BEFORE THE
SURFACE TRANSPORTATION BOARD

STB FINANCE DOCKET NO. 30186

TONGUE RIVER RAILROAD COMPANY, INC.—RAIL CONSTRUCTION AND OPERATION—IN CUSTER, POWDER RIVER AND ROSEBUD COUNTIES, MT

VERIFIED STATEMENT OF MARK FIX IN SUPPORT OF NORTHERN PLAINS RESOURCE COUNCIL AND ROCKER SIX COMMENTS ON TRRC'S APPLICATION

My name is Mark Fix. I am one of several ranchers who have been impacted over the last thirty years by proposed development of coal tracts in Ashland, Montana and the railroad that would serve them, the Tongue River Railroad. My wife Debra and I own and operate a 9,700-acre ranch since 1991, a period of about twenty-four years. Of those acres, 7,300 are deeded and we lease the balance from the State of Montana and the Bureau of Land Management. The ranch is located about 20 miles southwest of Miles City, Montana along the Tongue River. My mailing address is 584 Tongue River Road, Miles City, MT 59301. I have been a member of Northern Plains Resource Council for about 23 years. I offer this Verified Statement in support of the Northern Plains Resource Council's comments on the Tongue River Railroad's December 2012 Application.

The original alignment of the Tongue River Railroad (TRR I) approved in the 1980s and the proposed refinement to TRR I ran through my ranch. (See Attachment Fix-1). When my wife and I bought the ranch in 1991, we were told by our realtor that it was highly unlikely the TRR I railroad would ever be built. I did not realize it at the time, but I felt that I was able to buy the property for a discounted price because the TRR was proposed through the ranch.

Shortly after we bought the ranch TRRC approached me to buy a right-of-way across our ranch. A TRRC lawyer and landman came to our house and told us that TRRC has the right of eminent domain and could condemn our property if we could not come to an agreement on selling them the right-of-way. This was a stressful and difficult time for my wife and me. Their right-of-way ran directly along the Tongue River, through my calving pasture, and the Tongue River floodplain. This route would have significantly disrupted the operation of my ranch in several ways. My wife and I were planning to install a series of circle pivots to more efficiently irrigate our land to grow alfalfa. Additionally, TRR was never clear whether they would use a double track, which would seriously alter my use of a parcel of my own land. Finally, the TRRC intended to fence off the railroad tracks which would have cut off my cattle's only access to the river; their only source of fresh drinking water in some of the pastures where the railroad was proposed. I told TRRC I did not agree with their route, however, because they had the right of eminent domain I proposed a different one that would have less impact on my property. The TRR representatives told me that the route I proposed would require moving too much dirt and refused to consider it.

TRRC's representatives later told us that they had altered the proposed route, and moved the track over one half of a mile as is shown in the map I provided. I believe this change was part of the refinements to TRR I proposed with the southern extension of the TRR in the early to mid 1990s known as TRR II and III, although communication was limited and the routes were often unclear. At the time, I had planned to install a circle pivot and irrigate the land where TRR I crossed my land. Installing a circle pivot requires a substantial investment and a great deal of planning. It requires installing a concrete structure and running a pipeline to the pivot. Once installed, the circle pivot irrigates about 120 acres of land.

The TRR I route would have gone right through the middle of the circle pivot I was proposing. The new route was farther North and I could install the circle pivot to the South of the tracks. I was planning to grow alfalfa for hay and this irrigation system would yield about 5 tons per acre. Growing additional alfalfa or hay would be beneficial to my ranch. Not only could I use it to feed my own cattle rather than buying it from a third party, I could also sell the excess for additional revenue.

Because of the size of the investment in installing a circle pivot I wanted to see where the railroad might be built so the pivot would not be torn down in the construction process. I did not want to pay for the pivot twice and decided not to install it given we really did not know when or where the railroad was going to be built. This came at a significant cost. I estimate that I lost about $45,000 per growing season assuming $75 per ton of alfalfa, 5 tons per acres, and 120 acres. After 9 years of waiting to see what would happen with the TRR I gave up and decided to build the pivot. I estimate my losses for those 9 years at $405,000 for which I've never been compensated. Had I known the line was never going to get built I would not have waited to build the circle pivot.

I was also frustrated about the uncertainty regarding the consideration of double tracks and the railroad's failure to address my concern about land between the tracks. My neighbor and I had about three miles of railroad through our property. His three miles contained forty acres that the TRR wanted to buy and our three miles contained eighty acres. The landmen did not mention any decision about double tracks to me, so I had concerns that my acreage was twice as much because they intended to double track the route through my property. The TRR II EIS stated that several double track locations and several set out tracks were required, but no landowner I talked with had any indication that there would be double tracks on their property.

The TRR II EIS showed a deviation to the route on my property. The TRR III EIS showed both the TRR I alignment and the new alignment proposed in TRR II. I did not know if this was an oversight or if both routes were approved and I would be left with a large parcel of land stuck between the two sets of railroad tracks.

TRR never clarified their plans, and never took action to begin construction. As a result, I was concerned a parcel of land between the two tracks would be impossible to utilize efficiently. It would not be cost effective to try to graze a parcel like this and it would be difficult to irrigate that parcel as well, as there is a big hill between the two sets of tracks. There is good hunting on the hill that is between these two sets of tracks and the hunters affectionately refer to it as "Buck Mountain." That may be the only suitable use of the land, but the hunters would need to be careful not to shoot towards trains.

Finally, TRR told us that they intended to place culverts under the railroad grade for my cattle to use to go under the tracks. They assumed this would be a sufficient work around so that they could build a track that would cut off the cattle's access to drinking water. Culverts are extremely problematic, however, as cattle may never learn how to go through the culverts. If the culvert is long enough to go under two sets of tracks, the cattle are even less likely to use it. The possibility of two sets of tracks also means that I could have a train parked on the extra set of tracks, blocking passage across the tracks for incredible amounts of time and requiring me to go an extra mile or more to cross the tracks with my cattle or to access my ranch.

Eminent domain takes away our right to negotiate for a fair market value for the right of way. It is basically a "take it or leave it" situation since we have no recourse other than fighting eminent domain in court, which is costly, time consuming, and we would be unlikely to prevail against the resources of something like the TRRC. Some years ago TRRC offered my neighbor

$100 an acre for his land. The right-of-way crossed about three miles of his ranch so the total offer would have been about $4,000. He did not sell the property since $100 an acre is an incredibly low price. The price may be indicative of agricultural land value at that time, but it does not compensate a landowner for the damages done to the property. It would not cover costs to make the land functional again. For instance, water wells may have to be drilled and installed to provide the cattle with water. The price for prime land near the river would be more than land further away from the river.

My wife and I have had to deal with the uncertainty of the TRR ever since we bought our ranch. TRRC has tried to obtain a right-of-way several times through our property, about every five years or so. We inevitably get a letter to let us know that a landman will be coming or that there were updates to the TRRC's plans. We have spent a lot of time, effort, and money dealing with these issues. I became a party of record during TRR II and III so we would not be left out of the process and to see what was happening. Although TRRC apparently now has no plans to build a railroad through our ranch because it has chosen the Colstrip alignment as the preferred alternative, I am concerned that the company may change its mind once again and decide to build a line through my ranch.

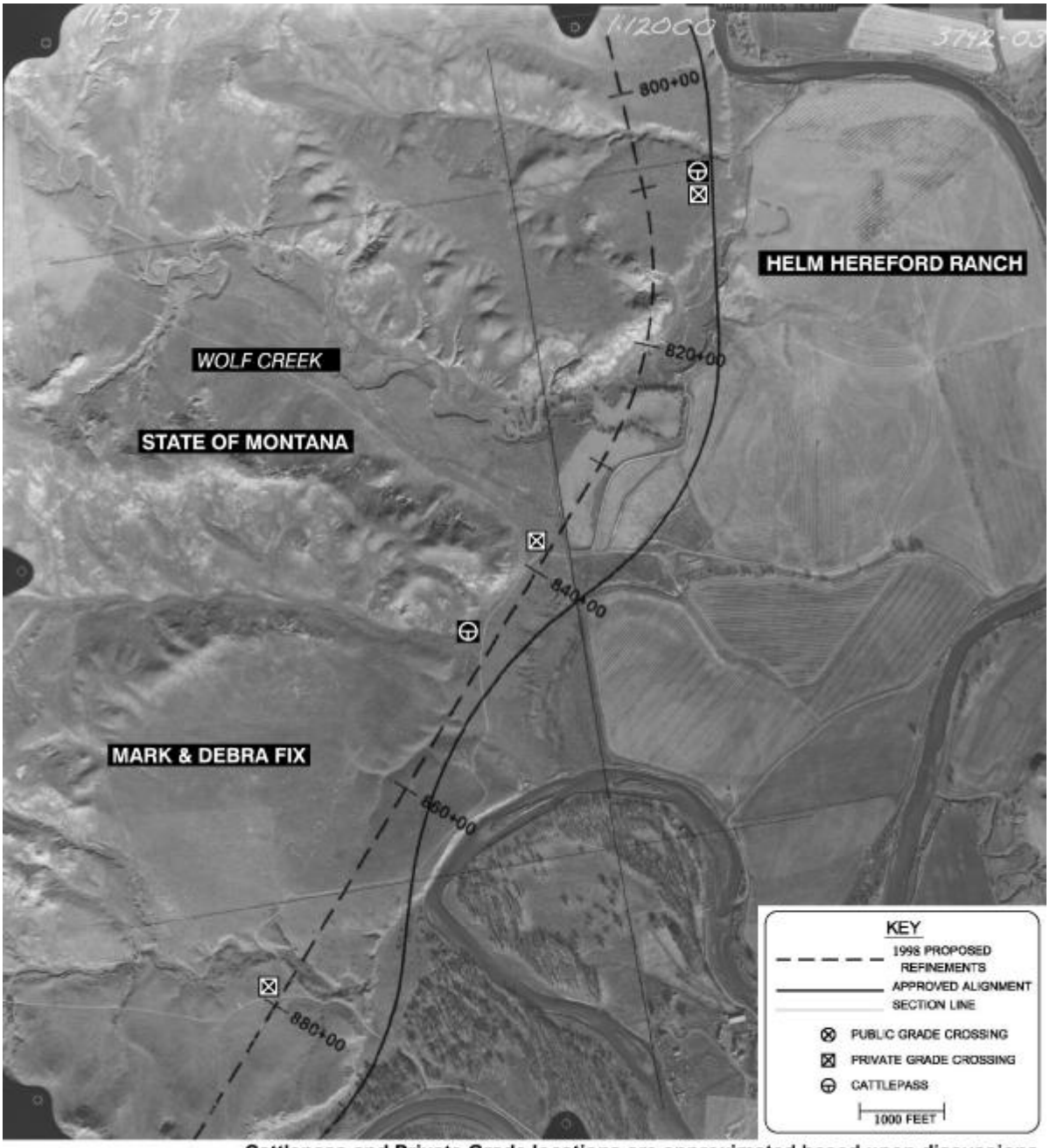
The Board's decision to grant a license for railroads causes real hardship for landowners in the path even if the line is never built. Our ranch is a business and our livelihood; holding it in limbo harms my employees and my family. I had plans to make the best and most efficient use of my ranch possible that have been put on hold for more than a decade because of a railroad that will never get built. The Board should make sure these lines will, in fact, get built and are truly needed before putting us or others through the same kind of ordeal we have had to go through.

VERIFICATION

I, Mark Fix, hereby verify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Mark Fix

Dated this 23 day of March, 2015.

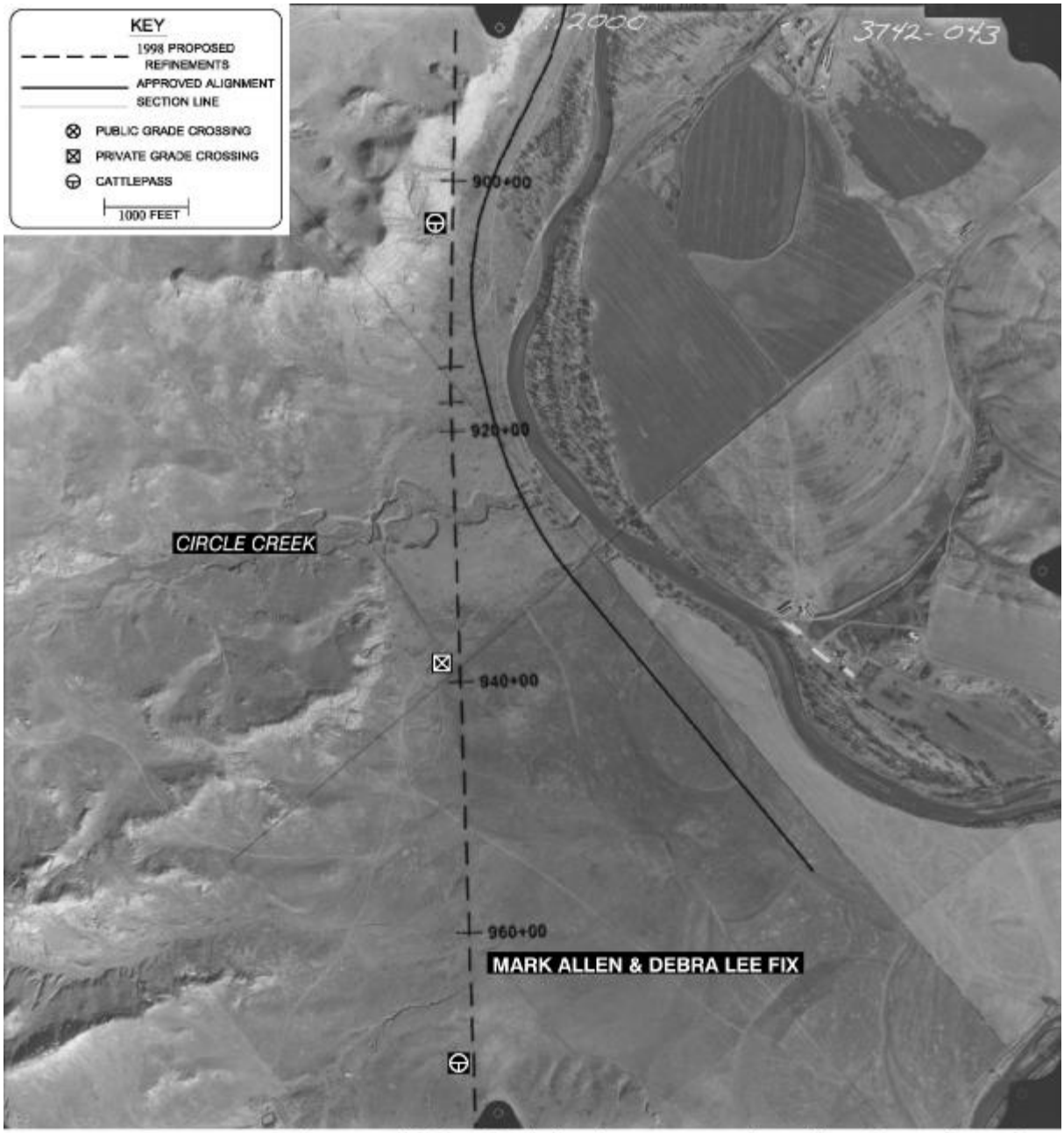


Cattlepass and Private Grade locations are approximated based upon discussions with property owners during the early 1980's and the late 1990's. These locations are subject to change based upon final right-of-way negotiations and agreements

Figure A-11

Aerial Photographs of Alignments

Miles City to Ashland

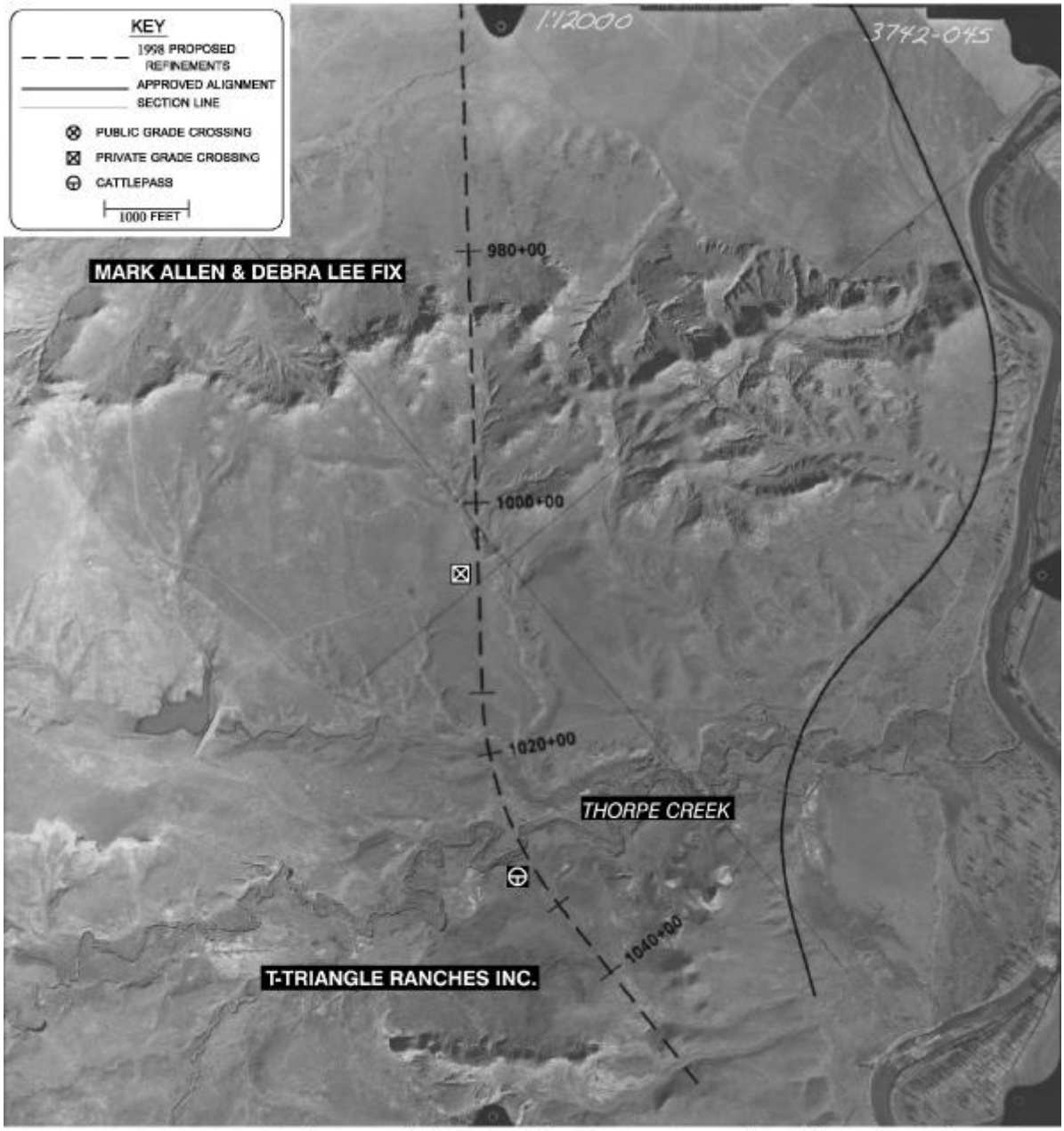


Cattlepass and Private Grade locations are approximated based upon discussions with property owners during the early 1980's and the late 1990's. These locations are subject to change based upon final right-of-way negotiations and agreements

Figure A-12

Aerial Photographs of Alignments

Miles City to Ashland



Cattlepass and Private Grade locations are approximated based upon discussions with property owners during the early 1980's and the late 1990's. These locations are subject to change based upon final right-of-way negotiations and agreements

Figure A-13

Aerial Photographs of Alignments

Miles City to Ashland

OPINION

Letters

Safety very important

Dear editor,

At BNSF Railway, safety is the most important thing we do. We know it's also the most important concern of people in the Miles City community, so I'd like to address several questions we have received about BNSF's decision to increase train speeds through Miles City.

First, it's important to understand the major investments into safety that BNSF has made in Montana over the last few years; record-level expenditures to achieve best-ever safety results and to meet the growing transportation needs of our customers. In 2014, BNSF recorded its safest year on record, while we delivered increasing volumes of freight from Montana and surrounding states.

In the past three years, BNSF invested more than $450 million in Montana to expand and maintain our network. The largest expansion investment in Montana was in the Miles City region with $99 million invested. These investments allow us to operate safely while serving our customers with greater efficiency and network velocity across the board. The Federal Railroad Administration (FRA) sets the appropriate speeds for each class of track. The track around Miles City is designated as a "Class 4" track with the maximum allowable speed of 60 mph. The FRA requires Class 4 track to be maintained at higher levels and inspected for safety more frequently, thereby allowing trains to operate at greater velocity. BNSF is committed to making sure the track through Miles City is of the highest safety standards and we value the input from the local community.

We have also heard from Miles City residents suggesting that the Spotted Eagle Road crossing would be safer for residents with crossing gates. It's important to note that BNSF doesn't determine what roadway signs and devices to install at public crossings for motor vehicles – that's determined by the Montana Department of Transportation (MDT). MDT administers federal funds for public grade crossing improvements and has a priority list for crossing upgrades. The railroad installs the warning devices and maintains them moving forward. BNSF and MDT have completed a number of projects in Montana in recent years, and we will communicate to MDT the public interest in this potential crossing upgrade.

Whether trains are moving fast or slow the public should be aware of rail traffic at all times and obey all grade-crossing and trespassing laws for the safety of everyone. BNSF has been working closely with communities across our network to improve public awareness of trespassing dangers and grade crossing safety. In cooperation with the Montana Operation Lifesaver program, BNSF welcomes each opportunity to arrange free public safety education presentations to interested organizations.

Dan Fransen
General Manager Montana Division
BNSF Railway

Reconsider speeds

EDITOR'S NOTE: This letter from Sen. Jon Tester was originally addressed to Carl Ice, president and CEO of BNSF.

Dear Mr. Ice,

I write to address concerns with BNSF's recent decision to increase maximum allowable train speeds from 30 miles per hour to 60 miles per hour in Miles City between Mile Post 77.7 and Mile Post 79. The increased speeds affect grade crossings in Miles City at Leighton Boulevard, 10th Street, 8th Street and 4th Street.

These grade crossings are in relatively busy areas of Miles City, where it is essential to maintain safety standards tailored specifically for high-traffic areas. As such, I urge BNSF to engage with community leaders to review the speed change decision and to consider alternative options.

When the speed change went into effect earlier this month, my constituents in the area expressed concerns with the new maximum train speed and frustrations with the lack of public input prior to the speed change being implemented. While BNSF has done a good job of providing detailed notice letters to city leaders and posting public service ads in the local paper to advise the public of the change, I believe it is vital to engage with the public both before and after making decisions that affect a community and impact safety.

I encourage BNSF to immediately reach out to community leaders and affected citizens in Miles City to revisit the train speed increase and to ensure all concerns are considered. Thank you for your consideration and I look forward to your response.

Sincerely,
Jon Tester

Long-cheating boyfriend probably won't stay faithful in the long run

Dear Abby
Advice Columnist

DEAR ABBY: I am a gay male and my boyfriend of three years just confessed to me that he's been cheating on me for the better part of our relationship. We went to counseling in an attempt to repair the damage that was done, and to see if I could regain any of the trust that I once had in him. During our counseling session he told me that he was sleeping with his stepbrother. I had forgiven him prior to this disclosure and thought I could move past it, but I'm no longer sure I can.

Before he told me about the cheating, I had bought an engagement ring for him and was nearly finished paying for it. Now I am unsure if I want to pay it off because I am so appalled about what has transpired. On the other hand, I'm afraid it will affect my credit history if I don't. What would you do if you were in my position? — CAN'T MOVE PAST IT

DEAR CAN'T MOVE PAST IT: A partner who would cheat on you for that length of time has a character deficiency and will probably do it again. If I were in your position, I'd end the relationship, finish paying for the ring and then cut my losses by selling it. That way, all of the payments you have made won't go down the tubes, and your credit rating will be intact.

Dear Abby is written by Abigail Van Buren, also known as Jeanne Phillips. Contact Dear Abby at www.DearAbby.com or P.O. Box 69440, Los Angeles, CA 90069.

Trump stokes phony fury

Joe Conason
Syndicated Columnist

As soon as Donald Trump brayed that John McCain is "not a war hero" and went on to mock his suffering in North Vietnamese captivity, the righteous reaction of Republicans was entirely predictable. Nearly every would-be presidential candidate in the GOP immediately sought to wrap the loud-mouthed celebrity's gaffe around his neck.

The incident presented an irresistible opportunity for Trump's rivals to stoke public indignation against a merciless, infuriating, suddenly formidable opponent. No doubt some of them, like McCain's close friend Senator Lindsey Graham, were truly incensed by Trump's slur. Yet much of the outrage on the right seems insincere.

In denigrating a widely admired Vietnam veteran to advance himself, the casino mogul did nothing more or less than what other "conservatives" have long done for political expediency. Nobody should be shocked to hear a Republican chicken-hawk disparaging a heroic vet; such conduct is standard operating procedure.

In 2002, Georgia Republican Saxby Chambliss ran ads suggesting that then-Senator Max Cleland, a Democratic Vietnam War hero who had lost both legs and one arm in an accidental grenade explosion, lacked the guts to face down Osama bin Laden and Saddam Hussein. Cleland had cast a vote protecting employee rights in the new Department of Homeland Security, earning him a smear by Chambliss - who had smoothly avoided the Vietnam draft.

