois that is subject to proceedings before the Illinois Commerce Commission where Enbridge Pipelines (Illinois), and I'll refer to that company as "Enbridge"; where Enbridge is seeking Eminent Domain Authority?

Yes, I am.

Q4. And what is the name of the company that you are affiliated with that owns that property?

C&C Webber Properties, Inc.

Q5. And is that an Iowa corporation?

I believe so, yes.

Q6. What is your affiliation with the company?

I am a part owner.

Q7. Are there other owners of the company?

One other owner; my brother. I am the president of the company.

Q8. In what county is the property located, if you know?

1 I believe it's in McLean County.

2 **Q9. The issue in this case is whether Enbridge has used good faith in attempting to**
3 **negotiate easement rights with landowners, such as yourself, up and down the line.**
4 **As you may or may not recall, the ICC previously denied Enbridge's request for**
5 **Eminent Domain Authority. Now Enbridge has come back to the ICC and has**
6 **basically alleged that it has made attempts to negotiate in good faith with the**
7 **landowners but has been unsuccessfully in securing the needed easements and**
8 **therefore it needs Eminent Domain power. With respect to C&C Webber**
9 **Properties, Enbridge alleges that they contacted you on 7/9/12, 7/16/12, 7/18/12,**
10 **10/11/12, 11/1/12, 2/8/13, 4/12/13, 4/19/13, 5/10/13, 5/22/13 and 6/4/13 and that these**
11 **contacts have been through mail, phone calls and text messages. Do you recall these**
12 **contacts?**

13 I don't recall the exact dates, but most of the contacts have been by mail; sometimes by
14 phone.

15 **Q10. Has your brother had any contacts with them?**

16 He has received some letters but has not responded to anything since I have been
17 handling the matter for the company.

18 **Q11. And in these contacts, what have they asked you to do?**

19 Mostly to consider their offer.

20 **Q12. What has their offer been?**

21 It started at around \$20,000 back in 2007 or 2008. I think now in their last offer it was
22 around \$67,000.

23 **Q13. What is the size of the easement that they are seeking, if you know off hand?**

1 I don't know.

2 **Q14. And that's fine. We can look that up, but is it correct to say that the offer figures that**
3 **you spoke about, the \$20,000 or the \$67,000, that was for the entire permanent and**
4 **temporary easements and not a figure per acre?**

5 Right. That was the total figure.

6 **Q15. What were the issues that concerned you about signing the agreement or what issues**
7 **do you have with allowing the pipeline to come through your property?**

8 I'm concerned about the safety. If it will leak and if so what will happen. Who will be
9 responsible? I worry about the ecological ramifications if there is an accident. And of
10 course I would like there to be more money for the value of the property.

11 **Q16. Do you believe that the offers made to you reflected the fair market value for the**
12 **property?**

13 No. Especially in the beginning but even their most recent offer doesn't reflect the real
14 value of the property.

15 **Q17. Have they ever addressed your other concerns about safety and ecological impact?**

16 The only thing was in the beginning they sent me a brochure about what they were
17 planning to do.

18 **Q18. Did they ever specifically address with you any spills that had previously occurred**
19 **and how they were handled for the landowners?**

20 No.

21 **Q19. Did any land agent for Enbridge make you aware of the spill at the Kalamazoo River**
22 **in Michigan where over a million gallons of oil spilled into the river system?**

23 No. No one ever mentioned it that I can recall.

1 **Q20. Did they tell you about the potential cost of that clean up exceeding \$400 Million**
2 **Dollars?**

3 No. Not that I recall.

4 **Q21. Did they ever make you aware of the spill near Romeoville, Illinois?**

5 No, I was never made aware of that.

6 **Q22. In your communications with Enbridge, did they ever lead you to believe that they**
7 **already had Eminent Domain Authority or that they would be getting that**
8 **authority?**

9 They certainly game me that impression, yes.

10 **Q23. Did you inform Enbridge that you were represented by counsel?**

11 Yes.

12 **Q24. After doing so, did they continue to contact you directly?**

13 Yes.

14 **Q25. As you sit here today, do you feel that Enbridge has negotiated with you in good faith**
15 **to address all of your issues?**

16 No. I would say they have not.

17 **Q26. Does this conclude your testimony?**

18 Yes it does.

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DIRECT TESTIMONY OF

BRYAN HOGGINS,

INTERVENOR

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Q1. Please state your name for the record.

Bryan Keith Hoggins.

