

**The committee on judiciary introduced House File 2104 on January 15, 2026: <https://www.legis.iowa.gov/legislation/BillBook?ga=91&ba=HF2104>. In 2024, the Iowa Legislature secretly amended Iowa Code chapter 458A, changing the definition of gas found in section 458A.2 to the following: "Gas means and includes all naturally occurring gasses or fluid hydrocarbons that are produced at the wellhead and not defined in this section as oil." See last two pages of bill: <https://www.legis.iowa.gov/legislation/BillBook?ga=90&ba=sf2421>. It is my understanding that CO2 produced from the fermentation of corn is considered a naturally occurring gas. Other amendments were also made to section 458A.4 in 2024. On March 27, 2025, I received an email from Rep. Elinor Levin that stated in part the following: "I personally have taken a firm stance against the CO2 cross-state pipeline projects, and want to see potential for on-site 'geologic' carbon sequestration taken seriously, which would 1) create local jobs for installation and maintenance, 2) address the release of CO2 where it is happening, and 3) avoid the need to exercise eminent domain and put people's family land in potential harm." One bill introduced this session by Sen. Klimesh, Senate File 2067, defines voluntary easement corridor as follows: "Voluntary easement corridor" means land within the county where an informational meeting is held or within a distance of five miles on either side of a proposed pipeline route." If I am interpreting this definition correctly, it would extend the Summit Carbon corridor to entire, contiguous counties. I recently sought information from the Iowa Department of Natural Resources regarding stratigraphic well applications. I was informed that there had been three completed applications, with the first spud dated November 20, 2022. The owner was listed as Kaloma/Twin Rivers. During an August 13, 2025, Hardin County Board of Supervisors meeting, a Twin Rivers representative indicated that these three wells were located in Webster County. "They're in Webster County near the town of Vincent." 27:29 minute mark: <https://www.youtube.com/watch?v=kPjhThl0Bbw>. Other counties mentioned during this meeting were Wright and Franklin counties. These counties are all on the Summit Carbon pipeline route. According to this RFD TV article by law professor Roger A. McEowen, a North Dakota court recently found that forced pooling statutes in North Dakota violated the takings clauses of the North Dakota and U.S. constitutions. "The decision sides with landowners, asserting that the law, which permits the forced use of**

underground pore space for carbon storage without providing for 'just compensation' as determined by a jury, is unconstitutional and violates the Takings Clauses of both the state and federal constitutions." The article went on to state: "It is the protection of private property that is the foundation of economic freedom and efficiency. The only way for individuals to be free to use their knowledge and resources efficiently is by having the ability to control their property. From an economic perspective, let alone the constitutional concerns, the North Dakota CO<sub>2</sub> Storage Law's amalgamation provision with its compulsory participation violates both principles. It is a violation of the fundamental right to exclude and an abuse of governmental power to transfer property rights (the pore space) from one private owner to another for a non-traditional 'public use.'" See this link: <https://www.rfdtv.com/business/blogs/firm-to-farm/north-dakota-carbon-storage-law-struck-down>. Iowa already has a forced pooling statute, Iowa Code section 458A.8, which reads in part as follows: "In the absence of voluntary pooling, the department, upon the application of any interested person, shall enter an order pooling all interests in the spacing unit for the development and operations of the unit." Some research I have found indicates that CO<sub>2</sub> can be injected into mafic and ultramafic formations to produce hydrogen. See this link:

[https://www.google.com/search?q=Can+CO2+be+injected+into+mafic+and+ultramafic+formations+to+produce+hydrogen%3F&rlz=1C1CHBF\\_enUS798US798&oq=Can+CO2+be+injected+into+mafic+and+ultramafic+formations+to+produce+hydrogen%3F&gs\\_lcrp=EgZjaHJvbWUyBggAEEUYOTIHCAEQIRiPAjIHCAIQIRiPAjIHCAMQIRiPAIIBCjIwNjE3ajBqMTWoAgiwAgHxBUxDjGNkhR0e8QVMQ4xjZIUDHg&sourceid=chrome&ie=UTF-8](https://www.google.com/search?q=Can+CO2+be+injected+into+mafic+and+ultramafic+formations+to+produce+hydrogen%3F&rlz=1C1CHBF_enUS798US798&oq=Can+CO2+be+injected+into+mafic+and+ultramafic+formations+to+produce+hydrogen%3F&gs_lcrp=EgZjaHJvbWUyBggAEEUYOTIHCAEQIRiPAjIHCAIQIRiPAjIHCAMQIRiPAIIBCjIwNjE3ajBqMTWoAgiwAgHxBUxDjGNkhR0e8QVMQ4xjZIUDHg&sourceid=chrome&ie=UTF-8). Further research indicates that Iowa has significant mafic and ultramafic formations

