



Public Service Commission
State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
Phone 701-328-2400
Toll Free 1-877-245-6685
Fax 701-328-2410
TDD 800-366-6888 or 711

March 5, 2010

Mr. James P. Wirtz
17275 95th Street SE
Fairmount, ND 58030

RE: Public Service Commission v. VeraSun Hankinson, LLC
Case No. GE-09-104; Civil No. 39-9-C-462-1

Dear Mr. Wirtz:

Enclosed are two copies of the Affidavit with attached Exhibits that were prepared by Commission Staff related to your claim against VeraSun Hankinson, LLC.

Please review the Affidavit and attached Exhibits and if everything is true and correct, sign the Affidavit in the presence of a Notary Public. Please return one original notarized Affidavit and the attached Exhibits to our office by Friday, March 19 or at your earliest convenience. You may retain one copy of the Affidavit with attached Exhibits for your records.

If you find something in the Affidavit that is not true and correct, or that you do not understand, please contact us as soon as possible so we can discuss the matter and send you a revised document if appropriate.

If you have any questions please contact Sue Richter, Licensing Director, at 701-328-4097.

Sincerely,

Annette Bendish
Legal Counsel

Enclosures

59 GE-09-104 Filed 03/05/2010 Pages: 18
Letter to Jim Wirtz Requesting Affidavit etc.
with Attachments
Public Service Commission

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF RICHLAND

SOUTHEAST JUDICIAL DISTRICT

Public Service Commission

Petitioner,

vs.

VeraSun Hankinson, LLC

Respondent.

CIVIL NO. 39-9-C-462-1

AFFIDAVIT OF JAMES WIRTZ
IN SUPPORT OF
NONPAYMENT OF GRAIN
CLAIM OF JAMES WIRTZ

PSC Case No. GE-09-104

STATE OF NORTH DAKOTA

COUNTY OF _____

)
)ss
)

James Wirtz states under oath as follows:

1. I swear and affirm, upon penalty of perjury, that the statements made in this affidavit are true and correct.
2. On September 9, 2008, my brother Jerry Wirtz delivered a load of corn to Wheaton-Dumont Coop Elevator at Hankinson and received scale ticket number 43677H issued to VeraSun and Jerry & Jim Wirtz. Exhibit JW-1
3. I received a copy of the Wheaton-Dumont Coop Elevator Assembly Sheet with Scale Tickets Assembly 8989, that was issued to VeraSun Hankinson, LLC with a note in the upper left corner stating "Jerry & Jim Wirtz." Exhibit JW-2

4. On September 11, 2008, Jerry Wirtz delivered nine loads of corn to VeraSun Hankinson, LLC at Hankinson. Scale ticket numbers 4655, 4662, 4671, 4675, 4685, 4693, 4698, 4705, and 4714 were issued to Vendor Jerry Wirtz each with a footnote to "Split 50/50 with James." Exhibit JW-3.
5. VeraSun Hankinson, LLC issued Assembly Sheet VHN3000704 printed on September 15, 2008, to me. The Assembly Sheet represented a total of 4,000 bushels of corn delivered against Contract No. VHN1000532. Exhibit JW-4.
6. VeraSun Hankinson, LLC issued Assembly Sheet VHN3000714 printed on September 15, 2008, to me. The Assembly Sheet represented a total of 1,242.85 bushels of corn delivered in addition to the contracted amount. Exhibit JW-5.
7. I received US Bio Hankinson, LLC check number 6841 dated September 22, 2008, for the amount of \$26,934.70 issued to me and Bank of the West. Exhibit JW-6.
8. I received Settlement Sheet VHN4000180 printed on September 23, 2008, from VeraSun Hankinson, LLC which lists Assembly Number VHN3000704, settle quantity of 4,000 bushels of corn totaling a net amount of \$20,708.10 and Assembly Number VHN3000714, settle quantity of 1,242.85 bushels of corn totaling a net amount of \$6,226.60 totaling a net check amount of \$26,934.70 with check number 006841 and check date September 22, 2008 listed on the Settlement Sheet. Exhibit JW-7.
9. I misplaced check number 6841. I called Jon Anderson at VeraSun Hankinson, LLC approximately three or four weeks after I received the check and asked that

they issue a new one. He did not do that and finally I found the check in December of 2008.