Q2: Bryan, where do you live?

25754 North 2150 Road, Lexington, Illinois.

Q3: Do you have property that you either own, manage or oversee property that is in the pathway of the proposed Enbridge Pipelines, LLC Southern Access Extension which is the subject of this ICC hearing as you are understanding it?

Yes, I own it.

Q4: Ok, how many acres is it that you own?

I own a total of 10 but they are only going to try to cross 40 feet.

Q5: Ok, so they have proposed to go across 40 feet. Is it on a home site there or how close an area is it to your home?

It is the access to my home cite.

Q6: The documents that I have in front of me, you obviously don't know much about this, but, Enbridge has submitted stuff to the ICC indicating that they have made good faith negotiations to Bryan Hoggins including sending him mail and phone calls. There have been no in person communications they have apparently had with you but, that you have been unwilling to negotiate in good faith with them. Tell me a little bit about the contacts you have had with them.

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I had a couple in person contacts with them.

Q7: Who were the people you met with?

One was “Pete somebody”. I met him a couple times and an older gentleman from Decatur came at the same time with him.

Q8: What year was this?

I don’t recall. This was the second time. The first time it was some female that called me a couple times and sent me a written offer the first time.

Q9: I am talking about in person now. Somebody came to you and what happened?

What did they say, what did they do, what did they bring? Generally please give us a summary of your communication.

Basically they were asking what they could do to get me to sign an easement and I gave them an offer that was reasonable and they said, “No”. I said, “Well, that’s what I need.” That is what the neighbor got. I don’t think they liked that I knew what my neighbor had received. I held my ground and said that’s what I need.

Q10: What did the offer come out to, on a per acre basis, Bryon? Do you know?

I am not for sure. I know they offered me \$500 to tear my land up and that was it the first time.

Q11. And did they later increase the offer?

Then they doubled it to \$1,000. That’s it. 40 feet and my neighbor has 200 feet and they give him like \$45,000 to \$47,000.

Q12: Who was your neighbor?

Tom Fulops.

1 **Q13: He had 200 feet to your knowledge.**

2 Yes, and like I said, it is the same access to his property too but, I know for a fact that he
3 was an opponent of this thing back in '07 and he was in the Pantagraph and everything
4 else and now, he has moved away. Took the check and ran. Now we have new owners
5 in there. They didn't even have a clue about this thing so that is where he is...Gone.

6 **Q14: Did they ever accept your offer? How much did you ask for, do you remember?**

7 I asked for \$45,000 like he got. Basically, a written agreement to trespass and tear my
8 property up the same as him. He has 200 feet and I have 40.

9 **Q15: Do you have a home on the site?**

10 Yes.

11 **Q16: And, how far is that from your home where they want to come through?**

12 I would probably say maybe 200 yards.

13 **Q17: Ok, they want to come within 200 yards. Does that raise any other concerns, other
14 than just simple money issues? Are you concerned about potential pipeline leaks,
15 are you concerned about potential well contamination of the property if the pipeline
16 would leak? Do you have a well or are you on city water?**

17 I am on a well but, I also, I live in a timber area so they are going to wipe out a big swath
18 of habitat.

19 **Q18: Ok, tell me about that. Did they address any of those concerns with you of how they
20 were going to wipe out the timber near you?**

21 Yea, 60 feet, no trees.

22 **Q19: Is that on your property where they intend to remove those trees?**

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1 Yes, I have trees on mine and, the Fulops property has some and the neighbor does too.
2 The timber is real tight to the road out there and it is all going to be gone.

3 **Q20: Where in relation to Lexington are you?**

4 I am west of Lexington about 4 miles out by the Parklands area. Just north of the BJ
5 Keller Road.

6 **Q21: Were they willing to compensate you in any way for the trees they were going to
7 take out other than the \$500 offer?**

8 No, because he said they were not hardwood. They were more pulping wood. I didn't
9 understand it all. A tree to me, I mean they are all important.

10 **Q22: Did they talk to you about environmental issues?**

11 Not specifically. There is a creek on the Fulops property they are going to cross; Buck
12 Creek.

13 **Q23: Did they ever inform you that their pipelines had ruptures or spills across the
14 country?**

15 No.

16 **Q24: Did they ever inform you that they had a spill in Romeoville exceeding \$60 million
17 dollars cleanup?**

18 No.

19 **Q25: Did they ever tell you they had a pipeline in Kalamazoo, Michigan that ruptured
20 and the cleanup was over \$400 million dollars.**

21 No.

22 **Q26: Did they ever tell you that there was a pipeline that ruptured in Minnesota that they
23 owned in Minnesota where two people were killed?**

1 No.

2 **Q27. Does this conclude your testimony?**

3 Yes.

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DIRECT TESTIMONY OF

AL KILLIAN,

INTERVENOR

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Q1. Please state your name and address for the record.

