

**Crockford, Konrad S.**

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**From:** efilmingmail@tylerhost.net  
**Sent:** Friday, November 01, 2019 09:58  
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**Subject:** Filing Accepted for Case: 35-2018-CV-00088; Public Service Commission vs. Hunter Hanson d/b/a NoDak Grain, et al.; Envelope Number: 3608004



**North Dakota  
Court System**

## Filing Accepted

Envelope Number: 3608004  
Case Number: 35-2018-CV-00088  
Case Style: Public Service Commission vs.  
Hunter Hanson d/b/a NoDak Grain, et al.

The filing below was reviewed and has been accepted by the clerk's office. You may access the file stamped copy of the document filed by clicking on the below link.

Filing Details	
<b>Court</b>	Pierce County - Northeast District
<b>Case Number</b>	35-2018-CV-00088
<b>Case Style</b>	Public Service Commission vs. Hunter Hanson d/b/a NoDak Grain, et al.
<b>Date/Time Submitted</b>	11/1/2019 9:03 AM CST
<b>Date/Time Accepted</b>	11/1/2019 9:55 AM CST
<b>Accepted Comments</b>	
<b>Filing Type</b>	Exhibit
<b>Filing Description</b>	14 - K& S operating Partnership
<b>Activity Requested</b>	EFileAndServe
<b>Filed By</b>	Mitchell Armstrong
<b>Filing Attorney</b>	Mitchell Armstrong

Document Details	
<b>Lead Document</b>	Exhibit 14 to Aff of AJS.pdf
<b>Lead Document Page Count</b>	2
<b>File Stamped Copy</b>	<a href="https://northdakota.tylerhost.net/ViewDocuments.aspx?FID=e4504ed7-1a7a-49dc-bf75-f4cd0d860d3a">View Stamped Document</a>
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North Dakota Court's Information Technology Department 701-328-4218  
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Claimant Name & Address  
 K&S Operating Partnership  
 8048 58th Street NW  
 Stanley, ND 58784

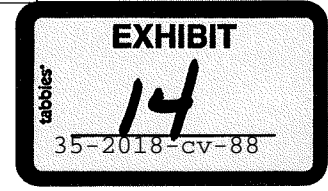
Contact - Kevin Harstad  
 701-629-1684

Date Claim Filed December 19, 2018  
 Date Payment Demand Made None

PSC Calculated value total \$ 56,612.12  
 Less other payments

\$ 56,612.12 **Total cash claim**

Settlement #	Date	date	Date	date
209	9/25/2018			
ECGM Trade Confirmation #	21731	8/17/180		
Seller Contract #	NA			
Midwest Contract #	NA			
Claim applied against:	Cash			
Commodity	Spring Wheat			
Contracted Price Per Bushel	\$ 5.05			
Contracted Bushels	10,000.00			
Delivered bushels*	10,887.19	-	-	-
Gross Amount Due*	\$ 56,775.41	\$	\$	\$
Less Total Fees & assessments*	\$ 163.29	\$	\$	\$
PSC calculated value*	\$ 56,612.12	\$	\$	\$
Estimated Value per Midwest	\$ 56,766.89			
Claimant calculated claim	\$ 56,766.89			



**Comments:**

**1. Summary:**

- a. Claim was received by the PSC on 12-19-18.
- b. Claim is for 10,887.19 bushels of spring wheat listed on Midwest Estimate #209 that was paid for by NoDak Grain check #1048, dated 11-2-18 for \$56,766.89
  - i. The check was returned NSF on 11-15-18.
- c. Claim documents include ECGM Trade Confirmation #21731, Midwest Estimate #209 with corresponding scale tickets and some BOL's.

**2. Differences in calculated claim amount:**

- a. Claimant based claim off of Midwest's Estimate #209 and the NoDak NSF check #1048.
- b. Midwest Estimate #209 listed a withholding tax deduction for an unknown reason, PSC calculations do not include this deduction.
- c. Midwest did not account for the applicable commodity checkoff deductions that would be deducted prior to final settlement per standard industry practice.

**Summary table of how value of each load calculated:**

Destination Information - inbound				Pricing					Scale ticket Grade Factors					Contracts			
Elevator	Scale Ticket #	Delivery Date	Net Bu	Base Price per Bushel	Prem. & Disc. per bu	Net Price per Bu	Gross Amount Due	Checkoff	NET Amount Due	TW	MST	Protein	Dock	Estimate #	ECGM #	Seller Contract	Midwest Contract
ADM - Hensler	155438	9/17/2018	1,033.61	\$ 5.05	\$ 0.15	\$ 5.20	\$ 5,374.77	\$ 15.50	\$ 5,359.27	61.6	13.5	14.7	0.9	209	21731	NA	NA
ADM - Hensler	155471	9/18/2018	1,081.60	\$ 5.05	\$ 0.20	\$ 5.25	\$ 5,678.40	\$ 16.22	\$ 5,662.18	61.2	14.0	14.8	0.9	209	21731	NA	NA
ADM - Hensler	155498	9/18/2018	1,076.98	\$ 5.05	\$ 0.25	\$ 5.30	\$ 5,707.99	\$ 16.15	\$ 5,691.84	62.6	12.7	15.1	0.8	209	21731	NA	NA
Osnabrock FEC - Nekoma	176385	9/19/2018	1,098.90	\$ 5.05	\$ 0.20	\$ 5.25	\$ 5,769.23	\$ 16.48	\$ 5,752.75	61.4	12.4	14.8	2.0	209	21731	NA	NA
Osnabrock FEC - Nekoma	176491	9/20/2018	1,094.06	\$ 5.05	\$ 0.10	\$ 5.15	\$ 5,634.41	\$ 16.41	\$ 5,618.00	60.6	11.7	14.4	2.2	209	21731	NA	NA
ADM - Hensler	156069	10/9/2018	1,066.79	\$ 5.05	\$ 0.15	\$ 5.20	\$ 5,547.31	\$ 16.00	\$ 5,531.31	59.6	11.7	14.6	0.3	209	21731	NA	NA
ADM - Hensler	156086	10/10/2018	1,126.48	\$ 5.05	\$ 0.15	\$ 5.20	\$ 5,857.70	\$ 16.90	\$ 5,840.80	60.7	11.4	14.6	0.4	209	21731	NA	NA
ADM - Hensler	156110	10/10/2018	1,070.62	\$ 5.05	\$ 0.15	\$ 5.20	\$ 5,567.22	\$ 16.06	\$ 5,551.16	60.6	11.3	14.6	0.5	209	21731	NA	NA
ADM - Hensler	156133	10/11/2018	1,148.06	\$ 5.05	\$ 0.15	\$ 5.20	\$ 5,969.91	\$ 17.22	\$ 5,952.69	61.5	11.1	14.6	0.4	209	21731	NA	NA
ADM - Hensler	156163	10/11/2018	1,090.09	\$ 5.05	\$ 0.15	\$ 5.20	\$ 5,668.47	\$ 16.35	\$ 5,652.12	61.2	11.1	14.6	0.6	209	21731	NA	NA