Two years later, when Cleland spoke up against President George W. Bush, columnist Ann Coulter sniped again:

"Max Cleland should stop allowing Democrats to portray him as a war hero who lost his limbs taking enemy fire on the battlefields of Vietnam," she wrote, describing his misfortune as "an accident during a routine non-combat mission. ... Luckily for Cleland's political career and current pomposity about Bush, he happened to do it while in Vietnam."

Luckily? Cleland is an authentic war hero who won a Silver Star for "exceptionally valorous action" at the Battle of Khe Sanh. According to the official citation, "Capt. Cleland, disregarding his own safety, exposed himself to the [enemy] rocket barrage as he left his covered position to administer first aid to his wounded comrades...His gallant action is in keeping with the highest traditions of the military service, and reflects great credit upon himself, his unit, and the United States Army."

That action took place four days before the accident that maimed Cleland for life.

The Cleland smear served as prelude to the infamous "Swift Boat Veterans For Truth" assault on John Kerry, another heroic veteran, who returned home to oppose that terrible war. Kerry's brave dissent brought him the lasting enmity of the Republican right - and, when he ran for president in 2004, a litany of outlandish claims about his own highly decorated Navy service, for which he had earned a Silver Star, a Bronze Star and three Purple Hearts.

Those false charges were concocted and publicized with money provided by Texas millionaires allied with the Bush family and their political boss Karl Rove. Led by Rove, the Republicans went so far as to mock Kerry's Purple Hearts on the floor of their convention.

Ultimately, Kerry and the Navy vets who had actually served with him refuted all of the bogus Swift Boat accusations. By then, however, the political damage was done.

Among those who spoke up on Kerry's behalf, unsurprisingly, was none other than his friend McCain, who denounced the Swift Boat campaign as "dishonest and dishonorable." Recalling how supporters of George W. Bush spread lies about his own service during the 2000 primaries, McCain told the Associated Press in 2004 that the "independent" Swift Boat ads attacking Kerry were "the same kind of deal that was pulled on me." He called on the Bush White House to repudiate them but, equally unsurprisingly, the president rejected McCain's plea for decency. The Bush family, including Jeb - who once considered posing as a conscientious objector to avoid the Vietnam draft - quietly let the dirty tricksters do their dirty work, as usual.

That wasn't quite the end, however, as reported by blogger extraordinaire Oliver Willis. On the day before his brother's second inauguration in January 2005, Jeb Bush sent a groveling letter (on official Governor of Florida stationery) to one of the leaders of the Swift Boat campaign. "As someone who truly understands the risk of standing up for something." he wrote pompously, "I simply cannot express in words how much I value the [Swift Boat Veterans'] willingness to stand up against John Kerry. Their efforts, like their service to their country, speak volumes about what matters most."

But last week Jeb quickly posed as a defender of those who have served, while bashing his rival Trump. "Enough with the slanderous attacks," he tweeted. "@SenJohnMcCain and all our veterans - especially POWs - have earned our respect and admiration."

For those who know the story behind Jeb's feigned outrage, that tweet could evoke nausea, or laughter; perhaps both. What it could not do is erase the stain on his character that this episode has revealed. Sure, Donald Trump is a demented stuntman, lacking moral values. But somehow Jeb, a sanctimonious fraud, looks even worse.

EDITOR'S NOTE: To find out more about Joe Conason, visit the Creators Syndicate website at www.creators.com.

Letters

The Star welcomes letters to the editor from its readers expressing opinions on any issue of public interest. Letters should be signed and include an address and daytime phone number for verification. They should be legible and less than 500 words in length. The Star reserves the right to edit letters for length, taste and libel.

Stardust

People and Perspectives from Miles City's past

25 YEARS AGO (1990)

CONGRATULATIONS TO MY THREE SONS. I am pleased to announce the sale of Stevenson and Sons Funeral Home to Joe, Jon and Todd. After serving the Miles City Community and area for the past thirty years, I am turning the business over to the second generation. I am retiring to our home, the Bar SS on the Kinsey Road and will be working full time with my new hobby, the Clydesdales. Sincerely, Dale M. Stevenson. (adv.)

Late revisions in Custer County's natural resource taxes have boosted both the county's tax valuation and the non-tax revenue it will receive through the state. Custer County Assessor Roxie Hilderman reported to the commissioners this week that a supplemental settlement of a dispute between the Montana Department of Revenue and Williston Basin Pipeline, Inc., will add about $372,000 to Custer County's taxable valuation.

Several Custer County 4-H'ers attended the 1990 4-H Congress at Bozeman recently and placed well in several of the competitive events. Ryan Jones and Andy Zook placed first in demonstrations with a team demonstration about packing a horse and will attend the Western Roundup in Denver during November.

50 YEARS AGO (1965)

BIRTHS — A boy to Mr. and Mrs. Richard Anderson.

First place winners in the Custer County 4-H dress revue were Liane Mountain, Delores Meidinger, Janice Munsell, Francine Crone, Mary Kay Nelson and Jimi Lou Boulware. Miss Mountain is the county winner and is eligible to compete in the state dress revue in Bozeman.

Excavation is now underway for the new physical training building at the State Industrial School. The new building, which will cost around a quarter of a million dollars, is located at the extreme south end of the State School land. The size of the building, which has been cut down from original plans requested by the school, is now down to 96 by 133 feet and contains little more than a basketball court and showers. No seating is provided for in the gym.

Glen Hanson, a 49-year-old Miles Citian, has been named Chief Liquor Inspector for Montana. Hanson has worked for the Liquor Control Board since 1955. As a regional inspector, Hanson's salary was $480 a month. In his new position, he will draw $500 monthly.

Bob Riley and Rex Cleary won the team tying event at the annual Richey Saddle Club rodeo.

75 YEARS AGO (1940)

Miss Annabel H. Volla, daughter of Mr. and Mrs. Carlstein Volla of Circle, became the bride of Warren J. Lancaster, son of Mr. and Mrs. Warren H. Lancaster. The bride was attended by her sister, Mrs. John Twitchell of Circle. Mr. Twitchell attended the groom.

Twelve small guests were present Wednesday afternoon to help Sharon Lynn, daughter of Mr. and Mrs. W. L. Cain, celebrate her fourth birthday. Included in the party were Maurine Piner, Mavis Wilson, Joan Stangland, Ronnie Belling, Dickie Walter, Delano Thibault, Joan Sweeney, Karen Lee Coleman, Joan Pemberton, Margaret Ann Murray, Joyce Tooke, and Virginia Jones.

The Trinity English Lutheran parsonage was the scene of a double wedding ceremony with the Rev. A. F. Beawer officiating, when Miss Kathryn Oatey, daughter of Mr. and Mrs. William Oatey of Forsyth, became the bride of Robert E. Bond of Miles City, son of Mr. and Mrs. George Bond. Miss Marjorie M. Woolston, daughter of Mr. and Mrs. Ernest Woolston of Forsyth, and Roland G. Burger of Forsyth, son of Mr. and Mrs. Frederick Burger of Forsyth, were united in marriage at the same time.

Miss Frances Bowman has accepted a civil service appointment as junior stenographer at Langley Field Laboratories at Langley, Va.

100 YEARS AGO (1915)

A thunderstorm accompanied by a squall of wind came up last night about 8 o'clock. The wind blew at the rate of 30 miles an hour for a few minutes and there was a full accompaniment of rain, thunder and lightning. Just as the storm broke, the fire whistle blew No 17, Seventh and Washington streets, and the fire was ascertained to be at the St. Paul hotel, where a mattress was on fire. The blaze was extinguished with little damage done.

The Tongue river, which was swollen to an abnormal height, is reported to have dropped about four feet.

Ray Eberhard and Joe Lindeberg have gone to LaCrosse, Wisconsin, where the former will be married to Miss Mary Brown of LaCrosse. Mr. Lindeberg accompanied his friend in the capacity of 'best man.'

There are nearly a dozen parties registered in the Yellowstone Trail register yesterday.

Appraisals

Continued from page 1

Homeowners, for example, can state the interior of the property may be undergoing remodeling that is not yet complete.

The form allows property owners to have the department review their property value by either the information they have submitted or they may request a meeting to provide additional information and discuss the property value.

An information packet is also available that identifies the appraisal method and data used by the department. This form can also be requested through the AB-26 form, along with details about the process.

If a property owners is not satisfied with the informal review or wishes to move forward for the formal review process, owners can appeal directly to the county tax appeal board. These appeals again must be filed within 30 days from the date on the determination letter. Those forms are available at the County Clerk and Recorder's office or at the Montana Tax Appeal Board's website at mtab.mt.gov.

The county can not raise taxes 45 percent over last year's taxes, even with the increase in appraisal. State law says "a governmental entity that is authorized to impose mills may impose a mill levy sufficient to generate the amount of property taxes actually accessed the prior year plus one-half of the average rate of inflation for the prior 3 years."

While new construction and special levies, such as for the new detention center, also effect the total taxpayer's bill, just having an increased property valuation does not guarantee and equally large increase in property taxes.

Latest

Continued from page 1

It forced the closure of U.S. Highway 2, the region's main artery, which was expected to stay shut through much of Friday, Reum said.

Investigators from the Federal Railroad Administration were on site, agency spokesman Michael Booth said, along with police and other responders. BNSF's response crews arrived late Thursday.

Roosevelt County is situated along one of the main corridors for Bakken oil shipments bound for refineries on the West Coast. About 12 BNSF oil trains a week pass through the county, according to information submitted by the railroad to state emergency officials.

U.S. transportation officials recently extended an order for railroads to notify states about shipments of hazardous crude-oil shipments and put in place new rules that require sturdier construction of tank cars hauling hazardous liquids. Critics have said the rules do not do enough to keep cars on the tracks and prevent derailments.

In addition to the 2013 Quebec accident, in which much of the town of Lac-Megantic was incinerated, trains hauling crude from the Bakken region of North Dakota and Montana have been involved in fiery derailments in Alabama, Illinois, Virginia, Oklahoma and North Dakota.

Utility

Continued from page 1

During those months when customers don't need the utility's power, they wouldn't pay the fee, Hanson said.

"It's more to recognize the cost of service, not to penalize," he said.

The proposed fee would be $1.50 per kilowatt of electricity demand. Hanson couldn't immediately say how much that would amount to for a residential or business user but said six customers currently are eligible: two homes, two storefront businesses and two larger, general service customers.

The Montana Public Service Commission has pledged a close review of the fee and the overarching rate hike, which a spokesman for the commission has described as unusually steep. A decision on whether to approve is due next March.

PSC spokesman Eric Sell said it was the first time a utility had requested a special fee on net-metering customers, and would scrutinized top make sure that MDU is treating its customers fairly.

Montana Renewable Energy Association Director Diana Maneta disputed whether MDU needed the fee to recover costs. She said that was still to be determined as the PSC considers the proposal.

Maneta said MDU also ignored that customers who generate their own electricity can generate savings for the system by whole, by decreasing transmission and distribution costs and avoiding the need for more pollution controls for power plants.

"People are getting interested in installing solar, and we hate to see MDU put up a barrier at this time," she said.

MDU has also proposed a customer rate increase in South Dakota, but Hanson said there is no fee on renewables in that proposal because the state lawmakers have not passed net-metering legislation.

Montana officials deny wedding license for polygamous man

HELENA, Mont. (AP) — Montana officials have denied a marriage license to a man who sought to be legally married to both of his wives after the U.S. Supreme Court upheld the right of gay couples to wed.

Deputy Yellowstone County Attorney Kevin Gillen wrote in his letter Tuesday to Nathan Collier that the Supreme Court's ruling last month did not expand the number of people in a marriage and Montana's anti-bigamy laws still apply.

"There is nothing in that ruling that describes the arrangement you seek to establish," Gillen wrote.

"I am not in the business of speculating as to what types of consequences (and new laws) may flow from the recent Supreme Court case," he continued. "However, until such time that laws change, the law of the State of Montana is that bigamy and polygamy are illegal arrangements and, consequently, the Yellowstone County Clerk of District Court is unable to issue such a marriage license."

Collier, 46, legally wed his first wife, Victoria, in 2000. He and his second wife, Christine, held a religious wedding ceremony in 2007 but did not sign a marriage license.

Nathan and Christine Collier applied for a marriage license after the Supreme Court ruling. They were initially denied, but county clerk officials said they would consult with the county attorney's office before giving a final answer.

Nathan Collier said people in polygamous relationships deserve marriage equality, and he is meeting with attorneys with plans to file a lawsuit.

"They want to lock us in cages because we wish to marry," Collier said Thursday. "I could sleep with my wife and procreate out of wedlock and that would be just fine, but if I want to marry her, I'm a criminal."

Collier is a former Mormon who was excommunicated for polygamy and now belongs to no religious organization. He said he and his wives hid their relationship for years but became tired of hiding and went public by appearing on the reality cable television show "Sister Wives."

Timeline

Continued from page 1

No oil was spilled and no one was injured. The train from Chicago was more than 100 cars long.

— APRIL 30, 2014: Fifteen cars of a crude oil train derailed in Lynchburg, Virginia, near a railside eatery and a pedestrian waterfront, sending flames and black smoke into the air. Nearly 30,000 gallons of oil were spilled into the James River.

— FEB. 14, 2015: A 100-car Canadian National Railway train hauling crude oil and petroleum distillates derailed in a remote part of Ontario, Canada. The blaze it ignited burned for days.

— FEB. 16, 2015: A 109-car CSX oil train derailed and caught fire near Mount Carbon, West Virginia, leaking oil into a Kanawha River tributary and burning a house to its foundation. The blaze burned for most of week.

— MARCH 10, 2015: Twenty-one cars of a 105-car Burlington Northern Santa Fe train hauling oil from the Bakken region of North Dakota derailed about 3 miles outside Galena, Illinois, a town of about 3,000 in the state's northwest corner.

— MARCH 7, 2015: A 94-car Canadian National Railway crude oil train derailed about 3 miles outside the northern Ontario town of Gogama. The resulting fire destroyed a bridge. The accident was 23 miles from the Feb. 14 derailment.

— MAY 6, 2015: A 109-car Burlington Northern Santa Fe crude oil train derails near Heimdal, North Dakota. Six cars exploded into flames and an estimated 60,000 gallons of oil spilled.

— JULY 16, 2015: More than 20 cars from a 108-car Burlington Northern Santa Fe oil train derailed east of Culbertson, Montana, spilling an estimated 35,000 gallons of oil.

GOP bill would undermine auto, rail safety regulations

WASHINGTON (AP) — At a time of record auto recalls and high-profile train wrecks, Republicans are working on legislation to roll back safety regulation of the auto and railroad industries.

A bill approved this week on a party-line vote by a Senate committee brims with industry-sought provisions that would block, delay or roll back safety rules. The measure is to be part of a must-pass transportation bill that GOP leaders hope to put to a vote in the Senate as early as next week.

They are under pressure to act quickly because authority for transportation programs expires on July 31. Without a cash infusion, the government will have to delay highway and transit aid to states.

One provision would block a new Department of Transportation rule requiring that trains hauling crude oil are equipped with electronically controlled brakes that affect cars all at the same time, rather than sequentially. The bill calls for a study of the technology and puts off any regulatory mandate, which could delay implementation for years.

The brake rule was prompted by a series of train wrecks in which cars of crude oil and ethanol exploded, igniting fires that burned for days. Freight railroads oppose the rule, which could cost them billions of dollars.

Another provision would give freight and commuter railroads and Amtrak more time to install a safety system called positive train control. The technology relies on GPS, wireless radio and computers to monitor train position and slow or stop trains in danger of derailing because they're traveling too fast, are about to collide with another train or are about to enter an area where crews are working on tracks.

A 2008 law requires railroads to have the technology installed and operating by the end of this year. Most are not expected to make that deadline.

The National Transportation Safety Board says that if the technology had been in operation, it could have prevented an Amtrak derailment in May that killed eight people and injured about 200 others in Philadelphia, and a derailment that killed four passengers and injured 64 others in New York City in December 2013, as well as other fatal accidents.

Railroads say they have spent billions of dollars on the technology but have been hampered by technical and financial difficulties and need more time.

Today's Markets

All figures from 3 p.m. EST

Stocks of Local Interest

Name	Ex	Div	Yld	PE	Last	Daily Chg	YTD %Chg
AT&T Inc	NY	1.88	5.4	32	34.97	-.20	+4.1
AMD	NA	...	...	...	1.82	-.06	-32.0
AlcatelLuc	NY	...	...	...	3.59	+.06	+1.0
Alcoa	NY	.12	1.1	15	10.51		-33.4
Alibaba n	NY	...	...	53	83.12	+1.59	-20.0
AllscriptH	NA	...	...	...	14.83	+1.21	+16.1
Altria	NY	2.08	3.9	21	53.23	+.32	+8.0
Ambev	NY	.24	3.9	...	6.13	-.08	-.6
AmExp	NY	1.16	1.5	14	78.92		-15.2
Amgen	NA	3.16	1.9	22	162.73	-.32	+2.2
Annaly	NY	1.20	12.3	...	9.77	+.06	-9.6
Apple Inc	NA	2.08	1.6	16	129.49	+.98	+17.3
ApldMatl	NA	.40	2.2	17	17.80	-.08	-28.6
ArchCoal	NY	...	...	...	.26	-.03	-85.1
BkofAm	NY	.20	1.1	20	18.14	+.19	+1.4
B iPVixST	NY	...	...	...	16.47	-.07	-47.7
BarrickG	NY	.20	2.3	55	8.78	-.46	-18.3
BestBuy	NY	.92	2.8	14	32.80	-2.10	-15.9
Boeing	NY	3.64	2.5	18	146.93	-1.56	+13.0
Broadcom	NA	.56	1.0	47	53.47	-.03	+23.4
Caterpillar	NY	3.08	3.7	13	83.22	-.54	-9.1
ChesEng	NY	.35	3.2	...	11.02	-.56	-43.7
Cisco	NA	.84	3.0	16	28.05	-.27	+1.5
Citigroup	NY	.20	.3	24	58.53	-.06	+8.2
CocaCola	NY	1.32	3.2	26	41.20	-.29	-2.4
Comcast	NA	1.00	1.6	19	64.14	-.18	+10.6
ConAgra	NY	1.00	2.3	30	44.37	-.25	+22.3
ConsolEngy	NY	.25	1.4	32	17.30	-.90	-48.8
CSVInvNG	NY	...	...	...	5.32	-.05	-33.8
CSVLgNGs	NY	...	...	...	2.21	+.02	-44.5
CSVLgCrde	NY	...	...	...	1.97	-.02	-59.7
CSVelIVST	NA	...	...	...	47.23	-.01	+51.7
Deere	NY	2.40	2.5	13	97.08	-.25	+9.7
DenburyR	NY	.25	5.4	3	4.61	-.27	-43.3
DxGldBull	NY	...	...	...	5.28	-.73	-52.7
Disney	NY	1.32	1.1	25	118.58	-.49	+25.9
eBay	NA	...	...	36	66.51	+.92	+18.5
eBayInc wi	NA	...	...	...	26.69	-.33	+6.8
EMC Cp	NY	.46	1.8	20	25.31	+.10	-14.9
Etsy n	NA	...	...	...	21.83	+5.00	-27.2
ExxonMbl	NY	2.92	3.5	12	82.50	-.41	-10.8
Facebook	NA	...	...	92	94.76	+3.91	+21.5
FstIntBc A	NA	.80	2.9	15	27.76	-.41	-.2
FordM	NY	.60	4.1	19	14.60	+.03	-5.8
FrptMcM	NY	.20	1.2	...	16.06	-.25	-31.3
FrontierCm	NA	.42	8.0	...	5.24	+.21	-21.4
GenElec	NY	.92	3.4	...	27.28	+.24	+7.9
GenMotors	NY	1.44	4.7	14	30.69	+.08	-12.1
Goldcrp g	NY	.60	4.1	...	14.81	-.86	-20.0
Google A	NA	...	...	33	696.47	+94.69	+31.2
Groupon	NA	...	...	...	5.11	-.06	-38.1
Hallibrtn	NY	.72	1.8	15	40.28	+.07	+2.4
HarleyD	NY	1.24	2.3	14	55.03	-.65	-16.5
Hertz	NY	...	...	...	19.06	+2.07	-23.6
HewlettP	NY	.70	2.3	12	30.36	+.01	-24.4
HomeDp	NY	2.36	2.1	23	114.62	-.11	+9.2
iShBrazil	NY	1.03	3.3	...	31.60	-.73	-13.6
iShEMU	NY	.95	2.4	...	38.95	-.11	+7.2
iShJapan	NY	.13	1.0	...	12.98	+.03	+15.4
iShChinaLC	NY	.76	1.8	...	42.93	+.39	+3.1
iShEMkts	NY	.84	2.2	...	38.79	-.02	-1.3
iS Eafe	NY	1.70	2.6	...	65.31	-.09	+7.3
iShR2K	NY	1.66	1.3	...	125.63	-.68	+5.0
Intel	NA	.96	3.3	12	29.40	-.50	-19.0
InterCloud	NA	...	...	...	2.48	+.42	-14.9
JDS Uniph	NA	...	...	...	11.08	-.09	-19.2
JPMorgCh	NY	1.76	2.5	12	69.06	-.50	+11.1
Keycorp	NY	.30	2.0	14	14.91	-.26	+7.2
KindMorg	NY	1.96	5.3	48	36.81	-.59	-13.0
MDU Res	NY	.73	3.8	14	19.22	-.27	-18.2
MktVGold	NY	.12	.8	...	15.50	-.66	-15.7
MarvellT	NA	.24	1.9	15	12.79	+.01	-11.8
Mattel	NA	1.52	6.3	19	24.32	-.83	-21.4
McDnlds	NY	3.40	3.5	21	97.22	-.64	+3.8
Merck	NY	1.80	3.1	15	58.86	+.04	+3.6
MicronT	NA	...	...	7	20.12	+.51	-42.5
Microsoft	NA	1.24	2.7	19	46.41	-.25	-.1
NBGreece	NY	...	...	...	.00	-.11	-44.4
Netflix s	NA	...	...	...	114.56	-1.25	+134.7
NobleCorp	NY	1.50	11.1	...	13.50	-.54	-18.5
NokiaCp	NY	.16	2.4	...	6.79	+.11	-13.6
OfficeDpt	NA	...	...	...	8.30	-.31	-3.2
Oracle	NY	.60	1.5	18	40.36	-.60	-10.3
PPL Corp	NY	1.49	4.8	11	31.15	-.27	-7.6
PayPal wi	NA	...	...	...	39.87	+1.24	+8.6
PeabdyE	NY	.01	.7	...	1.39	-.02	-82.0
PepsiCo	NY	2.81	2.9	22	96.44	-.46	+2.0
PetrbrsA	NY	...	...	...	7.17	-.39	-5.4
Petrobras	NY	...	...	...	7.96	-.45	+9.0
Pfizer	NY	1.12	3.2	24	35.02	-.08	+12.4
PhilipMor	NY	4.00	4.7	18	85.75	+.46	+5.3
PwShs QQQ	NA	1.50	1.0	...	113.33	+1.39	+9.8
Rapid7 n	NA	...	...	...	24.80		...
RegionsFn	NY	.24	2.4	14	10.10	-.29	-4.4
RiteAid	NY	...	...	24	8.92	-.03	+18.6
RoyDShllA	NY	3.76	6.6	12	57.11	+.01	-14.7
SpdrGold	NY	...	...	...	108.62	-1.14	-4.4
S&P500ETF	NY	4.03	1.9	...	212.27	-.03	+3.3
SpdrOGEx	NY	.71	1.7	...	42.07	-.90	-12.1
SandRdge	NY	...	...	...	.66	-.03	-64.0
SeadrillLtd	NY	...	...	3	9.08	-.59	-24.0
SiriusXM	NA	...	...	43	3.85	-.03	+10.0
SolarWinds	NY	...	...	35	36.69	-10.36	-26.4
SwstnEngy	NY	...	...	11	21.32	-.60	-21.9
Sprint	NY	...	...	...	3.87	-.12	-6.9
SP Engy	NY	1.99	2.7	...	72.58	-.75	-8.3
SPDR Fncl	NY	.43	1.7	...	25.34	-.12	+2.5
Staples	NA	.48	3.3	97	14.61	-.73	-19.4
StillwtrM	NY	...	...	17	9.83	-.43	-33.3
TimeWarn	NY	1.40	1.6	22	89.60	-1.41	+4.9
Transocn	NY	.60	4.4	...	13.61	-1.00	-25.8
Trinity	NY	.44	1.7	7	25.80	-.38	-7.9
21stCFoxA	NA	.30	.9	8	33.83	-.42	-11.9
Twitter	NY	...	...	...	35.65	-.45	-.6
UPS B	NY	2.92	3.0	29	97.49	+.01	-12.3
US Bancrp	NY	1.02	2.2	15	45.77	-.10	+1.8
US OilFd	NY	...	...	...	17.01	-.04	-16.5
USSteel	NY	.20	1.1	36	18.15	+.14	-32.1
Vale SA	NY	.60	10.9	...	5.50	-.08	-32.8
VerizonCm	NY	2.20	4.6	21	47.60	-.24	+1.7
Voltari	NA	...	...	...	9.89	+1.89	+1398.6
WPX Engy	NY	...	...	...	9.80	-.54	-15.7
WalMart	NY	1.96	2.7	15	73.45	-.38	-14.5
WellsFargo	NY	1.50	2.6	14	57.76	-.41	+5.4
Xerox	NY	.28	2.6	14	10.78	+.17	-22.3
Yahoo	NA	...	...	6	39.59	+.68	-21.6

Stock Exchange Highlights

Dow	Nasdaq	S&P 500
18,070.58 -49.67	5,200.59 +37.41	2,124.30 +.01

Market Summary: NYSE and Nasdaq

Gainers ($2 or more)

Name	Last	Chg	%chg
Etsy n	21.83	+5.00	+29.7
TESSCO	24.74	+4.82	+24.2
Voltari	9.89	+1.89	+23.6
InterCloud	2.48	+.42	+20.6
Axovant n	21.10	+3.56	+20.3
Calithera n	8.55	+1.43	+20.1
Google A	696.47	+94.69	+15.7
Google C	665.61	+85.76	+14.8
EKodk wtA	3.20	+.38	+13.5
GeneticT rs	3.31	+.36	+12.2
Hertz	19.06	+2.07	+12.2
StarBulkC	3.34	+.36	+11.9
Ophthotech	68.82	+7.03	+11.4
Glaukos n	31.82	+3.18	+11.1
Voxeljet	7.30	+.70	+10.6
CipherP gn	8.97	+.83	+10.2
NovtWrls	3.09	+.27	+9.6
GoldenOcn	4.43	+.39	+9.5
XBiotech n	18.66	+1.61	+9.4
OCI Ptrs	18.55	+1.57	+9.2

Losers ($2 or more)

Name	Last	Chg	%chg
SolarWinds	36.69	-10.36	-22.0
NephroGen	4.72	-.98	-17.1
Comeric wt	18.00	-3.09	-14.7
ZuoanF rs	2.60	-.40	-13.3
DrGMnBll rs	12.20	-1.73	-12.4
DxGldBull	5.28	-.73	-12.1
AtlasR pfD	16.47	-2.23	-11.9
Trovagne	8.99	-1.14	-11.3
RedhillBio	16.28	-1.91	-10.5
FreeSeas rs	2.23	-.26	-10.4
EmerldO rs	2.50	-.29	-10.3
ZionsB wt20	4.83	-.51	-9.6
DxNGBll rs	11.99	-1.25	-9.5
AtlasRes	4.13	-.41	-9.0
Jupai n	10.08	-1.00	-9.0
Breitbrn pf	16.28	-1.60	-8.9
FX En pfB	13.13	-1.29	-8.9
PrSUIJrMin	11.73	-1.15	-8.9
CSVSVixMT	14.45	-1.38	-8.7
KindrM wt	2.10	-.20	-8.7

Actives ($1 or more)

Name	Vol (000s)	Last	Chg
BkofAm	69666	18.14	+.19
Facebook	44230	94.76	+3.91
WPX Engy	36384	9.80	-.54
Intel	34028	29.40	-.50
Apple Inc	33017	129.49	+.98
Petrobras	28929	7.96	-.45
Hertz	27927	19.06	+2.07
GenElec	27048	27.28	+.24
FrontierCm	26258	5.24	+.21
MicronT	23800	20.12	+.51
AMD	21966	1.82	-.06
Microsoft	20872	46.41	-.25
Netflix s	20444	114.56	-1.25
RegionsFn	20178	10.10	-.29
Sprint	19953	3.87	-.12
BarrickG	19457	8.78	-.46
Voltari	18119	9.89	+1.89
FordM	18098	14.60	+.03
OfficeDpt	17005	8.30	-.31
eBay	16994	66.51	+.92

Sales figures as of 3:00 pm E.T. are unofficial.