10. I deposited check number 6841 with Bank of the West. I received a statement from Bank of the West dated December 9, 2008, along with a copy of the check marked RETURN REASON – C, STOP PAYMENT, Do Not Re-deposit. Exhibit JW-8.

Dated this _____ day of March, 2010.

By: _____
James Wirtz

Subscribed and sworn to before
me this _____ day of March, 2010.

Notary Public

VICTOR Redi-Set FORM • Phone: 1-800-346-4870

COPY - NOT-NEGOTIABLE
UNITED STATES WAREHOUSE ACT - Grain Inspection and Weight Certificate
(Inspection Not Valid for Purposes of the United States Grain Standards Act)

Wheaton - Dumont Co-op Elevator

Hankinson, North Dakota OFF

DATE 7/9/08

DRIVER: ON

NAME George V. ...

ADDRESS George & Jean White

58560

| | BUSHELS | | | |
|---------|---------|---|---|-----|
| GROSS | 1 | 0 | 4 | 571 |
| DOCKAGE | | | | |
| NET | | | | |

| COMMODITY | U.S. GRADE | TEST WT. | DOCK. | MOIST. |
|-------------|------------|-----------|-----------|--------------|
| <u>Corn</u> | | <u>58</u> | | <u>13.9</u> |
| DAM. % | PROTEIN | BIN NO. | FM. | Assembly No. |
| | | | <u>18</u> | |

Is grain received for storage or on contract and/or sold?

PL

State price per bushel if sold, write "Price Later" if price not determined.

IN OUT

43677 H

CERTIFICATION:
This certificate is issued by an inspector/weighter licensed under the United States Warehouse Act and Regulations thereunder.
For the WHEATON-DUMONT CO-OP ELEVATORS, Wheaton, Minnesota

[Signature]
Signature of Licensed Inspector and/or Weigher

split 50/50

Wheaton-Dumont Coop Elevator Assembly Sheet with Scale Tickets

Ordered By first name on assembly only
Open And Settled Assembly Sheets
Base Price

| Loc | Assembly | Commodity Code | Description | Last Delivery Date | Contract | Base Price | Assembly Date | Units | Customer Ref | Customer Name | Assembly |
|---|----------|----------------|-------------|--------------------|----------|------------|---------------|-------|--------------|---------------|----------|
| H-10 | 8989 | 9 | CORN | 09/09/2008 | | 0.0000 | 09/10/2008 | | | | |
| Jerry&Jim Wirtz | | | | | | | | | | | |
| Open Storage 1,045.71 2107HM VeraSun - Hankinson.LLC 8989 | | | | | | | | | | | |

| Ticket Number | Date | Gross Units | Dockage Shrink | Net Units | Base Price | Premium/Discounts | | | | | | | | Unit Price |
|-----------------|----------|-------------|----------------|-----------|------------|-------------------|--------|--------|--------|--------|--------|--------|--------|------------|
| | | | | | | TW | MST | DMG | FM | Bugs | Musty | Sour | AN | |
| | | | | | | COFO | OTHER | | | | | | | |
| 43677H | 09/09/08 | 1,045.71 | 0.00 | 1,045.71 | 0.0000 | 58.00 | 13.90 | 0.00 | 1.80 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0000 |
| | | | | | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | |
| | | | | | | 0.00 | 0.00 | | | | | | | |
| | | | | | | 0.0000 | 0.0000 | | | | | | | |
| Jerry&Jim Wirtz | | | | | | | | | | | | | | |
| | | 1,045.71 | 0.00 | 1,045.71 | | 58.00 | 13.90 | 0.00 | 1.80 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0000 |
| | | | | | | 0.00 | 0.00 | | | | | | | |

Drying Charge Deduction: 0.00

Overall Assembly Grade Factor Recap

| | | | |
|---------------|-----------|------------|------------|
| AN FILTH 0.00 | Bugs 0.00 | COFO 0.00 | DMG 0.00 |
| FM 1.80 | MST 13.90 | Musty 0.00 | OTHER 0.00 |
| Sour 0.00 | TW 58.00 | | |

