

DIVIDER

STATE OF NORTH DAKOTA
INFORMATION TECHNOLOGY DEPARTMENT
SFN 2053 (4-2002)

DESCRIPTION

GE-04-680
Earth Harvest Mills, Inc.
Grain Warehouse - Harvey, ND
License Application
Filed 12/30/2004 Closed 1/20/2005 04

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Earth Harvest Mills, Inc.
Grain Warehouse - Harvey, ND
License Application

Case No. GE-04-680

STATE OF NORTH DAKOTA)
)ss
COUNTY OF BURLEIGH)

Shelly Bauske deposes and says that she is over the age of 18 years and not a party to this action and on the 20th day of January, 2005, she deposited in the United States Mail, Bismarck, North Dakota, 10 envelopes by regular mail, with postage fully prepaid, securely sealed and each containing a photocopy of

Order Granting Warehouse License

The envelopes were addressed as follows

Grayson Hoberg
Earth Harvest Mills, Inc
500 North Street West
Harvey, ND 58341

ND Soybean Council
1411 32nd Street SW
Fargo, ND 58103-3536

Steve Strege
North Dakota Grain Dealers Association
118 Broadway - Suite 606 Black Building
Fargo, ND 58102

ND Barley Council
505 40th Street SW, Unit E
Fargo, ND 58103-1184

National Agricultural Statistics Service
PO Box 3166
Fargo, ND 58108-3166

Becky Christensen
ND Wheat Commission
4023 North State Street
Bismarck, ND 58501-0690

Steven Searcy
Storage Contract Branch
Bulk Commodities Division - KCCO
PO Box 419205
Kansas City, MO 64141-6205

Kim Vachal
Upper Great Plains Trans Institute
North Dakota State University
Box 5074, Room 430 IACC
Fargo, ND 58105

Lerrene Kroh
Oilseed Council
4023 North State Street
Bismarck, ND 58503

Jocie Iszler
ND Corn Utilization Council
1325 23rd Street South
Fargo, ND 58103

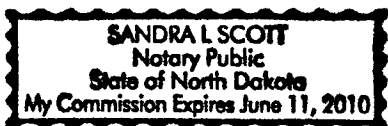
To the best of affiant's knowledge each address shown is the respective addressee's last reasonably ascertainable mailing address

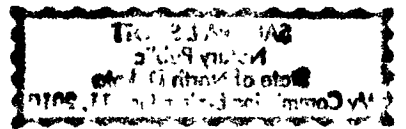
Subscribed and sworn to before me
this 20th day of January, 2005.

Shelly Bauske

Sandra L. Scott

Notary Public





STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Earth Harvest Mills, Inc.
Grain Warehouse – Harvey, ND
License Application**

Case No. GE-04-680

ORDER GRANTING LICENSE APPLICATION

January 12, 2005

Earth Harvest Mills, Inc. filed an application for a public grain warehouse license, as provided for in NDCC Section 60-02-07 to operate a 20,000-bushel grain warehouse at Harvey, North Dakota.

The Findings of Fact, Conclusions of Law, and Order dated November 4, 2004, ordered that Earth Harvest Mills, Inc. was prohibited from purchasing grain in North Dakota, until it obtains a public warehouse license from the Commission. The applicant has met the requirements for license.

Order

The Commission orders:

1. That the request of Earth Harvest Mills, Inc. to operate a 20,000-bushel grain warehouse at Harvey, North Dakota, effective December 30, 2004, is granted.
2. That the Cease & Desist Order dated September 28, 2004, is canceled effective December 30, 2004.

PUBLIC SERVICE COMMISSION



Susan E. Wefald
Commissioner



Tony Clark
President



Kevin Cramer
Commissioner

TC4

1-12-05
KMF

MOTION

January 12, 2005

**Earth Harvest Mills, Inc.
Grain Warehouse – Harvey, ND
License Application**

Case No. GE-04-680

I move the Commission issue an order in Case No GE-04-680 granting the request of Earth Harvest Mills, Inc. to operate a 20,000-bushel grain warehouse at Harvey, North Dakota, effective December 30, 2004.

I further move that the Cease & Desist Order dated September 28, 2004, is canceled, effective December 30, 2004.

PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

MEMORANDUM

TO: Commissioners Clark, Wefald, and Cramer
FROM: Sue Richter - Licensing Division *Sue Richter*
DATE: December 30, 2004
RE: Warehouse License - Request for Temporary Authority
Earth Harvest Mills, Inc.

Earth Harvest Mills, Inc , Harvey, North Dakota, filed a license application to operate a 20,000-bushel grain warehouse Earth Harvest Mills, Inc. purchases organic grain for milling into flour.

The Findings of Fact, Conclusions of Law, and Order dated November 4, 2004, ordered that Earth Harvest Mills, Inc. was prohibited from purchasing grain in North Dakota until it obtains a license from the Commission as a public warehouse in North Dakota until N D.C.C. Chapter 60-02 The applicant has met the license requirements.

The applicant has asked to commence operations effective immediately. I recommend the license be issued to Earth Harvest Mills, Inc., Harvey, North Dakota, effective immediately, and that this action be noticed on the Commission's Agenda. I also recommend that the Cease and Desist Order issued on September 28, 2004, is canceled effective immediately, and that this action also be noticed on the Commission's Agenda

Please sign and date this temporary authority request and return it to me.

Temporary authority authorized

Commissioner *Tony Cramer*

Date: *12-30-04*