

## PUBLIC NOTICES

STATE OF  
NORTH DAKOTA  
PUBLIC SERVICE  
COMMISSION

North Dakota Telephone Company/ Midcontinent Communications Interconnection Agreement Amendment Application

Case No. PU-10-309  
NOTICE OF OPPORTUNITY  
FOR COMMENT  
June 30, 2010

On June 25, 2010, North Dakota Telephone Company (NDTC) entered into an interconnection agreement with Midcontinent Communications (Midcontinent) pursuant to Section 251 of the Telecommunications Act of 1996 (Act). The agreement sets forth terms and conditions under which NDTC will provide interconnection services, local number portability, ancillary services and wholesale services for resale to Midcontinent in the New Rockford, North Dakota exchange. The agreement was filed with the Commission on June 25, 2010.

On June 25, 2010, Midcontinent filed a request for approval of the interconnection agreement in less than 90 days pursuant to 47 U.S.C. § 252(e)(1).

This agreement was filed under Section 252(e) of the Telecommunications Act of 1996. The Act requires that any agreement adopted by negotiation or arbitration be submitted for approval to the Commission.

Under 47 U.S.C. § 252(e)(2)(A), the Commission may only reject an agreement adopted by negotiation (or a portion of the agreement) if it finds that:

1. the agreement discriminates against a telecommunications carrier that is not a party to the agreement; or  
2. implementation of the agreement is not consistent with the public interest, convenience, and necessity.

In addition, under 47 U.S.C. Section 253, the Commission may include, in its review, state requirements that do not constitute barriers to entry.

The Commission will receive written comments on this agreement until August 13, 2010.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission.

**PUBLIC SERVICE COMMISSION**  
Tony Clark, Commissioner  
Kevin Cramer, Chairman  
Brian P. Kalk, Commissioner  
(July 8, 2010)

**PUBLIC SERVICE COMMISSION**  
The Ward County Highway Department will begin mowing county highway road ditches on the 19th of July. Some mowing will begin in the Minot area and along construction project roads earlier with the majority of work out in the rural areas to begin July 19th. There will be no exceptions to leaving sections for haying after this date. A map of the mowing areas will be available on the county website [www.co.ward.nd.us/highway](http://www.co.ward.nd.us/highway). All hay bails shall be removed from county road ditches by November 1, 2010. Unclaimed hay bails will become the property of Ward County and will be sold or burned after November 1, 2010.

S/Dana G. Larsen  
Dana G. Larsen, P.E.  
Ward County Engineer  
(July 8-15, 2010)

**NOTICE OF SALE**  
CIVIL NO. 51-10-C-367-1

Notice is hereby given that by virtue of a judgment of foreclosure by the District Court of the Northwest Judicial District in and for the County of Ward and State of North Dakota, and entered and docketed in the Office of the Clerk of said Court on May 21, 2010, in an action wherein Wells Fargo Bank, N.A. was Plaintiff and Robert D. Kabanuk, a/k/a Robert Kabanuk; and any person in possession were Defendants, in favor of Plaintiff and against the Defendants for the sum of \$120,657.41, which judgment and decree, among other

things, direct the sale by me of the real property hereinafter described, to satisfy the amount of said judgment, with interest and expenses of such sale, or so much thereof as the proceeds of said sale will satisfy; and by virtue of a writ issued to me out of the Office of the Clerk of said Court, I, Vern Erck, Sheriff of Ward County, North Dakota, will sell the property described in the Judgment to the highest bidder for cash at public auction at the front door of the Court-house in the City of Minot in the County of Ward and State of North Dakota, on August 2, 2010, at the hour of 10:00 A.M. (CT) to satisfy the amount due, with interest thereon, and the costs and expenses of such sale, or so much thereof as the proceeds of such sale will satisfy. The property to be sold is situated in the County of Ward and State of North Dakota, and described as follows:

Lot 4, Block 5, Garden Home Addition to the City of Minot, Ward County ND, a/k/a 431 23rd St. NW, Minot, ND 58703.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 16th day of June, 2010.

Vern Erck  
Sheriff of Ward County, North Dakota  
By: s/Brent R. Renaud  
Deputy

STATE OF NORTH DAKOTA  
County of Ward } ss.