Open Storage Assembly Sheet Commodity Codes

| | | | | |
|---|------|------|-------|----------|
| 9 | H-10 | CORN | Units | 1,045.71 |
|---|------|------|-------|----------|

*** REPRINT ***

VeraSun Hankinson, LLC
 9230 County Road 1
 Hankinson, ND 58041
 Phone: (701) 242-9400

| DRIVER SIGNATURE | PRINTED AGENT NAME | DEALER |
|--|--|--|
| UNLOAD 09/11/2008 | | TICKET NO.: 4655 |
| VENDOR: 1034 WIRTZ, JERRY 322 3RD AVE SW HANKINSON, ND, 58041 | PRODUCER: CARRIER: BLK TRK JERRY WIRTZ | DELIVERY NO.: BOL: INBOUND DRIVER: JERRY ON SCALE TRUCK ID 3236333237 |

| | | | | |
|----------|------------|-------------|-------------|------------|
| GROSS WT | 82,100 LBS | 09:06 AM | YELLOW CORN | U.S. No. 2 |
| TARE WT | 25,960 LBS | 09:16 AM | M | 14.0 |
| NET WT | 56,140 LBS | 1,002.50 BU | TW | 56.9 |
| | | | BCFM | 1.0 |
| | | | DKT | 0.4 OTHER |
| | | | HT | |

NOTES: Split 50/50 with James Wirtz.

VeraSun Hankinson, LLC
 9230 County Road 1
 Hankinson, ND 58041
 Phone: (701) 242-9400

| DRIVER SIGNATURE | PRINTED AGENT NAME | DEALER |
|--|--|--|
| UNLOAD 09/11/2008 | | TICKET NO.: 4671 |
| VENDOR: 1034 WIRTZ, JERRY 322 3RD AVE SW HANKINSON, ND, 58041 | PRODUCER: CARRIER: BLK TRK JERRY WIRTZ | DELIVERY NO.: BOL: INBOUND DRIVER: JERRY ON SCALE TRUCK ID 3236333237 |
| GROSS WT 87,620 LBS | 11:19 AM | YELLOW CORN U.S. No. 1 |
| TARE WT 26,000 LBS | 11:26 AM | M 13.9 |
| NET WT 61,620 LBS | 1,100.36 BU | TW 56.9 |
| | | BCFM 1.1 |
| | | DKT 0.2 OTHER |
| | | HT |

NOTES: Split 50/50 with James.

VeraSun Hankinson, LLC
 9230 County Road 1
 Hankinson, ND 58041
 Phone: (701) 242-9400

| DRIVER SIGNATURE | PRINTED AGENT NAME | DEALER |
|--|--|--|
| UNLOAD 09/11/2008 | | TICKET NO.: 4662 |
| VENDOR: 1034 WIRTZ, JERRY 322 3RD AVE SW HANKINSON, ND, 58041 | PRODUCER: CARRIER: BLK TRK JERRY WIRTZ | DELIVERY NO.: BOL: INBOUND DRIVER: JERRY ON SCALE TRUCK ID 3236333237 |
| GROSS WT 86,120 LBS | 10:14 AM | YELLOW CORN U.S. No. 1 |
| TARE WT 25,940 LBS | 10:22 AM | M 14.8 |
| NET WT 60,180 LBS | 1,074.64 BU | TW 57.8 |
| | | BCFM 1.3 |
| | | DKT 0.2 OTHER |
| | | HT |

NOTES: Split 50/50 with James.

VeraSun Hankinson, LLC
 9230 County Road 1
 Hankinson, ND 58041
 Phone: (701) 242-9400

| DRIVER SIGNATURE | | PRINTED AGENT NAME | | DEALER | |
|----------------------|------------|---------------------|-------------|----------------|------------|
| UNLOAD | 09/11/2008 | | | TICKET NO. : | 4685 |
| VENDOR: | | PRODUCER: | | DELIVERY NO. : | |
| 1034 WIRTZ, JERRY | | | | BOL: | |
| 322 3RD AVE SW | | CARRIER: | | INBOUND | |
| HANKINSON, ND, 58041 | | BLK TRK JERRY WIRTZ | | DRIVER: JERRY | ON |
| | | | | SCALE | |
| | | | | TRUCK ID | 3236333237 |
| GROSS WT | 84,960 LBS | 01:07 PM | YELLOW CORN | U.S. No. 1 | |
| TARE WT | 25,880 LBS | 01:14 PM | M | 14.2 | |
| NET WT | 59,080 LBS | 1,055.00 BU | TW | 57.1 | |
| | | | BCFM | 1.1 | |
| | | | DKT | 0.2 OTHER | |
| | | | HT | | |

NOTES: Split 50/50 with James.

