

## Crockford, Konrad S.

**From:** efilmingmail@tylerhost.net  
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**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>	17 - Seth Lura
<b>Activity Requested</b>	EFileAndServe
<b>Filed By</b>	Mitchell Armstrong
<b>Filing Attorney</b>	Mitchell Armstrong

Document Details	
<b>Lead Document</b>	Exhibit 17 to Aff of AJS.pdf
<b>Lead Document Page Count</b>	3
<b>File Stamped Copy</b>	<a href="https://northdakota.tylerhost.net/ViewDocuments.aspx?FID=d72d4a97-8202-4147-81eb-b2422e9c3a30">View Stamped Document</a>
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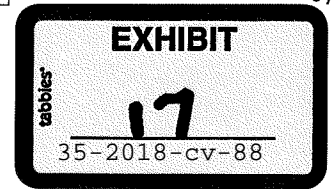
Claimant Name & Address	
Seth Lura	
857 3rd St South	
Carrington, ND 58421	
701-653-5163	
<a href="mailto:slura06@hotmail.com">slura06@hotmail.com</a>	

Date Claim Filed	February 19, 2019
Date Payment Demand Made	None

PSC Calculated value total	\$ 76,315.21

\$ 76,315.21 **Total cash claim**

	Settlement #	na	ECGM Trade Confirmation #	21294	5/17/2018	date	date	date
	Seller Contract #	na						
	Midwest Contract	na						
Claim applied to:								
Commodity			Cash					
			HRS wheat					
Contracted Price Per Bushel	\$			5.32				
Contracted Bushels				13,000.00				
Delivered bushels*				13,206.24			-	-
Gross Amount Due*	\$			76,513.32		\$	-	\$
Less Total Fees & assessments*	\$			198.11		\$	-	\$
PSC calculated value*	\$			76,315.21		\$	-	\$
Estimated Value per midwest								
Claimant calculated claim	\$			70,045.00				



**Comments:**

1. Summary:
  - a. Claimant submitted claim for 13,342.4 bushels of spring wheat priced at \$5.25 per bushel resulting in a total stated claim of \$70,045
  - b. Submitted claim documents include ECGM trade confirmation #21294, BOL's and destination scale tickets along with truck freight invoices to Midwest for the loads delivered from the claimants bin site.
2. Differences in claim calculated value explained:
  - a. ECGM Trade Confirmation #21294
    - i. A basis agreement with the original basis of \$0.38 under the SEP2018 Futures price.
    - ii. It was rolled at the cost of \$0.16 to the DEC2018 Futures month
    - iii. New basis =  $\$0.38 + \$0.16 = \$0.54$  under the DEC2018 futures price, once established.
      1. The DEC2018 futures were set at \$5.86 per bushel on November 7, 2018 based on information received from ECGM that was requested by PSC Staff.
    - iv. Base cash price = DEC2018 futures price \$5.86 less the basis of  $\$0.54 = \$5.32$  per bushel.
    - v. In claim documents submitted the claimant stated that no futures price had been established.
      1. Claimant used a price of \$5.25 per bushel.
        - a. PSC staff could not identify any documentation to substantiate that price.
      2. PSC staff contacted ECGM by phone and they said to the best of their memory Randy Lura (Seth's Father) had called and set the futures price.
      3. PSC staff also contacted Seth and Randy Lura by phone. No definitive statement was made.
    - vi. PSC calculations reflect using the \$5.32 per bushel base cash price in their calculations as that was the most supported by any documentation that was currently available to the PSC staff.
  - b. Claimant used the gross bushels while PSC calculations reflect the net bushels listed on the destination scale tickets.
  - c. Claimant did not account for the premiums and discounts as agreed upon in ECGM trade confirmation #21294.
    - i. PSC calculations reflect all applicable premiums and discounts.

Summary table of how value of each load calculated:

BOL Information		Destination Information - inbound			Pricing					Scale Ticket Grades				Contracts					
BOL Date	BOL #	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
10/22/2018	1248	Osnabrock FC - Nekoma	177808	10/22/2018	989.35	\$ 5.32	\$ 0.60	\$ 5.92	\$ 5,856.95	\$ 14.84	\$ 5,842.11	63.6	10.7	15.2	0.8	na	21294	na	na
10/23/2018	1249	Osnabrock FC - Nekoma	177917	10/23/2018	1,096.05	\$ 5.32	\$ 0.50	\$ 5.82	\$ 6,379.01	\$ 16.44	\$ 6,362.57	63.2	10.8	15.0	0.9	na	21294	na	na
10/23/2018	1239	Osnabrock FC - Nekoma	177982	10/24/2018	1,029.74	\$ 5.32	\$ 0.40	\$ 5.72	\$ 5,890.11	\$ 15.45	\$ 5,874.66	62.8	10.9	14.8	0.7	na	21294	na	na
10/24/2018	1250	Osnabrock FC - Nekoma	177990	10/24/2018	1,131.76	\$ 5.32	\$ 0.50	\$ 5.82	\$ 6,586.84	\$ 16.98	\$ 6,569.86	62.1	10.8	15.0	1.3	na	21294	na	na
10/25/2018	1251	Osnabrock FC - Nekoma	178089	10/25/2018	1,131.10	\$ 5.32	\$ 0.40	\$ 5.72	\$ 6,469.89	\$ 16.97	\$ 6,452.92	62.5	11.2	14.8	1.3	na	21294	na	na
10/26/2018	1252	Osnabrock FC - Nekoma	178154	10/26/2018	1,135.69	\$ 5.32	\$ 0.40	\$ 5.72	\$ 6,496.15	\$ 17.04	\$ 6,479.11	62.1	11.4	14.9	0.9	na	21294	na	na
10/26/2018	1253	Osnabrock FC - Nekoma	178189	10/29/2018	1,191.42	\$ 5.32	\$ 0.50	\$ 5.82	\$ 6,934.06	\$ 17.87	\$ 6,916.19	62.3	11.5	15.1	1.1	na	21294	na	na
10/29/2018	1380	Osnabrock FC - Nekoma	178213	10/29/2018	1,062.10	\$ 5.32	\$ 0.40	\$ 5.72	\$ 6,075.21	\$ 15.93	\$ 6,059.28	62.8	11.7	14.8	1.2	na	21294	na	na
10/30/2018	1254	Osnabrock FC - Nekoma	178233	10/30/2018	1,135.20	\$ 5.32	\$ 0.30	\$ 5.62	\$ 6,379.82	\$ 17.03	\$ 6,362.79	63.1	11.9	14.7	1.0	na	21294	na	na
10/30/2018	1255	Osnabrock FC - Nekoma	178267	10/30/2018	1,133.88	\$ 5.32	\$ 0.50	\$ 5.82	\$ 6,599.18	\$ 17.01	\$ 6,582.17	62.4	12.1	15.1	1.0	na	21294	na	na
10/31/2018	1256	Osnabrock FC - Nekoma	178304	10/31/2018	1,151.20	\$ 5.32	\$ 0.60	\$ 5.92	\$ 6,815.10	\$ 17.27	\$ 6,797.83	62.2	12.7	15.2	1.1	na	21294	na	na
10/31/2018	1257	Osnabrock FC - Nekoma	178339	11/1/2018	1,018.75	\$ 5.32	\$ 0.60	\$ 5.92	\$ 6,031.00	\$ 15.28	\$ 6,015.72	62.4	12.8	15.3	0.9	na	21294	na	na