Al Killian.

Q2. And, where do you live, Al?

Towanda, Illinois.

Q3. Do you own property that is the subject of a dispute or a request for eminent domain now pending in the ICC before Enbridge Pipelines application?

I do.

Q4. Ok, and what approximate number of acres do you own or that you are a trustee over property that is involved in this matter?

It would be 260 acres.

Q5. And, approximately where is that located in relation to the town of Towanda?

About 4 miles northeast.

Q6: Are you an owner or are you a trustee or a beneficiary, what?

I am actually an owner of part of it and my wife and I got a small corporation that holds some of it but no other owners than she and I.

Q7 Do you farm, yourself?

No, I am retired. I did farm all my working life.

Q8: Has Enbridge made communications with you in regards to your property and trying to obtain an easement for eminent domain.

1 No, they absolutely have not.

2 **Q9: Tell me about that. I have in front of me a document that they have filed with the**
3 **ICC and it is Document Attachment A that says they have contacted Al Killian,**
4 **made phone calls to Al Killian on July 16, July 18th, July 19th, November 13th – all**
5 **in 2012 on one piece of property. Also then, a phone call alleged or text to you on**
6 **April 14, 2013. They have alleged they have called you or texted you November 13,**
7 **2012, April 14, 2013 and May 6, 2013. Tell me, have you communicated over the**
8 **phone or in text in any fashion?**

9 I have not and they did call me but not nearly as many times as you have stated and
10 anytime they did, I referred them to you.

11 **Q10: Basically, what was your conversation? What was your direction to them?**

12 It was very short. I told them that I was being represented by legal counsel and they
13 should talk to you.

14 **Q11: Ok, and that is it?**

15 There was no more.

16 **Q12: Generally, what was the substance of the communication that they had to you when**
17 **they would call? What did they say when they called and tried to reach you?**

18 Honestly, I don't remember and I am not going to make something up. I just don't
19 remember but we did not even begin to start to negotiate.

20 **Q13: You are very clear in your mind that any time you did talk to them, you asked them**
21 **or referred them to us?**

22 There is no doubt in my mind.

23 **Q14: What type of written communications did you receive from them?**

1 I was just looking through some of the things sent this summer and I think the last one, if
2 I remember, was in mid-May and I had to sign for it. But, there again, there was no
3 personal contact whatsoever. If I remember correctly, they said that at the end of May or
4 before, they were going to start surveying through here and sort of like they were going
5 to go through here hog wild.

6 **Q15: Right. Did you ever give them permission to enter your property to survey?**

7 No.

8 **Q16: They listed one personal contact with you and that was a personal contact on
9 November 13, 2012. Do you recall any personal contact and, if so, what was it?**

10 I honestly don't. That could possibly have been but, there again, they didn't get any
11 satisfaction if they did because my memory is not as good as it used to be.

12 **Q17: How old are you?**

13 I'm 74.

14 **Q18: Would you have said, "I am willing to negotiate at that time or would you have said
15 please call our representative, Tom Pliura?"**

16 I would have instructed that they call you because I was not going to talk to them.

17 **Q19: What is the number of potential acres that they want to take from you?**

18 I honestly don't know. They sent me so much propaganda. Some of the stuff I have
19 kept. Some of it I haven't even opened. I referred them to you anyway so, if they were
20 really in earnest, they would have contact you.

21 **Q20: Ok, and it is your understand that they didn't do so. Is that correct?**

22 That is correct.

23 **Q21: Who's farming your farm right now?**

1 Mike Kelly.

2 **Q22: As a farmer or former farmer, are you concerned if the pipeline goes through that is**
3 **could cut your tiles?**

4 Absolutely.

5 **Q23: As a farmer, are you concerned that some of the property that is outside the**
6 **boundaries of the easement might be adversely affected, for example, if they cut**
7 **the tiles, it affects adversely the other portions of your property?**

8 Yes. Also, when they went through here several years ago they put red flags out on the
9 right of way. That is less than 300 feet from our water well and, our well, we had a well
10 go bad I suppose it's been six or eight years ago and they had to drill three different wells
11 to get enough for us to live on. There again, the water supply is very important to me.

