



KNOLL LEIBEL ^{LLP}
ATTORNEYS AT LAW

April 10, 2024

VIA U.S. & E-MAIL ONLY: ndpsc@nd.gov

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

RE: In the Matter of the Application of SCS Carbon Transport LLC for
Certificate of Corridor Compatibility and Route Permit for the Midwest
Carbon Express
Case No.: PU-22-391

Dear Mr. Kahl:

Enclosed for filing please find the following documents:

1. Waloch Hearing Exhibit for May 24, 2024 Hearing; and
2. Declaration of Service.

This Hearing Exhibit is being filed with the North Dakota Public Service Commission (hereinafter "NDPSC") on behalf of the Intervenor, Randall Waloch, Karla Waloch, and Shirley Waloch represented by Knoll Leibel LLP. These Intervenor have a direct and substantial interest in these proceedings, as well as legal property rights which may be substantially affected by NDPSC's findings and conclusions.

Sincerely,

KNOLL LEIBEL LLP

Steven J. Leibel
steve@bismarck-attorneys.com

SJL: rmo

Enclosures

Steven J. Leibel, Partner

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513 PU-22-391 Filed 04/10/2024 Pages: 8

Prefiled Waloch Hearing Exhibit for May 24, 2024 Hearing
Knoll Leibel, LLP, on behalf and at the request of Intervenor
Steven Leibel, Attorney

March 28, 2024

Lawrence Bender
Frederikson & Byron, P.A.
1133 College Drive, Ste. 1000
Bismarck, Nd 58501-1215

RE: C0₂ Pipeline – Randall and Karla Waloch and Shirley Waloch
SCS Proposed Route Descript.: Township 131 North, Range 56 West
Sections 12, 13, and 14:
Sargent County, North Dakota

Mr. Bender:

I have been trying to have a dialogue with you or your client for many months now related to certain landowners and your client has been largely non-responsive especially in the past 4 of so months. This is not conducive to solving some of the issues facing your client in its Application before the PSC.

In any event, enclosed with this letter is some information related to Randall and Karla Waloch, as well as Randall's mother, Shirley Waloch. The alternative route on the enclosed maps would be suitable to the Walochs. The re-route includes a minor change by locating the hazardous pipeline through Sections 12, 13, 23, 24 as indicated in the below table.

T131N R56W:

Section 12	SE1/4	Josh Hanson
Section 13	N1/2	Colin Sundquist
Section 13	SW1/4	Joel Anderson
Section 24	NW1/4	Joel Anderson
Section 23	NE1/4	Joel Anderson
Section 23	N1/2 of NW1/4	Patricia Brown (Anderson)- Joel Anderson's sister

Trial Practice. Not Just Talk. SM

This document prepared exclusively in the USA

Waloch Exhibit for May 4, 2024
Hearing PU-22-391

Lawrence Bender
March 28, 2024
Page 2 of 2

It is our understanding that the above landowners have already signed an easement with Summit and have been willing to have the pipeline on their property.

The second alternative route is marked in blue and proposes the pipeline follow the parcel boundary limits around Section 14. These routes will not avoid adverse impacts but will at least minimize some of the many negative impacts of your client's proposed pipeline.

