

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

JUDGMENT

Supreme Court No. 20260059
Burleigh County No. 08-2025-CV-02068

**Wano Township, Willowbank Township,
Russell Township, Corwin Township,
Valley Township, Mike and Patty Bartel,
Richard and Susan R. Long, Steven
and Julia Nelson, Phyllis P. Otterness
and Patricia A. Vick, Brandon and
Tausha Schweigert, Shockman Farm
Partnership, LLLP, Debra Sue Wald,
Lucas and Jill Wald, Tim Leppert, Orr
Farms, Steve M. and Sandra J. Rupp,
David A. and Denette M. Schweigert,
Allen D. and Inna N. Swiontek, David
and Holly Wald, Weston Wald, and
Willowbank Hutterian Brethren Association,**

Appellants

v.

**North Dakota Public Service Commission,
Otter Tail Power Company, and
Montana-Dakota Utilities, Co.,**

Appellees

[¶1] This appeal was considered by the Court at the June Term of Court and an opinion was filed. The Court considered the matter.

[¶2] **IT IS ORDERED AND ADJUDGED**, the judgment of the district court is **AFFIRMED**.

[¶3] **IT IS FURTHER ORDERED AND ADJUDGED** that North Dakota Public Service Commission, Otter Tail Power Company, and Montana-Dakota Utilities, Co. have and recover from Wano Township, Willowbank Township, Russell Township, Corwin Township, Valley Township, Mike and Patty Bartel, Richard and Susan R. Long, Steven and Julia Nelson, Phyllis P. Otterness and Patricia A. Vick, Brandon and Tausha Schweigert, Shockman Farm Partnership, LLLP, Debra Sue Wald, Lucas and Jill

Wald, Tim Leppert, Orr Farms, Steve M. and Sandra J. Rupp, David A. and Denette M. Schweigert, Allen D. and Inna N. Swiontek, David and Holly Wald, Weston Wald, and Willowbank Hutterian Brethren Association costs and disbursements on this appeal under N.D.R.App.P. 39, to be taxed and allowed in the court below.

[¶4] This judgment will be final upon disposition of a petition for rehearing, if any is filed, or when the time for filing such petition has expired and the mandate of this Court issued.

[¶5] This judgment, together with the opinion of the Court, constitutes the mandate of the Supreme Court on the date it is issued to the district court under N.D.R.App.P. 41.

[¶6] Dated: 7/23/2026

Lisa K. Fair McEvers
Chief Justice

Attest:
Petra H. Mandigo Hulm
Clerk