Stock Footnotes: g = Dividends and earnings in Canadian dollars. h = Does not meet continued-listing standards. lf = Late filing with SEC. n = New in past 52 weeks. pf = Preferred. rs = Stock has undergone a reverse stock split of at least 50 percent within the past year. rt = Right to buy security at a specified price. s = Stock has split by at least 20 percent within the last year. un = Units. vj = In bankruptcy or receivership. wd = When distributed. wi = When issued. wt = Warrants. **Gainers and Losers** must be worth at least $2 to be listed. **Most Actives** must be worth at least $1. Volume in hundreds of shares. **Source:** The Associated Press.

All figures from 3 p.m. EST

Stock Market Indexes

52-Week High	52-Week Low	Name	Last	Chg	%Chg	YTD %Chg	12-mo %Chg
18,351.36	15,855.12	Dow Industrials	18,070.58	-49.67	-.27	+1.39	+5.67
9,310.22	7,700.57	Dow Transportation	8,288.57	+50.05	+.61	-9.31	-1.15
657.17	524.82	Dow Utilities	575.66	-5.90	-1.01	-6.86	+2.96
11,254.87	9,886.08	NYSE Composite	10,978.34	-46.53	-.42	+1.28	-.07
5,164.36	4,116.60	Nasdaq Composite	5,200.59	+37.41	+.72	+9.81	+17.34
2,409.56	1,922.79	Nasdaq Global Sel	2,426.10	+17.95	+.75	+9.68	+17.29
939.05	814.14	S&P 100	942.10	+3.13	+.33	+3.71	+7.12
2,134.72	1,820.66	S&P 500	2,124.30	+.01	...	+3.18	+7.38
1,551.28	1,269.45	S&P MidCap	1,506.21	-13.27	-.87	+3.70	+6.62
22,537.15	19,160.13	Wilshire 5000	22,393.45	-23.20	-.10	+3.34	+7.08

Mutual Funds

Name	Obj	Offering Price	Total Return/Rank 4-wk	12-mo	5-year	Pct Load	Min Init Invt
American Funds AmBalA m	MA	25.10	+1.1	+5.7/A	+12.8/A	5.75	250
American Funds BondA m	CI	12.68	0.0	+1.4/C	+3.4/C	3.75	250
American Funds CapIncBuA m	IH	59.97	+0.8	+1.9/A	+10.0/A	5.75	250
American Funds CpWldGrIA m	WS	48.03	+1.0	+3.3/C	+11.9/C	5.75	250
American Funds EurPacGrA m	FG	51.33	+1.2	+2.8/B	+9.0/C	5.75	250
American Funds FnInvA m	LB	54.08	+1.2	+8.3/C	+15.6/C	5.75	250
American Funds GrthAmA m	LG	45.87	+1.0	+10.4/D	+16.3/D	5.75	250
American Funds IncAmerA m	MA	21.57	+0.3	+2.4/D	+11.6/A	5.75	250
American Funds InvCoAmA m	LB	37.71	+0.4	+6.2/D	+15.2/D	5.75	250
American Funds NewPerspA m	WS	39.33	+1.5	+7.7/A	+13.5/B	5.75	250
American Funds WAMutInvA m	LV	41.39	+1.2	+5.6/B	+16.1/A	5.75	250
Dodge & Cox Income	CI	13.61	-0.1	+1.2/C	+4.2/B	NL	2,500
Dodge & Cox IntlStk	FB	44.20	-0.5	-3.4/D	+10.3/A	NL	2,500
Dodge & Cox Stock	LV	184.70	+0.5	+5.8/B	+17.5/A	NL	2,500
Fidelity Contra	LG	105.57	+3.0	+14.0/C	+17.4/C	NL	2,500
Fidelity ContraK	LG	105.55	+3.0	+14.1/B	+17.5/C	NL	0
Fidelity LowPriStk d	MV	53.12	+0.2	+8.3/A	+16.9/B	NL	2,500
Fidelity Spartan 500IdxAdvtg	LB	74.92	+1.5	+9.4/B	+17.2/A	NL	10,000
FrankTemp-Franklin IncomeA m	CA	2.33	-1.3	-4.7/E	+8.9/A	4.25	1,000
Oakmark Intl I	FB	25.15	+1.2	-0.4/C	+11.3/A	NL	1,000
Oppenheimer EquityA m	LG	14.60	+1.5	+10.8/D	+15.5/D	5.75	1,000
Oppenheimer QuBalA m	IH	18.14	+0.3	+4.5/A	+7.7/C	5.75	1,000
PIMCO AllAssetA m	TV	11.47	-0.2	-6.4	+4.5	3.75	1,000
PIMCO LowDrC m	CS	10.03	+0.4	+0.3/D	+1.7/C	1.00	1,000
PIMCO RealRtnC m	IP	10.89	0.0	-3.6/E	+2.6/C	1.00	1,000
Putnam GlbHltCrA m	SH	78.20	+5.3	+35.2	+23.1	5.75	0
Putnam GrowIncA m	LV	21.78	-0.5	+3.1	+14.8	5.75	0
Putnam HiYldA m	HY	7.81	-0.2	-0.3/C	+7.5/C	4.00	0
Putnam TaxFHYldA m	HM	12.37	-0.2	+6.0	+6.0	4.00	0
Putnam VoyagerA m	LG	31.82	+0.7	+9.2/E	+14.1/E	5.75	0
T Rowe Price GrowStk	LG	57.96	+2.9	+17.8/A	+19.7/A	NL	2,500
T Rowe Price NewIncome	CI	9.47	0.0	+1.7/B	+3.3/D	NL	2,500
Vanguard 500Adml	LB	196.14	+1.5	+9.4/B	+17.2/A	NL	10,000
Vanguard IntlStkIdxAdm	FB	27.32	0.0	-3.9/E	NA	NL	10,000
Vanguard TgtRe2020	TE	29.30	+0.5	+4.2/A	+10.4/A	NL	1,000
Vanguard Tgtet2025	TG	17.09	+0.6	+4.4/A	+11.3/B	NL	1,000
Vanguard TotBdAdml	CI	10.72	0.0	+2.0/B	+3.2/D	NL	10,000
Vanguard TotIntl	FB	16.33	-0.1	-4.0/E	+7.2/D	NL	3,000
Vanguard TotStlAdm	LB	53.52	+1.1	+9.5/B	+17.5/A	NL	10,000
Vanguard TotStIdx	LB	53.51	+1.2	+9.4/B	+17.3/A	NL	3,000
Viking TaxFrMT m	SI	10.12	+0.2	+3.1/B	+3.5/B	3.75	1,000
Waddell & Reed Adv AccumA m	LG	11.53	+2.9	+15.4/B	+17.4/C	5.75	750
Waddell & Reed Adv BondA x	TW	6.28	0.0	+0.6/B	+2.8/E	5.75	750
Waddell & Reed Adv CoreInv A m	LG	7.36	+1.5	+6.5/E	+17.4/C	5.75	750
Waddell & Reed Adv SciTechA m	ST	15.89	-1.5	+4.1/E	+19.7/A	5.75	750
Waddell & Reed Adv ValueA m	LV	16.88	+1.0	+5.4/C	+14.9/C	5.75	750
Williston Basin MNAmeStkA m	EE	5.58	-6.1	-27.5/B	+11.7/A	5.00	1,000

BL -Balanced, GL -Global Stock, IL -International Stock, LC -Large-Cap Core, LG -Large-Cap Growth, LV -Large-Cap Val., MT -Mortgage, SB -Short-Term Bond, SP -S&P 500, XC -Multi-Cap Core, XG -Multi-Cap Growth, XV -Multi-Cap Val.Total Return: Chng in NAV with dividends reinvested. Rank: How fund performed vs. others with same objective: A is in top 20%, E in bottom 20%. Min Init Invt: Minimum $ needed to invest in fund. NA = Not avail. NE = Data in question. NS = Fund not in existence. **Source:** Lipper, Inc. Mutual Funds as of close yesterday.

Miles City STAR

Friday, July 17, 2015 | Miles City, Montana | $1.00

Higher appraisals do not cause equal rise in taxes

County appraiser's office ready to answer questions and help

By Amorette Allison
Star Staff Writer

Notices of new property appraisals have been sent out to residents across the state and many property owners have been surprised by the increases, particularly in Custer County. Lee Zuelke of the Custer County Appraiser's Office said on the first Monday after the appraisals were mailed, "we had about 150 people come in."

Values in Custer County went up an average of 45 percent but that does not mean property taxes will rise 45 percent or that someone whose property increased dramatically in value will see an equal increase in their taxes.

Zuelke also said that "People coming in with questions is a good thing. People should question us to see if we can't answer." If they can't answer something, then there may be a problem. He is expecting a number of people to request reappraisals.

The first step in requesting an informal review of either the classification of the property — is it residential, commercial, agricultural or industrial — or the appraisal. Most reviews will be of the appraisal.

The Form AB-26 must be filled out and filed with 30 days of the date on the initial appraisal letter. The forms are available at the local appraiser's office, which is an office of the Montana Department of Revenue, and on-line at revenue.mt.gov/appeal-process. The appraiser's office can assist in filling out the form.

There are a number of issues that can be raised in a re-appraisal such as documentation indicating a formal appraisal or comparable property sales dated with six months of the January 1, 2014 appraisal date. Property owners can also indicate what they consider to be issues with the property itself.

See "Appraisals," page 5

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weather forecast

SATURDAY

78/55
Considerable cloudiness. Winds NW at 15 to 25 mph

STAR PHOTO/Steve Allison

Archery practice

As Matt Donnelly, left, loads up his quiver Thursday afternoon Nicholas Beaner, from front, Andrew Helland and Parsa Asmadpour take some shots down the Spotted Eagle archery range. The biggest retriever for the four's efforts was the dog, who also was their biggest safety concern. The challenge of retrieving arrows was too tempting for the dog to listen to such mundane commands as "stay." The three boys were out supporting Asmadpour's training effort to get ready to compete in the Big Sky State Games this weekend.

35,000 gallons of oil spills near Culbertson

By MATTHEW BROWN and MATT VOLZ, Associated Press

BILLINGS — Three tank cars leaked an estimated 35,000 gallons of oil after a train hauling crude from North Dakota derailed in rural northeastern Montana, the latest in a series of wrecks raising concerns across the U.S. and Canada, authorities said Friday.

No one was reported injured in the accident Thursday night that temporarily led to the evacuation of some homes and followed recent oil train crashes including a 2013 derailment in Quebec that exploded and killed 47 people.

A hazardous-materials team contained the spill with earthen dams, and oil did not affect any waterways, according to a preliminary report by Michael Turnbull of the U.S. Department of Transportation to Montana's Public Service Commission.

Unlike many prior accidents, no explosions or fire were reported after the Burlington Northern Santa Fe train derailed about 5 miles east of the small town of Culbertson, near the North Dakota border.

But about 30 people were evacuated from their homes within a half-mile radius, Turnbull said. That order was lifted Friday morning.

There was no immediate explanation of what caused more than 20 cars to topple from the train, which had 106 loaded crude oil tank cars, two buffer cars and four locomotives. The tank cars typically haul about 30,000 gallons of oil apiece.

Two days ago, a BNSF train carrying a mixed cargo derailed about 20 miles away from Thursday's accident, damaging about a mile of track. There was no connection between the derailments, railroad spokesman Matt Jones said.

The latest accident knocked over a power line, and firefighters planned to spray foam on the wreckage to prevent a fire, Roosevelt County Chief Deputy Sheriff Corey Reum said.

"We're lucky it didn't ignite," Reum said.

Under a rule enacted in April, oil being shipped from North Dakota must be treated to reduce the chances of an explosion — by removing some of the volatile gases found in crude from the region. It was not immediately known if the shipment involved in Thursday's accident had gone through that process.

See "Latest," page 5

Recent oil train crashes timeline

By The Associated Press

The derailment of an oil train in rural northeastern Montana follows a string of accidents as shipments of crude by rail have increased dramatically in recent years, driven by a surge in domestic production:

— JULY 5, 2013: A runaway Montreal, Maine & Atlantic Railway train that had been left unattended derailed, spilling oil and catching fire inside the town of Lac-Megantic in Quebec. Forty-seven people were killed and 30 buildings burned in the town's center. About 1.6 million gallons of oil was spilled. The oil was being transported from the Bakken region of North Dakota, the heart of an oil fracking boom, to a refinery in Canada.

— NOV. 8, 2013: An oil train from North Dakota derailed and exploded near Aliceville, Alabama. There were no deaths, but an estimated 749,000 gallons of oil spilled from 26 tanker cars.

— DEC. 30, 2013: A fire engulfed tank cars loaded with oil on a Burlington Northern Santa Fe train after a collision about a mile from Casselton, North Dakota. No one was injured, but more than 2,000 residents were evacuated as emergency responders struggled with the intense fire.

— JAN. 7, 2014: A 122-car Canadian National Railway train derailed in New Brunswick, Canada. Three cars containing propane and one car transporting crude oil from western Canada exploded after the derailment, creating intense fires that burned for days. About 150 residents were evacuated.

— JAN. 20, 2014: Seven CSX train cars, six of them containing oil from the Bakken region, derailed on a bridge over the Schuylkill River in Philadelphia. The bridge is near the University of Pennsylvania, a highway and three hospitals.

See "Timeline," page 5

Renewable energy advocates say utility's fee is unfair

By MATTHEW BROWN, Associated Press

BILLINGS — A proposed fee for some Montana-Dakota Utilities customers who use their own wind or solar power has drawn opposition from renewable energy backers who say the company is trying to stifle small-scale electricity generation.

The Public Service Commission said the fee is unprecedented for customers who use "net-metering," which allows homeowners or businesses to sell excess power they generate back to the grid in exchange for credit on their bills.

It's built into a 21-percent rate increase that's proposed for about 26,000 eastern Montana customers. The Bismarck, North Dakota-based utility says it needs additional revenue to cover its increasing costs, including $400 million in pollution controls at coal plants in Montana and South Dakota.

The fee would apply to only a few current customers, according to the company, but critics said its impact would grow as more people seek to lower their electricity bills with investments in small-scale renewables.

MDU customer Jean Dahlman, whose family ranches near Forsyth, said she's considering solar power to offset a rate increase that would cost her and her husband about $29 a month, or $343 a year.

But Dahlman said under MDU's proposal the couple would be unfairly penalized by the extra fee for renewables.

"We're family farmers, not a big corporate farm. We work very hard just to keep our heads above water," she said. "We don't think it's right that MDU is taking away energy choices for customers at the same time as a double-digit rate increase."

MDU spokesman Mark Hanson says the renewables fee that's included in its rate change application is needed to cover the costs of providing on-demand service to customers when their self-generated power is insufficient.

See "Utility," page 5

How did gunman go from ordinary suburban kid to killer?

CHATTANOOGA, Tenn. (AP) — Counterterrorism investigators are trying to figure out why a 24-year-old Kuwait-born man who seemingly had a typical suburban American upbringing attacked two U.S. military sites in a shooting rampage that left four Marines dead.

Muhammad Youssef Abdulazeez of Hixson, Tennessee, did not appear to have been on the radar of federal authorities before the bloodshed Thursday, officials said, and they were still searching for a motive. Abdulazeez was killed by police.

Federal authorities were looking into the possibility it was an act of terrorism but said there was no evidence yet that anyone else was involved.

For months, U.S. counterterrorism authorities have been warning of the danger of attacks by individuals inspired but not necessarily directed by the Islamic State group. Officials have said they have disrupted several such lone-wolf plots.

A federal law enforcement official said authorities were continuing a search of his computer but had not found an extensive online presence and had not uncovered any evidence he was directly influenced by the Islamic State. The official was not authorized to discuss the case publicly and spoke on condition of anonymity.

Residents in the quiet neighborhood where Abdulazeez was believed to have lived in a two-story home said they would see him walking along the wide streets or doing yard work.

Sam Plank, who went to school with the shooter, said, "He was as Americanized as anyone else. At least that's what it seemed like to me."

AP photo

Chad Harris puts his face against a pew as he prays during a prayer vigil at Redemption Point Church for the victims of shootings at a recruiting center and another U.S. military site a few miles apart in Chattanooga, Tenn., Thursday, July 16, 2015. Federal authorities said they were investigating the possibility it was an act of terrorism, and the FBI took charge of the case.

Denver Carbon Rules Testimony

I am Mark Fix and I am a rancher and irrigator about 20 miles southwest of Miles City on the Tongue River. I am a past chair of the Northern Plains Resource Council (NPRC) and a member of the Western Organization of Resource Council (WORC). Northern Plains is a grassroots organization that was founded when coal strip mining came to Montana. Northern Plains was instrumental in pushing forward protections for landowners, such as landowner consent and reclamation of strip mined areas.

I am here to thank the Environmental Protection Agency (EPA) for promoting a rule that will help control carbon emissions that are affecting our lives and our planet.

We in agriculture are the first to be affected by climate change. In Montana in 2012 over 1.1 million acres were burned by the second largest wildfire in our state's history. Luckily I escaped that fire. The day the fire spread it was around 106 degrees and the wind increased to around 60 mph. Smoke was coming my direction and I thought I might see fire at any time, but luckily the winds were not headed my way. Many of my friends and neighbors were not so fortunate, and are still dealing with the incredible expense and workload of replacing fences, livestock, and even their homes. I know how hard this can be- I had a fire on my ranch 4 or 5 years earlier that burned about 3 sections of my property.

The next subjects I will mention I feel fit into the global weirding category. Last year we had an EF One tornado hit my ranch. The winds were in excess of 95 mph and took off half of my barn roof, about a quarter of my house roof and tipped over a new circle pivot that I had only used for about 2 weeks. The storm was about a half of a mile wide and also took down hundreds of cottonwood trees, which I am still struggling to clean up.

More recently there was an EF Three tornado that struck in SE Montana. One of the storm chasers said that he had never seen a tornado that strong in Montana. When I was a kid you never heard of a tornado in our area. Now it seems like there are warnings for possible tornados in almost every weather alert. And these are not the only type of extreme weather events, exacerbated by climate change that takes a serious toll on Montana landowners.

Cold weather and snow hit early last winter, causing many of my calves to be stressed and catch pneumonia. I lost about 10 percent of my heifer calves from sickness. The winter was long with lots of snow, and as a result, this spring we had lots of runoff and some of the worst ice jam flooding I have seen since we bought the ranch. The ice jammed for about a half of a mile and the river came out onto my irrigated ground and totally covered a 55-acre field. I had 50 head of heifers that were ready to have their first calf in a pasture that was in the path of the flood waters. The water came up very quickly and I did not have time to get the cattle out of the pasture. I saw the water and immediately thought that I had lost all fifty head of heifers. We looked a little closer and I could see some of them trapped on a high spot they had found. I had no way to get

to them for rescue. There was water 8 feet deep between the house and where the heifers were. It took me all night to get them to safety.

The flood waters took out close to a mile of fences on my ranch and I am still trying to get them fixed. My irrigated field was covered with floating trees and ice that I needed to clean up. The same field was littered with branches last year from that tornado. Climate change affects the weather and we in agriculture have to deal with the weather everyday. The weather can make or break us. If we want agriculture as we know it to continue to thrive, it is an economic and cultural imperative to deal with climate change.

As a rural electric cooperative member and ratepayer, I'd like to respond to those coops that have expressed concerns about the proposed rule. These coops, including my own, are living in the past and still think that the only viable source of power is coal. They are paying the price for it now. The supplier for our cooperative tried to build a coal plant that proved to be an enormous boondoggle. Our power supplier made bad decisions and is currently going through bankruptcy proceedings. Renewable power is cheaper, cleaner, and provides more jobs than coal fired power. We need renewables now.

We know that coal is a leading source of carbon dioxide in the atmosphere and we need to transition toward renewable sources of power. But there are reasons other than climate to shift our energy policy away from coal as well. My ranch is located on a potential path for a new railroad to develop a new coal mine about 50 miles away. My ranch would face condemnation were it to be built. In addition to condemning family farms and ranches, opening that mine would permanently tear up an important agricultural aquifer. We can and must do better.

Since the mine at Otter Creek has also been discussed as an export mine, I think it's important to note that no serious national effort to rein in CO2 from coal is complete without addressing coal exports. It makes no sense to ship coal to Asia to have the prevailing winds bring back 2 tons of carbon dioxide for every ton of coal we ship to them.

One hundred miles away, they are developing an oil field at an amazing pace in the Bakken region of North Dakota and Montana. There is natural gas that is a byproduct and it is simply being flared and wasted. We should salvage all of the natural gas that is now being wasted. Methane emissions are a greenhouse gas that must be looked at in addition to carbon dioxide. It is critical that the BLM's proposals to limit flaring and venting of methane, and EPA methane pollution standards move forward. Otherwise switching from coal to natural gas could make climate change worse, not better.

Even with better controls on methane, though, promoting natural gas is not a good solution to climate change. Energy efficiency and renewable energy are much better. In Montana we have great potential for wind and solar power. Hydro power is still a good source of power as well, and we need to utilize the potential energy of the water stored in reservoirs – for example, the Tongue River Reservoir near me, which would be an excellent site for hydropower. Hydro,

wind, and solar are all clean, renewable sources of energy and need to be promoted. I fully support the new carbon rules and my hope is that they will help move renewable energy forward so that we can begin to combat climate change and build a new energy economy more consistent with the survival of family farms and ranches like mine.

Levy

Continued from page 1

Malenovsky spoke with a person from the corps' Omaha, Neb. office who was "very, very optimistic" that Miles City will get approved for a Section 205 in the next couple weeks, she told the council.

Malenovsky said while the corps helps with the Tongue River levy, the KLJ engineering firm will be working on the Yellowstone River levy so the whole effort would continue to move forward.

At the meeting, Mayor Butch Grenz said, "I think this is wonderful news. Thank you Samantha for the good news."

Public Works Director Scott Gray said at the corps there are eight regions in the country and Miles City was the first one discussed in the Northwest Region at a recent meeting.

"Obviously people have taken notice of Miles City's issues," he said.

Malenovsky also announced that a group called the Silver Jackets — made up of Department of Natural Resources and Conservation, Army Corps of Engineers, FEMA and Disaster and Emergency Services — put together Emergency Action Plan for the city.

The plan will cover levy breaches, infrastructure, evacuation zones, and will develop exercises associated with a levy failure.

Oct. 1 is the possible date for the disaster exercise.

By having the plan, local residents could see another discount in flood insurance premium.

