

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.

**APPELLANTS' JOINDER IN
MOTION TO CONSOLIDATE**

Case No. 08-2024-CV-03622

COMES NOW Appellants APH Farms, Arden Hagerott, Jonathan Hagerott, Janel Olson, Valera Hayen, Kari Curran, Scott Irmes, Mary Jo Irmes, Leon Mallberg, Staroba Revocable Living Trust, Loren Staroba, Diane Staroba and James Tiegs, (hereafter, the "Landowners") by and through their counsel of record KNOLL LEIBEL LLP (Steven J. Leibel), and respectfully submits this, the Landowner's Joinder in Motion to Consolidate.

The Landowners agree with the Public Service Commission's reasons in support of consolidation as expressed in its Motion to Consolidate, including judicial

efficiency, the conservation of fees and costs, and the risk of inconsistent rulings. For these reasons, the Landowners join the Public Service Commission's request to consolidate *Burleigh County v. North Dakota Pub. Serv. Comm'n, et al.*, Case No. 08-2024-CV-03614, into this matter.

Dated this 27th day of June, 2025.

Respectfully submitted,

KNOLL LEIBEL LLP

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