

STATE OF SOUTH DAKOTA)
 : SS
COUNTY OF HUGHES)

IN CIRCUIT COURT

SIXTH JUDICIAL DISTRICT

IN THE MATTER OF THE PETITION OF
TRANSCANADA KEYSTONE PIPELINE
LP FOR AN ORDER ACCEPTING
CERTIFICATION OF PERMIT ISSUED IN
IN DOCKET HP 09-001 TO CONSTRUCT
THE KEYSTONE XL PIPELINE

CIV.

NOTICE OF APPEAL

To: South Dakota Public Utilities Commission
 Chairman Chris Nelson
 Vice Chairperson Kristie Fiegen
 Commissioner Gary Hanson
 Commission Counsel Rolayne Wiest
 PUC Staff Attorney Kristen Edwards
 William Taylor, Attorney for TransCanada Keystone Pipeline, LP
 James E. Moore, Woods Fuller, Attorney for TransCanada Keystone Pipeline, LP
 James P. White, Attorney for TransCanada Keystone Pipeline, LP

Please take note that the below-named intervenors in South Dakota Public Utilities Commission docket HP 14-001 hereby jointly appeal the Commission’s *Final Decision and Order Finding Certification Valid and Accepting Certification; Notice of Entry*, dated January 21, 2016, in such docket.

The appellants, represented jointly by the undersigned counsel, are Native American community members and community organizers, South Dakota and Nebraska farm and ranching families on or near the proposed pipeline route, and others affected by the Keystone XL Pipeline. The appellants are Joye Braun, Post Office Box 484 Eagle Butte, South Dakota 57625; Dallas Goldtooth, 38731 Res Hwy 1 Morton, Minnesota 56270; John H. Harter, 28125 307th Avenue Winner, South Dakota 57580; Chastity S. Jewett, 310 South Street Rapid City, South Dakota 57701; Elizabeth Lone Eagle, Post Office Box 160 Howes, South Dakota 57748; Paul F. Seamans, 27893 249th Street Draper, South Dakota 57538; Bruce Boettcher, 86061 Edgewater Avenue Bassett,

Nebraska, 68714; Terry and Cheri Frisch, 47511 875th Road Atkinson, Nebraska 68713; Arthur R. Tanderup, 52343 857th Road Atkinson, Nebraska 68756; Wrexie Lainson Bardaglio, 9748 Arden Road Trumansburg, New York 14886; and Gary F. Dorr, Box 103, Craigmont, Idaho 83523.

The agency subject to this appeal is the South Dakota Public Utilities Commission, State Capitol 500 East Capitol Avenue, Pierre, South Dakota 57501. The permittee subject to the certification order is TransCanada Keystone Pipeline, LP, 450 1st Street SW Calgary, Alberta, Canada T2P 5H1 and 700 Louisiana Street Houston, Texas 77002.

DATED this 18th day of February, 2016

By: */s/ Chase Iron Eyes*
Chase Iron Eyes
Iron Eyes Law Office, PLLC
Post Office Box 888
Fort Yates, North Dakota 58538
(701) 455-3702
chaseironeyes@gmail.com
S.D. Bar No. 3981

Peter Capossela
Peter Capossela, P.C.
Attorney at Law
Post Office Box 10643
Eugene, Oregon 97440
(541) 505-4883
pcapossela@nu-world.com

Attorneys for Joye Braun, Dallas Goldtooth, John H. Harter, Chastity S. Jewett, Elizabeth Lone Eagle, Paul F. Seamans, Bruce Boettcher, Terry and Cheri Frisch, Arthur R. Tanderup, Wrexie Lainson Bardaglio and Gary F. Dorr