12 **Q24: Would it be correct to say that you are concerned about the water supply and**
13 **the potential of spill and how it would affect your ability to get clean water?**

14 That is correct.

15 **Q25: Is it correct to say there are matters other than simple money that you are**
16 **concerned about? Environmental spills, clean up, cutting tiles and things like**
17 **that other than simply you're not getting enough money?**

18 Absolutely.

19 **Q26: Has Enbridge ever attempted to address or respond to your concerns about**
20 **things like the water or potential spills or their coming too close to your wells or**
21 **anything like that? Have they given you any assurance that they are aware of your**
22 **concerns and they are going to take steps to assure that your concerns are**
23 **addressed?**

1 No, they haven't.

2 **Q27: Has Enbridge ever informed you or fully disclosed to you the fact they have had**
3 **spills across the country including Kalamazoo or Romeoville?**

4 No.

5 **Q28: Have any of their land agents every told you or been up front about the spills they**
6 **have had and how they have addressed those on other places?**

7 Never one word.

8 **Q29: In fact, have they ever mentioned that they have even had a spill?**

9 No.

10 **Q30: Does this conclude your testimony?**

11 Yes.

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DIRECT TESTIMONY OF

DONALD KORTE,

INTERVENOR

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Q1. Please state your name for the record.

Donald E. Korte, and I am a managing partner of the Korte Farm Partnership Trust of which there are three other partners.

Q2: How long has the Korte Farm Partnership Trust been in existence, approximately?

The trust has only been in existence since a year ago December. The Korte Farm Partnership has been in existence since 1975.

Q3: Ok, a long time. Is it fair to say that the Korte Farm Partnership Trust is a trust set up to hold the farm in real estate.

Yes, in a family name and as we get older for the purpose of making it easier to lessen the tax burden.

Q4. And does the trust hold land that is the subject of the Enbridge petition for Eminent Domain Authority currently pending before the Illinois Commerce Commission?

Yes it does.

Q5: How many acres are in the Korte Farm Partnership Trust that might potentially be involved on a tract that has the pipeline going through it?

158 acres. An additional 40 across the road which would not be impacted.

1 **Q6: What is your relationship to the Korte Farm Partnership Trust? Are you just**
2 **one of the trust beneficiaries or a trustee or what?**

3 We are all four trustees.

4 **Q7: Enbridge has claimed that they have submitted materials to all the people,**
5 **including you and the Korte farms via mail, phone call and in person, that you**
6 **and all the other people have refused to negotiate in good faith and have been**
7 **unwilling and basically stubborn and bull headed. Have you had contacts with**
8 **Enbridge land agents?**

9 I have received phone calls, I have received mailings, I have never met with them
10 in person.

11 **Q8: Ok. What about your family members?**

12 None of them have met in person. All the communication that we have received
13 from them, at least recently have been directed only to me.

14 **Q9: What are some of the things that were communicated over the telephone with**
15 **them?**

16 Ok, let me stop and think about this.

17 **Q10: I am talking about general subjects. Did anyone ever admit they had pipeline**
18 **spills in Michigan or any other place? Romeoville or Minnesota?**

19 The only thing they only communicated was follow ups to mailing. Based on the
20 monetary offers which were, in my opinion, insults. Very low ball and I basically
21 said, "Until you get the numbers up to where they are more realistic of fair
22 market value, there is no purpose in us carrying this conversation any further."

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Q11. Are there things other than simply money that have caused you and the Korte Farm Partnership concerns, for example, environmental issues or cutting tiles?

Sure. And we have considered water supply. How close it is going to be to where the pipeline is allegedly going to go through. They have made no effort to say they will test the water before, during or after the pipeline installation. That is one of the issues that my family put together. Their right of way easement grant is so general that it leaves things wide open for them to do things that are not spelled out. Such as, until the most recent one, it was not limited to a single pipeline. There is no definition in there as to the size of the pipeline that they can lay. There is no definition in there that if they want to lay another one down the road that they will negotiate again. And again, the devaluation of land is going to exist regardless of what they say.

Q12: Have they talked to you about the devaluation of the land, especially for the land that is not under the easement but right next to it?

They never have discussed that.

Q13: They have never been willing to talk about damage to the remainder to you?

No. On the issues, my family got together back in June that we put together that the four of us will need to sit down with you and redo the easement grant agreement before it is even going to be acceptable to look at further.

