

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:

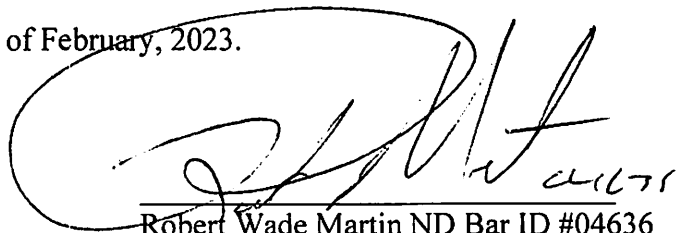
1. As grounds for the intervention, the Petitioners are the record title owners and spouses of such owners for the property described as BURNT CREEK TOWNSHIP

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

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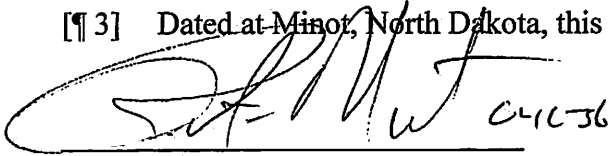
CERTIFICATE OF SERVICE OF AMENDED PETITION TO INTERVENE

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

1. Amended Petition to Intervene

Zachary Evan Pelham Bar ID 05904
Pearce Durick PLLC
314 E. Thayer Ave.
P.O. Box 400
Bismarck, ND 58502-0400
701-223-2890
zep@pearce-durick.com

[¶ 3] Dated at Minot, North Dakota, this 16th day of February 2023.

A handwritten signature in black ink, appearing to be 'R. W. Martin', is written over a horizontal line. To the right of the signature, the number '04636' is handwritten.

Robert W. Martin Bar I.D: 04636
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Minot, ND 58701
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