

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Grabanski Grain, LLC
Grain Warehouse
Insolvency

Case No. GE-10-498

STATE OF NORTH DAKOTA)
)ss
COUNTY OF BURLEIGH)

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and on the **5th day of November, 2010** she deposited in the United States Mail, Bismarck, North Dakota, 2 envelopes by regular mail, with postage fully prepaid, securely sealed and containing a photocopy of:

Consent Order for License Cancellation and Cessation of Business.

The envelopes were addressed as follows:

Tom Grabanski
Grabanski Grain, LLC
223 West 17th Street
Grafton, ND 58237

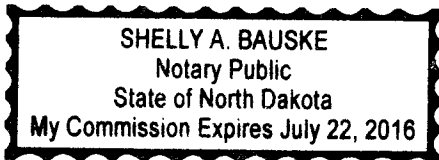
DeWayne Johnston
Johnston Law Office
221 South 4th Street
Grand Forks, ND 58201

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

Geralyn R. Schmaltz

Subscribed and sworn to before me
this **5th day of November, 2010**

Shelly A. Bauske
_____ Notary Public



**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Grabanski Grain, LLC
Grain Warehouse
Insolvency**

Case No. GE-10-498

**CONSENT ORDER FOR LICENSE
CANCELLATION AND CESSATION OF BUSINESS**

November 2, 2010

Grabanski Grain, LLC, consents and agrees as follows:

1. Grabanski Grain, LLC, a North Dakota limited liability company, authorized to do business in North Dakota, operated a grain warehouse at Grafton, North Dakota, and was licensed under North Dakota Century Code Chapters 60-02 and 60-04.
2. Grabanski Grain, LLC, operated its grain warehouse at Grafton, North Dakota, under license number 1191. In mid-August 2010 Grabanski Grain informally agreed that it would not buy any additional grain but was continuing to dry and warehouse 2010 crop.
3. On July 22, 2010, Grabanski Grain, LLC, filed a Chapter 11 Voluntary Petition in the United States Bankruptcy Court for the District of North Dakota (Bankruptcy Court) as Case Number 10-30924.
4. On September 30, 2010, Grabanski Grain, LLC, filed its Debtor's Motion to Sell Property Free and Clear of Liens, Claims and Encumbrances requesting the authority of the Bankruptcy Court to sell land and assets, inclusive of the grain storage warehouse facility, to St. Hilaire Seed Company, Inc. (Case No. 10-30924 - Doc # 93).
5. On October 14, 2010, the Bankruptcy Court entered its Order Authorizing the Sale of Assets Not in the Ordinary Course of Business (Order) authorizing the

sale of the business assets, inclusive of the grain storage warehouse facility, to St. Hilaire Seed Company, Inc. (Case No. 10-30924 - Doc # 107).

6. To facilitate the transfer of rights associated with the sale of assets to St. Hilaire Seed Company, Inc., it is necessary that Grabanski Grain, LLC's, grain warehouse license be cancelled and that Grabanski Grain, LLC, cease doing business at the grain warehouse in Grafton, North Dakota.

7. The Bankruptcy Court's Order provided:

The State of North Dakota Public Service Commission shall have authority to transfer the rights associated with license number 1191 held by the Debtor to the license held by St. Hilaire Seed Company, Inc.

(Case No. 10-30924 - Doc # 107, ¶ 7).

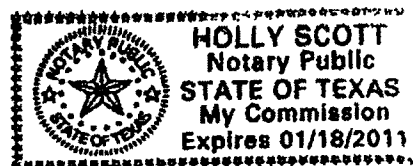
8. The Bankruptcy Court's Order provided the necessary relief to accomplish the prerequisites to the transfer of the assets to St. Hilaire Seed Company, Inc., including that Grabanski Grain, LLC, voluntarily agree to an order cancelling grain warehouse license number 1911 and that Grabanski Grain, LLC, voluntarily agree to cease doing business at the grain warehouse in Grafton, North Dakota.

9. Grabanski Grain, LLC, voluntarily agrees to an order cancelling grain warehouse license number 1911 and Grabanski Grain, LLC, voluntarily agrees to cease doing business at the grain warehouse in Grafton, North Dakota.

Dated this 27th day of October, 2010.

By: [Signature]
Thomas M. Grabanski, in his official capacity as member of Grabanski Grain, LLC

STATE OF TEXAS }
COUNTY OF Lamar } ss.



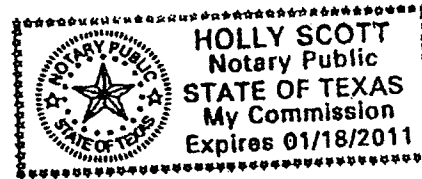
On the 21st day of October, 2010, the foregoing instrument was acknowledged before me by Thomas M. Grabanski, in his official capacity as member of Grabanski Grain, LLC.

Holly Scott
Notary Public

Dated this 21st day of October, 2010.

By: Mari K. Grabanski
Mari K. Grabanski, in her official capacity as member of Grabanski Grain, LLC

STATE OF TEXAS
COUNTY OF Lamar } ss.



On the 21st day of October, 2010, the foregoing instrument was acknowledged before me by Mari K. Grabanski, in her official capacity as member of Grabanski Grain, LLC.

Holly Scott
Notary Public

Dated this 2nd day of November, 2010.

IT IS HEREBY ORDERED:

1. Grabanski Grain, LLC's, grain warehouse license number 1191 is cancelled and.
2. Business at Grafton, North Dakota, is ceased and Grabanski Grain, LLC, shall not conduct any further business under license number 1191.

Tony Clark
Tony Clark
Commissioner

Kevin Cramer
Kevin Cramer
Chairman

Brian P. Kalk
Brian P. Kalk
Commissioner