VeraSun Hankinson, LLC
 9230 County Road 1
 Hankinson, ND 58041
 Phone: (701) 242-9400

| DRIVER SIGNATURE | | PRINTED AGENT NAME | | DEALER | |
|----------------------|------------|---------------------|-------------|----------------|------------|
| UNLOAD | 09/11/2008 | | | TICKET NO. : | 4675 |
| VENDOR: | | PRODUCER: | | DELIVERY NO. : | |
| 1034 WIRTZ, JERRY | | | | BOL: | |
| 322 3RD AVE SW | | CARRIER: | | INBOUND | |
| HANKINSON, ND, 58041 | | BLK TRK JERRY WIRTZ | | DRIVER: JERRY | ON |
| | | | | SCALE | |
| | | | | TRUCK ID | 3236333237 |
| GROSS WT | 85,060 LBS | 12:07 PM | YELLOW CORN | U.S. No. 1 | |
| TARE WT | 26,000 LBS | 12:15 PM | M | 14.3 | |
| NET WT | 59,060 LBS | 1,054.64 BU | TW | 57.1 | |
| | | | BCFM | 1.2 | |
| | | | DKT | 0.2 OTHER | |
| | | | HT | | |

NOTES: Split 50/50 with James.

VeraSun Hankinson, LLC
 9230 County Road 1
 Hankinson, ND 58041
 Phone: (701) 242-9400

| DRIVER SIGNATURE | PRINTED AGENT NAME | DEALER |
|--|--|--|
| UNLOAD 09/11/2008 | | TICKET NO.: 4690 |
| VENDOR: 1034 WIRTZ, JERRY 322 3RD AVE SW HANKINSON, ND, 58041 | PRODUCER: CARRIER: BLK TRK JERRY WIRTZ | DELIVERY NO.: BOL: INBOUND DRIVER: JERRY ON SCALE TRUCK ID 3236333237 |
| GROSS WT 83,620 LBS TARE WT 25,940 LBS NET WT 57,680 LBS | 02:47 PM 02:54 PM 1,030.00 BU | YELLOW CORN U.S. No. 1 M 14.2 TW 56.5 BCFM 1.5 DKT 0.4 OTHER HT |

NOTES: Split 50/50 with James.

VeraSun Hankinson, LLC
 9230 County Road 1
 Hankinson, ND 58041
 Phone: (701) 242-9400

| DRIVER SIGNATURE | PRINTED AGENT NAME | DEALER |
|--|--|--|
| UNLOAD 09/11/2008 | | TICKET NO.: 4693 |
| VENDOR: 1034 WIRTZ, JERRY 322 3RD AVE SW HANKINSON, ND, 58041 | PRODUCER: CARRIER: BLK TRK JERRY WIRTZ | DELIVERY NO.: BOL: INBOUND DRIVER: JERRY ON SCALE TRUCK ID 3236333237 |
| GROSS WT 85,300 LBS TARE WT 25,900 LBS NET WT 59,320 LBS | 01:56 PM 02:04 PM 1,059.29 BU | YELLOW CORN U.S. No. 2 M 13.3 TW 55.5 BCFM 1.2 DKT 0.3 OTHER HT |

NOTES: Split 50/50 with James.