On this 16th day of June, 2010, before me, a Notary Public in and for said County and State, personally appeared Brent Renaud, known to me to be the person who is described in, and whose name is subscribed to this instrument, and who executed the within and foregoing instrument and acknowledged he executed the same.

Dated this 18th day of June, 2010.  
s/Charles A. Miller  
Charles A. Miller  
STATE OF NORTH DAKOTA  
County of Ward } ss.

**NOTICE TO CREDITORS**  
Probate No. 10-P-0129  
IN THE DISTRICT COURT  
OF WARD COUNTY, STATE  
OF NORTH DAKOTA  
In the Matter of the estate  
of Janet M. Nelson, Deceased.

**NOTICE IS HEREBY GIVEN** that the undersigned has been appointed personal representative of the above estate. All persons having claims against the said deceased are required to present their claims within three months after the date of the first publication of this notice or said claims will be forever barred.

Claims must either be presented to John M. Nelson, personal representative of the estate, at P.O. Box 998, Minot, ND 58702-0998, or filed with the Court.

Dated this 23rd day of June, 2010.  
s/John M. Nelson  
John M. Nelson  
Personal Representative  
Orlin W. Backes (ID #02659)  
McGEE, HANKLA, BACKES & DOBROVOLNY, P.C.  
Wells Fargo Bank Center  
P.O. Box 998  
Minot, ND 58702-0998  
Attorneys for Personal Representative  
(June 24; July 1-8, 2010)

**NOTICE OF LAPSE OF MINERAL INTERESTS**  
Pursuant to Chapter 38-18.1 of North Dakota Century Code  
TO: Lee A. Ault, Laura Ault, Williams McBirney, Lenora Edna McBirney, Trustees of the 1985 Illinois Trust of Florence H. Koch, to wit: John J. McNeely, Frank M. Graham, and Harris Trust & Savings Bank.

**PLEASE TAKE NOTICE** that Charles A. Miller of 10401 135th Avenue SE, Sawyer, North Dakota 58781, is the present owner of the surface estate of the following described property located in Ward County, North Dakota, to-wit:

Township 153 North, Range 81 West  
Section 7: Outlot 2 of NW1/4, W1/2NE1/4 Less Sublot A and Outlots 10 and 11

Charles A. Miller, as the owner of the surface estate in the above-described property do hereby give notice to Lee A. Ault, Laura Ault, Williams McBirney, Lenora Edna McBirney, Trustees of the 1985 Illinois Trust of Florence H. Koch, to wit: John J. McNeely, Frank M. Graham, and Harris Trust & Savings Bank.

a) It appears that Lee A. Ault, Laura Ault, Williams McBirney, Lenora Edna McBirney, Trustees of the 1985 Illinois Trust of Florence H. Koch, to wit:

John J. McNeely, Frank M. Graham, and Harris Trust & Savings Bank are the record owners of mineral interests lying in and under the above-described property.

b) That the mineral interests owned by Lee A. Ault, Laura Ault, Williams McBirney, Lenora Edna McBirney, Trustees of the 1985 Illinois Trust of Florence H. Koch, to wit: John J. McNeely, Frank M. Graham, and Harris Trust & Savings Bank have been unused for a period of twenty (20) years, and therefore, pursuant to Section 38-18.1-02 of the North Dakota Century Code, are deemed to be abandoned.

c) That pursuant to Section 38-18.1-02 of the North Dakota Century Code, Charles A. Miller, as the owner of the above-described property, makes claim to the entire abandoned mineral interests of Lee A. Ault, Laura Ault, Williams McBirney, Lenora Edna McBirney, Trustees of the 1985 Illinois Trust of Florence H. Koch, to wit: John J. McNeely, Frank M. Graham, and Harris Trust & Savings Bank.

d) Mineral interests as used herein shall mean all minerals, including but not limited to oil, gas, coal, potash, gold, cement materials, sodium sulphate, sand and gravel, road material, building stone, chemical substances, metallic ores, uranium ores, and colloidal or other clays.