1 **Q14: Tell me about the offers that they have made you. What kind of offers have**
2 **they made on your property? You said they were low ball figures. Have you**
3 **communicated to them that you did not feel those numbers were valid?**

4 I certainly did communicate to them that they were not sufficient. I felt they
5 were low balling. The amount of acreage I did find here. 1.83 plus 1.83 because
6 we are two different tracts.

7 **Q15: Ok, approximately 3.6?**

8 I did a spreadsheet on the width and the length and so on and the most recent
9 offer was May 22, 2013.

10 **Q16: May 22nd. And, what was that offer on that? Do have it in front of you?**

11 Value per acre - \$15,000. His offer was \$12,000. The one before that was
12 \$7,000.

13 **Q17: Does this conclude your testimony?**

14 Yes.

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DIRECT TESTIMONY OF

TIMOTHY KRAFT,

INTERVENOR

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Q1. Please state your name and address for the record.

Timothy C. Kraft

Q2. Where do you live?

My mailing address is 21148 East 1900 North Road, Towanda, Illinois. I am in Towanda Township.

Q3. And are you the owner of property that is subject to an action pending before the Illinois Commerce Commission on an action by Enbridge Pipelines (Illinois), and I'll refer to them as "Enbridge", seeking Eminent Domain authority?

Yes.

Q4. In regards to your particular property, that Enbridge Pipelines LLC wants to come through, and I am just going to say "Enbridge", what property do you have that Enbridge wants to come through on their pipeline and how many acres is the total property that you own that they want to come through on?

They are crossing one of my fields, very roughly, severing it in half. It is a 52 acre field and their proposed pipeline will run approximately 500 feet outside my back door.

Q5. When you say back door, out of your home you are talking about?

That's correct.

1 **Q6. Has anybody at any time from Enbridge identified or explained to you that they have**
2 **had pipeline spills throughout the country including in Illinois at Romeoville or**
3 **Kalamazoo River in Michigan or Minnesota? Have they discussed their spills that they**
4 **have had and explained how they are going to prevent those here in Illinois?**

5 I have no recollection of ever hearing such statements from an individual who had direct
6 connection with Enbridge.

7 **Q7. One of the arguments that Enbridge is using is that the land owners are being**
8 **unreasonable and are refusing to negotiate in good faith, they are refusing to**
9 **participate in good faith negotiations. They have specifically identified that they have**
10 **contacted you by mail, by phone calls and by in person contact as well trying to get**
11 **you to negotiate and inferences you have been unreasonable or unwilling to use good**
12 **faith negotiations. I would like to talk just a little bit about what communications in**
13 **mail or email form you have received from them.**

14 I don't have a computer so I have had no email contact. I have had in person contact
15 where they have driven up the driveway and knocked on the door.

16 **Q8. How many times has that occurred?**

17 How far back do you want to go?

18 **Q9. Just through 2012.**

19 Oh golly, once in that recent time frame.

20 **Q10. Ok, and who was it and what did they say when they were in person?**

21 Well, let's see. That was approximately in the middle of April of this year. The
22 individual's name was Peter Porter. He is listed as a land right of way agent.

1 **Q11. Generally, what did they say? What was the gist of the conversation?**

2 He presented me with a written offer including dollar figures and all. The company
3 statistical information. There was a contract to sign. There was a map of what they
4 proposed to do and that was it. Then, that was followed up approximately a month
5 later by a certified mail which was in essence a duplication of what he had previously
6 given me. I received the document that the fellow handed me. It was in a rainstorm
7 and had sprinkles enough to still prove that.

8 **Q12. Did they inform you that they were going to survey on your land?**

9 Yes, but I have never given them permission to survey.

10 **Q13. So, if Enbridge has suggested in its materials that it had obtained permission from
11 landowners before doing any surveying, at least in your case, that would be incorrect?**

12 Yes, the only verbal permission I have ever provided them was early on I gave some of
13 their environmental people, or someone representing them, permission to walk across
14 the proposed right of way and determine that there was no environmental or historical
15 archeological impacts of that nature. I think I actually saw those people out there.

16 **Q14. When you say "early on", were you talking about back in 2007-2008?**

17 Yes, that is correct.

18 **Q15. But in 2012 or 2013 you did not give anybody permission to do any surveys?**

19 No I have not. Matter of fact, I have always rejected that. I have a major disagreement
20 with these people so I am not going to give them permission until they comply with my
21 two requests.

