



Public Notice

NOTICE OF LAPSE OF MINERAL INTEREST AND OF INTENTION TO CLAIM SUCH LAPSED MINERAL INTEREST AS BEING ABANDONED BY OWNER OF PUBLIC SERVICE COMMISSION

TO: George J. Schmidt (deceased); George F. Schmidt; Dorothy Schmidt Loutsch (deceased); Arthur E. Loutsch (deceased); Steve Loutsch; and Jane Anderson.

This notice is given pursuant to NDCC Sec. 38-18.1-06. It is made by the owners of the surface estate in land in or under which an oil, gas and mineral interest is located. The surface owners intend to succeed to the ownership of the oil, gas and mineral interest.

The names of the record owners of the oil, gas and mineral interests are: George J. Schmidt (deceased); George F. Schmidt; Dorothy Schmidt Loutsch (deceased); Arthur E. Loutsch (deceased); Steve Loutsch; and Jane Anderson.

The description of the land in which the oil, gas and mineral interests involved are located is: All of Section 27 and All of Section 29, Township 144 North, Range 86 West of the 5th P.M., Mercer County, North Dakota.

The name of the owner of the surface estate in the land in or under which the oil, gas and mineral interest is located which is giving this notice is: Cope and Matson, LLP.

By: Clark J. Bormann BORMANN, MYERCHIN, MONASKY & ESPESETH, LLP Attorneys at law Attorneys for Cope and Matson, LLP. PO Box 995 Bismarck, ND 58502 701-250-8968 (1-10-13-1-17-13-1-24-12)

North Dakota, 58508-0700. NDDOT reserves the right to reject any and all proposals, waive technicalities and accept such as may be determined in the best interests of the state.

Requested by: Grant Levi, P.E., Interim Director North Dakota Department of Transportation (1-24-13)

STATE OF NORTH DAKOTA COUNTY OF MCLEAN IN DISTRICT COURT SOUTH CENTRAL JUDICIAL DISTRICT CIVIL NO. 28-2012-CV-176 NOTICE OF APPOINTMENT AS TRUSTEE AND NOTICE TO FILE CLAIMS PUBLIC SERVICE COMMISSION PETITIONER, VS. FALKIRK FARMERS ELEVATOR CO. RESPONDENT. PSC CASE NO. GE-12-769

PLEASE TAKE NOTICE that on December 31, 2012, the SOUTH CENTRAL JUDICIAL DISTRICT executed an Order that was duly filed in the above proceeding on November 30, 2012, appointing the Public Service Commission to act as trustee of a trust fund to be established and administered in accordance with North Dakota Century Code Chapter 60-04 and establishing the date of insolvency as October 10, 2012.

FURTHER, PLEASE TAKE NOTICE THAT:

1. Any person having a claim against Falkirk Farmers Elevator Co., for the non-payment of grain purchased or marketed by Falkirk Farmers Elevator Co. in North Dakota, shall file the claim with the Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480.
2. Claims must be filed within forty-five (45) days after the last publication of this notice.
3. Any person filing a claim with the Public Service Commission shall include receipts or other sufficient documentation to enable the Commission to determine the validity of the claim. This could include unsatisfied grain warehouse receipts, scale tickets, checks, or other memoranda given by the public warehouseman for, or evidence of, the receipt, storage, or sale of grain, or any related contracts.
4. Unless a claim is filed with the Public Service Commission within the time specified, the claimant may be barred from participation in the trust fund.

Bismarck, North Dakota, this 17th day of January 2013.

By: Ilona A. Jeffcoat-Sacco (ID No. 03315) Special Assistant Attorney General State Bar ID No. 03315 Public Service Commission 600 East Boulevard Ave - Dept 408 Bismarck, North Dakota 58505-0480 Telephone (701) 328-2400 Facsimile (701) 328-2410 Attorney for the Public Service Commission (1-24-13-1-31-13)

HAZEN PUBLIC SCHOOL SPECIAL SCHOOL BOARD MEETING JANUARY 9, 2013 ELEMNTARY ROOM 325, 5:30 P.M.

AGENDA: BUILDING SECURITY

President Miller called the special board meeting to order at 5:30. Those in attendance: Board members Cris Miller, Mike Krause, Sonya Hansana, Tammy Krause and Jody Murschel; Superintendent Mike Ness; Principals Ed Boger and Buster Langowski; Maintenance Director Todd Parker; Guests John Moeykens, Shaine Towe, Chris Harvey, April Baumgarten; and Energy Tech Systems, Inc. (ETS) representatives Pete Horner and Neil Delabarre.

