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February 26, 2026

**Via US Mail and Email**

Brenda Binegar  
Dept. Of Agriculture and Nat. Resources  
523 E. Capitol Avenue  
Pierre, SD 57501

Re: In the Matter of the Permit Renewal Application of the City of Rapid City, South Dakota  
for the Rapid City Landfill

Dear Ms. Binegar:

Enclosed please find for filing in the above-referenced matter the original of Petitioners Ross Johnson and Fern Johnson's Motion on Extension of Scheduling and Procedural Order, Stipulation on Extension of Procedural and Scheduling Order, and Order. Copies of these documents have also been served upon the parties and Hearing Chair Morris as indicated in the attached Certificate of Service. If you have any questions or require any additional information from me, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink that reads "Kristi Erdman". The signature is fluid and cursive.

Kristi Erdman

KWE  
Enclosure

**CERTIFICATE OF SERVICE**

I certify that the original of the foregoing was submitted via US Mail, First Class, Postage Prepaid, and email upon the following on February 26, 2026.

Brenda Binegar  
South Dakota Department of Agriculture  
and Natural Resources  
523 E. Capitol Ave.  
Pierre, SD 57501  
[Brenda.binegar@state.sd.us](mailto:Brenda.binegar@state.sd.us)  
*Secretary, Board of Minerals and Environment*

I certify that on February 26, 2026, a true and correct copy of the foregoing was served via US Mail and email to the following:

Carla Cushman  
300 6<sup>th</sup> St, 3<sup>rd</sup>. Floor  
Rapid City, SD 57701  
(605) 394-4140  
[Carla.Cushman@rcgov.org](mailto:Carla.Cushman@rcgov.org)  
*Attorneys for City of Rapid City*

Bob Morris  
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[bobmorris@westriverlaw.com](mailto:bobmorris@westriverlaw.com)  
*Hearing Chair*

Steven Blair  
General Counsel, DANR  
221 Mall Dr. Ste. 201  
Rapid City, SD 57701  
[Steven.Blair@state.sd.us](mailto:Steven.Blair@state.sd.us)  
*Attorney for Department of  
Agriculture and Natural Resources*

David M. McVey  
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1302 East SD Highway 1889 Ste. 1  
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[David.McVey@state.sd.us](mailto:David.McVey@state.sd.us)  
*Attorney for Board of Minerals and  
Environment*

*/s/ G. Verne Goodsell*  
G. Verne Goodsell

STATE OF SOUTH DAKOTA  
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES  
BOARD OF MINERALS AND ENVIRONMENT

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<p>IN THE MATTER OF THE PERMIT RENEWAL APPLICATION OF THE CITY OF RAPID CITY, SOUTH DAKOTA FOR THE RAPID CITY LANDFILL</p>	<p>MOTION TO EXTEND PROCEDURAL AND SCHEDULING ORDER</p>
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The parties to the above-captioned matter, by and through their respective attorneys, having stipulated and agreed to the attached draft Order, hereby move that the Hearing Chair enter an Order Extending Procedural and Scheduling Order consistent with the attached draft Order.

Dated this 26th day of February, 2026.

GOODSELL + OVIATT, LLP

BY:



G. Verne Goodsell

Kristi Erdman

*Attorney for Petitioners*

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P.O. Box 9249

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[verne@goodselloviatt.com](mailto:verne@goodselloviatt.com)

## CERTIFICATE OF SERVICE

I certify that the original of the foregoing was submitted via US Mail, First Class, Postage Prepaid, and email upon the following on the 26th day of February, 2026:

Brenda Binegar  
South Dakota Department of Agriculture  
and Natural Resources  
523 E. Capitol Ave.  
Pierre, SD 57501  
[Brenda.binegar@state.sd.us](mailto:Brenda.binegar@state.sd.us)  
*Secretary, Board of Minerals and Environment*

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*Attorneys for City of Rapid City*

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*Attorney for Department of  
Agriculture and Natural Resources*

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Pierre, SD 57501-8501  
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*Attorney for Board of Minerals and  
Environment*

*/s/ Kristi Erdman*  
Kristi Erdman

STATE OF SOUTH DAKOTA  
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES  
BOARD OF MINERALS AND ENVIRONMENT

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IN THE MATTER OF THE PERMIT  
RENEWAL APPLICATION OF THE CITY  
OF RAPID CITY, SOUTH DAKOTA FOR  
THE RAPID CITY LANDFILL

**STIPULATION TO EXTEND  
PROCEDURAL AND SCHEDULING  
ORDER**

The parties herein, by and through their counsel of record, respectfully submit this Stipulation for Order Suspending the Procedural and Scheduling Order and Discovery Deadlines. The parties respectfully request leave of the Court for an unspecified extension of time to the Scheduling Order dated October 26, 2025, for the reason that the parties are working to schedule the depositions of experts, thus delaying the parties' ability complete discovery and depositions. After the depositions of necessary witnesses are completed, the parties will reconvene and stipulate to an Amended Scheduling Order to submit to the Court.

Dated this 17<sup>th</sup> day of February, 2026.

GOODSELL + OVIATT, LLP

BY: /s/



G. Verne Goodsell

*Attorney for Petitioners*

246 Founders Park Dr., Suite 201

Rapid City, SD 57709-9249

Tel: (605) 343-3000/Fax (605) 343-3251

[verne@goodselloviatt.com](mailto:verne@goodselloviatt.com)

Dated this 25<sup>th</sup> day of February, 2026.

BY: Carla Cushman

Carla Cushman  
300 6<sup>th</sup> St, 3<sup>rd</sup> Floor  
Rapid City, SD 57701  
(605) 394-4140  
[Carla.Cushman@rcgov.org](mailto:Carla.Cushman@rcgov.org)  
*Attorneys for City of Rapid City*

Dated this 26th day of February, 2026.

BY: Steven Blair

Steven Blair  
General Counsel, DANR  
221 Mall Dr. Ste. 201  
Rapid City, SD 57709  
[Steven.Blair@state.sd.us](mailto:Steven.Blair@state.sd.us)  
*Attorney for Department of Agriculture and Natural Resources*

**CERTIFICATE OF SERVICE**

I certify that the original of the foregoing was submitted via US Mail, First Class, Postage Prepaid, and email upon the following on 26th day February, 2026.

Brenda Binegar  
South Dakota Department of Agriculture  
and Natural Resources  
523 E. Capitol Ave.  
Pierre, SD 57501  
[Brenda.binegar@state.sd.us](mailto:Brenda.binegar@state.sd.us)  
*Secretary, Board of Minerals and Environment*

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*Hearing Chair*

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*Attorney for Department of  
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*Attorney for Board of Minerals and  
Environment*

/s/ G. Verne Goodsell  
G. Verne Goodsell

STATE OF SOUTH DAKOTA

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES  
BOARD OF MINERALS AND ENVIRONMENT

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IN THE MATTER OF THE PERMIT  
RENEWAL APPLICATION OF THE CITY  
OF RAPID CITY, SOUTH DAKOTA FOR  
THE RAPID CITY LANDFILL

ORDER TO EXTEND PROCEDURAL  
AND SCHEDULING ORDER

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Petitioners, The City of Rapid City and The Department of Agriculture and Natural Resources in the above-captioned matter, by and through their respective attorneys, having stipulated to the Motion to Extend Procedural and Scheduling Order, the Hearing Chair hereby

ORDERS, ADJUDGES, AND DECREES that the Motion to Extend Procedural and Scheduling Order is granted.

BY THE CHAIR:

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Bob Morris, Hearing Chair  
Board of Minerals and Environment