VeraSun Hankinson, LLC
 9230 County Road 1
 Hankinson, ND 58041
 Phone: (701) 242-9400

| DRIVER SIGNATURE | PRINTED AGENT NAME | DEALER |
|--|--|--|
| UNLOAD 09/11/2008 | | TICKET NO.: 4714 |
| VENDOR: 1034 WIRTZ, JERRY 322 3RD AVE SW HANKINSON, ND, 58041 | PRODUCER: CARRIER: BLK TRK JERRY WIRTZ | DELIVERY NO.: BOL: INBOUND DRIVER: JERRY ON SCALE TRUCK ID 3236333237 |

| | | | | |
|----------|------------|-------------|-------------|------------|
| GROSS WT | 85,120 LBS | 04:21 PM | YELLOW CORN | U.S. No. 1 |
| TARE WT | 25,860 LBS | 04:28 PM | M | 14.2 |
| NET WT | 59,260 LBS | 1,050.21 BU | TW | 56.7 |
| | | | BCFM | 1.5 |
| | | | DKT | 0.2 OTHER |
| | | | HT | |

NOTES: Split 50/50 with James.

VeraSun Hankinson, LLC
 9230 County Road 1
 Hankinson, ND 58041
 Phone: (701) 242-9400

| DRIVER SIGNATURE | PRINTED AGENT NAME | DEALER |
|--|--|--|
| UNLOAD 09/11/2008 | | TICKET NO.: 4705 |
| VENDOR: 1034 WIRTZ, JERRY 322 3RD AVE SW HANKINSON, ND, 58041 | PRODUCER: CARRIER: BLK TRK JERRY WIRTZ | DELIVERY NO.: BOL: INBOUND DRIVER: JERRY ON SCALE TRUCK ID 3236333237 |

| | | | | |
|----------|------------|-------------|-------------|------------|
| GROSS WT | 82,160 LBS | 03:34 PM | YELLOW CORN | U.S. No. 1 |
| TARE WT | 25,860 LBS | 03:41 PM | M | 14.3 |
| NET WT | 56,300 LBS | 1,005.36 BU | TW | 57.2 |
| | | | BCFM | 1.3 |
| | | | DKT | 0.3 OTHER |
| | | | HT | |

NOTES: Split 50/50 with James.

Assembly Sheet

VeraSun Hankinson, LLC
9230 County Road 1
Hankinson ND 58041

1102

Wirtz, James
17275 95th St SE
Fairmount ND 58030

Printed 9/15/2008 2:49:45 PM

Purchase Disposition

Grain: CORN

Contract No.:

| | | | | | | | | Total | 4,000.00 | 4,000.00 | \$20,760.00 | \$0.00 |
|---|----------|----------|---------|---------|----|------|-----|-------|----------|----------|-------------|--------|
| Grades, Premiums and Discount Totals | | | | | | | | | | | | |
| Grd Factor | M | TW | BCFM | DKT | HT | MUST | INF | | | | | |
| Averages | 14.06907 | 57.00165 | 1.26265 | 0.22736 | | | | | | | | |
| Disc Amt | | | | | | | | | | | | |
| Adj Qty | | | | | | | | | | | | |

| | |
|---------------|-------------|
| Total Net Amt | \$20,760.00 |
| Programs Amt | (\$51.90) |
| Net Amt | \$20,708.10 |

Assembly Status: Closed Settlement:

Program Charges

| | |
|---------|------------------|
| Program | ND CORN CHECKOFF |
| Percent | 0.025% |
| Rate | |
| Amount | (\$51.90) |

