

STATEMENT OF TERRY LUBER, LANDOWNER

I'd like to extend my thanks to anyone who will listen to my story about the many abuses I've suffered from the Midship Pipeline. I'm a 4th generation farmer with the same name to own this property and in August will make 111 years. Farming is my new job since 2018. All my life I dreamed of owning the farm and making improvements to leave the land better than when I bought it for future generations. I owned it for 3 months when Midship came in with destructive pipeline practices on a scale I had never seen before.

My last 8 years in the workforce I was a Pipeline Inspector in Oklahoma and Texas with duties including most every aspect of Pipeline installation, mainly compliance and construction requirements. I've been lied to by everyone involved with the Midship Pipeline. Inspection during construction was nearly nonexistent and I was out there most of every day. It was easy to see because the only people on the Pipeline were laborers or equipment operators. This fault lies solely on Midship and is not acceptable anywhere I know of. Inspection is the full integrity of the line and probably why they had to dig so much of the line back up. I saw the bore section of the Pipeline pressure tested at least 3 times before being welded to the main Pipeline. Every time a pressure test is done it reduces the integrity of the pipe and makes it weak. I've been pushed, shoved, bullied, intimidated, lied to, and ignored by Midship, Midship's sub-contractor Strike and Midship Attorneys. Without Central Land Consultants' help, expertise and persistence to protect myself and many other landowners, Midship would have completely run over everyone on the entire Pipeline. Midship has twisted the facts so far from the truth they can't even keep their stories straight between the landowner and FERC thinking neither side will catch on.

I've sent letters to Congressman, Senators, our Attorney General, DEQ, Oklahoma Water Resources Board, personally handed off documentation to Oklahoma Governor Stitt, calls to the Corp of Engineers and our Corporation Commission. To that effort came only lip service leading me to believe

there is no help or hope for the common man in Washington D.C. or anywhere else. Ultimately the largest share of the blame for all the insults and abuses I've had to endure fall on FERC for not watching out for any of our needs and letting this go on for so long.

With this background, I will address some of the issues on my property caused by Midship. My land has steep inclines and water drainage is a major problem. A waterway is a wide drainage ditch raised on both sides with openings for terraces to drain into it and carries water off the property. A terrace runs 90 degrees to the waterway the opposite length of the field, catches storm runoff and soil from the field then gently drains into the Waterway. My waterway and terraces were built under the former Soil Conservation Service in the early 1960's and have never had erosion problems once Bermuda grass was established. Basic pipeline knowledge is that you (1) never install a Pipeline in a waterway and (2) never block a drainage area because of erosion issues. I asked Midship's contractor Strike several times to open the terraces they blocked to the waterway and always fell on deaf ears.

In November of 2019, I made so many calls and emails to FERC complaining about the horrifying waterway erosion I was told I would be having an onsite visit from FERC. Two days before FERC was to show up, Midship's contractor Strike moved equipment in and started frantically installing erosion control measures leading me to believe they were tipped off and were trying to show good faith. Two FERC inspectors met me on the Pipeline Right of Way. One inspector said she wrote the construction rules for the pipeline. During our conversation, that same inspector asked "What is a Waterway" and I proceeded to explain what it was, what it does and that we were effectively standing on one side of it. The next question from her was "What is a Terrace" so I pointed out the terraces we were next to and how they were supposed to work. How in the world can someone write the construction rules for a FERC Pipeline over 200 miles long and not know what a terrace or waterway does and she told me she was paid by Midship.

In the waterway area, I had to pay for building an extra terrace. Other damages caused by Midship's pipeline construction are mixing topsoil and subsoil, compaction, far inadequate soil hauled in will have to be hauled out and replaced because of poor quality, loss of the field side topsoil used to fill the waterway and will need to be replaced to make the waterway work proper, severe changes in the pre-existing soil elevations, loss of use, continuing erosion, some loss of crops that had to be burned because of flooding, terrace channels need to be repaired, a new washout ditch that will have to be addressed out of pocket and I will lose part of my wheat field probably for the rest of my life. Midship planted the wrong vegetation that will most likely have to see an intensive program of eradication and payment to plant Bermuda grass again that can only be done March 1 through April 30 or it will not survive the dry season costing another year loss of use when I already lost since 2019.

Midship's contractor bored and pulled pipe under the creek. On the West bore end I have a sink hole in the wheat field that holds water that was never there before. Many semi-truck loads of good topsoil will have to be hauled in as well as spread out. On the East side bore end I have a 40' gate opening that I intend to use as a heavy equipment crossing that was installed long before Midship/Strike came. It's the only gate access location I have for heavy equipment to enter the West end of the farm. I voiced my concerns to work crews several times, Central Land Consultants and myself sent emails to FERC that the gate opening needed to be able to withstand extremely heavy loads. There was enough bore pipe already welded on to get well past the gate opening. In almost the exact center of the gate opening, work crews cut the pipe off and dug a 40'x70' hole 11' deep and welded it into the main Pipeline. The problem is half of the opening is undisturbed stable soil and the other half is disturbed and unstable soil, like packed dirt compared to sand. If I bring in heavy equipment and the truck driver will have to get on the unstable side to make the turn. He risks sinking in on the driver side, a potential rollover and probable severe injury, loss of income for repairs, down time and possibly denting the pipeline. The worst case is the potential to cause a stress break at the weld that's in the center of the

gate and directly under him. His chances of survival are non-existent if a break and flare up occur. If the break does not ignite it will be spewing thousands to millions of barrels of liquid natural gas into the nearby creek less than a football field away that people for miles downstream water their livestock and depend on to make their living. This will surely make the national news and will go down as one of the worst liquid natural gas spills in recent memory. I won't ever be able to use that end of the farm as planned.

Contractors also cut trees and left them in the floodplain. Twenty-eight square miles drain into my creek that is normally one to two foot deep. During floods it becomes a river of fast water 40+ feet deep and ¼ mile wide. I asked Midship numerous times to remove them and showed them where they would be safe above the water line only to be ignored. The spring floods came and washed their trees into a standing elm tree on the creek bank and caused so much erosion that the tree cannot survive much longer and will fall into the creek. I probably lost 10' of the creek bank and we haven't lost that much in 50 years or more. Other trees floated into my fence and pushed it part way over. Fence corner posts were removed for construction and not replaced until Midship had a six-week window to resolve issues.

I hope I never see another pipeline again ever, especially a FERC Pipeline. We need stringent laws now and entities to protect the land owners and give us say in what happens to our large investment of a lifetime. Oil and Gas has made my living almost all my life and I've never been against Pipelines. The need for eminent domain does have its place but this was blatant abuse of the law and with no oversight. I wouldn't wish this experience on anyone.