

No. \_\_\_\_\_

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In the  
**Supreme Court of the United States**

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ARLEN FOSTER,

*Petitioner,*

v.

UNITED STATES DEPARTMENT OF AGRICULTURE;  
TOM VILSACK, in his official capacity as Secretary of the  
United States Department of Agriculture; THE NATURAL RESOURCES  
CONSERVATION SERVICE; TERRY COSBY, in his official capacity as  
Acting Chief of the Natural Resources Conservation Service; TONY SUNSERI,  
in his official capacity as Acting South Dakota State Conservationist,

*Respondents.*

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On Petition for Writ of Certiorari  
to the United States Court of Appeals  
for the Eighth Circuit

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**CERTIFICATE OF COMPLIANCE**

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As required by Supreme Court Rule 33.1(h), I certify that the PETITION FOR WRIT OF CERTIORARI contains 8,398 words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 10, 2023.

  
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