

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. )

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**JOINDER BY**

**BURLEIGH COUNTY IN MOTION TO  
CONSOLIDATE**

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[¶1] Burleigh County hereby joins in the consolidation request (doc. 98) made by the North Dakota Public Service Commission which requests consolidation of the appeal involving Burleigh County (*Burleigh County v. North Dakota Public Service Commission and SCS Carbon Transport LLC*, Civil No: 8-2024-CV-03614 ) and Landowners (*APH Farms, et al. v. North Dakota Public Service Commission, et al.*, Civil No: 08-2024-CV-03622).

[¶2] Burleigh County agrees that the two cases should be consolidated to conserve party and judicial resources, to avoid potential incongruent rulings by the Court, and based on applicable law.

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Dated this 27th day of June, 2025.

BAKKE GRINOLDS WIEDERHOLT

By: /s/ Randall J. Bakke

Randall J. Bakke (#03989)

Bradley N. Wiederholt (#06354)

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