Glacier

Continued from page 1

The fire had charred more than 6 square miles and destroyed Baring Creek Cabin, a historic backcountry structure. It also torched one abandoned car and closed 21 miles of the 50-mile Going-to-the-Sun Road. Nearly 700,000 people visited the park in July last year, and about 95 percent of them traveled some length of the roadway.

Meanwhile, a wildfire that has burned through 10 ½ square miles of drought-parched country side in the Napa area calmed enough that many residents were allowed to return to previously threatened homes, officials said.

Evacuation orders were called off for some 50 of the 200 evacuated homes as firefighters stunted the growth of the blaze Thursday night, said Amy Head, state fire spokeswoman.

"The threat has diminished pretty substantially in a lot of areas," Head said. "We didn't have a lot of growth today, which is good.

More than 520 firefighters battled the wildfire in treacherous terrain less than an hour's drive from the popular wine country.

Bryan Campbell said he remained hopeful that his brother's ranch was still standing Thursday after the wildfire forced them and their neighbors to evacuate 85 horses.

"All we can have is a good attitude toward it," he said. "As long as the winds don't pick up, we're hoping everything will be fine."

Authorities said the cause of the California fire, which ignited Wednesday near Lake Berryessa, remains under investigation, but there were no reports of damage or injuries.

A new fire that broke out Thursday afternoon that shut down a highway linking Sacramento and Reno, Nevada, and brought a handful of evacuations, the U.S. Forest Service said. The blaze was 5 percent contained.

A wildfire also is raging in southeastern Washington state, where crews were working Thursday to prevent it from reaching a watershed that provides drinking water for the city of Walla Walla.

The fire has burned one home and more than 8 1/2 square miles, leading to evacuation orders for several dozen homes in two rural areas. The fire was human-caused, officials said.

Jail death focuses new attention on inmate suicides

DALLAS (AP) — When Sandra Bland died in a small Texas jail last week, she became just the latest name on a long list of inmates whose deaths were determined to be suicides.

Bland's death following her arrest for a minor traffic violation added fresh fuel to the national debate over police use of force on blacks. It also focused new attention on the longstanding problem of inmates who take their own lives.

The traffic stop "is one issue and that will be dealt with," Lt. Gov. Dan Patrick said earlier this week. "But she lost her life in the jail. And that's what we have to look at." If the correct procedures had been in place, "maybe she would be alive today."

Suicide is the leading cause of death in jails after natural illness. In fact, inmates take their own lives three times more often than the average population, according to a 2010 study cited in the National Study of Jail Suicide.

Since 2000, the total number of jail suicides has remained fairly constant — around 300 a year, according to the federal government's Bureau of Justice Statistics. Improved awareness and monitoring have helped make suicides far less common than in the 1980s or 1990s.

"You talk to any sheriff 20 years ago and they would say suicides are not preventable," said Lindsay Hayes, author of the national study. "Today, more often than not, a sheriff is going to be much more proactive or better-read about that issue."

Statistically, white male inmates are most likely to die by their own hand, both nationally and in Texas. Women make up just a fraction of total jail suicides, and Bland was the only black woman found to have killed herself in a Texas jail since 2009.

The heightened risk of suicide behind bars results from various factors, including those that arise from the jail environment itself.

"Suicides are often spontaneous and notoriously difficult to forecast," said a 2013 article on Texas jail suicides in the LBJ Journal of Public Affairs published by the University of Texas. "Some stressors may come from the jail environment itself where isolation, loss of control, conflict with other inmates or staff, frustration with legal proceedings, or distress and shame over incarceration may flare suicidal tendencies."

State law requires all county jails to use one of two "objective jail classification" forms to determine an inmate's suicide risk and whether enhanced security measures are needed, said Brandon Wood, executive director of the Texas Commission on Jail Standards.

It's then up to each jail to determine how inmates are monitored, he said, noting that state law requires only that a county inmate be observed in-person by jailers at least once every hour. An inmate who may be suicidal or who displays bizarre behavior must be checked every 30 minutes.

A doctor's order takes priority, Wood added, so jailers must comply if there's a medical order to monitor an inmate more frequently.

Waller County Sheriff Glenn Smith has said Bland was not on suicide watch and was supposed to be observed once every hour. But he also acknowledged that jailers at least once violated state rules by interacting with her via intercom and not in-person.

The intercom conversation, during which Bland asked how to make an outgoing call using a phone in her cell, came about an hour before her body was found July 13 hanging from a noose fashioned from a plastic garbage-can liner.

Proposed label would tell you how much added sugar to eat

WASHINGTON (AP) — Wondering if you are eating too much added sugar? The nutrition label on your food may one day help you figure it out.

The Food and Drug Administration on Friday proposed that nutrition facts labels include the percentage of your recommended daily intake of added sugars in a food item — the "percent daily value."

Adding new line for added sugars, or those that don't occur naturally, is part of an overhaul of the nutrition facts label proposed last year by the Obama administration.

While the labels include percent daily values for other nutrients, the proposal didn't include one for added sugars. Since then, a government advisory committee recommended that people get no more than 10 percent of calories daily from added sugars.

The FDA proposal would be based on that number, meaning that added sugars should be no more than 200 calories, or about 50 grams, in a recommended daily diet of 2,000 calories.

So if a food label says something has 50 grams of added sugars, the percent daily value for added sugars would be listed as 100 percent.

"For the past decade, consumers have been advised to reduce their intake of added sugars, and the proposed percent daily value for added sugars on the Nutrition Facts label is intended to help consumers follow that advice," said Susan Mayne, director of the FDA's Center for Food Safety and Applied Nutrition.

Currently, the nutrition facts label lists percent daily values for total fat, saturated fat, cholesterol, sodium, total carbohydrate and dietary fiber.

The FDA said the proposal is open for public comment for 75 days. The agency is also re-opening public comment on the larger nutrition facts panel overhaul first proposed in March 2014. A final rule determining what the new panels will look like will come after the agency reviews the comments.

In addition to a new line for added sugars, the new labels proposed by the FDA last year would make calories more prominent and serving sizes more realistic. The idea is to make the labels less cluttered and more user-friendly.

Appeals court tosses 1 of 2 indictments against Perry

AUSTIN, Texas (AP) — One of two felony indictments against former Texas Gov. Rick Perry was tossed out Friday, giving the Republican presidential candidate a potentially huge legal victory in the face of flagging polling numbers for the 2016 race.

The 3rd Court of Appeals in Austin sided with Perry's legal team, stating in a 96-page ruling that the charge of coercion of a public servant constituted a violation of the former governor's free speech rights.

Perry, who left office in January, was indicted last August on the coercion charge and a separate charge of abuse of official power, which wasn't affected by the ruling.

For now, he'll still have to face the abuse of power charge — which could tie him up in court and eat into valuable on-the-ground campaigning time in the midst of his White House run. But Perry's lead attorney, Tony Buzbee, downplayed the future significance of the case, just as his client has for months, saying it will have "no impact whatsoever" on the campaign.

"One down, one to go," Buzbee said at a Houston news conference. "The court today threw out what we believe to be the greater of the two charges." He added that the abuse of power charge is "hanging by a thread."

Today's Markets

All figures from 3 p.m. EST

Stocks of Local Interest

Name	Ex	Div	Yld	PE	Last	Daily Chg	YTD %Chg
AT&T Inc	NY	1.88	5.4	35	34.78	+.85	+3.5
AbbVie	NY	2.04	3.0	61	67.98	-2.54	+3.9
AMD	NA	...	...	...	1.67	-.09	-37.5
AlcatelLuc	NY	...	...	...	3.62	+.06	+1.8
Alcoa	NY	.12	1.2	14	9.72	-.24	-38.4
Altria	NY	2.08	3.9	22	53.82		+9.2
Amazon	NA	...	...	...	533.90	+51.72	+72.0
Ambev	NY	.24	4.2	...	5.66	-.15	-8.3
Amedica h	NA	...	...	...	.69	+.15	-13.5
AmAirlines	NA	.40	1.0	9	40.28	-2.33	-24.9
AmExp	NY	1.16	1.5	13	75.93	-1.09	-18.4
Amgen	NA	3.16	2.0	22	159.41	-4.69	+.1
Apple Inc	NA	2.08	1.7	14	124.26	-.90	+12.6
ApldMatl	NA	.40	2.3	17	17.33	-.39	-30.5
ArchCoal	NY	...	...	...	.21	-.02	-88.5
BcoBrad s	NY	.38	4.9	...	7.83	-.23	-29.8
BkofAm	NY	.20	1.1	19	17.93	-.25	+.2
B iPVixST	NY	...	...	...	16.89	+.60	-46.4
BarrickG	NY	.20	2.8	45	7.21	+.14	-32.9
BestBuy	NY	.92	2.8	14	32.46	-.40	-16.7
Biogen	NA	...	...	22	304.05	-81.00	-10.4
BlackBerry	NA	...	...	...	7.32	-.29	-33.4
Boeing	NY	3.64	2.5	20	144.43	-1.68	+11.1
CapOne	NY	1.60	2.0	11	79.15	-11.62	-4.1
Caterpillar	NY	3.08	4.0	13	76.23	-.65	-16.7
Cemex	NY	.40	...	...	8.15	-.53	-16.9
ChesEng	NY	...	...	...	8.30	-.42	-57.6
Cisco	NA	.84	2.9	17	28.48	+.47	+3.1
Citigroup	NY	.20	.3	15	58.46	-1.42	+8.0
CocaCola	NY	1.32	3.3	24	40.54	-.30	-4.0
ConAgra	NY	1.00	2.3	30	43.72	-.28	+20.5
CSVLgNGs	NY	...	...	...	1.99	-.10	-50.0
CSVLgCrde	NY	...	...	...	1.63	-.06	-66.7
CSVelIVST	NA	...	...	...	45.57	-2.02	+46.3
CSVixSh rs	NA	...	...	...	6.53	+.56	-76.3
CypSemi	NA	.44	3.7	...	11.83	-.32	-17.1
Deere	NY	2.40	2.6	13	92.59	-.67	+4.7
DenburyR	NY	.25	6.4	2	3.89	-.16	-52.2
DxGldBull	NY	...	...	...	3.57	+.17	-68.0
DrxSCBear	NY	...	...	...	10.19	+.41	-15.1
Disney	NY	1.32	1.1	25	118.76	-.04	+26.1
DowChm	NY	1.68	3.7	13	45.71	-2.05	+.2
eBay s	NA	...	...	15	28.25	-.18	+21.1
EMC Cp	NY	.46	1.8	21	25.61	-.36	-13.9
EnCana g	NY	.28	3.6	12	7.81	-.76	-43.7
Exelixis	NA	...	...	...	5.56	-.32	+286.1
ExxonMbl	NY	2.92	3.7	12	79.88	-1.26	-13.6
Facebook	NA	...	...	93	95.97	+.53	+23.0
FstIntBc A	NA	.80	2.9	14	27.96	-.16	+.5
FordM	NY	.60	4.2	19	14.41	-.21	-7.1
FrptMcM	NY	.20	1.6	...	12.40	-1.24	-46.9
FrontierCm	NA	.42	9.2	...	4.58	-.19	-31.3
GenElec	NY	.92	3.6	...	25.78	-.48	+2.0
GenMotors	NY	1.44	4.6	11	31.04	-.46	-11.1
GileadSci	NA	1.72	1.5	13	112.99	-4.67	+19.9
Goldcrp g	NY	.60	4.6	...	13.08	+.30	-29.4
HarleyD	NY	1.24	2.2	15	57.58	-.67	-12.6
HewlettP	NY	.70	2.3	12	30.62	-.62	-23.7
Hilton	NY	...	...	38	26.81	-.25	+2.7
HomeDp	NY	2.36	2.1	23	113.80	-.79	+8.4
iShBrazil	NY	1.03	3.6	...	28.24	-.98	-22.8
iShJapan	NY	.13	1.0	...	12.77	-.11	+13.6
iShChinaLC	NY	.76	1.8	...	41.58	-.72	-.1
iShEMkts	NY	.84	2.3	...	36.93	-.67	-6.0
iShR2K	NY	1.66	1.4	...	121.82	-1.75	+1.8
InotekPh n	NA	...	...	...	18.40	+3.03	+206.7
Intel	NA	.96	3.4	12	28.16	-.44	-22.4
ItauUnibH	NY	.41	4.8	...	8.48	-.30	-28.2
JDS Uniph	NA	...	...	...	11.17	-.17	-18.6
JPMorgCh	NY	1.76	2.6	12	68.84	-.80	+10.7
JnprNtwk	NY	.40	1.4	...	27.59	+1.10	+23.6
Kinross g	NY	...	...	...	1.69	+.03	-40.1
MDU Res	NY	.73	4.0	13	18.44	+.22	-21.5
MVJrGold	NY	...	...	...	19.15	+.60	-20.0
MktVGold	NY	.12	.9	...	13.86	+.24	-24.6
McDnlds	NY	3.40	3.5	21	96.49	-.60	+3.0
Merck	NY	1.80	3.1	15	57.50	-.57	+1.3
MicronT	NA	...	...	6	18.28	-.42	-47.8
Microsoft	NA	1.24	2.7	31	45.90	-.21	-1.2
NBGreece	NY	...	...	...	.97	-.07	-45.9
NewmtM	NY	.10	.6	19	17.82	+.22	-5.7
NobleCorp	NY	1.50	12.3	...	12.17	-.80	-26.6
Oracle	NY	.60	1.5	18	38.88	-.12	-13.5
PMC Sra	NA	...	...	...	6.77	-.95	-26.1
PPL Corp	NY	1.49	4.9	11	30.67	-.04	-9.0
Pandora	NY	...	...	...	16.06	+2.18	-9.9
PayPal n	NA	...	...	...	37.01		+.8
PeabdyE	NY	.01	.8	...	1.29	-.03	-83.3
PepsiCo	NY	2.81	2.9	22	96.25	-.62	+1.8
Petrobras	NY	...	...	...	6.52	-.40	-10.8
Pfizer	NY	1.12	3.3	24	34.20	-.59	+9.8
PhilipMor	NY	4.00	4.7	18	84.60	-.83	+3.9
PwShs QQQ	NA	1.50	1.0	...	111.03	-1.17	+7.5
PUVixST rs	NY	...	...	...	29.24	+1.89	-76.7
Qualcom	NA	1.92	3.1	17	61.60	-.18	-17.1
RegionsFn	NY	.24	2.3	15	10.55	-.08	-.1
RiteAid	NY	...	...	24	8.75	-.04	+16.4
RoyDShllA	NY	3.76	6.9	12	54.55	-1.27	-18.5
S&P500ETF	NY	4.03	1.9	...	208.00	-2.18	+1.2
SandRdge	NY	...	...	...	.54	-.05	-70.5
SiriusXM	NA	...	...	43	3.87	-.01	+10.6
Sprint	NY	...	...	...	3.38	-.29	-18.7
SPDR Fncl	NY	.43	1.7	...	25.13	-.23	+1.6
Starbucks s	NA	.64	1.1	27	57.27	+.71	+39.6
StillwtrM	NY	...	...	16	9.07	-.19	-38.5
SunEdison	NY	...	...	...	26.14	-.16	+34.0
SunesisPh	NA	...	...	...	1.03	-2.44	-59.8
TaiwSemi	NY	.73	3.4	...	21.62	-.69	-3.4
TimeWarn	NY	1.40	1.6	22	87.46	-.23	+2.4
Transocn	NY	.60	4.5	...	13.23	-.45	-27.9
Trinity	NY	.44	1.6	7	27.53	+1.56	-1.7
TrueCar	NA	...	...	...	6.85	-3.84	-70.1
UPS B	NY	2.92	3.1	28	94.68	-1.43	-14.8
UtdRentals	NY	...	...	11	64.50	-2.48	-36.8
US Bancrp	NY	1.02	2.2	15	45.39	-.27	+1.0
US OilFd	NY	...	...	...	16.01	-.13	-21.4
Vale SA	NY	.60	11.8	...	5.08	-.21	-38.0
VerizonCm	NY	2.20	4.8	19	46.17	-.19	-1.3
Visa s	NY	.48	.6	30	74.70	+2.95	+14.0
WPX Engy	NY	...	...	...	8.26	-.66	-29.0
WalMart	NY	1.96	2.7	15	71.66	-.85	-16.6
WeathfIntl	NY	...	...	...	10.75	-.36	-6.2
XOMA	NA	...	...	...	.96	-.08	-73.3
Xerox	NY	.28	2.5	14	10.99	+.18	-20.7
Yamana g	NY	.06	3.0	...	2.00	-.04	-50.2
Zynga	NA	...	...	...	2.65	-.02	-.4

NEW TRENDZ SALON

KARLIE LEISCHNER
Salon owner/Stylist

CIARA FANDEK
Stylist

CRYSTAL McDANNEL
Nail Tech

406-234-2905
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2905 WILSON ST.
MILES CITY MT 59301

SALON & TANNING

Stock Exchange Highlights

Dow	Nasdaq	S&P 500
17,567.83 -164.09	5,088.62 -57.79	2,078.85 -23.30

Market Summary: NYSE and Nasdaq

Gainers ($2 or more)

Name	Last	Chg	%chg
StancrpFn	113.63	+36.94	+48.2
QKL Strs	2.14	+.44	+25.9
Medgen wt	2.81	+.54	+23.8
CondorH pfB	24.21	+4.46	+22.6
Marketo	30.72	+5.63	+22.4
IGI Labs	8.12	+1.34	+19.8
InotekPh n	18.40	+3.03	+19.7
NETgear	34.08	+5.33	+18.5
Pandora	16.06	+2.18	+15.7
CondorH pfA	9.00	+1.20	+15.4
MeritMed	25.26	+3.14	+14.2
RubyTues	7.03	+.88	+14.2
SucampoPh	22.38	+2.78	+14.2
Calithera n	9.14	+1.08	+13.4
EcologyEn	11.10	+1.11	+11.1
Amazon	533.90	+51.72	+10.7
LogMeIn	72.55	+7.04	+10.7
Clearfield	19.86	+1.86	+10.3
FstFnB wt	6.92	+.64	+10.2
Voltari	7.92	+.72	+10.0

Losers ($2 or more)

Name	Last	Chg	%chg
CryoPort rs	2.36	-1.64	-41.0
TrueCar	6.85	-3.84	-35.9
GreenH pfC	8.46	-4.29	-33.6
Spectranet	16.58	-8.26	-33.2
CapOne wt	37.01	-11.90	-24.3
UnivTInst	5.79	-1.86	-24.3
VitalThera	13.06	-4.02	-23.5
EnerJex pf	6.09	-1.66	-21.4
Biogen	304.05	-81.00	-21.0
ForPhm n	31.35	-6.93	-18.1
Esperion	78.57	-17.17	-17.9
KeryxBio	7.72	-1.54	-16.6
ConstantC	24.79	-4.74	-16.1
HovnEn pf A	10.77	-1.83	-14.5
Westmrld	14.00	-2.30	-14.1
Unisys	16.99	-2.76	-14.0
LibTripA n	29.58	-4.72	-13.8
TripAdvis	80.50	-12.87	-13.8
Aware s	3.35	-.52	-13.4
RexEnergy	2.26	-.35	-13.3

Actives ($1 or more)

Name	Vol (000s)	Last	Chg
BkofAm	56472	17.93	-.25
FrptMcM	38556	12.40	-1.24
AT&T Inc	33725	34.78	+.85
Apple Inc	30400	124.26	-.90
Vale SA	30165	5.08	-.21
Sprint	29271	3.38	-.29
Cisco	28618	28.48	+.47
SiriusXM	27675	3.87	-.01
Facebook	25660	95.97	+.53
BarrickG	25289	7.21	+.14
JnprNtwk	22009	27.59	+1.10
Intel	21406	28.16	-.44
Xerox	20142	10.99	+.18
Petrobras	19984	6.52	-.40
Ambev	19912	5.66	-.15
Cemex	19695	8.15	-.53
Alcoa	19609	9.72	-.24
Microsoft	19521	45.90	-.21
FrontierCm	18221	4.58	-.19
GenElec	18152	25.78	-.48

Sales figures as of 3:00 pm E.T. are unofficial.

Stock Footnotes: g = Dividends and earnings in Canadian dollars. h = Does not meet continued-listing standards. lf = Late filing with SEC. n = New in past 52 weeks. pf = Preferred. rs = Stock has undergone a reverse stock split of at least 50 percent within the past year. rt = Right to buy security at a specified price. s = Stock has split by at least 20 percent within the last year. un = Units. vj = In bankruptcy or receivership. wd = When distributed. wi = When issued. wt = Warrants. **Gainers and Losers** must be worth at least $2 to be listed. **Most Actives** must be worth at least $1. Volume in hundreds of shares. **Source:** The Associated Press.

All figures from 3 p.m. EST

Stock Market Indexes

52-Week High	52-Week Low	Name	Last	Chg	%Chg	YTD %Chg	12-mo %Chg
18,351.36	15,855.12	Dow Industrials	17,567.83	-164.09	-.93	-1.43	+3.58
9,310.22	7,700.57	Dow Transportation	8,056.29	-70.71	-.87	-11.86	-4.41
657.17	524.82	Dow Utilities	563.19	+1.03	+.18	-8.88	+1.20
11,254.87	9,886.08	NYSE Composite	10,715.34	-125.39	-1.16	-1.14	-2.46
5,231.94	4,116.60	Nasdaq Composite	5,088.62	-57.79	-1.12	+7.44	+14.36
2,441.71	1,922.79	Nasdaq Global Sel	2,374.97	-26.47	-1.10	+7.37	+14.35
947.85	814.14	S&P 100	921.20	-10.06	-1.08	+1.41	+4.70
2,134.72	1,820.66	S&P 500	2,078.85	-23.30	-1.11	+.97	+5.08
1,551.28	1,269.45	S&P MidCap	1,477.35	-13.04	-.87	+1.72	+5.10
22,537.15	19,160.13	Wilshire 5000	21,899.59	-232.39	-1.05	+1.06	+4.75

Mutual Funds

Name	Obj	Offering Price	Total Return/Rank 4-wk	12-mo	5-year	Pct Load	Min Init Invt
American Funds AmBalA m	MA	24.91	-0.5	+4.8/A	+12.2/A	5.75	250
American Funds BondA m	CI	12.71	+0.6	+1.4/C	+3.4/C	3.75	250
American Funds CapIncBuA m	IH	59.13	-1.9	+0.4/B	+9.2/A	5.75	250
American Funds CpWldGrIA m	WS	47.49	-2.0	+1.9/C	+10.9/C	5.75	250
American Funds EurPacGrA m	FG	50.90	-2.2	+2.1/B	+8.2/C	5.75	250
American Funds FnInvA m	LB	53.41	-1.5	+6.8/C	+14.6/C	5.75	250
American Funds GrthAmA m	LG	45.58	-1.3	+8.9/D	+15.4/D	5.75	250
American Funds IncAmerA m	MA	21.26	-2.1	+0.8/D	+10.8/B	5.75	250
American Funds InvCoAmA m	LB	37.22	-2.2	+4.5/D	+14.2/D	5.75	250
American Funds NewPerspA m	WS	38.98	-1.4	+6.6/A	+12.6/B	5.75	250
American Funds WAMutInvA m	LV	40.77	-1.5	+3.8/C	+15.1/A	5.75	250
Dodge & Cox Income	CI	13.63	+0.3	+1.1/D	+4.2/B	NL	2,500
Dodge & Cox IntlStk	FB	43.57	-4.3	-4.9/D	+9.1/A	NL	2,500
Dodge & Cox Stock	LV	183.97	-1.0	+5.2/B	+16.6/A	NL	2,500
Fidelity Contra	LG	105.76	+1.0	+13.0/B	+16.7/B	NL	2,500
Fidelity ContraK	LG	105.73	+1.0	+13.1/B	+16.8/B	NL	0
Fidelity LowPriStk d	MV	52.45	-2.5	+6.7/A	+15.9/B	NL	2,500
Fidelity Spartan 500IdxAdvtg	LB	74.16	-0.9	+7.9/B	+16.2/A	NL	10,000
FrankTemp-Franklin IncomeA m	CA	2.28	-4.2	-6.8/E	+8.1/A	4.25	1,000
Oakmark Intl I	FB	24.97	-2.1	-0.2/B	+10.4/A	NL	1,000
Oppenheimer EquityA m	LG	14.48	-0.9	+8.7/D	+14.4/D	5.75	1,000
Oppenheimer QuBalA m	IH	18.07	-1.1	+4.1/A	+7.0/C	5.75	1,000
PIMCO AllAssetA m	TV	11.41	-1.6	-7.2	+4.3	3.75	1,000
PIMCO LowDrC m	CS	10.02	+0.4	+0.2	+1.6	1.00	1,000
PIMCO RealRtnC m	IP	10.89	+0.2	-4.0	+2.5	1.00	1,000
Putnam GlbHltCrA m	SH	78.45	+1.8	+33.3/C	+23.3/D	5.75	0
Putnam GrowIncA m	LV	21.68	-2.3	+2.1	+14.8	5.75	0
Putnam HiYldA x	HY	7.70	-1.6	-1.0/C	+7.1/C	4.00	0
Putnam TaxFHYldA m	HM	12.38	-0.1	+5.8/B	+6.0/B	4.00	0
Putnam VoyagerA m	LG	31.78	-1.6	+8.3/D	+12.9/E	5.75	0
T Rowe Price GrowStk	LG	58.66	+2.1	+17.6/A	+19.1/A	NL	2,500
T Rowe Price NewIncome	CI	9.49	+0.6	+1.7/B	+3.4/D	NL	2,500
Vanguard 500Adml	LB	194.14	-0.9	+8.0/B	+16.2/A	NL	10,000
Vanguard IntlStkIdxAdm	FB	26.92	-3.8	-5.5/E	NA	NL	10,000
Vanguard TgtRe2020	TE	29.12	-1.0	+3.2/A	+9.7/A	NL	1,000
Vanguard Tgtet2025	TG	16.96	-1.2	+3.3/A	+10.5/B	NL	1,000
Vanguard TotBdAdml	CI	10.75	+0.8	+2.0/B	+3.2/D	NL	10,000
Vanguard TotIntl	FB	16.10	-3.7	-5.5/E	+6.1/D	NL	3,000
Vanguard TotStlAdm	LB	52.90	-1.4	+7.9/B	+16.3/A	NL	10,000
Vanguard TotStIdx	LB	52.88	-1.4	+7.8/B	+16.2/A	NL	3,000
Viking TaxFrMT m	SI	10.15	+0.6	+2.9/B	+3.5/B	3.75	1,000
Waddell & Reed Adv AccumA m	LG	11.48	0.0	+14.1/B	+16.2/C	5.75	750
Waddell & Reed Adv BondA m	TW	6.29	+0.5	+0.6/B	+2.8/E	5.75	750
Waddell & Reed Adv CoreInv A m	LG	7.32	-0.5	+5.3/E	+16.3/C	5.75	750
Waddell & Reed Adv SciTechA m	ST	15.77	-4.4	+3.9/E	+18.3/A	5.75	750
Waddell & Reed Adv ValueA m	LV	16.75	-0.6	+4.3/B	+13.9/C	5.75	750
Williston Basin MNAmeStkA m	EE	5.37	-10.4	-31.1/B	+9.5/A	5.00	1,000

BL -Balanced, GL -Global Stock, IL -International Stock, LC -Large-Cap Core, LG -Large-Cap Growth, LV -Large-Cap Val., MT -Mortgage, SB -Short-Term Bond, SP -S&P 500, XC -Multi-Cap Core, XG -Multi-Cap Growth, XV -Multi-Cap Val.Total Return: Chng in NAV with dividends reinvested. Rank: How fund performed vs. others with same objective: A is in top 20%, E in bottom 20%. Min Init Invt: Minimum $ needed to invest in fund. NA = Not avail. NE = Data in question. NS = Fund not in existence. **Source:** Lipper, Inc. Mutual Funds as of close yesterday.