Dated this 18th day of June, 2010.  
s/Charles A. Miller  
Charles A. Miller  
STATE OF NORTH DAKOTA  
County of Ward } ss.

Charles A. Miller, being first duly sworn, depose and say: That he is the surface owner of the above-described real estate, and he has read the within and foregoing Notice of Lapse of Mineral Interest by him subscribed and know the contents thereof, and that the same is true of his knowledge, except as to matters therein stated on information and belief, as to such matters, he believes it to be true.

On this 18th day of June, 2010, before me, a notary public, personally appeared Charles A. Miller, known to me to be the same person described in and who executed the within and foregoing instrument and acknowledged he executed the same.  
s/Erin E. DeBolt  
Notary Public  
State of North Dakota  
My Commission Expires Dec. 10, 2015  
(June 24; July 1-8, 2010)

**NOTICE OF LAPSE OF MINERAL INTERESTS**  
Pursuant to Chapter 38-18.1 of North Dakota Century Code  
TO: Velma Bechtold, Adeline Mehloff & Dorothy Van Sickle

**PLEASE TAKE NOTICE** that Charles A. Miller of 10401 135th Avenue SE, Sawyer, North Dakota 58781, is the present owner of the surface estate of the following described property located in Ward County, North Dakota, to-wit:

Township 153 North, Range 81 West  
Section 6: E1/2SE1/4  
Charles A. Miller, as the owner of the surface estate in the above-described property do hereby give notice to Velma Bechtold, Adeline Mehloff & Dorothy Van Sickle.

a) It appears that Velma Bechtold, Adeline Mehloff & Dorothy Van Sickle are the record owners of mineral interests lying in and under the above-described property.

b) That the mineral interests owned by Velma Bechtold, Adeline Mehloff & Dorothy Van Sickle have been unused for a period of twenty (20) years, and therefore, pursuant to Section 38-

18.1-02 of the North Dakota Century Code, are deemed to be abandoned.

c) That pursuant to Section 38-18.1-02 of the North Dakota Century Code, Charles A. Miller, as the owner of the above-described property, makes claim to the entire abandoned mineral interests of Velma Bechtold, Adeline Mehloff & Dorothy Van Sickle.

d) Mineral interests as used herein shall mean all minerals, including but not limited to oil, gas, coal, potash, gold, cement materials, sodium sulphate, sand and gravel, road material, building stone, chemical substances, metallic ores, uranium ores, and colloidal or other clays.

Dated this 18th day of June, 2010.  
s/Charles A. Miller  
Charles A. Miller  
STATE OF NORTH DAKOTA  
County of Ward } ss.

Charles A. Miller, being first duly sworn, depose and say: That he is the surface owner of the above-described real estate, and he has read the within and foregoing Notice of Lapse of Mineral Interest by him subscribed and know the contents thereof, and that the same is true of his knowledge, except as to matters therein stated on information and belief, as to such matters, he believes it to be true.

On this 18th day of June, 2010, before me, a notary public, personally appeared Charles A. Miller, known to me to be the same person described in and who executed the within and foregoing instrument and acknowledged he executed the same.  
s/Erin E. DeBolt  
Notary Public  
My Commission Expires Dec. 10, 2015  
(June 24; July 1-8, 2010)

**NOTICE OF LAPSE OF MINERAL INTERESTS**  
Pursuant to 38-18.1 of North Dakota Century Code  
TO: Lee A. Ault, Laura Ault, Williams McBirney, Lenora Edna McBirney, Lenora Johnson, Vernon Klimpel, Linda Schlosser, Trustees of the 1985 Illinois Trust of Florence H. Koch, to wit: John J. McNeely, Frank M. Graham, and Harris Trust & Savings Bank.