Assembly Sheet

VHN3000714

9/15/2008

Printed 9/15/2008 2:47:57 PM

Purchase Disposition

1102

Wirtz, James
17275 95th St SE
Fairmount ND 58030

VeraSun Hankinson, LLC
9230 County Road 1
Hankinson ND 58041

Grain: CORN

Contract No.: VHN1400540

| Ticket No. | Unit No. or Carrier | Bill of Lading | Ticket Date | % Share | Ticket Qty | Net Qty | Ave Price | Gross Amt | Discounts | Net Amount |
|-------------|------------------------|-------------------|----------------|------------|---------------|------------|--------------|--------------|-----------|---------------|
| VHN00004698 | 3236333237 | | 9/11/2008 | 20.49% | 1,030.00 | 211.06 | 5.0225 | \$1,060.05 | \$0.00 | \$1,060.05 |
| Grades | M | TW | BCFM | DKT | HT | MUST | | | | |
| | 14.20000 | 56.50000 | 1.50000 | 0.40000 | 0.00000 | | | | | |
| Discount | | | | | | | | | | |
| Shrink | | | | | | | | | | |
| Producer | | | | | | | | | | |
| VHN00004705 | 3236333237 | | 9/11/2008 | 50.00% | 1,005.36 | 502.68 | 5.0225 | \$2,524.71 | \$0.00 | \$2,524.71 |
| Grades | M | TW | BCFM | DKT | HT | MUST | | | | |
| | 14.30000 | 57.20000 | 1.30000 | 0.30000 | 0.00000 | | | | | |
| Discount | | | | | | | | | | |
| Shrink | | | | | | | | | | |
| Producer | | | | | | | | | | |
| VHN00004714 | 3236333237 | | 9/11/2008 | 50.00% | 1,058.21 | 529.11 | 5.0225 | \$2,657.45 | \$0.00 | \$2,657.45 |
| Grades | M | TW | BCFM | DKT | HT | MUST | | | | |
| | 14.20000 | 56.70000 | 1.50000 | 0.20000 | 0.00000 | | | | | |
| Discount | | | | | | | | | | |
| Shrink | | | | | | | | | | |
| Producer | | | | | | | | | | |

Total 1,242.85 1,242.85 \$6,242.21 \$0.00

Grades, Premiums and Discount Totals

| Grd Factor | M | TW | BCFM | DKT | HT | MUST | INF |
|------------|----------|----------|---------|---------|----|------|-----|
| Averages | 14.24045 | 56.86826 | 1.41911 | 0.27441 | | | |
| Disc Amt | | | | | | | |
| Adj Qty | | | | | | | |

Total Net Amt \$6,242.21
Programs Amt (\$15.61)
Net Amt \$6,226.60

Assembly Status: Closed Settlement:

Program Charges

Program ND CORN CHECKOFF
Percent 0.025%
Rate
Amount (\$15.61)

6841

US BIO HANKINSON, LLC

| | | | | | |
|--------------------|-------------|-------------------|-------------|-----------------|-----------------|
| Vendor ID | Name | Payment Number | Check Date | Document Number | |
| 1102 | James Wirtz | 00000000000000867 | 9/22/2008 | 006841 | |
| Our Voucher Number | Date | Amount | Amount Paid | Discount | Net Amount Paid |
| VHN4000180 | 9/15/2008 | \$26,934.70 | \$26,934.70 | \$0.00 | \$26,934.70 |

\$26,934.70 \$26,934.70 \$0.00 \$26,934.70

6841

US BIO HANKINSON, LLC
5500 CENEX DRIVE, MS 175
INVER GROVE HEIGHTS, MN 55077
(651) 554-5000

WELLS FARGO BANK, N.A.
11-24-1210


9/22/2008 \$26,934.70

DATE AMOUNT

Twenty Six Thousand Nine Hundred Thirty Four Dollars and 70 Cents

PAY TO THE ORDER OF James Wirtz & BANK OF THE WEST

17275 95th St SE
Fairmount ND 58030

AUTHORIZED SIGNATURE


Security Features Included: Details on back

⑈00684⑈ ⑆⑆21000248⑆⑆4⑆21455703⑈

Settlement Sheet

VHN4000180

9/15/2008

Printed 9/23/2008 1:44:51 PM

1102

Wirtz, James
17275 95th St SE
Fairmount ND 58030

VeraSun Hankinson, LLC
9230 County Road 1
Hankinson ND 58041

| Assembly # | Assembly Date | Gross Qty | Net Qty | Settle Qty | Gross Amt | Discounts | Program Chgs | Net Amount Before Checkoff |
|------------|---------------|-----------|---------|------------|-----------|-----------|--------------|----------------------------|
|------------|---------------|-----------|---------|------------|-----------|-----------|--------------|----------------------------|

| | | | | | | | | |
|------------|-----------|----------|----------|----------|-------------|--------|-----------|-------------|
| VHN3000704 | 9/11/2008 | 4,000.00 | 4,000.00 | 4,000.00 | \$20,760.00 | \$0.00 | (\$51.90) | \$20,708.10 |
|------------|-----------|----------|----------|----------|-------------|--------|-----------|-------------|

| Program Charges | |
|-----------------|------------------|
| Program | ND CORN CHECKOFF |
| Percent | 0.25% |
| Rate | |
| Amount | (\$51.90) |

| | | | | | | | | |
|------------|-----------|----------|----------|----------|------------|--------|-----------|------------|
| VHN3000714 | 9/15/2008 | 1,242.85 | 1,242.85 | 1,242.85 | \$6,242.21 | \$0.00 | (\$15.61) | \$6,226.60 |
|------------|-----------|----------|----------|----------|------------|--------|-----------|------------|

| Program Charges | |
|-----------------|------------------|
| Program | ND CORN CHECKOFF |
| Percent | 0.25% |
| Rate | |
| Amount | (\$15.61) |