22 **Q16. Tell me what those requests are, Tim.**

1 Well, this is where we fell apart very early on in my early contacts with these people.
2 Number 1, I am aware that when they lay this pipeline they are going to sever several
3 field drain tiles that run from a field, a tangential field, to the one they are crossing and
4 east of it and that line continues all the way to Money Creek. I absolutely insist upon
5 going out there and inspecting that trench and insuring that those tiles are noted and
6 repaired and I was quickly informed that I had no right to do so and was not even going
7 to be allowed to. And I said, "Well, then we have a major stumbling block because you
8 are not cutting off my drainage system.

9 **Q17. And who was it that indicated you were not going to be allowed to do that?**

10 I would have to dig way back into my files. It was a husband and wife team. I know
11 they are no longer with Enbridge. I think they were subcontractors.

12 **Q18. And you told them you wanted the opportunity to inspect any tiles that have been cut
13 and they refused to consent to that?**

14 Yes, and I am a slow learner. I did that because I have been violated in the past by
15 utilities. I would arrange appointment times and they wouldn't show up and in one case
16 they had the trench completely backfilled before the appointed time that we could
17 inspect and I just don't trust people any more.

18 **Q19. And what was your second issue?**

19 My other problem with them is, if we could ever come to some nature of agreement, I
20 want one pipeline through there. I am not going to play the game where they have a
21 purchased right of way and then they are going to come through multiple times with a

1 pipeline. If they want to come through again after the initial installation we are going to
2 have to negotiate from scratch because things change with time.

3 **Q20. And you would only agree to a single pipeline in the easement?**

4 I wanted specific language in my contract with them that states they can only put one
5 pipeline at a time without renegotiating.

6 **Q21. And what did they say about that?**

7 It can't be done.

8 **Q22. So, basically, you were will to at least talk about things if and, in fact, that was one**
9 **stipulation you wanted the ability to only allow one pipeline if that was going to be**
10 **the case and they cut that off by saying, "No, you can't....."?**

11 If they would allow us to renegotiate any additional pipelines and if they would allow
12 me to inspect the tile lines to make sure they are corrected.....you can't believe the story
13 I was told. "Mr. Kraft, why don't you just sit up in the house and if we happen to sever
14 one of those tile lines, we will come up and tell you." That kind of ticked me off.

15 **Q23. All Right. Did you also have a dispute over the land valuation being at fair market**
16 **value?**

17 Yes. The other problem, even with their most recent inputs to me, they valued the land
18 at \$12,000 an acre and then they were going to give me 125% of that which runs it up to
19 \$15,000 an acre but, the facts of the case are, on the 28th of February of this year in
20 what I would call an absolutely comparable piece of ground about less than a mile from
21 me, brought \$14,550. I think they their \$12,000 figure may have been a little low.

1 **Q24. Did they ever discuss with you what they were paying other people for pipeline**
2 **easement?**

3 No, they did not.

4 **Q25. What about environmental concerns? Did they talk to you about any environmental**
5 **concerns that could potentially be caused by this this pipeline or not?**

6 I wouldn't say that anybody on the Enbridge payroll ever brought up the word
7 environmental.

8 **Q26. You mentioned two concerns about one pipeline. You mentioned concerns about the**
9 **tile. Do you have concerns about---** I assume, Tim, you are living out in the country, do
10 **you have a well or do you use city water?**

11 I use a well.

12 **Q27. Do you have reasonable concerns if there would be spill or contamination to the**
13 **ground water?**

14 I realize that that is conceivable. I suppose I am the kind of a guy that once I decided
15 that I could live with whatever parameters they had given me as far as restricting me
16 the number of pipelines and that type of things, allowing me to insure that those tiles
17 are flowing, I suppose that would be a tertiary concern.

18 **Q28: You mentioned the pipeline was outside your back door, 500 feet or whatever the**
19 **distance was. Is that a concern to you?**

20 Well, how can you say anything but "Yes"?

21 **Q29. Do you know what the total acreage that they are proposing to take from you?**

1 Let me look at that.....I find temporary work space. Acreage of 1.77 then I find
2 additional temporary work space, acreage of .35. Here, right of way acreage, here we
3 go. So, to those two previous numbers you would then add for the specific right of way
4 acreage 1.83.

5 **Q30: Tim, what is your age? I don't know that it is relevant but how old are you?**

6 I am 72.

7 **Q31. Does this conclude your testimony?**

8 Yes it does.

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