

STATE OF NORTH DAKOTA
NORTH DAKOTA PUBLIC SERVICE COMMISSION
IN THE MATTER OF MIDWEST CARBON EXPRESS CO2 PIPELINE PROJECT
SCS CARBON TRANSPORT, LLC
CASE NO. PU-22-391
OAH FILE NO. 20230002

Lucinda Ward, Michael Ward, Adrian Ward,))
Michael Ward as trustee of Nichole Phillips))
nee Ward Trust, Elizabeth Martin nee Ward,))
Arthur Ward, all in their individual capacity))
and d/b/a Ward Farms and Daniel Phillips))
and Robert Wade Martin, spouses of Nichole))
Phillips and Elizabeth Martin, respectively,))
inchoate marital interests,))
))
Petitioners,))
))
-vs-))
))
Midwest Carbon Express and SCS Carbon))
Transport, LLC,))
))
Respondents.))

AMENDED PETITION TO INTERVENE

[¶1] COMES NOW the above-named Petitioners, by and through their counsel, Robert Wade Martin of Martin Law, Minot, North Dakota to Petition the Court for the allowance of their formal intervention in the above matter, pursuant to ND Administrative Code Section 69-02-02-05.

[¶2] In compliance with said Section, Petitioners respectfully show the Court that:

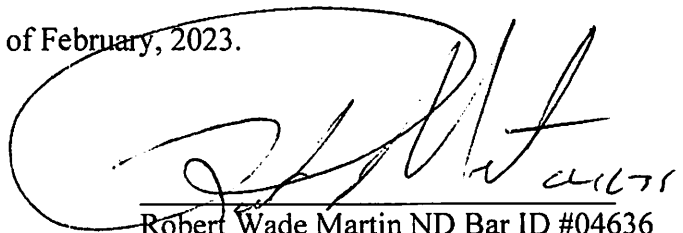
1. As grounds for the intervention, the Petitioners are the record title owners and spouses of such owners for the property described as BURNT CREEK TOWNSHIP

Section 20 NE1/4; N1/2SE1/4; SW1/4SE1/4; SE1/4SE1/4 and BURNT CREEK
TOWNSHIP Section 21 SE1/4 LESS R/W 811696 21-140-80.

2. Respondents have sought a blanket easement for a period of ninety-nine (99) years across the above-described property for the construction and maintenance of the pipeline which is the subject of the Public Service Commission Case No. PU-22-391.
3. Petitioners wish to express their concerns on the potential impact the proposed pipeline route would have on the current use of the property for ranching and grazing their livestock herd.
4. Petitioners are in opposition to the pipeline along its current proposed route.
5. Petitioners submit that they have shown a right to be a party to this proceeding as record title landowners of the subject property, or in the alternative, a legal interest that may be substantially affected by the proceeding. The intervention of the Petitioners would not unduly broaden the issues or delay the proceeding

[¶3]

Dated this 15th day of February, 2023.

A handwritten signature in black ink, appearing to read 'R. Wade Martin', is written over a horizontal line. The signature is stylized and cursive.

Robert Wade Martin ND Bar ID #04636
Attorney for Petitioners
Martin Law
201 S. Main St. Suite 200
Minot, ND 58701
rwmlawyer@hotmail.com
701-852-4837

STATE OF NORTH DAKOTA
NORTH DAKOTA PUBLIC SERVICE COMMISSION
IN THE MATTER OF MIDWEST CARBON EXPRESS CO2 PIPELINE PROJECT
SCS CARBON TRANSPORT, LLC
CASE NO. PU-22-391
OAH FILE NO. 20230002

Lucinda Ward, Michael Ward, Adrian Ward,))
Michael Ward as trustee of Nichole Phillips))
nee Ward Trust, Elizabeth Martin nee Ward,))
Arthur Ward, all in their individual capacity))
and d/b/a Ward Farms and Daniel Phillips))
and Robert Wade Martin, spouses of Nichole))
Phillips and Elizabeth Martin, respectively,))
inchoate marital interests,))

Petitioners,))

-vs-))

Midwest Carbon Express and SCS Carbon))
Transport, LLC,))

Respondents.))

CERTIFICATE OF SERVICE OF AMENDED PETITION TO INTERVENE

[¶ 1] I, Robert Martin, Attorney at Law, hereby certify and affirm that on the date below, I served the following by certified mail:

1. (Original) Amended Petition to Intervene plus (7) copies of the same to:

to:

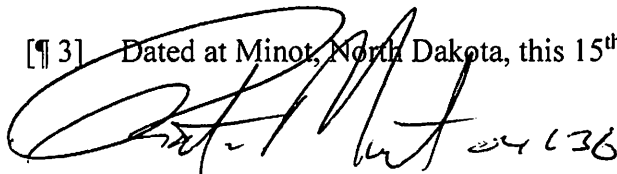
Steve Kahl
Executive Secretary
North Dakota Public Service Commission
600 E Boulevard Ave Dept 408
Bismarck, ND 58505-0480

[¶ 2] I, Robert Martin, Attorney at Law, hereby certify and affirm that on the date below, I served the following electronically by email to the following:

1. Amended Petition to Intervene

John Maurice Schuh Bar ID 08138 Special Assistant Attorney General North Dakota Public Service Commission 600 E. Boulevard Ave, Dept. 408 Bismarck, ND 58505-0480 Phone 701-328-2421 jschuh@nd.gov	Lawrence Bender Bar ID 03908 Law Firm Fredrikson & Byron, P.A. 1133 College Dr., Ste. 1000 Bismarck, ND 58501-1215 Phone 701-221-8700 lbender@fredlaw.com
Hope Lisa Hogan Bar ID 05982 Administrative Law Judge Office Of Administrative Hearings 2911 N. 14th St., Ste. 303 Bismarck, ND 58503 701-328-3200 hlhogan@nd.gov (courtesy copy)	

[¶ 3] Dated at Minot, North Dakota, this 15th day of February 2023.



Robert W. Martin Bar I.D: 04636
201 S Main Street Suite #200
Minot, ND 58701
rwmlawyer@hotmail.com
701-852-4837

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

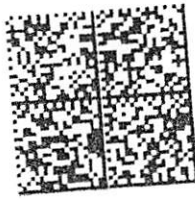
CERTIFIED MAIL



7022 3330 0002 2709 0853

Robert Martin
Martin Law
201 S Main St Suite 200
Minot, ND 58701

FP **US POSTAGE**
\$ 009.72
First-Class - jmi
ZIP 58701
02/15/2023
033A 0071803109



Steve Kahl
Executive Secretary
North Dakota Public Service Commission
600 E Boulevard Ave Dept 408
Bismarck, ND 58505-0480

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Steve Kahl
Executive Secretary
North Dakota Public Service Com
600 E Boulevard Ave Dept 408
Bismarck, ND 58505



9590 9402 7193 1284 5674 76

2. Article Number (Transfer from service label)

7022 3330 0002 2709 0853

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☐ Agent ☒ Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type
- ☐ Adult Signature Restricted Delivery
 - ☐ Adult Signature Restricted Delivery
 - ☒ Certified Mail[®]
 - ☐ Certified Mail Restricted Delivery
 - ☐ Collect on Delivery
 - ☐ Collect on Delivery Restricted Delivery
 - ☐ Insured Mail
 - ☐ Insured Mail Restricted Delivery (over \$500)
 - ☐ Priority Mail Express[®]
 - ☐ Registered Mail[™]
 - ☐ Registered Mail Restricted Delivery
 - ☒ Signature Confirmation[™]
 - ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt