

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

<p>Swan Lake Road Farms, LLC, Petitioner, v. Iowa Utilities Commission, Respondent.</p>	<p>Case No.: CVCV068000 IUC Docket No.: E-22501 PETITIONER SWAN LAKE ROAD FARMS, LLC'S NOTICE OF TRESPASS AND REQUEST FOR SUPPLEMENTAL HEARING</p>
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COMES NOW, Petitioner Swan Lake Road Farms, LLC, by and through the undersigned counsel, and states:

1. Within the last week, Swan Lake Road Farms, LLC ("SLRF") has learned that SLRF's contractor - Terracon - has commenced work related to the franchise in question.

2. Johnson County has confirmed that ITCM had not obtained a permit, as required, to commence construction in the right of way. Specifically, the Johnson County wrote on April 30, 2025:

Secondary roads confirmed there are no new permits along Swan Lake Road, but an ITCM sub is working within the railroad right of way in the general vicinity and got a permit Monday for spillover into the county's right of way.

We are unaware of any drilling along Swan Lake. If it is happening, it may be on private land not in the county right of way.

If your clients have observed drilling in areas that would require a permit, please have them contact secondary roads directly to report it.

3. Terracon, however, has trespassed onto SLRF's property beyond any purported right of way and/or railroad easement. Tire marks in SLRF's crop field confirms the trespass.

4. In light of ITCM's trespass onto SLRF property during the pendency of this judicial review, it is clear that ITCM continues to ignore SLRF's property rights and is likely that ITCM will cause irreparable and repeated harms to SLRF if no stay is issued.

5. SLRF requests a supplemental hearing on the matter of the requested stay in light of ITCM's work without a county permit and in light of ITCM's trespass onto SLRF's property.

WHEREFORE, Swan Lake Road Farms, LLC requests a supplemental hearing on the matter of the requested stay and for all other relief deemed just and proper.



By: _____
William M. Reasoner, AT0013464
DICKINSON, BRADSHAW, FOWLER & HAGEN, P.C.
801 Grand Avenue, Suite 3700
Des Moines, Iowa 50309
Telephone: (515) 244-2600
FAX: (515) 246-4550
wreasoner@dickinsonbradshaw.com

Attorneys for Petitioner Swan Lake Road Farms, LLC

Certificate of Service

I hereby certify that on May 6, 2025, I electronically filed the foregoing document with the Clerk of the Court by using the Iowa Judicial Branch electronic filing system which will send a notice of electronic filing to all parties of record.

/s/ William M. Reasoner