Miles City STAR

Friday, July 24, 2015 | Miles City, Montana | $1.00

STAR PHOTO/Steve Allison

Fifteen miles east on the Baker highway and another two miles down the Pine Hills Ranchettes Road two helicopters, four aerial teams and several ground-based teams are busy dealing with the constantly shifting winds Thursday afternoon, getting control of a fire off the Dean S Reservoir Road. The fire crews were lucky in that the location was close to a reservoir and gave the helicopters and planes a quicker than normal turn-a-round time, which helped the teams deal with the constantly changing conditions.

Another Pine Hills fire quickly out

By Ashley Peterson
Star Staff Writer

Another fire in the Pine Hills burned Thursday and was quickly contained.

It was started by lightening.

According to Custer County Fire Chief Bud Peterson, the most recent Pine Hills fire started around 11 a.m. Thursday. He was notified of the fire around 11:30 a.m.

With the help of the local fire crews, Bureau of Land Management and Montana Department of Natural Resources and Conservation the fire was soon under control.

By 8 p.m. Thursday the fire was contained.

Crews then performed a controlled burn to clear some extra fire fuel from the area in hopes of preventing another fire in the area.

The fire was contained at 200 acres but burned a total of 866 acres. No structures were threatened and no injuries were reported.

The fire danger continues to increase with the rising heat and lack of moisture in the area. Peterson stressed the need for extra caution when dealing with fire.

City waiting for possible $10M for levy

By ELAINE FORMAN
Star Staff Writer

The City of Miles City is taking another step forward towards improving the Tongue River/Yellowstone River dike by applying for the Army Corps of Engineers' Section 205, which can bring in up to $10 million of the $40 million estimated overall project cost.

The costs reflect building a 500-year levy.

Through a Section 205, the corps can provide the significant funding to help plan, study and construct the levy.

Of the $40 million, an estimated $15 million would cover Tongue River from Interstate 94 to the old Milwaukee Railroad bridge. (Miles City would have to come up with the $5 million through grants and loans.)

The Section 205 will be applied to the Tongue River portion of the project.

The city would have to come up with the remaining $5 million through grants and loans.

"That's big chunk off of $40 million," Flood Plain Administrator Samantha Malenovsky said of the $10 million.

The city and corps began talking about the Section 205 a couple years ago and recently the corps asked if the city was still interested. At a Miles City Council meeting on July 14, the council agreed to follow up on it but haven't committed itself to it, until they can look over all the conditions.

See "Levy," page 5

Theater gunman's family called him mentally ill, violent

LAFAYETTE, La. (AP) — The man who killed two people and wounded nine others at a movie theater Thursday was so mentally ill and violent that years ago, his wife hid his guns and his family had him hospitalized against his will before obtaining a court order to keep him away.

John Russel Houser, 59, stood up about 20 minutes into the "Trainwreck" movie and fired first at two people sitting in front of him, then aimed his handgun at others. Police said Friday they found 13 shell casings.

"They heard a couple of pops and didn't know what it was," said Randall Mann, whose 21-year-old daughter, Emily, was sitting in the same row as the shooter.

She told her father that she did not hear the shooter say anything before opening fire. "And then they saw the muzzle flashes, and that's when they knew what was going on. She hit the floor immediately."

Mann said his daughter and her friend escaped, uninjured but traumatized.

Police say Houser had one additional magazine of bullets for his handgun as he tried to escape. Then, when he spotted police officers outside, he turned around and pushed back through the fleeing crowd. The officers tailed him into the theater and heard a single shot before finding him dead inside, police said.

Houser parked his 1995 blue Lincoln Continental — with a mismatched license plate — by the theater's exit door, and disguises including glasses and wigs were found in a search of his room at a nearby Motel 6, police said.

> *"It is apparent that he was intent on shooting and then escaping."*
>
> *- Lafayette Police Chief Jim Craft*

"It is apparent that he was intent on shooting and then escaping," Lafayette Police Chief Jim Craft said.

Police were looking at online postings they believed Houser wrote to learn more about him and try to figure out his motive, superintendent Col. Michael D. Edmonson said.

In the 1990s, he frequently appeared on a local television call-in show, advocating violence against people involved in abortions, said Calvin Floyd, who hosted the morning show on WLTZ-TV in Columbus, Georgia.

Houser also espoused other radical views, including his opposition to women in the workplace. Floyd described Houser as an "angry man" who made "wild accusations" about all sorts of topics, and said he put him on to counter a Democratic voice because "he could make the phones ring."

The two fatalities were identified as 33-year-old Jillian Johnson and 21-year-old Mayci Breaux. The wounded ranged from their late teens to their late 60s. At least one of the wounded was in critical condition, Craft said. Two were released from the hospital.

Theatergoers said the gunman sat alone and said nothing before he stood up and opened fire at Thursday's 7:10 p.m. showing of "Trainwreck" at the Grand 16 theater.

Stories of heroism emerged. A teacher jumped in front of her colleague, taking a bullet for her, and the second teacher pulled a fire alarm to alert other moviegoers, said Gov. Bobby Jindal, a presidential hopeful who traveled to the scene.

"Her friend literally jumped over her and, by her account, actually saved her life," Jindal said.

Houser studied accounting in Georgia and earned a law degree at Faulkner University in Alabama. There's no record he ever became a lawyer in either state.

Houser "has a history of mental health issues, i.e., manic depression and/or bipolar disorder," his family said in court documents in 2008, when he made violent threats in an effort to stop his daughter's wedding. A judge granted the family's petition to have him involuntarily committed to a hospital as "a danger to himself and others."

Reinforcements arrive to battle unchecked Glacier fire

HELENA (AP) — Firefighters reinforced by additional manpower, equipment and an elite management team attempted to check an uncontained wildfire tearing through Montana's Glacier National Park, while the growth of a blaze outside California's wine country slowed enough to allow some evacuated residents to return home.

WILDLAND FIRE

Both fires have been feeding off tinder-dry conditions in the drought-ravaged states. Strong wind gusts pushed the Montana blaze through Glacier's conifer-topped ridges, and erratic winds only compounded the problems firefighters in Northern California had in scrambling through the steep, brush-choked terrain.

In Montana, a management team that responds only to the nation's highest-priority fire took command Thursday night, two days after the wildfire ignited. The blaze has swept down the eastern side of the scenic Going-to-the-Sun Road, the park's most popular roadway, toward the St. Mary community on the park's eastern boundary.

More than 200 firefighters backed by helicopters and fire engines planned to attack the blaze's northeast flank, which was the biggest threat to a hotel and campground that was evacuated Wednesday, and to find a safe place to begin constructing a fire line, fire information officer Jennifer Costich said.

Some visitors left the region or diverted to different parts of the park after seeing smoke rising above ridge tops. Others wondered whether to cancel their upcoming trips, leading officials to note that only a small part of Glacier's 1,718 square miles have been closed, and most of its top attractions on the east and west sides are still open.

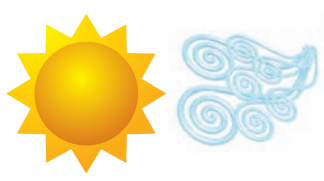
St. Mary Glacier Park KOA owner Susan Brooke said she sent her staff to safety, but she and her family are staying. Firefighters marked which of her cabins to save and planned to use the pool to fight the flames if the blaze moves closer to the community

"There's not much you can do about it but keep people calm," Brooke said. "The guys, the firefighters, are good about keeping us in the loop about what's going on."

See "Glacier" page 5

weather forecast

SATURDAY



93/62

Intervals of clouds and sunshine. Winds W at 5 to 10 mph.

Nigeria celebrates 1 year with no new polio cases

LAGOS, Nigeria (AP) — Once stigmatized as the world's polio epicenter, Nigeria on Friday celebrates its first year with no reported case of the crippling disease, having overcome obstacles ranging from Islamic extremists who assassinated vaccinators to rumors the vaccine was a plot to sterilize Muslims.

Just 20 years ago this West African nation was recording 1,000 polio cases a year — the highest in the world. The last recorded case of a child paralyzed by the wild polio virus endemic in Nigeria's impoverished and mainly Muslim north was on July 24, 2014.

"We are celebrating the first time ever that Nigeria has gone without a case of polio, but with caution," Dr. Tunji Funsho, chairman of Rotary International's polio campaign in Nigeria, told The Associated Press.

If there are no new cases and laboratory tests remain negative in the next few weeks, the World Health Organization will take Nigeria off the list of polio-endemic countries, said Oliver Rosenbauer of the U.N. agency's polio unit.

Nigeria is the last African country on that list.

The two remaining countries are Pakistan, which recorded 28 new cases this year, and Afghanistan, with five, said Rosenbauer. It's a 99 percent reduction since the Global Polio Eradication Initiative began in 1988, when one of the world's most feared diseases was endemic in 125 countries and was paralyzing nearly 1,000 children every day.

Polio shows up unsuspiciously as a fever and cold, followed quickly by acute paralysis as the virus destroys nerve cells. The disease mainly affects children under 5. The virus invades the body through the mouth and multiplies in the intestine, then is spread through the feces. It is highly contagious with infected but asymptomatic carriers able to spread it silently and swiftly.

AP photo

In this file photo, a health official administers a polio vaccine to a child in Kawo Kano, Nigeria. Nigeria celebrates its first year with no reported case of polio on Friday, overcoming obstacles from Islamic supremacists who killed vaccinators.

Miles City STAR

Thursday, July 2, 2015 | Miles City, Montana | $1.00

Saturday full of Fourth activities

By the Fourth of July Committee

The Independence Day Parade and Riverside Park Activities began 12 years ago. The parade started as a grassroots effort from a group of community members and has continued to grow each year. It is now an anticipated part of the Independence Day festivities in Miles City.

The local activities will celebrate our Nation's Independence. This year's Fourth of July Committee is made up of volunteers from the American Legion and Auxiliary, the Veterans of Foreign Wars Post and Auxiliary, and the Marine Corps League.

Entries in the 12th Annual People's Parade will begin lining up at 10 a.m. Saturday at the Historic Miles City Academy (formerly the Ursuline Convent) on Leighton Boulevard. The parade will begin at 11 a.m. sharp.

Parade participants will travel down North Montana Avenue to Main Street and end up at Riverside Park. Drivers are asked not to park on Main Street from 8 a.m. until after the parade.

Everyone is invited to participate in the Fourth of July Parade: motorcycles, cars, pickups, trucks, tractors, farm machinery, walkers with banners, clowns and other costumed characters, decorated bicycles, unicycles, dancers, bands, musicians, horses and riders, horse-drawn wagons, motorized children's cars, floats and more.

This will be the Fourth Annual Fourth of July People's Parade Entry Contest. Criteria for the entries are:

1) Originality of entry
2) Amount of actual construction or time in putting the entry together
3) Following the theme — "Patriotic Down Home Values and Country Heritage"

See "Fourth," page 5

STAR PHOTO/Elaine Forman

ABC Glass and Sign's Noah Christopherson (left) and Mike South put up a mural in Riverside Park Thursday morning. The painting depicts what Miles City looked like when the spot was a ferry landing.

Historic mural to be unveiled in Riverside Saturday

By DENISE HARTSE
Star Staff Writer

Visitors to Riverside Park this Fourth of July weekend will get a new glimpse of what the park looked like in the 1800s, in the form of a mural being unveiled at the Lion's Shelter.

The Miles City Preservation Commission and the Custer County Historical Society, a private non-profit group dedicated to promoting the preservation and use of local history and existing resources, are working with the City of Miles City to include some historic images and information as part of revitalization at Riverside Park.

The first project of this joint effort is the installation of a banner mural on the Lion's Shelter in Riverside Park that depicts a watercolor that Private Hermann Stieffel painted around 1878 of the east bank of the Tongue River and what was then called the Ferry Landing, now Riverside Park. Project sponsors also include the L.P. and Theresa Anderson Foundation and the Miles City Area Chamber of Commerce. ABC Glass & Signs has donated an information plaque to be placed on the shelter by the mural.

Private Stieffel was a soldier in Company K of the 5th Infantry stationed at Fort Keogh from 1877 to 1882. His original painting measures approximately nine inches by 19 inches and is now in the collection of the Forbush Memorial Library in General Nelson Miles' hometown of Westminster, Mass. Even though he wasn't a trained artist, the details in Private Stieffel's painting reflect a scene of life in the frontier West from a soldier's point of view.

The banner that has been installed on the shelter in the park is eight feet wide by 14 feet long. According to Miles City Historic Preservation Officer Connie Muggli, the preservation commission and the historical society received permission from the Forbush Memorial Library to enlarge the painting to its mural size for placement in the park.

The finished mural will be unveiled on Saturday, the Fourth of July, at the Lion's Shelter in Riverside Park after the People's Parade. This unveiling is open to the public and will be held following the singing of the "National Anthem" by McKinsey Jerrel and the presentation of the colors by the Veterans of Foreign Wars at noon.

See "Mural," page 5

Yellowstone loses radio frequencies used to track wildlife

By MATTHEW BROWN
Associated Press

BILLINGS (AP) — Government researchers have lost their license to a set of radio frequencies used to track more than 100 radio-collared wolves and elk at Yellowstone National Park.

Yellowstone biologist Doug Smith said Thursday that new licensee Northwestern Energy is letting the research work continue, allowing the park to avoid more than $450,000 in estimated costs to restart the program.

Smith says radio signals from collared wildlife experienced interference this past winter after NorthWestern acquired the frequencies, but researchers still could track the animals.

The license used by the park accidentally was allowed to expire several years ago.

Park service emails obtained by the group Public Employees for Environmental Responsibility show officials were concerned the loss of monitoring data would jeopardize years of science on wolves and the elk herds they prey upon.

Gulf states reach $18.7B settlement with BP over spill

NEW ORLEANS (AP) — BP and five Gulf states announced an $18.7 billion settlement Thursday that resolves years of legal fighting over the environmental and economic damage done by the energy giant's oil spill in 2010.

The settlement money will be used to resolve the Clean Water Act penalties; resolve natural resources damage claims; settle economic claims; and resolve economic damage claims of local governments, according to an outline filed in federal court. The settlement involves Florida, Alabama, Mississippi, Louisiana and Texas.

"If approved by the court, this settlement would be the largest settlement with a single entity in American history; it would help repair the damage done to the Gulf economy, fisheries, wetlands and wildlife; and it would bring lasting benefits to the Gulf region for generations to come," U.S. Attorney General Loretta Lynch said in a statement.

BNSF relocating 45 crew members from Forsyth

By CHAUN SCOTT
Yellowstone Newspapers

FORSYTH – Forsyth's economy could be in for a long haul as plans get underway to relocate 45 of Forsyth's Burlington Northern Santa Fe Railway crew members to Laurel. The relocation implementation began Wednesday.

In January, BNSF issued a statement saying it would possibly relocate 35 crew members from Forsyth and Glendive to Laurel – 25 from Forsyth and 10 from Glendive.

In Forsyth, the increase to 45 crew members relocating could place a huge strain on the small railroad community, with close to $3.8 million in wages lost to an already struggling community. But the change doesn't end with Forsyth crew members.

YELLOWSTONE NEWSPAPERS photo

A BNSF train prepares to leave the Forsyth station Wednesday.

More changes to come

In July, BNSF will be implementing a Glendive to Laurel run, and implementation of a Sheridan to Laurel run, according to Matthew Jones, BNSF Public Affairs Regional Director for Montana and Wyoming.

What does the change mean to Forsyth?

BNSF will no longer run trains from Sheridan to Forsyth, with a layover in Forsyth. Instead, Sheridan trains will run to Laurel, and then make the long haul from Laurel to Glendive. Jones did not confirm the exact date the change will happen but said the run will begin in July.

Derailed economy

Local businessman Dick Smith, owner of the Iron Horse Saloon, said the loss of the Sheridan run to Forsyth would impact his business by up to approximately15 percent in lost revenues.

"The loss would be huge," said Smith. "The railroaders that stay in the hotel next door [on layover] come down here, eat a burger, have a drink, and go over to the casino. That accounts for about 10 to 15 percent of my annual revenues."

Relocating the Forsyth crew members to Laurel would have a staggering impact on the housing market, said Century 21 real estate agent Dani Erickson.

"A lot of those guys being transferred to Laurel are new hires that were renting, and then in five years they buy – we are not going to have those buyers," said Erickson. "We will definitely feel the impact in a couple of years." she said.

Forsyth will not only lose new hires with the railroad, but some crew members who have been vested in Forsyth for more than 10 years, who own homes and will have to sell, are also making the move – adding to an already troubled housing market.

Erickson, who is also president of the Forsyth Area Chamber of Commerce and Agriculture, said the chamber is concerned about the entire town.

"It's so bad," said Erickson. "The Chamber is made up of people who truly care about Forsyth. Since it [BNSF transfer] just became official, we have recently begun working with the state tourism board, to come up with some options. We need to make a plan to entice more people to come to Forsyth."

The Chamber of Commerce, over the past two years, has worked to improve public opinion about the charming little town that sits nestled along the Yellowstone River.

"Last year we held our first Oktoberfest. It had a way better turnout than we ever expected," said Erickson. The Chamber is currently working on projects to improve the parks throughout Forsyth.

Forsyth Public School Business Manager Robert Martelle said the district is still up in the air about what to expect with BNSF's relocation of 45 crew members – there are just too many scenarios that can happen this early in the plan.

"It's just too soon," said Martelle. "So far we only know of about two or three families that have already left. They chose to leave in an orderly fashion. If there are any others, it is just hearsay."

Customer demand and technology cause of change

Jones said the change of operation was brought on by customer demands and new operational capabilities.

The move comes with infrastructure improvements made across Montana and North Dakota in recent years, including the installation of Centralized Traffic Control signals. The installation of CTC allows trains to double track, allowing for higher speed passage through towns. In Hysham, 20 miles of CTC signals were installed, allowing a dispatcher to transfer an oncoming train to a side track, allowing the second train to pass without slowing down. In the past, trains passing through Hysham were limited to 9 to 10 miles per hour, allowing the train to stop in time if there was another train. With the CTC installation, trains are able to pass through Hysham at approximately 40 miles per hour, according to BNSF.

BNSF understands the concerns of the Forsyth community about the economic impacts to the town, said Jones.

BNSF officials say the change was negotiated between the employees union and BNSF officials to structure the changes. Negotiations also included moving packages for about half of the crew members willing to make the move to Laurel.

"Employees that choose to stay in Forsyth will not lose their seniority, and BNSF will continue to operate out of Forsyth with two pools to Laurel and Hettinger," said Jones.

weather forecast

FRIDAY

90/64

Mostly sunny skies. High around 90F. Winds ESE at 5-10 mph.

Opinion

Stand up and be heard

Our Opinion

The old adage "a picture is worth a thousand words" has never been more true than the picture Miles City residents are seeing since July 6, when BNSF followed through on their ill-conceived plan to barrel through town at 60mph. Sitting at the Eighth Street crossing the last two mornings drove home the potential for this decision to become a major catastrophe.

Not only did BNSF officials make this decision without any type of public input, and extremely short notice to public officials and the citizens, but they have continued to ignore concerns expressed by those folks.

Their continued attitude of "trust us, we are committed to safety," — and they may very well be — may be fine. But it is and always will be true: "if your going to run trains, your going to have train wrecks." In the last three days in northeastern Montana there have been two derailments, both in the Culbertson area. Tuesday it was a 116-car train of mixed cargo, and Thursday a BNSF train carrying crude oil that derailed forcing an evacuation of local residents.

We as citizens need to invoke our right to protest such devil-may-care decisions, made without any concerns for our safety and the safety of our children and grandchildren.

BNSF's only comment to date about the decision is that the tracks in Miles City are a class four track that allows for speeds of 60 mph and that is governed by the FRA, Federal Railroad Administration. They also feel that the new technology installed that brings down the crossing guards to accommodate for the faster trains justifies this reckless decision.

Using their logic: Haynes Avenue is maintained by the Montana Department of Transportation and considered as part of State Hwy. 59. Parts of this highway have speed limits ranging from 25 mph to 70 mph - yes, speed limits put in place for public safety. Using the logic of the railroad, as long as there are signs to warn other drivers to stop before they proceed on to Haynes, the speed limit may as well be 60, or maybe 70mph.

Stand up and be heard, and contact the following government agencies and express your concerns.

Federal Railroad Administration: rrswebinquiries@dot.gov, Ph. 202-493-6236

Senator Jon Tester Ph. 202-224-8594, http://tester.senate.gov

Senator Steve Daines Ph. 202-224-2651, http://daines.senate.gov

Congressman Ryan Zinke Ph. 202-225-5687, http://zinke.house.gov

Governor Steve Bullock Ph. 406-444-3111, https://governor.mt.gov

- Dan Killoy, Star Publisher

Gov't can't fix wealth gap

John Stossel

Syndicated Columnist

Nearly 10,000 people turned out to hear Bernie Sanders in Wisconsin. Why? Apparently, many Democrats want socialism.

Sanders is the Vermont senator who is running for the Democratic Party's presidential nomination.

Sanders calls himself a "democratic socialist," not to be confused with New York City mayor Bill de Blasio's preferred label, "social democrat," but both believe that more power and wealth in the hands of government (less in the hands of free people and the free market) is a good thing. They just don't want you to think they're dictators like Stalin. They may institute terrible economic policies, but they'll have the backing of voters.

More Democrats say they plan to vote for Hillary Clinton, but she's already sounding more socialist to ward off the Sanders challenge, slamming "corporations making record profits."

In crucial early-voting state New Hampshire, next door to Sanders' home state, Sanders polls at 35 percent to Clinton's 43.

A big reason for Sanders' appeal is his relentless criticism of America's wealth gap. His "solutions" include raising the federal minimum wage to $15, completing the government takeover of healthcare, mandating paid maternity leave, punishing bankers, expanding Social Security and spending more on job training.

We must do these things, he says, because "wealth is centered in the hands of a very few." He accuses Republicans of preferring it that way.

That's a common refrain on the left, and it appeals to many voters. Some poor people think they'll be helped by "redistribution," and rich people who don't understand the process that made them rich want more rules to "level the playing field."

I wish someone would educate them and ask Clinton, "What's wrong with 'record profits'? What do you think happens to that money? Greedy executives just sit on it? No! Profit is reinvested in ways that make all of us better off!"

Libertarians and real free-marketers agree that too few people are rich but understand that today it's largely because of government.

The minimum wage laws that Sanders likes decrease the odds that people on the bottom rung will get hired and learn the basics of being a good employee. Other laws make it harder for them to move up.

Today's thicket of regulations means entrepreneurs must hire lawyers and "fixers" to get anything done, and those middlemen cost money. Not a big problem if you're already rich, but a big obstacle if you're just starting out, or trying to expand a small business.

Requiring paid maternity leave makes companies even more wary of hiring young women. The law forbids such discrimination, of course, but bosses just give some other reason for not choosing female applicants.

That same unintended consequence happened with the Americans with Disabilities Act, the well-intended law supported by Democrats and Republicans meant to help more disabled people enter the workforce. But *fewer* disabled people work now that the law is in effect. Fifty-one percent held jobs when the law passed; now only 32 percent do.

Greece "protects" workers by banning part-time work and banning working more than five days a week. You'd think American socialists would learn something watching Greece fail. But, no, they never learn.