Check Number: 006841
Check Date: 9/22/2008
James Wirtz

| | | | |
|-------------|------------------|-----------|-------------|
| \$27,002.21 | \$0.00 | (\$67.51) | \$26,934.70 |
| | Check Off: | | \$0.00 |
| | Less: Advances | | 0.00 |
| | Net Check Amount | | \$26,934.70 |



BANK OF THE WEST

800-488-2265

Date: Dec 9, 2008 Advice D-941994

Exhibit JW-8

Acct: 002/931036511

In accordance with Federal Regulations, this letter is to notify you that your account has been charged for the following item(s) returned unpaid by the drawee bank.

REASON
Stop Payment

SEQ #
026373

ITEM AMOUNT
26,934.70

JAMES WIRTZ
17275 95 R ST SE
FAIRMOUNT ND 58030

1 Item charged totaling \$26,934.70

1 Item charged a fee totaling \$4.00

Advice Total \$26,938.70 (D)

⑆402333198⑆ 000000931036511⑆ ⑈0000941994⑈

321270742
12/04/2008
000008876067857

This is a LEGAL COPY of your check. You can use it the same way you would use the original check.

RETURN REASON-C
STOP PAYMENT

⑆002/931036511⑆
⑆5650800⑆
⑆0000000⑆
⑆289000⑆
⑆121⑆

| | | | |
|---|--|--------------------------------------|-----|
| US BIO HANCKINSON C.L.C. 3600 CENEJA BLVD. S. 175 HOWER BROOK CENTER, MN 55077 | | WELLS FARGO BANK, N.A. 11-24-1210 | 684 |
| 9/22/2008 | | \$26,934.70 | |
| DATE | | AMOUNT | |
| Do Not deposit Six Thousand Nine Hundred Thirty Four Dollars and 70 Cents | | | |
| PAY TO THE ORDER OF James Wirtz & BANK OF THE WEST 17275 95th St SE Fairmount ND 58030 | | AUTHORIZED SIGNATURE | |
| ⑆00684⑆ ⑆121000248⑆ ⑆121455703⑆ | | ⑈0002693470⑈ | |

⑆00684⑆

⑆121000248⑆

⑆121455703⑆

⑈0002693470⑈



BANK OF THE WEST

800-488-2265

Date: Dec 9, 2008 Advice D-941994

In accordance with Federal Regulations,
this letter is to notify you that your
account has been charged for the
following item(s) returned unpaid by the
drawee bank.

Acct: 002/931036511

REASON
Stop Payment

SEQ #
026373

ITEM AMOUNT
26,934.70

JAMES WIRTZ
17275 95 R ST SE
FAIRMOUNT ND 58030

1 Item charged totaling \$26,934.70
1 Item charged a fee totaling \$4.00
Advice Total \$26,938.70 (D)

⑆402333198⑆ 000000931036511⑆ ⑆0000941994⑆

BANK OF THE WEST
1211007821
684133216 12-03-08 9931036511 04
684133216 12-03-08 0931036511 04

>121100782< 12/03/08
000000610060595
1211007821
12-03-08
684133216

000000931036511
12-03-08
0931036511
BANK OF THE WEST

James P. Wirtz
Branch Manager
CREDIT TO THE ACCOUNT OF THE WITHDRAWER
AVAILABLE ACCORDANCE WITH RIVER'S BEST PRACTICE
TOTAL AMOUNT OF ENDORSEMENT QUANTIFIED.
BANK OF THE WEST

For Deposit Only

321270742 12/04/2008
000006676067657

↓Do not endorse or write below this line