**PLEASE TAKE NOTICE** that Charles A. Miller of 10401 135th Avenue SE, Sawyer, North Dakota 58781, is the present owner of the surface estate of the following described property located in Ward County, North Dakota, to-wit:

Township 153 North, Range 81 West  
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**STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION**  
**Enbridge Pipelines (North Dakota) LLC**  
**Berthold Station Upgrades**  
**Siting Application**  
**Case No. PU-10-130**  
**NOTICE OF FILING AND NOTICE OF HEARING**  
**May 18, 2010**  
On May 7, 2010, Enbridge Pipelines (North Dakota) LLC (Enbridge) filed a combined application for a certificate of corridor compatibility and a route permit to authorize construction for the expansion and upgrade of its existing Berthold Station in Ward County, North Dakota, as shown on the attached map. The Commission finds the

Schlosser, Trustees of the 1985 Illinois Trust of Florence H. Koch, to wit: John J. McNeely, Frank M. Graham, and Harris Trust & Savings Bank.

**PLEASE TAKE NOTICE** that Charles A. Miller of 10401 135th Avenue SE, Sawyer, North Dakota, 58781, is the present owner of the surface estate of the following described property located in Ward County, North Dakota, to-wit:

Township 153 North, Range 81 West  
Section 6: SW1/4SE1/4, IN-CLUDING Outlot 5 of the NE1/4NE1/4, LESS Outlot 3; Outlot 4 of the SE1/4NE1/4; Outlot 8 of the NE1/4NW1/4; NW1/4NE1/4, SW1/4NE1/4, INCLUDING Sublots A, B & C; Outlot 9 of the NE1/4, LESS Outlots 10 and 11;

Charles A. Miller, as the owner of the surface estate in the above-described property do hereby give notice to Lee A. Ault, Laura Ault, Williams McBirney, Lenora Edna McBirney, Lenora Johnson, Vernon Klimpel, Linda Schlosser, Trustees of the 1985 Illinois Trust of Florence H. Koch, to wit: John J. McNeely, Frank M. Graham, and Harris Trust & Savings Bank.

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c) That pursuant to Section 38-18.1-02 of the North Dakota Century Code, Charles A. Miller, as the owner of the above-described property, makes claim to the entire abandoned mineral interests of Lee A. Ault, Laura Ault, Williams McBirney, Lenora Edna McBirney, Lenora Johnson, Vernon Klimpel, Linda Schlosser, Trustees of the 1985 Illinois Trust of Florence H. Koch, to wit: John J. McNeely, Frank M. Graham, and Harris Trust & Savings Bank.

d) Mineral interests as used herein shall mean all minerals, including but not limited to oil, gas, coal, potash, gold, cement materials, sodium sulphate, sand and gravel, road material, building stone, chemical substances, metallic ores, uranium ores, and colloidal or other clays.

Dated this 18th day of June, 2010.  
s/Charles A. Miller  
Charles A. Miller  
STATE OF NORTH DAKOTA  
County of Ward } ss.

Charles A. Miller, being first duly sworn, depose and say: That he is the surface owner of the above-described real estate, and he has read the within and foregoing Notice of Lapse of Mineral Interest by him subscribed and know the contents thereof, and that the same is true of his knowledge, except as to matters therein stated on information and belief, as to such matters, he believes it to be true.

On this 18th day of June, 2010, before me, a notary public, personally appeared Charles A. Miller, known to me to be the same person described in and who executed the within and foregoing instrument and acknowledged he executed the same.  
s/Erin E. DeBolt  
Notary Public  
My Commission Expires Dec. 10, 2015  
(June 24; July 1-8, 2010)

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Charles A. Miller  
On this 18th day of June, 2010, before me, a notary public, personally appeared Charles A. Miller, known to me to be the same person described in and who executed the within and foregoing instrument and acknowledged he executed the same.  
s/Erin E. DeBolt  
Notary Public  
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(June 24; July 1-8, 2010)

combined application is complete. A Public Hearing on the combined application is scheduled to begin July 16, 2010 at 10:00 a.m. CDT, at the Berthold School, 401 4th Ave NE, Berthold, North Dakota, 58718. The issues to be considered are:

1. Will the location, construction, and operation of the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?

2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?

3. Will the proposed facility locations minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission at least 24 hours in advance.

**PUBLIC SERVICE COMMISSION**  
Tony Clark, Commissioner  
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Charles A. Miller  
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Charles A. Miller  
STATE OF NORTH DAKOTA  
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s/Erin E. DeBolt  
Notary Public  
My Commission Expires Dec. 10, 2015  
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