

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.

**NOTICE OF SUPPLEMENTAL
DOCUMENTS FOR APRIL 22,
2025 HEARING**

Case No. 08-2024-CV-03622

[1] In anticipation of the April 22, 2025 hearing before this Court, Appellants file herewith Exhibit 1 (Bates Nos. 000001 to 000148) emails between the attorneys regarding consolidating all pending appeals before this Court. Appellants file the communications between counsel in rebuttal to any argument that Appellants delayed the preparation of a record in this case between the date of noticing this appeal (December 13, 2024), the date Summit moved to dismiss the appeal in the original Emmons County appeal (08-2024-CV-03610) (filed on January 22, 2025), and the date

Summit moved to dismiss this case (February 18, 2025).

Dated this 10th day of April, 2025.

/s/ Steven J. Leibel
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