

Exhibit 1

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

CIVIL NO. 08-2024-CV-03622

APH Farms, Arden Hagerott, Jonathan)
Hagerott, Janel Olson, Valera Hayen, Kari)
Curran, Scott Irmen, Mary Jo Irmen, Leon)
Mallberg, Staroba Revocable Living Trust,)
Loren Staroba, Diane Staroba, James Tiegs,)

Appellants,)

vs.)

North Dakota Public Service Commission,)
SCS Carbon Transport LLC, John H.)
Warford, Jr. Revocable Trust, Chad Wachter,)
Chad Moldenhauer, City of Bismarck,)
Laborers District Council of Minnesota and)
North Dakota, Emmons County, and)
Burleigh County,)

Appellees.)

**STIPULATION TO AMEND APPEAL
BRIEF SCHEDULE**

(1.) The parties are in receipt of the email from the Court Administrator establishing an appeal brief schedule (doc. 147).

(2.) A motion was filed by Summit Carbon Transport, LLC (“Summit”) requesting dismissal of Burleigh County’s appeal (Case No: 08-2024-CV-03614, doc. 16). Summit and Burleigh County agree that Judge Reich’s Order on Motion to Dismiss (Case No: 08-2024-CV-03614, doc. 49), was intended to deny Summit’s motion to dismiss (Case No: 08-2024-CV-03614, doc. 16).

(3.) All counsel of record in this case have communicated regarding the Notice of Briefing Schedule (doc. 147) and respectively request that the appeal briefing schedule be extended by approximately 30 days. Good cause exists for the requested extension due to the upcoming holidays, the fact that the record on appeal is still being input into Oydsey, and the need for the

parties of record to review the PSC hearing transcripts, once they are uploaded into Odyssey. The PSC hearings were held over 14 days, and therefore significant time will or may be required to review all or parts of the hearing transcripts, which may be cited by some of the parties in their appeal briefs.

(4.) The parties respectfully request that the appeal briefing schedule be amended as follows:

- Appellant’s Brief - January 20, 2026
- Appellee’s Brief - February 20, 2026
- Reply Brief – March 6, 2026

(5.) A proposed Order for the Court outlining the amended briefing scheduled is filed herewith.

Dated this _____ day of November, 2025.

BAKKE GRINOLDS WIEDERHOLT

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