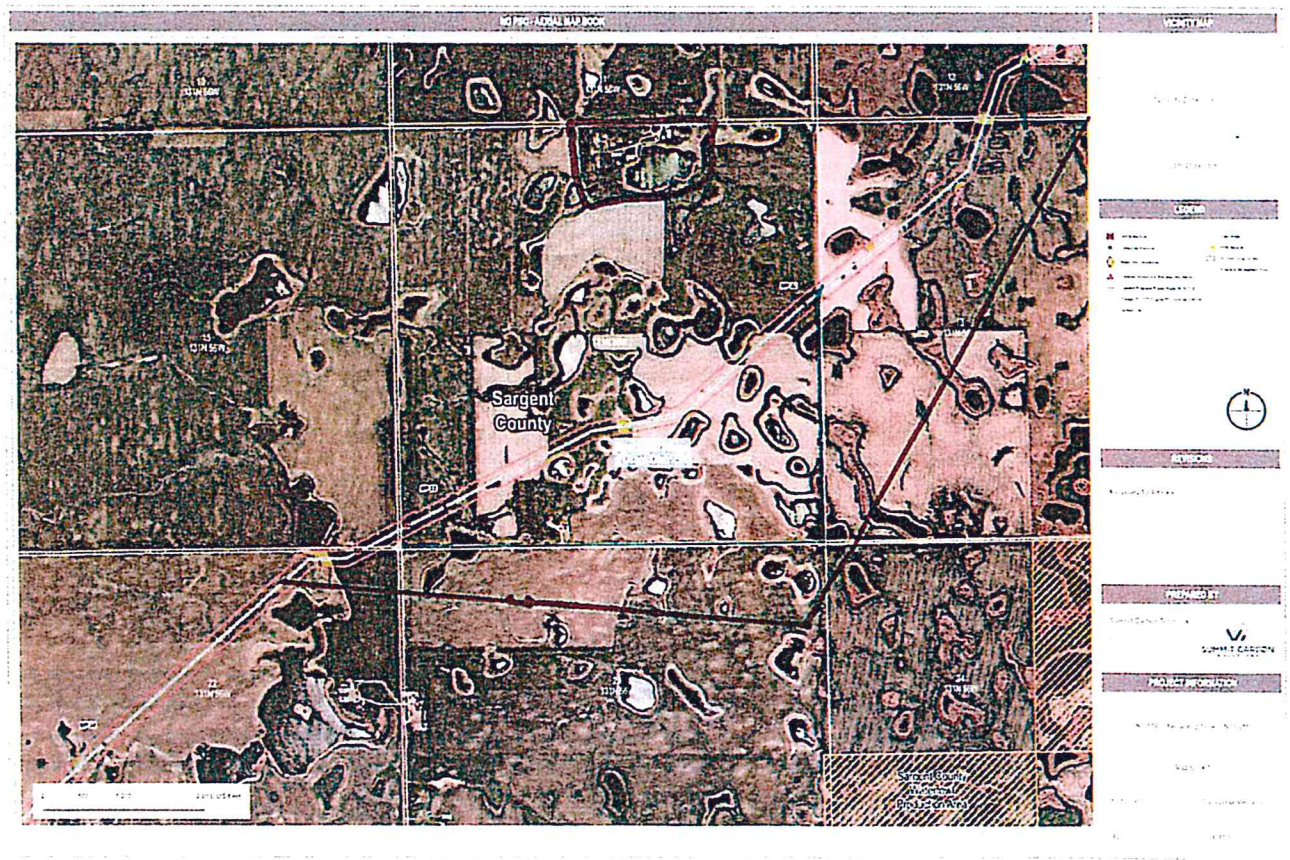
We are providing this information to you in the hope that Summit will start to actually engage with us to minimize the adverse effects upon landowners who do not want any part of this proposed hazardous pipeline. We respectfully request that we hear from you soon with acceptance of the proposed re-route included herein.