[https://www.google.com/search?q=does+iowa+have+mafic+and+ultramafic+geological+formations%3F&sca\\_esv=fc1c730d332ca106&rlz=1C1CHBF\\_enUS798US798&sxsrf=ANbL-n5vkrencNfrZI0FXyx4HM-QebvDsw%3A1769457137126&ei=8cV3aaW2B7Ky5NoPIK7sgAU&ved=0ahUKEwj18unA\\_amSAxUyGVkFHRQXG1AQ4dUDCBE&uact=5&oq=does+iowa+have+mafic+and+ultramafic+geological+formations%3F&gs\\_lp=Egxnd3Mtd2l6LXNlcnAiOmRvZXMGaW93YSBoYXZlIG1hZmljIGFuZCB1bHRyYW1hZmljIGdlb2xvZ2ljYWwgZm9ybWF0aW9ucz8yBRAhGKABMgUQIRigATIFECEYqwIyBRAhGKsCMgUQIRirAkijXFAA](https://www.google.com/search?q=does+iowa+have+mafic+and+ultramafic+geological+formations%3F&sca_esv=fc1c730d332ca106&rlz=1C1CHBF_enUS798US798&sxsrf=ANbL-n5vkrencNfrZI0FXyx4HM-QebvDsw%3A1769457137126&ei=8cV3aaW2B7Ky5NoPIK7sgAU&ved=0ahUKEwj18unA_amSAxUyGVkFHRQXG1AQ4dUDCBE&uact=5&oq=does+iowa+have+mafic+and+ultramafic+geological+formations%3F&gs_lp=Egxnd3Mtd2l6LXNlcnAiOmRvZXMGaW93YSBoYXZlIG1hZmljIGFuZCB1bHRyYW1hZmljIGdlb2xvZ2ljYWwgZm9ybWF0aW9ucz8yBRAhGKABMgUQIRigATIFECEYqwIyBRAhGKsCMgUQIRirAkijXFAA)

**WLhYcAB4AZABAZgBmQKgAYUWqgEGMC4xOC4xuAEDyAEA-AEC-AEBmAILoAL0DMICBRAAGO8FwgIIEAAYgAQYogTCAggQABiBBiJBZgDAJIHBDAuMTGgB-tUsgcEMC4xMbgH9AzCBwcljMuNi4yyAc7gAgA&scient=gws-wiz-serp. Based upon Rep. Levin's email to me, it appears likely that there has been discussion in the legislature about carbon sequestration in Iowa. Rep. Holt and other legislators have argued that House File 2104 gives landowners the right to say no. See this Radio Iowa article: <https://www.radioiowa.com/2026/01/21/iowa-house-approves-bill-to-ban-use-of-eminant-domain-for-summit-pipeline/>. But it is clear from Senate File 546 that the legislature has further plans to amend Iowa Code chapter 458A: <https://www.legis.iowa.gov/legislation/BillBook?ga=91&ba=sf%20546>. Iowa's pooling statutes do not appear to give Iowa landowners the right to say no. In light of this, I have very serious concerns about Rep. Holt's position as chair of the Judiciary Committee. I have very serious concerns about all legislation under consideration by this legislative body in light of what has happened, and in my opinion, the same thing is occurring in South Dakota and other states based upon my research. I ask that this legislature immediately move to establish an independent body to investigate these matters. See also Senate File (2039 <https://www.legis.iowa.gov/legislation/BillBook?ga=91&ba=sf%202039>) and Senate Joint Resolution 2002 (<https://www.legis.iowa.gov/legislation/BillBook?ga=91&ba=SJR2002>). You are charged with the task of upholding the Iowa and U.S. constitutions. Please honor your commitment. Thank you.**