

STATE OF NORTH DAKOTA

DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

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,

v.

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.

**UNDERTAKING ON APPEAL
TO DISTRICT COURT**

08-2024-CV-03622

Case No. _____


[1] Appellants 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 deposits with the Clerk of the above-named Court, pursuant to N.D.C.C. § 28-32-42, a check in the amount of Two Hundred Fifty and no/100 Dollars (\$250.00) as an undertaking in this proceeding to the State of North Dakota upon the conditions that Appellants

will prosecute the appeal herein without delay and pay all costs adjudged against Appellants.

[2] Appellants contend that the record upon appeal does not require the submission of the entire agency record and intends to consult with Appellees regarding an appropriate record as permitted by N.D.C.C. § 28-32-44(4).

Dated this 13th day of December, 2024

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A handwritten signature in black ink, appearing to read 'S. J. Leibel', is written over a horizontal line.

By: Steven J. Leibel (ID 07361)