Superintendent Ness went over the purpose of the meeting which was to discuss security in the school buildings and what we have done up to this point. ETS then made a presentation on the lock system they have available and how it would tie into the present computer controlled system we are using for our heating controls in the Elementary School and High School. They will work on a proposal on what the system would look like and approximate costs.

Discussion was held on the options presented and other issues related to security in the schools.

Chairman Miller stated that a committee would be formed to go over options and bring recommendation back to the entire board. This committee, which will consist of board members, administrators, maintenance person-

nel, staff and parents, will be set up at the regular school board meeting on January 14. This committee will come up with a meeting schedule at that time.

Meeting was adjourned at 7:50 p.m. Cris Miller, President Mike Ness, Superintendent 1-14-2013 Date approved (1-24-13)

HAZEN PUBLIC SCHOOL REGULAR BOARD MEETING DECEMBER 10, 2012 5:30 PM, ELEM. ROOM 325

Present were board members Jody Murschel, Sonya Hansana, Tammy Krause, Cris Miller and Mike Krause; Principals Ed Boger and Buster Langowski; Superintendent Mike Ness and Business Manager Connie Ellwein. Also present were guests April Baumgarten, Hazen Star reporter; and Harvey Huber. Meeting was called to order at 5:30 pm.

Minutes from the November 13, 2012, meeting was presented to the board. Hansana moved to approve the minutes, second by T. Krause. Roll call vote, all voted aye. M/C

No additions to the agenda-agenda was set.

Chris Harvey arrived at the meeting. Financial Reports:

Murschel moved to approve items 4a.) Financial statement and 4b.) Bills. Motion was second by M. Krause. Roll call vote, all voted aye. M/C

Alco, 123.84; Capital One, 787.24; Montana Dakota Utilities, 8,108.60; ND Attorney General, 44.50; Advanced Business Methods, 1,126.93; Barnes & Noble, 209.26; Beulah Lumber Co., 11.94; BHG, Inc., 281.68; Buster Langowski, 399.92; Chip Wizard, 40.00; City of Hazen, 3,780.53; Cole Papers, 6,780.90; Connecting Point Computer Center, 434.00; Connie Langowski, 45.00; D & E Supply, 578.55; Dakota Westmoreland, 576.12; David Mittelsteadt, 220.00; Eckroth Music, 3,349.78; Fastenal, 25.12; Hazen Golf Club, 1,650.00; Student Activity Fund, 35.00; Heidi Kaylor, 45.00; Hot Lunch Program, 9.70; J. W. Pepper & Son, 7.95; Jackie Bolton, 9.00; Jackie Karges, 50.00; Jennifer Lunde, 40.00; John Flemmer, 2,398.33; Johnson Lumber, 101.44; Know Buddy Resources, 454.02; Krause's Supervalu, 573.59; Librarian's Choice, 109.23; Napa Auto Parts, 21.37; ND Counseling Assoc., 140.00; Nioami Sitz, 203.82; Noel Barth, 88.71; Office Max, 38.60; Pitney Bowes, 600.00; Power Busing, 37,271.64; Randy Johnson, 437.82; RDO Equipment, 430.70; Really Good Stuff, 49.42; Scotty's Archery, 535.00; Shanda Leintz, 41.83; Stein's Inc., 1,661.11; Sue McCarthy, 45.00; Tammie Vernon, 30.00; UPS, 31.48; Verizon Wireless, 262.25; Ward's Natural Science, 861.59; West River Telecom., 715.64. Total all bills: 75,843.15.

Committee Reports: Policy Committee: M. Krause presented proposed policy JCA-Memorials on School Property. Hansana moved to approve the 1st reading of policy JCA, second by M. Krause. Roll call vote, all voted aye. M/C

Guests: Huber asked the board to allow a few more minutes for an additional guest to arrive. Meeting continued to next agenda item.

Old Business:

a. Policy Review: 1st reading of the following policy language revisions recommended by the North Dakota School Board Association (NDSBA).

AAC-BR DISCRIMINATION & HARRASSMENT GRIEVANCE PROCEDURE ABCA COPYRIGHTED MATERIAL & INTELLECTUAL PROPERTY ACAB CRITICAL INCIDENT PLAN & DRILLS ACBC USE OF LIVE ANIMALS IN DISTRICT SCHOOLS & IN CURRICULAR PROGRAMS ACCA SEXUAL OFFENDERS ON SCHOOL PROPERTY

Policy BAA-Employing Board Members was tabled in order to receive clarification from NDSBA on some of the recommended changes.