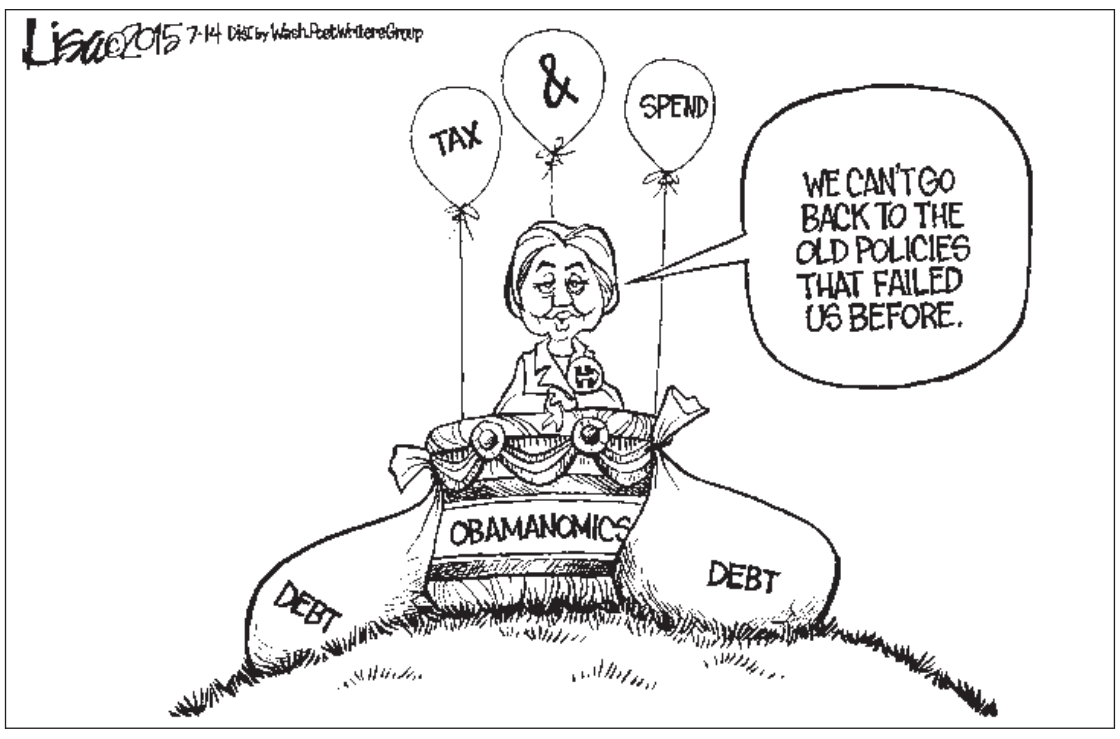
Government interventions in health care - such as Obamacare - haven't made health care cheaper, but they sure helped rich insurance companies. By writing the companies' roles directly into the law, Obamacare makes it harder for others, such as the new fee-for-service health stores, to compete.

Complex financial regulations mean that rich investors who are already cozy with big law firms, big banks and the Fed are better at understanding and manipulating the rules than a small "angel investor" who wants to back a new invention or interesting start-up.

For 200 years, poor Americans pulled themselves out of poverty by finding new and better ways to do things, or just by working hard. Today, fewer lift themselves up. One big reason is that rules meant to help poor people end up favoring the well-connected rich while keeping poor people dependent.

Sen. Sanders and his fellow socialists should stop callously ignoring how government makes life harder for poor people.

EDITOR'S NOTE: John Stossel is author of "No, They Can't! Why Government Fails - But Individuals Succeed."



Letters

The Star welcomes letters to the editor from its readers expressing opinions on any issue of public interest. Letters should be signed and include an address and daytime phone number for verification. They should be less than 500 words in length. The Star reserves the right to edit letters for length, taste and libel.

Secret engagement should stay secret a while longer

Dear Abby

Advice Columnist

DEAR ABBY: I have been dating my boyfriend, "Derek," for four years. After a night of emotion-filled discussion, he asked me to marry him. I said yes, but it has always been a difficult idea for me to wrap my head around. I'm turning 21 and although that may be old enough for some people to get married and have kids, it scares the heck out of me.

I love Derek and I want to marry him one day. He assured me we could stay "engaged" for a few years, but it still makes me uneasy. We don't have a ring yet, and we agreed we wouldn't tell our families until we get one. It doesn't feel real because there's no ring and no one knows - could that be why I'm so nervous?

I need a second opinion and some advice on whether to wait to tell anyone or tell people now. — COLD FEET

DEAR COLD FEET: An engagement with no ring and no announcement hardly seems like an engagement at all. That's why you and Derek should rethink making any announcements until you BOTH feel ready to take such a big step. When the time is right, the idea of marriage and children will make you feel happy, not frightened.

Frankly, I think your fears may be well founded because you have had little life experience - and once the ball starts rolling, stopping it may be complicated. That's why you and Derek should remain in a holding pattern until you are more confident about what you want to do.

Stardust

People and Perspectives from Miles City's past

25 YEARS AGO (1990)

The Kircher School Board decided last week that for three students, it wasn't worth keeping the seventh and eighth grades open in District 3. Originally, there were supposed to be nine students but parental decisions to send six of those to Washington Middle School in District 1 cut the class size. As things stand now, Kircher will have about 45 students in classes 1-6 with one aide.

Marine Lance Corporal Grady J. Watts, son of Harold and Carol Watts of Miles City, recently participated in exercise Dragon Hammer while serving with the 22nd Marine Expeditionary Unit, 2nd Marine Division, Camp LeJeune, N.J.

A children's parade will be held Saturday morning as part of the festivities surrounding Krazy Days. Sponsored by McDonald's Restaurant and the Miles City Area Chamber of Commerce, the parade will feature three divisions, kids in costume walking; kids in costume riding bikes; and kids and pets in costume.

Mikala Saunders led Miles City's contingent by capturing high-point honors in the midget girls division at the Sidney U.S. Swimming and Montana Federation Swim Meet. Saunders took first place in the individual medley, 50 meter freestyle and 50 meter fly races in Saturday's meet.

50 YEARS AGO (1965)

You know, if it weren't for the serious implications, the hare-and-hounds chase Thursday featuring Lynda Bird Johnson, a couple of secret service men, umpteen highway patrolmen and Custer County Sheriff Newt Perkins on one team and Mark Kron and Mike Friedt of the Star on the other, would have been hilarious. It had all the earmarks of a Keystone Kops epic and ended with a picture of the station wagon carrying Miss Johnson vanishing in the distance.

Retail stores throughout Miles City are ready for the annual Ridiculous Days sale which will be held this Friday and Saturday. Emphasis is on honest-to-goodness bargains plus lots of fun for customers and employees alike.

Mrs. Dan Lockie of Miles City is one of four Montanans who will attend the First World IFYE (International Farm Youth Exchange) Conference August 21-29.

The Miles City District Softball Tournament gets underway tonight at 8 p.m. at the city softball park. The tournament will play host to the largest number of teams in its history. Nineteen teams from Miles City, Glendive, Sidney and Plentywood will be competing.

Three Miles Citians did right well at the Wolf Point Stampede. Jack Witcher and Dean Woodward finished one-two in the calf-roping contest and Marian (Mrs. Jack) Witcher was fourth in gals barrel racing.

75 YEARS AGO (1940)

Carl Herzog, Custer County beet grower, left for Helena where he will attend the first meeting of the committee named by officers of Montanans, Inc., for the purpose of formulating and submitting to sugar beet districts, a program for unified action in the future welfare of the sugar beet industry in Montana.

Sheriff C. E. Allen warns all chicken ranchers to be on the outlook for two dogs that have been killing chickens. He reports that W. H. George has had 79 chickens killed by two dogs answering the following description: medium sized, long haired, black and white dog and a small brown slick haired dog.

Usually when someone is charavaried, it is up to the couple to stand the treats. Mr. and Mrs. Robert Collins, however, had the tables turned. A group of friends from the experiment station staged a charavari and instead of demanding treats, they demanded their presence at a party given at the fort, and to make it more unorthodox, presented them with a gift.

Riley Baker was installed as Commander of Custer Post No. 5 of the American Legion at their regular meeting held in Legion Hall. He succeeds A. L. Baker and will serve for the coming year.

100 YEARS AGO (1990)

Funeral services for J. E. Lane of Lafayette, Indiana, will be held today at 4 o'clock p.m. under the auspices of the Eagles lodge. He was a member of the Lafayette Aerie of Eagles but not in good standing the eastern lodge failed to look after the funeral expenses. The Miles City Aerie then took the matter up and local after the internment.

Vern Thistlewood, a brakeman on the Milwaukee who some time ago sustained an injury on his back, met with another and more distressing accident yesterday at Baker. He was struck by an object protruding from a car and was knocked down and his hand fell on to the track and was run over. Amputation below the wrist was necessary.

A delay of about a week has been occasioned in the construction of the federal building by the fact that it has been ascertained that it will be necessary to use a different material in the construction of the lower part of the building than that contemplated, owing to the nature of the soil and climactic conditions.

A boy of 11 or 12 years of age, named Jamison, whose father is employed at the Midland Coal & Lumber company, was struck and run over by an auto yesterday and his arm broken.

TRR

Continued from page 1

Marta Meengs of Missoula mentioned health issues such as coal dust that is shed by open coal cars as it is transported and increased auto and truck emissions caused by more vehicles idling for longer periods of time at railroad crossings as the coal moved through Missoula to the West Coast. "Coal dust and diesel emissions are serious issues," Meengs said.

Lee Metzgar of 350 Missoula submitted written comments with all the statistics behind the 2 billion metric tons of carbon dioxide that will be released by burning the Tongue River coal. "Stop the utter insanity of developing new fossil fuels," was Metzgar's concluding statement. Metzgar was also concerned with noise pollution from increased train traffic.

Tim Skufca, also of Missoula, first stated that he comes from a long line of miners, with one grandfather dying of black lung. While open pit is different from underground mining, Skufca felt that coal is "a 19th century fuel for the 21st century."

John Woodland of Superior is a retired fire chief who pointed out that the draft EIS focuses on coal going east, to Midwestern plants, ignoring the likely possibility of the coal going west. The EIS also claims there will be no net change in climate, on the assumption that the Tongue River coal will displace existing coal sources, but Woodland said, "This makes no economic sense."

Woodland was also concerned with the costs to poor Montana counties having to deal with increased traffic damaging rail crossings and the possibility of trains derailing and coal being dumped in the Clark Fork River, as airplane fuselages were recently.

Kelly Radue, a landowner in the Tongue River Valley, said he would be directly impacted.

"This is a field of dreams railroad," according to Radue. "Build it and they will come."

He was referring to the fact the railroad will service a coal mine that has not yet been constructed and possibly take coal to export terminals on the West Coast that have not yet been constructed. He also stated the railroad "does not serve public need or convenience," which is a requirement of railroads being approved by the Surface Transportation Board.

Mark Fix, a rancher and irrigator who lives 20 miles south of Miles City, commented that the draft EIS "does not go into much detail and does not show specific sidings," so he does not know exactly what portions of his land would be impacted by the railroad. He said the proposed railroad will "split my ranch in half." He was concerned about access to wells on his property, access to pastures and the construction of the railroad altering the drainage patterns on his property.

Fix was also concerned with heavy maintenance vehicles belonging to the railroad having to use private bridges that were not constructed for such heavy traffic, and whether there would be adequate access for emergency vehicles if trains started fires in isolated areas. Fix also said he was concerned with the introduction of invasive weeds by increased traffic.

The draft EIS is available at www.stb.dot.gov and at www.tonguerivereis.com Comments will be accepted on-line and in writing through August 24. Montana libraries with copies of the draft EIS include the Bicentennial Library at Colstrip; Big Horn County Public Library; Dr. John Woodenlegs Memorial Library in Lame Deer; Henry Malley Memorial Library in Broadus; Miles City Public Library; Judson H. Flower, Jr. Library at Miles Community College; and the Rosebud County Library.

The address to submit written comments is: Ken Blodgett, Surface Transportation Board, 395 E. Street, S. W., Washington, D. C., 20423-0001, Attention: Environmental filing Docket No. 30186.

The STB-OEV suggests that the most useful comments are those with sufficient detail. They recommend providing page numbers and sections of the EIS in your comment. Vague statements or concerns that do not suggest specific change to the EIS or give OEA direction are less helpful.

The board relies on supporting information, such as analysis of methodologies and assumptions, rather than just number of comments.

There were several other hearings in the area, including in Ashland and Lame Deer. Fix attended these meetings. There is a live stream available from the Ashland hearing at http://livestream.com/accounts/13815495/TRR-Ashland .

Water

Continued from page 1

Thompson ruled in December that, going forward, Wyoming must cut off irrigation to lands with water rights established after 1950 if Montana lands with pre-1950 rights aren't getting fully irrigated.

Montana in April issued a call, or a claim based on water rights, on the river, forcing Wyoming officials to cut off irrigation to lands with post-1950 water rights. The call ended in May, when the Tongue River Reservoir was filled, but Montana officials have warned their Wyoming counterparts that another call is likely later this summer.

Wyoming State Engineer Pat Tyrrell had complained to Montana officials during the call this spring that although Montana was requiring Wyoming to cut off landowners with post-1950 rights, Montana wasn't capturing those flows in the reservoir and was essentially wasting the water.

Tyrrell said Tuesday that responding to Montana's call this spring resulted in an increase of only about 20 cubic feet per second. The river flow is currently around 2,000 cubic feet per second at the Tongue River Reservoir.

If Montana issues another call on the river this summer, Tyrrell said most post-1950 water rights in Wyoming will likely already have been cut off by Wyoming's own intrastate regulation by that time of year.

Wechsler said Wyoming's claims that Montana wasted water are not correct.

"Water was released from the Tongue River Reservoir for irrigation, to satisfy calls for contract water, and for operational reasons, all as allowed by the special master's order," Wechsler said.

"Montana is pleased that the favorable ruling from the special master has allowed it to receive its share of compact water," he added. "But Wyoming's complaint about wasting water highlights the need in our view of a final declaration by the Supreme Court."

Actresses support ACLU call to investigate Hollywood hiring

LOS ANGELES (AP) — The government has yet to respond to the American Civil Liberties Union's allegations of discrimination against female filmmakers, but Hollywood is certainly talking about it.

More than 1,700 industry professionals have signed a petition supporting the ACLU's call last month for a federal investigation into Hollywood hiring practices, ACLU attorney Melissa Goodman said Monday. Celebs are also discussing the issue on red carpets.

"Obviously we need to create more opportunities. It's not an even playing field," Nicole Kidman said Tuesday as she arrived at Women in Film's Crystal + Lucy Awards. "By having a dialogue, it helps."

Goodman agrees. While she's optimistic for a formal response, she's gratified by the informal one so far.

In letters to federal and state agencies, including the U.S. Equal Employment Opportunity Commission, the ACLU cited statistical evidence to support its allegations of discrimination.

Syrian rebels advance near Golan; Damascus shelling kills 33

BEIRUT (AP) — Syrian rebels launched a wide-ranging offensive against government positions near the Israeli-occupied Golan Heights on Wednesday, after shelling in and around Damascus killed at least 33 people, activists said.

The rebels of the Southern Front alliance and the so-called Haramoun Army targeted several areas in the Golan, including the towns and villages of Quneitra, Khan Arnabeh, Baath, Jiba and the base of Brigade 90, the main government force in the region, said opposition activist Jamal al-Jolani, who is based in southern Syria.

"The fighting now is inside the city of Quneitra," al-Jolani said via Skype. He said the Haramoun Army — which includes al-Qaida's Syrian affiliate and the ultraconservative Ahrar al-Sham — shelled the area while Southern Front fighters advanced on the ground.

Insurgents have been on the offensive in southern Syria for the past three months, capturing military bases, villages and a border crossing point with Jordan.

Maj. Issam el Rayyes, a spokesman for the Southern Front, said the aim of the offensive "is to liberate remaining regime targets in Quneitra." He added that they aim to link southern Syria with rebel-held neighborhoods in the suburbs of Assad's seat of power in the capital, Damascus.

"This is a wide battle, not a simple one," he said, adding that in addition to the towns and village in Quneitra, the rebels are fighting to control a series of strategic hills in the southern region.

The Britain-based Syrian Observatory for Human Rights said the fighting Wednesday killed a soldier and one insurgent, after six rebels were killed the day before.

Explosions from the fighting could be seen from the Israel-controlled Golan Heights several miles (kilometers) away. A Syrian government helicopter could be heard dropping bombs on rebel targets as tanks, believed to belong to the rebels, fired back. An Israeli warplane flew along the frontier as a precautionary move.

Just before noon, warning sirens sounded in the Israeli-occupied Golan, near the Quneitra border crossing. Shelling and gunfire from Syria's civil war occasionally has strayed across the frontier, but there were no immediate reports of any spillover Wednesday. The Golan is a popular destination for tourists, some of whom stopped to watch the fighting in the distance.

Syria's state-run SANA news agency meanwhile said two shells struck Arnous Park in Damascus late Tuesday, killing nine people and wounding 13 as shoppers were out ahead of the Muslim holy month of Ramadan, which begins Thursday.

Government forces earlier fired Iranian-made "elephant" rockets on the rebel-held suburb of Douma, killing 24 people, including five children and 14 women, according to the Observatory.

The shelling in Damascus and Douma occurred as U.N. special envoy Staffan de Mistura was still in the Syrian capital. On Wednesday, he ended a three-day visit to Syria, during which he met Assad and other officials.

"The special envoy stresses that the heavy bombings by government forces last night on Douma, which caused significant civilian casualties, calls for a strong condemnation," a U.N. statement issued at the end of his visit said. "No context justifies the indiscriminate targeting of civilian areas or the use of collective punishment by a government."

The statement also condemned rebel bombing of government neighborhoods in the northern city of Aleppo that killed and wounded dozens this week.

Insurgents on the outskirts of Damascus occasionally shell the capital, drawing massive retaliation from government forces, which have reduced several rebel-held suburbs to rubble.

Today's Markets

All figures from 3 p.m. EST

Stocks of Local Interest

Name	Ex	Div	Yld	PE	Last	Daily Chg	YTD %Chg
AT&T Inc	NY	1.88	5.4	32	34.71	+.04	+3.3
AMD	NA	...	...	...	2.52	+.17	-5.8
AlcatelLuc	NY	...	...	...	3.72	-.05	+4.9
Alcoa	NY	.12	1.0	19	11.95	-.08	-24.4
Alibaba n	NY	...	...	55	86.77	+.68	-16.5
Altria	NY	2.08	4.3	19	48.33	+.31	-1.9
Ambev	NY	.24	4.0	...	6.05	+.01	-1.9
AmAirlines	NA	.40	1.0	9	39.98	+.50	-25.5
AmExp	NY	1.16	1.4	14	80.29	+.93	-13.7
Amgen	NA	3.16	2.0	21	156.47	+.24	-1.8
Annaly	NY	1.20	12.1	...	9.89	+.06	-8.5
Apple Inc	NA	2.08	1.6	16	127.64	+.04	+15.6
ApldMatl	NA	.40	2.0	19	19.65	-.17	-21.1
ArchCoal	NY	...	...	...	.44	+.03	-75.6
AxionPw h	NA	...	...	...	.17	+.02	-82.0
BcoBrad s	NY	.39	4.3	...	9.08	-.07	-18.5
BkofAm	NY	.20	1.1	26	17.45	-.10	-2.5
B iPVixST	NY	...	...	...	18.75	+.04	-40.5
BarrickG	NY	.20	1.8	70	11.26	+.08	+4.7
BestBuy	NY	.92	2.7	15	33.93	-.46	-13.0
Boeing	NY	3.64	2.5	18	142.82	+.48	+9.9
Caterpillar	NY	3.08	3.5	14	86.81	+.22	-5.2
ChesEng	NY	.35	2.9	...	12.04	-.49	-38.5
Cisco	NA	.84	2.9	17	28.99	+.28	+4.9
Citigroup	NY	.20	.4	23	56.70	-.37	+4.8
CocaCola	NY	1.32	3.3	25	40.19	+.11	-4.8
Comcast	NA	1.00	1.7	18	59.57	+.69	+2.7
ConAgra	NY	1.00	2.6	...	38.70	+.08	+6.7
CSVInvNG	NY	...	...	...	5.47	+.18	-32.0
CSVLgNGs	NY	...	...	...	2.32	-.08	-41.7
CSVLgCrde	NY	...	...	...	3.43	-.04	-29.9
CSVelIVST	NA	...	...	...	45.99	+.50	+47.7
CSVixSht	NA	...	...	...	.83	-.03	-69.9
Deere	NY	2.40	2.6	13	92.02	-.10	+4.0
DiamRk	NY	.50	3.8	16	13.18	-.05	-11.4
DxGldBull	NY	...	...	...	9.28	+.25	-16.8
DrxSCBear	NY	...	...	...	9.45	+.04	-21.3
Disney	NY	1.15	1.0	24	111.31	+.25	+18.2
DowChm	NY	1.68	3.2	16	53.09	+.50	+16.4
EMC Cp	NY	.46	1.7	22	27.24	+.11	-8.4
ExxonMbl	NY	2.92	3.4	13	84.64	-.04	-8.4
Facebook	NA	...	...	80	82.01	+.95	+5.1
FireEye	NA	...	...	...	54.25	+1.09	+71.8
FstIntBc A	NA	.80	2.8	15	28.21	-.11	+1.4
FordM	NY	.60	4.0	19	14.93	-.07	-3.7
FreeSeas rs	NA	...	...	...	.10	+.00	-85.9
FrontierCm	NA	.42	8.4	...	4.99	+.02	-25.2
GenElec	NY	.92	3.4	...	27.27	+.05	+7.9
GileadSci	NA	1.72	1.4	14	119.27	+.20	+26.5
GoodrPet	NY	...	...	...	1.77	-.38	-60.1
GrafTech	NY	...	...	...	5.04	-.01	-.4
Groupon	NA	...	...	...	5.42	-.17	-34.4
Hallibrtn	NY	.72	1.6	17	45.73	+.31	+16.3
HarleyD	NY	1.24	2.2	14	55.69	+.98	-15.5
HewlettP	NY	.70	2.2	13	31.97	+.32	-20.3
Hilton	NY	...	...	39	27.87	-.17	+6.8
HomeDp	NY	2.36	2.1	22	110.38	+.15	+5.2
iShJapan	NY	.15	1.2	...	12.77	-.17	+13.6
iShChinaLC	NY	1.04	2.2	...	47.05	+.06	+13.0
iShEMkts	NY	.88	2.2	...	39.90	+.10	+1.6
iSh20 yrT	NY	3.41	2.9	...	117.94	-1.13	-6.3
iS Eafe	NY	2.26	3.5	...	65.32	-.46	+7.4
iShR2K	NY	1.59	1.3	...	126.17	-.25	+5.5
iShREst	NY	2.70	3.6	...	74.01	+.01	-3.7
Intel	NA	.96	3.0	14	32.01	+.38	-11.8
ItauUnibH	NY	.41	3.7	...	11.05	-.09	-15.0
JD.com	NA	...	...	...	35.51	-.99	+53.5
JDS Uniph	NA	...	...	...	12.66	+.01	-7.8
JPMorgCh	NY	1.76	2.6	13	68.26	-.11	+9.8
KindMorg	NY	1.92	4.9	43	39.48	-.01	-6.7
KytheraBio	NA	...	...	...	74.12	+13.40	+113.7
MDU Res	NY	.73	3.6	14	20.05	+.16	-14.7
MGM Rsts	NY	...	...	...	19.34	+.25	-9.5
MannKd	NA	...	...	...	5.85	-.08	+12.2
MktVGold	NY	.12	.6	...	18.53	+.20	+.8
McDnlds	NY	3.40	3.6	21	94.93	+.30	+1.3
Merck	NY	1.80	3.1	15	57.79	+.08	+1.8
MicronT	NA	...	...	8	24.55	+.31	-29.9
Microsoft	NA	1.24	2.7	19	45.97	+.14	-1.0
MdwGold g	Mkt	...	...	...	.11	+.01	-85.8
Mobileye n	NY	...	...	...	54.23	+2.60	+33.7
NBGreece	NY	...	...	...	1.07	-.02	-40.2
Oracle	NY	.60	1.3	19	44.65	+.01	-.7
PPL Corp	NY	1.49	4.9	10	30.12	+.09	-10.7
PeabdyE	NY	.01	.4	...	2.41	+.01	-68.9
Penney	NY	...	...	...	8.26	+.13	+27.5
PepsiCo	NY	2.81	3.0	22	93.78	+.23	-.8
PetrbrsA	NY	...	...	...	8.62	-.04	+13.7
Petrobras	NY	...	...	...	9.49	-.01	+30.0
Pfizer	NY	1.12	3.3	24	33.98	-.06	+9.1
PhilipMor	NY	4.00	4.9	17	81.52	-.30	+.1
PwShs QQQ	NA	1.49	1.0	...	109.38	+.58	+5.9
PUVixST rs	NY	...	...	...	39.12	+.32	-68.9
PrUCrude rs	NY	...	...	...	46.82	-.32	-9.7
Qihoo360	NY	...	...	57	70.50	+4.45	+23.1
RegionsFn	NY	.24	2.3	14	10.54	-.07	-.2
RiteAid	NY	...	...	23	8.85	-.10	+17.7
RoyDShllA	NY	3.76	6.5	11	58.17	-.12	-13.1
S&P500ETF	NY	3.94	1.9	...	210.13	-.12	+2.2
SeadrillLtd	NY	...	...	1	11.29	-.14	-5.4
SiriusXM	NA	...	...	42	3.77	+.01	+7.7
SouFun	NY	1.20	12.4	17	9.70	+.76	+31.3
SwstnEngy	NY	...	...	12	23.44	-.25	-14.1
Sprint	NY	...	...	...	4.70	+.06	+13.3
SP Engy	NY	1.94	2.5	...	77.09	-.28	-2.6
SPDR Fncl	NY	.41	1.6	...	25.03	-.04	+1.2
SP Util	NY	1.51	3.5	...	42.75	+.08	-9.5
StillwtrM	NY	...	...	23	13.00	-.14	-11.8
SynrgyPh	NA	...	...	...	7.93	+3.29	+160.0
TaiwSemi	NY	.50	2.1	...	23.56	-.02	+5.3
TimeWarn	NY	1.40	1.6	20	87.20	+.16	+2.1
Trinity s	NY	.44	1.5	8	29.28	+.09	+4.5
TripAdvis	NA	...	...	57	86.73	+10.28	+16.2
21stCFoxA	NA	.30	.9	8	32.68	+.42	-14.9
Twitter	NY	...	...	...	34.41	-.41	-4.1
UPS B	NY	2.92	2.9	29	99.89	-.46	-10.1
US Bancrp	NY	1.02	2.3	14	44.70	+.11	-.6
US OilFd	NY	...	...	...	20.19	-.07	-.8
Vale SA	NY	.60	9.5	...	6.34	-.03	-22.5
Vale SA pf	NY	.60	10.9	...	5.51	-.01	-24.1
VangEmg	NY	1.13	2.7	...	41.31	+.09	+3.2
VerizonCm	NY	2.20	4.7	21	47.15	-.28	+.8
Vipshop s	NY	...	...	...	25.88	+.59	+32.4
WalMart	NY	1.96	2.7	15	72.54	+.19	-15.5
WellsFargo	NY	1.50	2.6	14	57.25	+.03	+4.4
Yahoo	NA	...	...	6	41.12	+.49	-18.6

