

Public Notice

The Jamestown Sun
701-252-3120
121 3rd St NW, Jamestown, North Dakota 58401

Jamestown Statewater Council

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION
Montana-Dakota Utilities Co.
Advance Determination of Prudence
- Big Stone Air
Application**

Case No. PU-11-163

**Other Tail Power Company
Advance Determination of Prudence
- Big Stone Air
Application**

Case No. PU-11-165

**NOTICE OF OPPORTUNITY FOR
HEARING**

January 27, 2012

On May 20, 2011, Montana-Dakota Utilities Co. (MDU) filed an application for advance determination of prudence for its investment in air quality control equipment at the Big Stone Generating Plant, Case No. PU-11-163. Also on May 20, 2011, Other Tail Power Company (Other Tail) filed an application for advance determination of prudence for its investment in air quality control equipment at the Big Stone Generating Plant, Case No. PU-11-165.

On July 27, 2011, the North Dakota Public Service Commission (Commission) issued a Notice of Filing and Notice of Intervention Deadline providing until September 2, 2011 for petitioners to intervene.

On September 7, 2011, the Commission issued Notice of Consolidated Hearing consolidating these two cases for hearing for November 29, 2011 at 8:30 a.m. in the Commission Hearing Room of the State Capitol, 12th Floor, Bismarck, North Dakota 58505. The hearing was held as scheduled. On January 4, 2012, MDU, Other Tail and Advocacy Staff entered into a Settlement Agreement which they assent will resolve the issues in Case No. PU-11-163 and Case No. PU-11-165.

The issue to be considered in this matter is whether the Settlement Agreement should be approved and adopted by the Commission for the resolution of the issues in Case No. PU-11-163 and Case No. PU-11-165. Those interested are invited to comment in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearings must be received by close of business on March 7, 2012.

The Commission may make a decision in these two cases without hearing. If the Commission does not approve and adopt the Settlement Agreement in full resolution of the two cases, further Commission proceedings may be required.

For more information or a copy of the Settlement Agreement, contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400, or 877-245-6686 (toll free in North Dakota), 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
Kevin Cramer, Commissioner
Tony Clark, Chairman
Brian P. Kalk, Commissioner
February 3, 2012

SHINGLING BIDS

The River Bend Home Owners' Association is accepting bids for shingling of all the buildings in the association. Bids will be accepted up to February 17, 2012 for work to be completed this year. Bid specs. can be obtained from Craig Beedy, Association President, at 701-320-6270.
January 26-February 4, 2012

IN DISTRICT COURT, STUTSMAN COUNTY, NORTH DAKOTA

The Industrial Commission of North Dakota, acting as the North Dakota Housing Finance Agency, Plaintiff, vs.
Arielle S. Vesel and Jason L. Vesel, wife and husband; Asset Acceptance LLC; Midland Funding LLC; Collection Center, Inc.; Velocity Investments LLC; and

Citliff/ncidai;
Defendants:
Civil No. 47-2011-CV-00548
AMENDED SUMMONS

THE STATE OF NORTH DAKOTA TO YOU ARE HEREBY summoned to answer the Amended Complaint of the Plaintiff which is herewith served upon you and which has been filed in the office of the Clerk of District Court of Stutsman County, of Jamestown, North Dakota, and to serve a copy of your answer thereto on the undersigned at his office of 313 NP Avenue, in the City of Fargo, County of Cass, State of North Dakota, within twenty one (21) days after service of this Amended Summons upon you, exclusive of the date of service, and in case of your failure to appear or answer as above directed, judgment will be taken against you by default for the relief demanded in the Amended Complaint herein.