Guests:

President Miller redirected the meeting back to item 6.) Guests and asked Mr. Huber to address the Board. Huber spoke in regards to an effort to honor a former Hazen student, Major General Eldon (Al) Joersz, with the North Dakota Roughrider award. The award is at the discretion of the Governor. Mr. Huber and Dallas Krause have met with the Building & Grounds committee in regards to placing a permanent display in the school if Joersz is honored with the award. The display would consist of a bronze bust and a wall mount plaque with the information highlights. The intent of the display is to inspire students and show them that you can come from a small town, small school, and still achieve a lot. The district will not need to expend any

additional funds for the memorial. President Miller summarized the items before the Board at this time is to approve and sign a letter in support of Major General Joersz for the Roughrider Award and to give the Building & Grounds committee permission to continue to work with Mr. Harvey Huber & Mr. Dallas Krause on the possible memorial. T. Krause so moved, second by Hansana. All voted aye. M/C

Huber and Baumgarten departed the meeting at 6:20 pm.

Old Business (continued):

a.) Return to policy review (recommended language changes): BCAA BOARD MEETING AGENDA & PRE-MEETING PREPARATION BCBA PUBLIC PARTICIPATION AT BOARD MEETINGS BEB NEW MEMBER ORIENTATION CABB HIRING ADMINISTRATIVE STAFF DBAB EMERGENCY HIRING OF CLASSIFIED PERSONNEL DDBB HOLIDAYS

T. Krause moved to approve the 1st reading amending the eleven policies listed, second by Hansana. All voted aye. M/C

b.) Appraisal & Inventory Proposal: Bus. Mgr. Ellwein reported on her discussions with ND schools that have used this service. At this time there is not a need for outside services. No action was taken.

New Business:

a.) Open Enrollment: Family of a current 8th grade student moved to Beulah and would like their child to continue attending school in Hazen. Murschel moved to approve the open enrollment, T. Krause second. Roll call vote, all voted aye.

b.) Calendar Committee: T. Krause and Hansana agreed to be Board representatives on the District Calendar Committee to assist in the development of a 2013-14 master calendar. Board member M. Krause will be an alternate.

c.) Superintendent Evaluation: Pres. Miller stated input was presented by all members. He met briefly with Mr. Ness prior to the meeting to review the evaluation. Motion to approve the evaluation was made by T. Krause and second by Hansana. Roll call vote, all voted aye. M/C

Administrative Reports:

Elementary Principal: The elementary held a hat day fundraiser to benefit the parent of one of our students. So far we have identified 24 children as candidates for the Gearing up for Kindergarten program. A tentative start date of January 10th has been set. The elementary students did a wonderful job of collecting food for the Mercer County Food Pantry. Elementary Christmas programs will be on December 19th and 20th. The common core standard training was held last Wednesday. It received very good comments from staff members.

Secondary Principal: Ms. Stephanie Huber is working with ESL student assessments. Teachers planning some fun activities for students on the afternoon of December 21st. Carleen Campbell was hired to replace Sue Borud as a middle school paraprofessional. Band/Choir HS concert on December 17th.

Superintendent Report: MREC-common core training is so popular and well received that they are trying to hire another presenter to assist. MREC Board is reviewing the formula they use for dues assessment. Currently it is all based on district population, but several members would like it changed to usage. For example, we currently have 1 student enrolled in the offered programs and we are assessed \$8,000. Many smaller schools have 20 or more students enrolled and they are charged \$1,000. The new State Superintendent, Kirsten Baesler, will be meeting with SW Principals and other educational groups to visit with how her office is going to run.

Next meeting will be held on January 14, 2013 at 5:30 p.m.

Meeting was adjourned at 7:01 p.m. Cris Miller, President Connie Ellwein, Bus. Mgr. 1-14-2013 Date Approved (1-24-13)

NOTICE OF APPLICATION ON PETITION FOR APPROPRIATION OF WATER FROM AN UNNAMED CREEK TRIBUTARY TO COAL CREEK KNIFE/MISSOURI RIVER BASIN

TAKE NOTICE that Jerald Sommer, Beulah, North Dakota, has submitted water permit application No. 6434 to the North Dakota Office of the State Engineer for a permit to divert and appropriate water from an unnamed creek, tributary to Coal Creek (Knife/Missouri River Basin).