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Stock Exchange Highlights

Dow	Nasdaq	S&P 500
17,978.25	5,077.53	2,104.92
+73.77	+21.98	+8.63

Market Summary: NYSE and Nasdaq

Gainers ($2 or more)

Name	Last	Chg	%chg
SynrgyP wt	3.29	+1.66	+101.8
SyngyP un	19.19	+8.19	+74.5
SynrgyPh	7.93	+3.29	+70.9
KytheraBio	74.12	+13.40	+22.1
EcologyEn	10.40	+1.68	+19.2
Neothet n	7.44	+1.15	+18.3
DS Hlthcre	4.18	+.58	+16.0
KingtoneW	6.30	+.84	+15.4
Xunlei n	14.01	+1.85	+15.2
LibTripA n	31.87	+3.84	+13.7
TripAdvis	86.73	+10.28	+13.4
KemPhm n	18.14	+1.87	+11.5
Prothena	51.76	+5.11	+11.0
AMCC	7.84	+.77	+10.9
ParTech	4.75	+.47	+10.9
NatHlTr n	42.57	+3.41	+8.7
SouFun	9.70	+.76	+8.5
ChinaYida	3.43	+.26	+8.4
MagHR pfE	15.00	+1.15	+8.3
SinopcShg	52.13	+4.01	+8.3

Losers ($2 or more)

Name	Last	Chg	%chg
DeltaTch n	6.85	-2.26	-24.8
DavidsT g n	22.22	-6.94	-23.8
AirMedia	4.79	-.92	-16.1
OcataThera	5.27	-.97	-15.5
GoodrP pfC	7.65	-1.35	-15.0
LincEdSv	2.21	-.34	-13.3
GoodrP pfD	6.90	-.96	-12.2
TruettHrst	2.29	-.32	-12.2
JunoTher n	52.25	-6.17	-10.6
Seritage rt	3.10	-.36	-10.3
QKL Strs	2.10	-.23	-9.9
AzureMid	13.71	-1.48	-9.7
LionBiotch	10.65	-1.09	-9.3
ChHouLd rs	2.13	-.22	-9.2
NewpkRes	8.09	-.82	-9.2
ChAdvCns	4.25	-.39	-8.4
NovtlWrls	3.56	-.30	-7.8
CheckCap n	3.00	-.25	-7.7
Resonant	3.16	-.26	-7.7
PlasmaT wt	2.60	-.21	-7.5

Actives ($1 or more)

Name	Vol (000s)	Last	Chg
SynrgyPh	54219	7.93	+3.29
BkofAm	51476	17.45	-.10
Apple Inc	24220	127.64	+.04
SiriusXM	23487	3.77	+.01
GenElec	23377	27.27	+.05
AT&T Inc	21686	34.71	+.04
Intel	21442	32.01	+.38
Petrobras	21202	9.49	-.01
Vale SA	21093	6.34	-.03
Twitter	20141	34.41	-.41
SouFun	20061	9.70	+.76
Microsoft	19380	45.97	+.14
AMD	19046	2.52	+.17
RiteAid	18991	8.85	-.10
FordM	17581	14.93	-.07
Groupon	15979	5.42	-.17
ChesEng	15710	12.04	-.49
MicronT	14404	24.55	+.31
FrontierCm	14315	4.99	+.02
Facebook	13766	82.01	+.95

Sales figures as of 3:00 pm E.T. are unofficial.

Stock Footnotes: g = Dividends and earnings in Canadian dollars. h = Does not meet continued-listing standards. If = Late filing with SEC. n = New in past 52 weeks. pf = Preferred. rs = Stock has undergone a reverse stock split of at least 50 percent within the past year. rt = Right to buy security at a specified price. s = Stock has split by at least 20 percent within the last year. un = Units. vj = In bankruptcy or receivership. wd = When distributed. wi = When issued. wt = Warrants. **Gainers and Losers** must be worth at least $2 to be listed. **Most Actives** must be worth at least $1. Volume in hundreds of shares. **Source:** The Associated Press.

All figures from 3 p.m. EST

Stock Market Indexes

52-Week High	52-Week Low	Name	Last	Chg	%Chg	YTD %Chg	12-mo %Chg
18,351.36	15,855.12	Dow Industrials	17,978.25	+73.77	+.41	+.87	+6.34
9,310.22	7,700.57	Dow Transportation	8,319.93	-28.29	-.34	-8.97	+1.74
657.17	524.82	Dow Utilities	566.49	+5.18	+.92	-8.35	+.36
11,254.87	9,886.08	NYSE Composite	11,033.45	+35.79	+.33	+1.79	+.53
5,119.83	4,116.60	Nasdaq Composite	5,077.53	+21.98	+.43	+7.21	+16.38
2,390.93	1,922.79	Nasdaq Global Sel	2,369.41	+10.37	+.44	+7.12	+16.57
938.44	814.14	S&P 100	926.04	+3.81	+.41	+1.94	+7.10
2,134.72	1,820.66	S&P 500	2,104.92	+8.63	+.41	+2.24	+7.56
1,545.79	1,269.45	S&P MidCap	1,534.70	+2.62	+.17	+5.66	+8.02
22,536.78	19,160.13	Wilshire 5000	22,283.90	+83.72	+.38	+2.83	+7.30

Mutual Funds

Name	Obj	Offering Price	Total Return/Rank 4-wk	12-mo	5-year	Pct Load	Min Init Invt
American Funds AmBalA m	MA	24.93	-1.3	+6.0/B	+12.2/A	5.75	250
American Funds BondA m	CI	12.70	-1.0	+1.8/C	+3.8/C	3.75	250
American Funds CapIncBuA m	IH	59.99	-3.0	+1.8/B	+9.9/A	5.75	250
American Funds CpWldGrIA m	WS	47.97	-2.5	+2.8/C	+11.6/C	5.75	250
American Funds EurPacGrA m	FG	50.71	-3.2	+1.4/C	+8.8/C	5.75	250
American Funds FnInvA m	LB	53.58	-0.9	+9.1/C	+14.6/C	5.75	250
American Funds GrthAmA m	LG	45.43	-0.4	+11.3/D	+15.2/C	5.75	250
American Funds IncAmerA m	MA	21.68	-2.1	+3.3/D	+11.4/A	5.75	250
American Funds InvCoAmA m	LB	37.69	-1.5	+7.3/D	+14.5/C	5.75	250
American Funds NewPerspA m	WS	38.73	-2.4	+7.4/A	+12.8/B	5.75	250
American Funds WAMutInvA m	LV	41.09	-1.6	+6.1/C	+15.1/A	5.75	250
Dodge & Cox Income	CI	13.72	-0.9	+1.7/C	+4.6/B	NL	2,500
Dodge & Cox IntlStk	FB	44.40	-3.7	-2.4/D	+10.2/A	NL	2,500
Dodge & Cox Stock	LV	184.30	+0.4	+8.4/B	+16.2/A	NL	2,500
Fidelity Contra	LG	102.52	-0.1	+12.8/C	+15.7/C	NL	2,500
Fidelity ContraK	LG	102.49	-0.1	+12.9/C	+15.8/C	NL	0
Fidelity LowPriStk d	MV	52.99	-0.5	+9.8/A	+15.9/B	NL	2,500
Fidelity Spartan 500IdxAdvtg	LB	74.27	-1.1	+10.3/B	+15.8/A	NL	10,000
FrankTemp-Franklin IncomeA m	CA	2.37	-2.1	-2.8/E	+9.5/A	4.25	1,000
Oakmark Intl I	FB	24.84	-3.8	-1.7/C	+10.9/A	NL	1,000
Oppenheimer EquityA m	LG	14.39	+0.2	+11.4/C	+13.9/D	5.75	1,000
Oppenheimer QuBalA m	IH	18.09	-0.8	+4.5/A	+7.1/D	5.75	1,000
PIMCO AllAssetA m	TV	11.56	-3.1	-5.7	+4.9	3.75	1,000
PIMCO LowDrC m	CS	10.01	+0.1	-0.1/E	+1.7/C	1.00	1,000
PIMCO RealRtnC m	IP	10.89	-0.5	-2.4/E	+2.6/C	1.00	1,000
Putnam GlbHltCrA m	SH	74.58	+1.5	+32.0/C	+21.5/D	5.75	0
Putnam GrowIncA m	LV	21.88	-1.1	+4.9	+14.5	5.75	0
Putnam HiYldA m	HY	7.86	-0.9	-0.1/C	+8.1/B	4.00	0
Putnam TaxFHYldA m	HM	12.45	0.0	+6.1/B	+6.3/B	4.00	0
Putnam VoyagerA m	LG	31.61	-1.0	+10.1/D	+12.8/E	5.75	0
T Rowe Price GrowStk	LG	56.31	-0.2	+17.2/A	+17.6/A	NL	2,500
T Rowe Price NewIncome	CI	9.49	-0.9	+2.0/B	+3.7/D	NL	2,500
Vanguard 500Adml	LB	194.17	-1.1	+10.4/B	+15.9/A	NL	10,000
Vanguard IntlStkIdxAdm	FB	27.62	-4.4	-2.9/D	NA	NL	10,000
Vanguard TgtRe2020	TE	29.15	-1.6	+4.8/A	+9.9/A	NL	1,000
Vanguard Tgtet2025	TG	16.99	-1.6	+5.1/A	+10.6/B	NL	1,000
Vanguard TotBdAdml	CI	10.74	-0.9	+2.3/B	+3.5/D	NL	10,000
Vanguard TotIntl	FB	16.51	-4.4	-2.9/D	+7.3/D	NL	3,000
Vanguard TotStlAdm	LB	53.14	-0.7	+10.4/B	+16.1/A	NL	10,000
Vanguard TotStIdx	LB	53.11	-0.7	+10.3/B	+15.9/A	NL	3,000
Viking TaxFrMT m	SI	10.12	+0.1	+3.3/B	+3.8/B	3.75	1,000
Waddell & Reed Adv AccumA m	LG	11.21	+0.1	+14.8/B	+15.6/C	5.75	750
Waddell & Reed Adv BondA m	TW	6.29	-1.1	+1.0/C	+3.1/E	5.75	750
Waddell & Reed Adv CoreInv A m	LG	7.25	-0.3	+7.0/E	+15.9/B	5.75	750
Waddell & Reed Adv SciTechA m	ST	16.14	+0.1	+8.0/E	+18.8/A	5.75	750
Waddell & Reed Adv ValueA m	LV	16.72	+1.6	+7.2/C	+13.4/C	5.75	750
Williston Basin MNAmeStkA m	EE	5.94	-2.9	-21.4/B	+11.7/A	5.00	1,000

BL -Balanced, GL -Global Stock, IL -International Stock, LC -Large-Cap Core, LG -Large-Cap Growth, LV -Large-Cap Val., MT -Mortgage, SB -Short-Term Bond, SP -S&P 500, XC -Multi-Cap Core, XG -Multi-Cap Growth, XV -Multi-Cap Val.Total Return: Chng in NAV with dividends reinvested. Rank: How fund performed vs. others with same objective: A is in top 20%, E in bottom 20%. Min Init Invt: Minimum $ needed to invest in fund. NA = Not avail. NE = Data in question. NS = Fund not in existence. **Source:** Lipper, Inc. Mutual Funds as of close yesterday.

Miles City STAR

Wednesday, June 17, 2015 | Miles City, Montana | $1.00

Comments taken at TRR public hearings

By AMORETTE ALLISON
Star Staff Writer

The Tongue River Railroad, a project that dates back to the early 19th century, with its latest reiteration dating back to the 1980s, was the topic of a public hearing conducted by members of the Surface Transportation Board, Office of Environmental Analysis at Miles Community College on June 9.

Ken Blodgett and Danielle Gosselin represented the STB OEA. Blodgett welcomed the attendees with prepared statements and explained that the hearing was just for public comments. No questions would be answered, and all statements would be entered into the official record, whether written or spoken.

The eight attendees who commented at the first of two hearings that day spoke against the railroad and requested that the STB chose the "no action" option.

There are several alternatives presented in the draft statement. There are five "build alternatives," which encompass 10 variations on different routes the TRR could follow. The last alternative, the "no action alternative," would not permit the construction of the railroad by any route.

The Tongue River Railroad Company prefers a route called the Colstrip alternative.

Several speakers were from Missoula. Nick Engelfried represented Missoula 350, which is opposed to the railroad. He mentioned that the draft EIS assumes that the coal from the proposed mine will be sent east, to Midwestern coal plants. He found the EIS an "issue of grave concern," noted that there were no public hearings west of Billings, and the EIS did not address moving coal to the Pacific Coast.

He brought with him approximately 1,800 written comments collected in Missoula to be entered into the public record. He brought the written comments because there were no public hearings in western Montana since the EIS assumes all coal will go to Midwestern power plants.

Engelfried also noted that the EIS assumed no carbon dioxide emission issues because the Otter Creek coal would only replace existing coal sources. Engelfried felt coal would be shipped to new markets in Asia and thus would have carbon emission impacts.

Cate Campbell, who lives near the Idaho border, said that the EIS "emphasizes the sale of Otter Creek coal to US markets. Arch Coal has emphasized shipping the coal through eastern Montana, Wyoming, the Dakotas and Minnesota so the EIS follows the coal on that route, not west to the coast.

"The downline impacts," Campbell said, in reference to the coal moving west instead of east, "have been inadequately examined."

See "TRR," page 5

Fourth of July parade entries sought

By the Fourth of July Committee

This summer is the 12th anniversary of the Annual Fourth of July Parade and Riverside Park Activities.

Entries for this year's parade are being sought. The Fourth of July Committee is urging early registration. They are looking for floats and entries of all kinds. There is no registration fee for participating in the parade. Entry lineup will be at 10 a.m. on the corner of Leighton Boulevard and North Montana Avenue on July 4. The parade will begin at 11 a.m.

The theme this year is "Patriotic Down Home Values and Country Heritage." Parade possibilities include: floats, cars, wagons, tractors, motorcycles, bicycles, tricycles, unicycles, any and all music, walking with children and pets, horses, sheep, mules, goats, costumes of all sorts and color and anything else you can imagine.

As in the past, there will be a parade entry contest. Criteria for the entries are:

1) Originality of entry
2) Amount of actual construction or time in putting the entry together
3) Following the Theme ~ Patriotic Down Home Values and Country Heritage
4) Audience Appeal

Community First Federal Credit Union, First Interstate Bank, Stockman Bank and US Bank have donated the first-, second-, third-, and fourth-place awards.

The Fifth Annual Best of Bike Contest is a people-powered bicycle decorating event. There is no fee to enter and there is no age limit. The criteria for the contest are the same as for the parade entry. Pedal Power Sports has donated the first-place award, the American Legion Auxiliary contributed the second-place award, and Buy MT has sponsored the third-place award. All participants will receive treat tokens from Dairy Queen.

The Best of Bike Contestants are asked to ride in the parade, however, those who are too young or for some other reason cannot ride in the parade may go ahead and park in the bicycle corral in Riverside Park. Those attending the Park activities will be able to vote for their favorite "People's Choice" decorated bicycle at the corral.

Both the Parade Entry Contest and Best of Bike Contest winners will be announced and awards given at the Riverside Park Gazebo at 1:30 p.m. on July 4.

For more information about the parade or to register, call Mark Ahner, the Fourth of July Parade Coordinator at 406-234-0302.

For more information about setting up a booth in Riverside Park, call the Fourth of July Park Activities Coordinators, A.C Ronning at 406-853-4920 or Stan Swiontek at 406-951-1269.

Hand Across the Border

STAR PHOTO/Steve Allison

As fisheries expert Caleb Bollman, far left, gives one group of Girl Scouts a class in fish identification Saturday morning, another group takes to the waters of Spotted Eagle Lake for a canoeing lesson. Another group was also getting the advantage of the archery range for lessons here, while out at the Kinsey school, groups of Girl Scouts were rotating through a variety of classes during the weekend's Hands Across the Border celebration. The event brings together Girls Scouts from across the area and Canada for a weekend of camping and other activities.

Agencies get ready to record meetings when laws take effect

HELENA (AP) — Directors at six state agencies say they'll be ready to record their meetings when new transparency laws requiring them to do so take effect this year.

Five agency boards must make video or audio recordings of their meetings available online or on television within one working day beginning July 1. They include the Board of Public Education, Board of Investments, teachers' and public employees' retirement boards and the Board of Regents.

"We're learning as we go but anything we can do to make it easier for people to get the information saves everybody time and avoids misinformation," Board of Public Education Director Pete Donovan said.

The Board of Pardons and Parole is facing an October deadline to video and audio record most hearings and meetings under a different law that came with at least $234,000 to provide the service for two years and no deadline to publish the records.

The parole board holds meetings more frequently than the other agencies and must remove victims' identities and sensitive information from the recordings before publishing them. That law was passed in the wake of inmate complaints that the board's decisions are sometimes capricious.

Pardons and Parole Director Timothy Allred said the board was provided money to record from the governor's office's contingency fund, including $57,300 for multiple cameras, software and other equipment. It also includes $72,910 each of the next two years for the salary, benefits and retirement of a new employee who will record, redact, publish and archive meetings and hearings. Allred said the rest of the funding will cover storage of the digital records and training, travel and phone expenses for the employee.

The other boards were not provided funding to accompany the new requirements, but directors and chairmen said they have ample staff time and equipment to record meetings at their various buildings.

"My biggest concern is just making sure the quality of the recording, whether it's video or audio, is of the quality where the user can actually hear who's speaking and what's being said," Teachers Retirement Director Shawn Graham said.

Official: Wy-MT water fight to last into 2016

CHEYENNE, Wyo. (AP) — The U.S. Supreme Court could decide as soon as this fall how to proceed with the legal dispute between Wyoming and Montana over water rights on the Tongue River.

Jeff Wechsler, a special assistant Montana attorney general, said Tuesday he understands the court will consider the case at a conference in September. It could either direct a special master to hear more arguments from the states or enter a written order ending the case as it stands, he said.

Montana sued in 2007 claiming that Wyoming had been shorting water deliveries on the river for decades. It flows north before joining the Yellowstone River in Montana.

Both states have filed papers with the Supreme Court in recent weeks arguing how the court should respond to a report that a special master released in December.

Barton Thompson Jr., a Stanford University law professor, has been presiding over the lawsuit for the court. He concluded in December that Wyoming had shorted Montana in water deliveries in only two recent years.

In an earlier ruling, Thompson also shot down a major claim from Montana that had asserted Wyoming shouldn't be allowed to take more water from the river through modern irrigation methods than it had when Congress approved an interstate compact spelling out the allocation of water between the states in the 1950s.

Wyoming filed papers last week urging the Supreme Court to accept Thompson's most recent report. Wyoming is offering to pay Montana $36,000 to Montana to cover the market value plus interest of the water it failed to deliver.

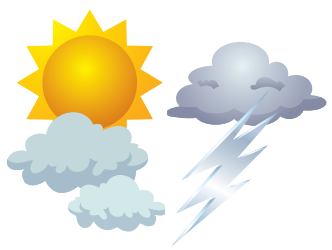
Montana, however, is pressing the court to allow further hearings on the issue of how much water it's entitled to store within the Tongue River Reservoir. Montana says the court should rule that it has a pre-1950 water right to fill the reservoir, which holds 72,500 acre feet, every year. An acre foot is about 325,000 gallons.

Montana is also pushing to stick Wyoming with an unspecified amount of legal fees and costs that would likely total millions of dollars on the grounds that Thompson found Wyoming had violated the terms of the interstate compact.

See "Water," page 5

weather forecast

THURSDAY



82/61

Partly cloudy skies. A stray severe thunderstorm possible.

Texas braces for flooding as tropical depression moves

SAN ANTONIO (AP) — Flood-weary Texans were bracing for heavy rain and possible flooding Wednesday as Tropical Storm Bill was downgraded to a depression and continued to creep inland.

The center of the storm was expected to move northward just west of the Interstate 35 corridor, dropping 4 to 5 inches of rain on areas of Central Texas still cleaning up and recovering from Memorial Day weekend floods that left 14 dead and two missing along the Blanco River alone in Blanco and Hays counties.

The effects of the storm are being felt beyond Texas, as rain fell in Oklahoma and other states, including Missouri where a 60-year-old motorist died when floodwaters swept his car from the road.

The National Hurricane Center said the storm was moving north at about 13 mph and on Wednesday morning was moving into the Dallas-Fort Worth metro area. Flash flood watches and warnings were in effect for the area, and Gov. Greg Abbott was expected to receive a briefing from state emergency officials Wednesday morning in Austin.

In North Texas, Dallas authorities were monitoring road conditions and Arlington residents were picking up sandbags being offered for free by city officials.

According to projections by the National Weather Service, average rainfall through noon Wednesday for portions of Texas will be 3 to 6 inches, but isolated areas could see up to 12 inches. Arkansas and Oklahoma could get up to 9 inches of rain in the coming days, and Missouri could get more than 7. After last month's historic rains and floods, the forecast was expected to complicate ongoing flood-containment efforts.

OPINION

Letters

Release, print report

Dear editor,

I'm writing in hopes that the mayor, city council and county commission will apply corrective pressure to the Miles City Area Economic Development Council (MCAEDC) before approving funding for FY15/16. At issue is the release of the Vision Miles City Report, a document completed in late 2011 but never made available by MCAEDC to the public for review. This report is especially relevant now that a Tax Increment Finance District is under development in support of a downtown development district and has reportedly exhausted "thousands of hours of research."

Vision Miles City was designed to build a comprehensive vision statement for the greater Miles City community. It was coordinated by MCAEDC, facilitated by past MCC president Dr. Stefani Hicswa and staffed by graduates of the Leadership for Miles City program. Focus groups exploring a broad range of economic and community interests interviewed dozens of active community leaders and citizens who gave freely of their time and energy during normal business hours to provide insight into what makes Miles City tick and what they'd like it to become. Vision Miles City involved the kind of soulsearching every progressive community must do; it was professionally developed, compiled and written; it was sponsored with public resources, and it was widely anticipated by its participants and our governing bodies.

Yet, the report has not been released to the public, does not appear on the MCAEDC web site and hasn't been published in the Star. I requested a copy of the Vision Miles City report from both the executive director and past chairman of the MCAEDC board four times, twice in writing and twice verbally, without a satisfactory reply. The document is important for planning purposes, it belongs to Miles City, time is of the essence, and it should be released and reported upon without further delay.

Sincerely,
Joe R. Whalen
Miles City

Train whistles troubling

Dear editor,

I appreciated reading Dan Killoy's recent "Opinion Page" column on BNSF's new increased speed in our area. The never-ending line of train cars passing the crossings so regularly and uninterrupted every day and all night is already more than overwhelming to the ordinary Miles Citian. And there are also the lengthy and very loud whistles that need to be better supervised. No matter what the BNSF supporters say about the speed and the lengthy whistles of their constantly rumbling all day-all night trains, they have certainly made life harder for the majority of us living in close proximity. And sadly enough, wherever one lives in Miles City, one is never safe from the challenge of the noise, let alone the new speed now.

True, the BNSF is an enormously powerful establishment that has a major impact on our general economy and it is also charitable in its monetary contributions to many worthy public programs, for sure. It also provides jobs for our area people, but will they ever consider operating just a little more reasonably to the rest of the law-abiding people who have been quiet because many believe it is simply hopeless to fight the great BNSF? And where are the BNSF reasonable supervisors checking on the loud and dragging whistle-blowing engineers?

Admittedly, Miles City is a very safe and heartwarming southeastern Montana town. And if the great BNSF was to be a little more judicious and evenhanded in their practices of speed and loud, lengthy whistles without sacrificing public safety, there will be a lot more cheering crowds for the BNSF side. Also, fewer of us will be losing our sense of hearing, basically because of the trains' very loud and lengthy whistles.

Let us work together in support of our community as much as we can.