MORTGAGORS ARE NOTIFIED FURTHER that this is a communication from a debt collector and this is an attempt to collect a debt. Any information obtained will be used for that purpose.
Dated at Fargo, North Dakota, this 17th day of January, 2012.
Christopher M. Kennelly
Special Assistant Attorney General
Attorney for the Plaintiff
313 NP Avenue
Fargo, North Dakota 58102
701.235.8000
ND ID 05560

This action relates to the foreclosure of a real estate mortgage owned by above-named Plaintiff upon the following described property situated in the County of Stutsman, State of North Dakota, LOT TEN (10), BLOCK TWENTY-EIGHT (28), ORIGINAL PLAT OF JAMESTOWN, STUTSMAN COUNTY, NORTH DAKOTA, (Street Address: 224 4TH AVE NE, JAMESTOWN, ND 58401).
Christopher M. Kennelly
Special Assistant Attorney General
Attorney for the Plaintiff
313 NP Avenue
Fargo, North Dakota 58102
701.235.8000
ND ID 05560
February 3, 10, 17, 24, 2012

Bismarck, ND 58502-2196
(701) 223-1986
Attorney for Personal Representative
February 3, 10, 17, 2012

**NOTICE OF INTENT TO ISSUE AN
AIR POLLUTION CONTROL
PERMIT (SYNTHETIC
MINOR TO OPERATE)**

Take notice that the North Dakota Department of Health proposes to issue a renewal Air Pollution Control Permit to Operate to Carigill Matt for operation of the Spiritwood Barley Malting Plant in accordance with the North Dakota Air Pollution Control Rules. Spiritwood Barley Malting Plant is located near Spiritwood in Stutsman County. The plant processes barley to produce malt. The Carigill Matt malting address is 3349 94th Ave. SE, Spiritwood, ND 58481. The draft renewal permit does not change permitted emission limits.

A thirty-day public comment period for the draft permit will begin February 3, 2012 and end on March 4, 2012. Direct comments in writing to the North Dakota Department of Health, Division of Air Quality, 918 E Divide Avenue, Bismarck, North Dakota 58501-1947. Comments must be received by the end of the public comment period to be considered in the final permit determination. A public hearing regarding issuance of the permit will be held if a significant degree of public interest exists as determined by the Department. Requests for a public hearing must be received in writing by the Department before the end of the public comment period.

The draft permit and application are available for review at the above address and at the Stutsman County Auditor's office in Jamestown. A copy of these documents may be obtained by writing to the Division of Air Quality or contacting Law Dendy at (701)328-5188 or email ldendy@nd.gov.
Dated this 23rd day of January, 2012.
Terry L. O'Clair, PE
Director
Division of Air Quality
February 3, 2012

PUBLIC NOTICES

A public notice is information informing citizens of government activities that may affect the citizens' everyday lives. Public notices have been printed in local newspapers, the trusted sources for community information, for more than 200 years.

North Dakota newspapers also post public notices that are printed in newspapers on www.ndpublicnotices.com at no additional charge to units of government.

**STATE OF NORTH DAKOTA
IN DISTRICT COURT
COUNTY OF STUTSMAN SOUTHEAST
JUDICIAL DISTRICT
Civil No. 47-2011-PR-00105
IN THE MATTER OF THE ESTATE OF
LEONE ESTELLE BARNETT, DECEASED
NOTICE TO CREDITORS**

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 (3) months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to Melvin Barnett, personal representative of the estate, at PO Box 2196, Bismarck, ND 58502-2196 or filed with the Court.
Dated this 1st day of December, 2011.
MELVIN BARNETT,
Personal Representative
Mary Maichel Guier (ID 04393)
SCHULZ GEIERMANN BERGESON
& GULER LAW OFFICES, P.C.
425 North 5th St., Box 2196

DR. STEVE LOOYSEN
Optometrist

Jamestown
821 First Avenue South
701.252.EYES (9397)
1.855.252.EYES Toll Free

Valley City
1230 West Main
701.845.4444
1.800.201.2578 Toll Free

FINDING OF NO SIGNIFICANT IMPACT

Stutsman Rural Water Supply District Water Supply Expansion Project
All Interested Government Agencies and the Public
As required by the National Environmental Policy Act (NEPA), an environmental review has been performed on the proposed U.S. Department of Agriculture (USDA) Rural Development funded project: Stutsman Rural Water District (SRWD), located in Stutsman County, North Dakota proposes this infrastructure project to expand its domestic water system. The current overall system provides clean, safe drinking water for domestic use to the residents of the central and eastern portions of Stutsman County. The Water Supply Expansion Project is the completion of the development of the existing system and expansion to the entire western portions of Stutsman County including the cities of Woodworth and Steeler. SRWD has received funding through the State as administered by the North Dakota State Water Commission. The District has also requested additional funding that will be obtained through the United States Department of Agriculture Rural Development.