The application requests a permit to appropriate water from an unnamed creek, utilizing point(s) of diversion

located in the SW1/4 of Section 29, Township 145 North, Range 85 West, in Mercer county as shown on the map accompanying the application, with an annual appropriation of 27.8 acre-feet of water for storage, out of which 13.0 acre-feet will be used to offset evaporative losses, for fish and wildlife, and livestock uses.

TAKE NOTICE that written comments regarding the proposed appropriation must be filed in the North Dakota Office of the State Engineer, 900 East Boulevard Avenue, Bismarck, North Dakota 58505-0850, by 5:00 o'clock p.m., on the 25th day of February, 2013. The State Engineer shall consider all written comments received and prepare a recommended decision which will be provided to the applicant and any person who filed written comments. Those persons may file additional comments with the State Engineer, request an adjudicative proceeding on the application, or both.

Dated at Bismarck, North Dakota, on January 16, 2013.

Todd Sando, P.E. North Dakota State Engineer 900 East Boulevard Avenue Bismarck, ND 58505-0850

Notice of Application mailed to the Mercer County WRD Chair/Office, Dept. of Health, G&F, F&WS, and NRCS on January 16, 2013 (1-24-13-1-31-13)

SNOW NOTICE

The Mercer County Highway Department and Mercer County Commission respectfully request landowners not push snow into, or across, rights-of-way and ditches on the county road system. This practice only multiplies the drifting problems which can create obstructions for motorists.

State law prohibits a person from obstructing, or causing to be obstructed, any public highway or right-of-way and is prosecutable as a Class B Misdemeanor, punishable up to thirty (30) days in jail and/or a \$1000 fine.

The commission asks that landowners not push snow within the limits of, or across, the right-of-way, which includes the roadway, ditch bottom and back slope of the roadway. (1-24-13-1-31-13)

MERCER COUNTY COMMISSION MINUTES JANUARY 2, 2013

The meeting was called to order at 9:00 AM CT by Chairman Bitterman, also present was Commissioner Entze, Commissioner Murray, Commissioner Tveit, Commissioner Scheurer, Auditor Brost, and State's Attorney Binder.

Motion made by Commissioner Murray, second by Commissioner Tveit to approve the agenda. On roll call vote; Murray, "Aye", Tveit, "Aye", Scheurer, "Aye", Entze, "Aye", Bitterman, "Aye", motion carried.

Motion made by Commissioner Scheurer, second by Commissioner Tveit to approve the minutes of the December 19th meeting. On roll call vote; Scheurer, "Aye", Tveit, "Aye", Murray, "Aye", Entze, "Aye", Bitterman, "Aye", motion carried.

Motion made by Commissioner Murray, second by Commissioner Scheurer to approve payment of bills as follows: Advanced Business Methods, \$110.75; Ag Communication, \$12.50; Beulah Job Development Authority, \$606.34; BHG, Inc., \$789.51; Blue Cross Blue Shield of ND, \$39,863.92; Frank Bitterman, \$153.44; Butler Machinery Co., \$1,073.02; CenturyLink, \$269.08; City of Beulah, \$17.68; City of Stanton, \$3,386.12; Corner Express of Center, \$49.50; Direct Med, \$523.20; Gary Emter, \$25.00; Wayne Entze, \$134.40; Farmers Union Oil, \$108.95; Farmers Union Insurance, \$28.00; Gratech Company, \$107,721.73; Hazen Hardware, Inc., \$9.16; Hedahl's, \$268.23; Honeywell International, Inc., \$1,131.49; Loyal and Catherine Karges, \$300.00; Knife River Care Center, \$15,000.00; Lange & Donovan PLLP, \$297.26; Lewis & Clark Regional Development, \$4,988.00; Lignite Tire Service, \$931.50; Mel Roth Oil Company, \$1,135.20; Menards, \$80.91; Millennium Express, \$18.30; Minnesota Valley Testing Labs, Inc., \$2,097.50; Montana Dakota Utilities, \$98.41; Gary Murray, \$101.92; NAPA, \$280.84; NDACE Conference, \$270.00; NDACE Resources Group, \$16,524.00; ND Association of Counties, \$8,811.00; ND County Commissioners' Association, \$1,425.00; Ronald Olson, \$125.00; Carmen Reed, \$372.96; Roughrider Electric Cooperative, Inc., \$1,410.45; Duane Scheurer, \$253.12; Ringsak & Morrow Severin, \$3,487.50; Solem Law Office, \$253.26; Southwest Business Machines, \$22.98 Venture Marketing,