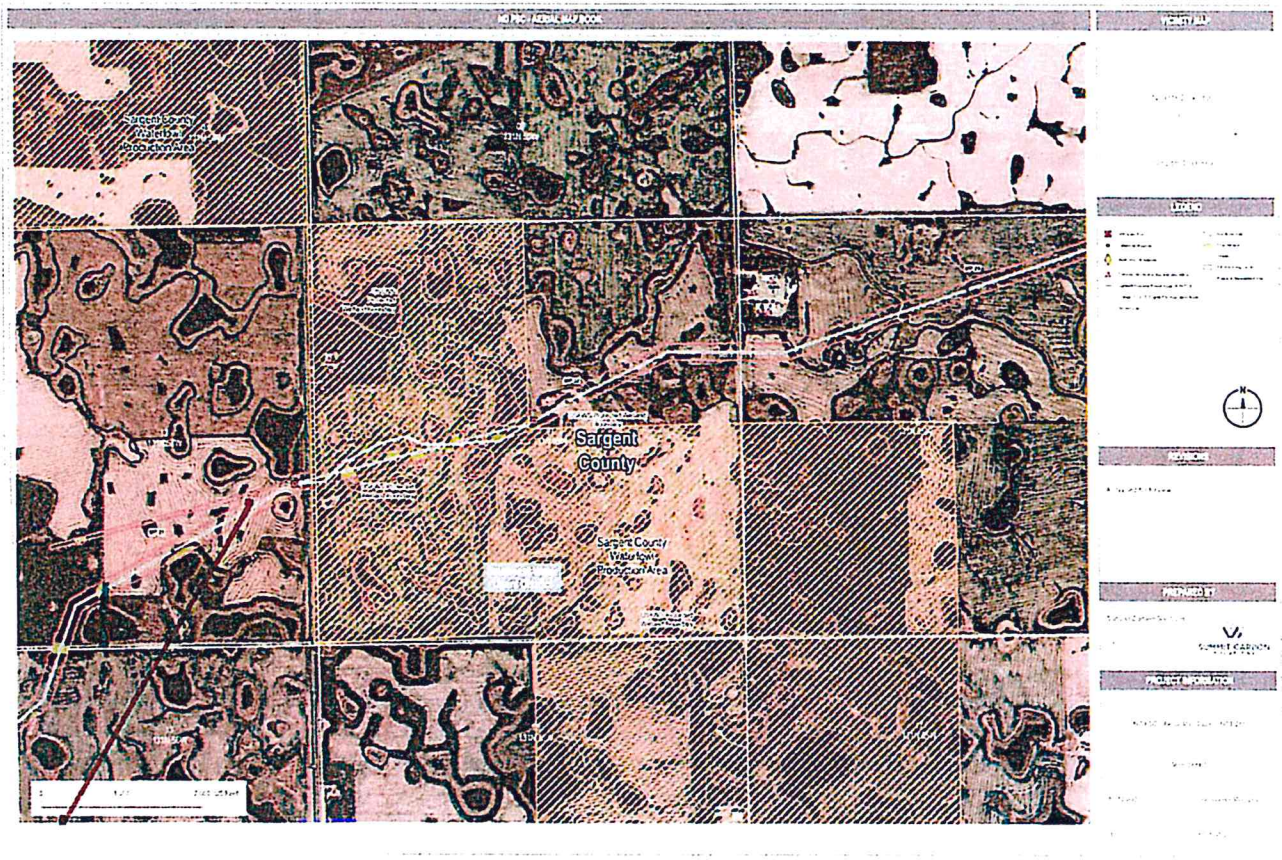
Respectfully,

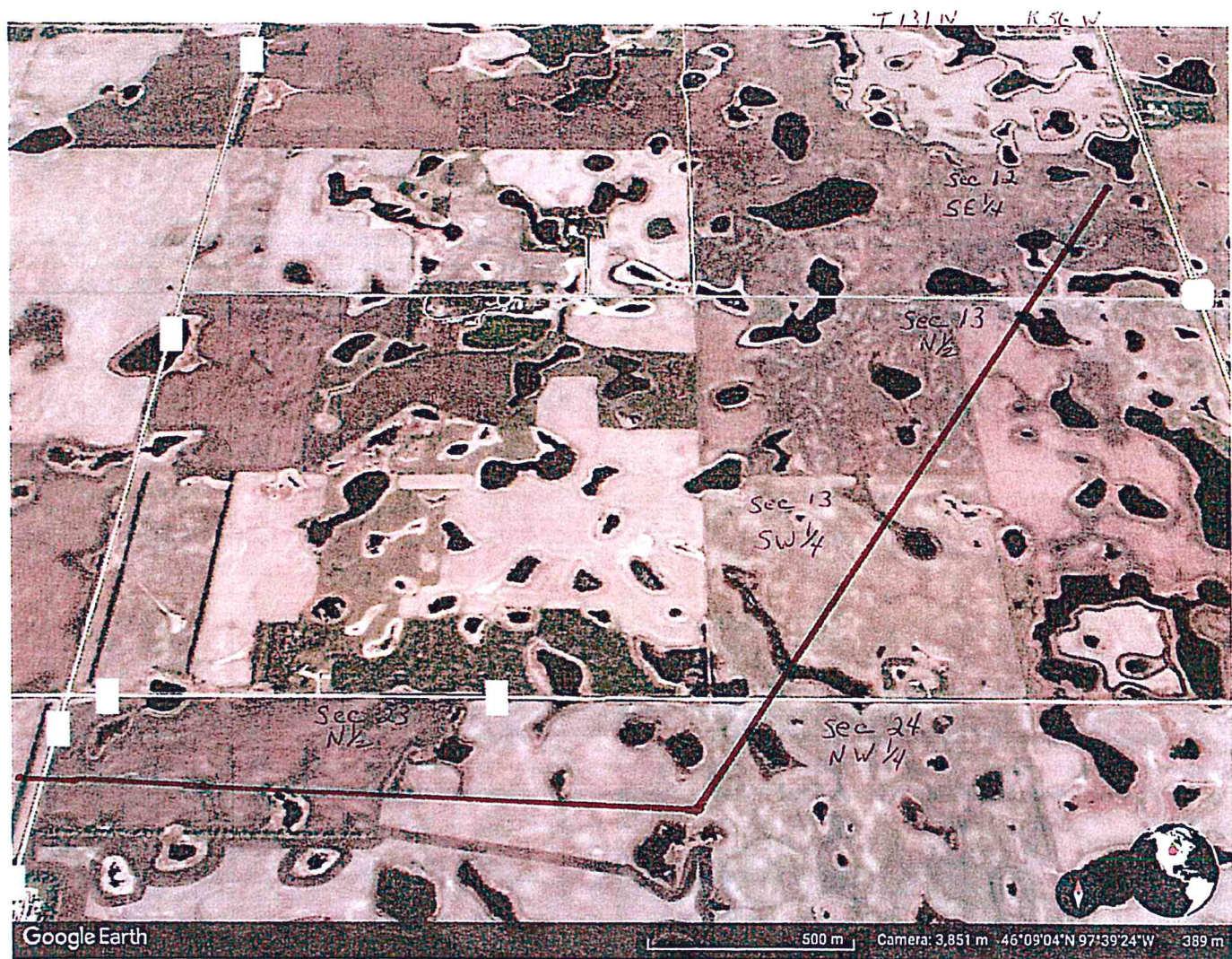


Brian E. Jorde
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Enclosures







**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

IN THE MATTER OF THE APPLICATION
OF SCS CARBON TRANSPORT LLC FOR
A CERTIFICATE OF CORRIDOR
COMPATIBILITY AND ROUTE PERMIT
FOR THE MIDWEST CARBON EXPRESS
PROJECT IN BURLEIGH, CASS, DICKEY,
EMMONS, LOGAN, MCINTOSH,
MORTON, OLIVER, RICHLAND AND
SARGENT COUNTIES, NORTH DAKOTA

Case No. PU-22-391

DECLARATION OF SERVICE

[1] Rosanne Ogden declares that I am of legal age and not a party to this action, and that I served the following document(s):

- 1. Waloch Hearing Exhibit for May 24, 2024 Hearing; and**
- 2. Declaration of Service.**

[2] On April 10, 2024, by sending a true and correct copy thereof by electronic means only to the following email addresses, to wit:

John Maurice Schuh Bar ID 08138
Special Assistant Attorney General
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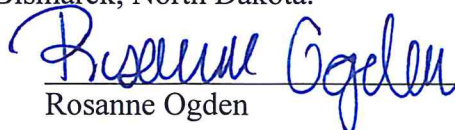
[3] and by sending the originals and seven (7) copies of said documents via U.S. Mail, at Bismarck, North Dakota with postage prepaid, to the following:

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

[4] The addresses of each party served are the last reasonably ascertainable e-mail address and post office address of such party.

[5] I declare, under penalty of perjury under the law of North Dakota, that the foregoing is true and correct.

Signed on the 10th day of April, 2024 at Bismarck, North Dakota.


Rosanne Ogden