SRWD has determined a need to expand service to the western portions of their district and increase their capacity within their existing service area to accommodate current and future community population increase and to meet the additional requirements from interested communities and rural water users. The specific improvements proposed in this project to meet these needs are:

- This expansion includes utilizing the existing connection to the City of Carrington, that will enable the District to purchase additional water from the City of Carrington, thereby reducing the amount of internal system improvements required to improve service to our customers; the City of Carrington connection will be used to connect the northern Expansion Project signs as well as serve the existing users in the northwestern Stutsman County area. This connection will free up additional capacity within the existing system to add new users.
- A new booster and water storage reservoir near the Community of Woodworth will use Carrington supplied water to serve a wide area in the northwest and west central portion of the Stutsman Rural Water District. With this tank being set at one of the highest elevations in the entire system the users supplied from it will have adequate service pressure.
- The improvements to existing Reservoirs will also allow the District to service additional users while maintaining adequate pressure and supply to existing users in the area. There have been numerous requests for service within the past few years within the existing system areas. There are currently 625 new user signups for the Expansion Project area. The Expansion Project includes the addition of users throughout the existing system as well as areas not currently served, including western Stutsman County as well as a limited number of users in Logan, Lamoure, Kidder, Foster and Griggs Counties.
- Included in the work is installation of approximately 570 miles of 8" to 1½" gasketed joint PVC pipe and related appurtenances.

The project's environmental impacts will be minimal and the pipeline will primarily be located in previously disturbed land in a 40' right-of-way corridor and may also be installed in public right-of-way if easements cannot be obtained. Class I, II, and III Cultural Resource surveys have been completed for the project. Six newly recorded historic properties, consisting of four historic period sites and two prehistoric isolated finds were recorded during the inventory of the proposed waterlines. All four of the historic period sites are currently unexcavated for the National Register of Historic Places and will be avoided by the proposed project. Both of the newly recorded isolated finds are recommended not eligible for the National Register of Historic Places and will be avoided in routing.

Appropriate mitigation measures will be in place to protect air quality and water quality during construction. The pipeline right-of-way will be routed to avoid wetlands where possible, or directional boring will be used to minimize impacts during wetland or water body crossings. Appropriate mitigation would occur to compensate for any unavoidable impacts to wetlands or to restore surface water bodies to pre-construction conditions. The U.S. Fish and Wildlife Service indicated a location within the project area that has been designated as critical habitat for the piping plover. In order to avoid disturbing the piping plover and their habitat, all lines in this area will be routed a minimum of 0.5 miles from the designated critical habitat. If realignment is not feasible, the following provisions will be adhered to. All project activities will be completed outside of the nesting season (April 1 - August 31) and a 400' foot no-entry buffer (vehicle and foot) around the designated critical habitat wetland will be maintained.

The review process did not indicate that significant environmental impacts would result from the proposed action. Consequently, a preliminary decision not to prepare an environmental impact statement has been made. This action is taken on the basis of careful review of the engineering report, environmental information documents, and other supporting documentation, which are available for public review at:

Stutsman Rural Water District
Attn: Geneva Kaiser, SRWD Manager
1812 Highway 281 North
Jamestown, ND 58402
701-252-7727

Mark J. Wax
Community Programs Director
USDA Rural Development
P.O. Box 1737
Bismarck, ND 58502

Comments supporting or disagreeing with this decision may be submitted for consideration by USDA Rural Development to:

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