Sincerely,
Basil Pius
Miles City

Vote not in best interest

Dear editor,

Here's a story you may find interesting, especially if you live in Custer County. In the 2015 legislative session, Montana had the opportunity to accept $191 million from the federal government for Medicaid expansion. Approximately $1.7 million of this would be applied to health care for the working poor of Custer County.

Initially, the Medicaid Expansion bill failed. It was brought back to life in a compromise form by Republican Senator Ed Buttrey of Great Falls. The revised bill (SB 405) has eligibility restrictions, which makes it unique relative to other nationwide expansion bills.

SB 405 passed, which is a testament to the tenacity and bipartisanship of Montana's Democratic and moderate Republican legislators. This bill is a win for Montana, a win for the working poor, and a win for Custer County.

The twist to this story is that Custer County's local Republican Representative Ken Homlund voted against SB 405, he voted against an approximate $1.7 million infusion into the Custer County health care economy, he voted against affordable health care for the working poor of Custer County.

Let's pull back the covers on this thing. Medicaid expansion is opposed by the Koch brothers, Charles and David. They are ultra-conservative billionaires who fund the political action committee Americans for Prosperity. This committee lobbied the Montana Legislature to oppose Medicaid expansion and SB 405.

The Koch brothers have an ideological problem with government programs. So they sent their people on a mission to Montana. David and Charles do not live in Montana, nevertheless Rep. Ken Holmlund put the interest of the Koch brothers (non-residents) ahead of the interests of the working poor residents of Custer County, Montana.

The passage of SB 405 was one of the highlights of the 2015 legislative session. It made sense and will make a quality-of-life difference for friends and neighbors throughout Montana, but it failed to make Tea Party sense to Rep. Ken Homlund.

Stanley Taylor
Miles City

Benghazi! Hiding the truth

Joe Conason
Syndicated Columnist

The strange saga of the House Select Committee on Benghazi continues as its chair, Rep. Trey Gowdy, R-S.C., fends off renewed questions about the committee's purpose, as well as demands to release the sworn deposition of Sidney Blumenthal, taken behind closed doors on June 16.

In a CNN interview, Hillary Clinton - the actual target of Gowdy's investigation - recently brushed off accusations about her use of a private email server and mocked his partisan probe.

"This is being blown up with no basis in law or in fact," said Clinton. "That's fine. I get it. This is being, in effect, used by the Republicans in the Congress, OK. But I want people to understand what the truth is. And the truth is everything I did was permitted and I went above and beyond what anybody could have expected in making sure that if the State Department [servers] didn't capture something, I made a real effort to get it to them."

Gowdy answered by reiterating previous claims that only his committee's intrepid work had revealed Clinton's email practices.

"The fact of the matter is it took the Benghazi Committee to uncover Secretary Clinton's use of personal email and a server to conduct official State Department business," the chairman declared after her interview aired. He went on to make a series of further accusations about the emails, insisting that the messages about Libya sent to her by Sidney Blumenthal were "solicited" by her and not, as she described them, "unsolicited."

These disputes might be cleared up if Gowdy would release Blumenthal's testimony, since he answered all the committee's questions under oath.

When questioned about the emails he sent to Clinton, Blumenthal probably mentioned the indisputable fact that her use of a private email server was revealed not by the Benghazi committee but by a Romanian hacker known as "Guccifer" - now serving time in prison for stealing messages from Blumenthal as well as former Secretary of State Colin Powell and Dorothy Bush, the sister of former president George W. Bush. Many of those emails, obtained by Guccifer in a suspected Russian intelligence operation, were published on the Internet months before the Benghazi committee came into existence.

And Blumenthal surely noted, again under oath, that his emails to Clinton were "unsolicited," despite Gowdy's strained attempt to prove otherwise - as Gowdy undoubtedly knows. That is one of many reasons why he continues to suppress the former Clinton aide's testimony. The excuse proffered by committee Republicans is that releasing closed testimony might discourage candor by future witnesses - an argument undercut by letters from Blumenthal attorney James Cole, urging the committee to release his client's full deposition.

Evidently, Gowdy prefers his staffers to leak the Blumenthal testimony, in order to smear both Clinton and the witness he claims to be protecting. For weeks, snippets of Blumenthal's testimony and of his emails to and from Clinton have turned up in the media, to advance negative, highly distorted perceptions of both the former secretary of state and her longtime friend.

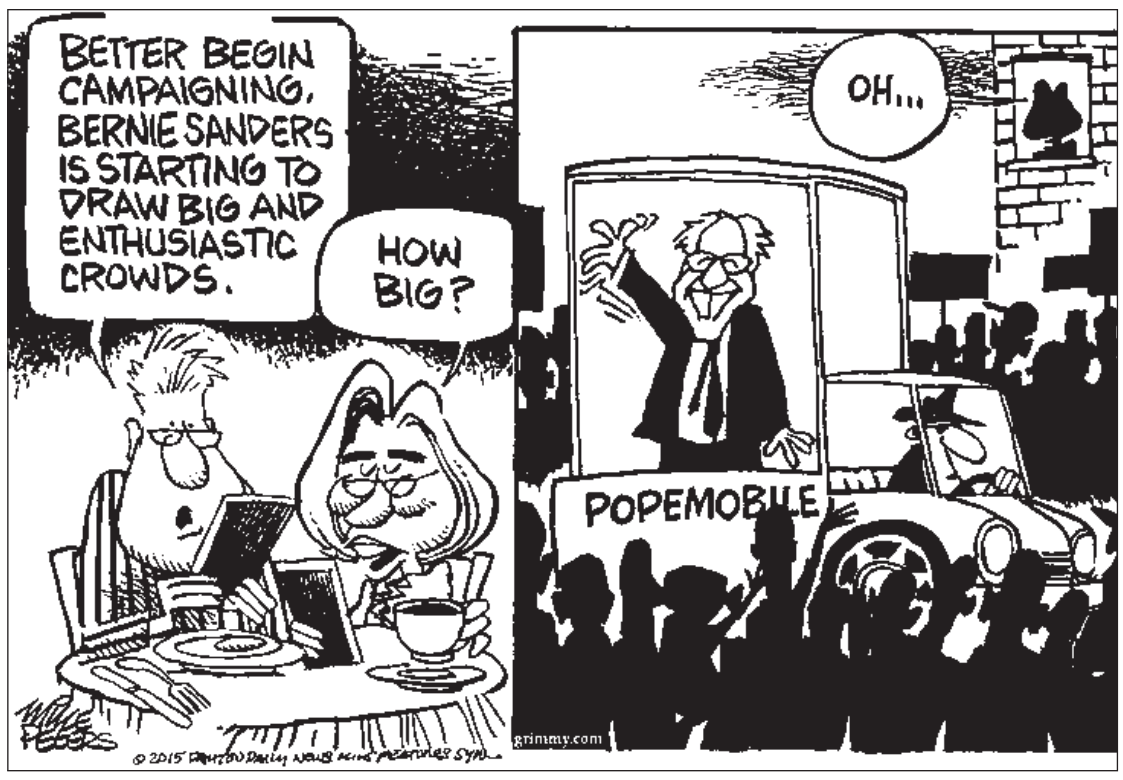
Meanwhile the Gowdy-led committee has learned little of real significance, despite spending millions of taxpayer dollars. But they have keenly pursued matters of partisan interest, such as Blumenthal's work for Correct The Record, a political committee that publicly defends Clinton and other Democrats, and Media Matters for America, the watch dog against right-wing misinformation in the media. David Brock, the founder of both groups, and Kathleen Kennedy Townsend, the former Maryland lieutenant governor who chairs Correct The Record's board sent a sharply worded letter with a simple demand.

Emphasizing that Gowdy and other Republican committee members asked at least 45 questions about Blumenthal's "association with our organizations," their letter urged him to disgorge the deposition in full:

Mr. Chairman, we are entitled to know what questions you and other committee members asked about our organizations in Mr. Blumenthal's deposition...Your unethical leaking was a further abuse of Congressional power. The only way we can clear our good name is by knowing exactly what innuendoes and insinuations Republican members made about us behind the committee's closed doors.

Indeed, Gowdy no longer seems to expect anyone to believe his denial that the recent leaks emanate from him and his staff - as Washington Post media blogger Erik Wemple noted recently, the chairman seemed to "wink" at a recent leak to Politico that sparked a brief controversy last week. Besides, nobody else would have either the motive or the opportunity to orchestrate the leak campaign.

EDITOR'S NOTE: To find out more about Joe Conason, visit the Creators Syndicate website at www.creators.com.



Letters

The Star welcomes letters to the editor from its readers expressing opinions on any issue of public interest. Letters should be signed (unless e-mailed) and include an address and daytime phone number for verification. They should be legible and less than 500 words in length. The Star reserves the right to edit letters for length, taste and libel.

Stardust

People and Perspectives from Miles City's past

25 YEARS AGO (1990)

Twelve 4-H'ers from Custer County are participating in the 1990 4-H Congress underway in Bozeman. They are Kari Vadeim, Heidi Herzog, Stephanie Armstrong, Glo Wilkinson, Julie Hoover, Ty Jones, Doug Norsby, David Maier, Matt Stabio, Reed Jones, Andy Zook and Ryan Jones. Their chaperones are Bonnie Hoover and Olaf Sherwood.

Developing a mentor teacher program, a policy for sabbaticals and a priority list for building maintenance are just three of the goals the Unified School Board discussed for the upcoming year. The board took no action on the goals.

Delores Peltzer reported about the recently concluded state convention during the July meeting of the Eagles Auxiliary. Pearl Gulbrandson conducted the meeting where 12 members were present.

Usually when a golfer hits a hole-in-one, it's on a par-three link. That wasn't the care of Kevin Howard of Miles City. The 18-year-old aced a par-four, 279-yard at Williston Municipal Golf Course. Les Slagle was the witness.

Mark Bartkowski, 1990 graduate of Custer County High School, has signed a national letter of intent with Northwest College in Powell, Wyo. The 6-foot-6, 200-pound center averaged 23 points and 12 rebounds last season for the Cowboys and was an all-state selection.

50 YEARS AGO (1965)

Terri Ann Cottom, daughter of Mr. and Mrs. William Cottom, was married to Douglas Zook, son of Mr. and Mrs. Herbert Zook, in a double ring ceremony at the Presbyterian Church. Rev. John B. Fitz officiated.

Wilma Jean Jerrel, daughter of Mr. and Mrs. Willis Jerrel, and Vernon S. Watts, son of Mr. and Mrs. Thomas Watts, were married at the Church of the Nazarene with Rev. Cannon officiating at the double ring ceremony.

Madonna Mae Orestad, daughter of Mr. and Mrs. Edward Orestad, and Charles C. Balsam, son of Mr. and Mrs. E. G. "Doc" Balsam, were united in marriage in a candlelight double ring ceremony at the First Lutheran Church in Miles City. Rev. C. H. Jacobson officiated.

Laura Marguerite Grover, daughter of Mr. and Mrs. William H. Webb, and Frank Hinton Bestor, son of Mr. and Mrs. Armond D. Bestor of Glendora, Calif., were united in marriage at the Trinity Lutheran Church. Officiating at the double ring ceremony was Rev. R. K. Thomas.

Mr. and Mrs. Sten Stordahl were honored on their 50th wedding anniversary Sunday afternoon at the First Lutheran Church. Over 100 friends and relatives attended the afternoon reception arranged by their daughter and son.

75 YEARS AGO (1940)

TERRY — At the annual wool sale here yesterday there were 22 buyers representing 17 eastern firms. No sale was made because of the low bids offered.

Beatta Johnsono has been appointed state legislative chairman of the Business and Professional Women's Club by State President Martha Kaufman of Forsyth.

Stalls and spins were on today's menu for Miles City's 15 student aviators who are being put through their paces by P. T. Mulvihill, instructor for the Civilian Pilots Training Program in the city. The students fly for half an hour each day, five days a week.

Wahnetta Mundt, wife of Jewell Mundt of Rosebud, passed away at a local hospital following a long period of illness. Mrs. Mundt was 21 years of age at the time of her death. Besides her husband, she is survived by one son, her parents, five sisters and two brothers.

Six Custer County CCC enrollees left Miles City for Camp 1962 or Nine Mile Camp at Alberton. The enrollees were Gerald Salinas, Mitchell LaMore, Robert Bensel, William Morang, Walter Dyba and James Brewer.

Further contributions to the War Relief fund, the campaign for which was conducted by Mrs. J. J. Trzcinski, chairman of the American Red Cross, increases the total to $1,281.64.

100 YEARS AGO (1915)

Carl Beverlin, day clerk at the Olive Hotel, and Miss Pearl Callaman, were married Sunday. The marriage took place at Helena and the couple left for Seattle on the Shriner's Special, as Mr. Beverlin is well up the ladder of Masonry.

Because of a lock ring blowing off a wheel at the Yellowstone garage yesterday, Everett Clifford, brother of Jerry Clifford, the latter the owner of the garage, sustained a scalp wound and bruises and Floyd Wilson, another mechanic, has his arm broken in three places. Mr. Clifford has sent for a specialist at Minneapolis to look after the injured arm of his employee.

In some manner, the method of which examination and investigation failed to disclose, J. E. Lane, supposed to be a resident of Lafayette, Ind., was injured by train No. 1 on the N.P. yesterday morning. He was found, with a fractured skull, lying along the track, between Eighth and Ninth streets. No one saw the accident. An Eagle card of Aerie No. 347 of Lafayette was found on his person. He is hovering between life and death and there is little hope of recovery. The Eagles lodge at Lafayette was wired and local Eagles are awaiting instruction in the case.

Miles City STAR

Wednesday, July 15, 2015 | Miles City, Montana | $1.00

Council has train concerns

By ELAINE FORMAN
Star Staff Writer

Miles City Council members and Mayor Butch Grenz expressed frustration at BNSF increasing the train speed limit to 60 mph recently through town, but officials didn't know of anything they could do about it.

However, they will keep searching for a way.

The speed limit had been 30 mph.

Councilwoman Susanne Galbraith said, "I've heard from numerous people about the 60 mph trains coming through town and everyone is opposed to that."

In the past the city had issued tickets to trains going too fast through town, but that is no longer an option.

City Attorney Dan Rice said according to federal government, "We don't have any enforcement rights."

Mayor Butch Grenz said he has been in contact with someone at the railroad and said the man was "really vague, saying they were really a safe outfit ... but he really didn't address any of the questions I asked him."

Grenz had City Clerk Lorrie Pearce contact each of Montana's three Congress members about the problem.

See "Council," page 5

Food stamp program error rate on rise

HELENA (AP) — The error rate in Montana's food stamp program rose last year to more than twice the national average, according to federal officials.

A recent letter from Agriculture Department Under Secretary Kevin Concannon to Gov. Steve Bullock shows the rate of over and underpayments through the Supplemental Nutrition Assistance Program at 7.25 percent, up from 6 percent the year before. The national average last year was 3.66 percent.

State officials said last year's overpayments add up to just over $10,000 in taxpayer dollars.

Jon Ebelt, spokesman for the Department of Health and Human Services which oversees SNAP, said Tuesday in an email that overpayment recovery is ongoing.

"While the department works hard to eliminate overpayments, it is a priority to recover the payments when they are discovered," Ebelt said. "The majority are recovered via benefit reduction, cash collections and/or recovery of a tax refund."

Concannon said in the letter because of the rising error rate they are designating about $110,000 of federal funding to improve the state's SNAP administration, which could include additional staff training. Another $110,000 in federal funding will be set aside and could be levied as a fine if the rate doesn't improve in 2015.

Bullock told The Associated Press the error rate is unacceptable and said he's assembled a management team which includes top members of his staff to address the issue. They met for the first time Monday and will meet at least once a week to determine how to fix the state's payment part of the program that gives $180 million in assistance per year.

"Even being at the national average is unacceptable," Bullock said. "We need to make sure that we're doing everything we can to ensure that overpayments or underpayments don't occur."

Nationally, the food stamp program error rate has been in a general decline. Improper payment rates have been reduced by more than half since 2000 and the SNAP error rate is among the lowest in the federal government.

In June, nearly 117,000 people in Montana received SNAP benefits.

Preparing for disaster

STAR PHOTO/Steve Allison

As the Pine Hills school officials and local emergency responders review plans Wednesday morning for the disaster drill about to take place on the school's campus, this school staff volunteer gets a little more realism dripped onto her gushing facial and neck wounds by Barn Players volunteer Dee Ann Sutter. After the student and staff volunteers had all been in the make-up chair and the rest of the stage was set inside the school buildings to simulate an accidental explosion, the call went out and the responder crews were sent in to show off their skills and doublecheck everyone's procedural knowledge. Officials like to stage these drills at Pine Hills because of the added security concerns the location presents, along with the test of first responders skills.

Company objects to delay on drilling near Glacier

By MATTHEW BROWN
Associated Press

BILLINGS (AP) — A Louisiana company seeking to drill for natural gas on land in Montana held sacred by some American Indians is objecting to a 75-day review period sought by a federal panel considering the proposal.

Solenex LLC of Baton Rouge wanted to begin drilling this summer on its 6,200-acre federal energy lease in the Badger-Two Medicine area next to Glacier National Park.

That timetable appears increasingly unlikely. The Advisory Council on Historic Preservation says it needs until Sept. 21 to issue its recommendations on whether drilling would degrade the area's significance to the Blackfoot tribes of Canada and Montana.

Solenex is represented by the Mountain States Legal Foundation. Mountain States President William Perry Pendley said Wednesday there is no reason for further delay in a project that's been held up for decades.

Obama: Iran deal was only option to avert arms race

WASHINGTON (AP) — President Barack Obama vigorously defended the nuclear deal with Iran on Wednesday, casting the historic accord as the only possibility to avert a war with Iran and a nuclear arms race in the Middle East.

A day after the U.S., Iran and world powers announced the deal, Obama said the U.S. faces a "fundamental choice" — whether or not to embrace the opportunity to resolve the Iranian nuclear issue peacefully. His remarks in a White House news conference appeared aimed squarely at Congress, where lawmakers are discussing legislation to try to stop the deal's implementation.

"I expect the debate to be robust, and that's how it should be," Obama said, imploring lawmakers who are skeptical of the deal to "remember the alternative."

Yet critics of the deal — including Israeli Prime Minister Benjamin Netanyahu — were only growing more outspoken. Addressing his country's parliament on Wednesday, Netanyahu insisted Israel was not bound by the agreement, suggesting Israel could still take military action against Iran's nuclear program even if the deal proceeds.

"We will reserve our right to defend ourselves against all of our enemies," Netanyahu said. "We have strength, and it is great and mighty."

Under the deal announced Tuesday, Iran's nuclear program will be scaled back and closely monitored as the U.S. and world powers seek to cut off Iran's ability to develop a nuclear weapon. In exchange, Iran will see biting economic sanctions eventually lifted, freeing up billions of dollars in oil revenue and frozen assets.

Obama, taking questions from reporters in the East Room, said that in the absence of a deal, the international economic sanctions that brought Iran to the negotiating table will unravel, and the world community will be unable to put the sanctions regime together.

"Without a deal, we risk even more war in the Middle East, and other countries in the Middle East would feel compelled to develop their own nuclear weapons," Obama said, adding that such a chain of events would risk a nuclear arms race "in the most dangerous region in the world."

AP photo

With the help of a Red Cross worker, former SS guard Oskar Groening, right, leaves the court after the verdict of his trial in Lueneburg, Germany, Wednesday.

Former Auschwitz guard, 94, convicted as accessory to murder

LUENEBURG, Germany (AP) — Oskar Groening confessed during his trial to feeling "moral guilt" for serving as an SS sergeant at Auschwitz. On Wednesday, a court ruled that he was guilty of being an accessory to the murder of 300,000 Jews and sentenced him to four years in prison.

The 94-year-old, who testified that he oversaw the collection of prisoners' belongings and ensured valuables and cash were separated to be sent to Berlin, listened expressionlessly to the verdict after a 2 1/2-month trial that could set a legal landmark.

The verdict, and presiding Judge Franz Kompisch's thorough and impassioned detailing of the Lueneburg state court's ruling, renewed hope of more 11th-hour prosecutions of former members of the SS who served at death camps - no matter their age.

"This verdict was critical, because this is the first case brought where the prosecution charged a person who wasn't involved in the physical side of mass murder," said the Simon Wiesenthal Center's head Nazi hunter, Efraim Zuroff, in a telephone interview from Belgrade.

See "Guard," page 5

Speaker wants hearings on Planned Parenthood video alleging organ sales from aborted fetuses

WASHINGTON (AP) — The searing political conflict over abortion flared anew Wednesday as congressional Republicans said they will investigate whether Planned Parenthood is selling organs from aborted fetuses.

House Speaker John Boehner, R-Ohio, called for committees to examine the matter and said President Barack Obama should condemn and end the practice.

The GOP offensive came a day after an anti-abortion group circulated a video it made secretly showing a Planned Parenthood official discussing the disposal of body parts from aborted fetuses.

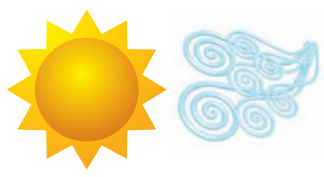
"When an organization monetizes an unborn child — and with the cavalier attitude portrayed in this horrific video — we must all act," Boehner said. He said Obama and Health and Human Services Secretary Sylvia Burwell should "denounce, and stop, these gruesome practices."

Planned Parenthood, which provides abortions and other reproductive health services, says it legally helps women who want to make not-for-profit donations of their fetus' organs for scientific research. It says it makes no money by donating the organs to science, and says the video was heavily edited.

"These outrageous claims are flat-out untrue, but that doesn't matter to politicians with a longstanding political agenda to ban abortion and defund Planned Parenthood," Planned Parenthood spokesman Eric Ferrero said. He said women donating fetal tissue for research "should be honored, not attacked and demeaned."

weather forecast

THURSDAY



90/59

Mainly sunny. High around 90F. Winds west 10 to 15 mph.

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Council

Continued from page 1

Councilwoman Roxanna Brush said she saw one of the fast trains go through and it is "very dangerous ... I was shocked!"

Grenz said, "You know what scares me more than anything else is Spotted Eagle," because there is not a railroad crossing arm to come down "and there are so many kids out there. They get to texting or something on their phone, horse playing around with the car, you know, goofing off and not paying really good attention."

"It's an accident waiting to happen, sadly, it's gonna. But I'm working on it," he added.

Brush said, "Mr. Mayor, this is a tragedy."

She said the railroad did not give the city an opportunity to do anything about this ahead of time, and she believes BNSF is "keeping it under the radar."

"This is not right. We are getting snowballed and pushed around and bullied in our own town by a train. And our people and our community are priceless. We need to do something about this," she said.

She wanted to know "who came up with this, what is the process and who's their boss, because it's not right."

Grenz answered, "Warren Buffett" (owner of BNSF).

"Well then, Warren Buffett needs to hear from us," Brush said.

Jerry Partridge believes what bothers the BNSF the most is the high school (and its close proximity to the tracks).

Guard

Continued from page 1

"This paves the way for additional trials of individuals who did not literally pull the trigger but who were part of the implementation of the Final Solution."

Kompisch acknowledged that Groening was born in a different time, growing up after World War I in Germany in a right-wing nationalist family, in a society where Jews were portrayed as a danger to the country. However, he said Groening joined the SS of his own volition when he had many other options.

"You didn't want to stand on the sidelines," Kompisch told Groening, who listened attentively for more than an hour and a half as the judge detailed the ruling, occasionally sipping from a bottle of water. "You wanted to be there."

In his job at the death camp, for which he has been dubbed the "accountant of Auschwitz," Kompisch said Groening was part of the "machinery of death," helping the camp function and also collecting money stolen from the victims to help the Nazi cause.

Though he knew exactly what was going on at the camp, he did not have himself transferred away, which likely would have meant serving on the deadly Russian Front, Kompisch said.

"It is a question of courage and a personal decision," he said. "You decided on a job where the possibility of your own death was relatively minimal."

"What you, Mr. Groening, see as moral guilt is exactly what the law sees as accessory to murder," the judge said.

Groening walked out of the courtroom after the verdict without talking to reporters.

The charges related to a period between May and July 1944 when hundreds of thousands of Jews from Hungary were brought to the Auschwitz-Birkenau complex in Nazi-occupied Poland. Most were immediately gassed to death.

Unusually for trials of former Nazi camp guards, Groening was open about his past throughout the 17 days of hearings.

In their verdict, judges went beyond the 3 ½-year sentence prosecutors sought. Groening's defense team had argued for acquittal, contending that as far as the law is concerned he did not facilitate mass murder.

Kompisch said Groening deserved respect for having been open about what he did and having testified, but that given the enormity of the crime it would have been inappropriate to impose a lower sentence.

Both sides have a week to appeal, and both prosecutors and the defense said they would consider whether to do so. Defense lawyer Hans Holtermann said Groening remains free in the meantime, and given his age and the possible length of appeal proceedings it was uncertain whether he would actually go to prison.

Dozens of Auschwitz survivors and their relatives joined the trial as co-plaintiffs, as German law allows, though none were present for the verdict.

"It doesn't matter to me if Oskar Groening got two, three or four years in prison. What matters to me is that this trial was held, and that he got convicted for his crimes," Angela Orosz-Richt, a co-plaintiff who testified at the trial, said in a statement.

The moral is that "no matter how old you are, you will have to face justice," said Orosz-Richt, who was born at Auschwitz and lives in Montreal.

Lawyer Thomas Walther, a former prosecutor of Nazi-era crimes who represents 51 co-plaintiffs, was instrumental in advancing the new legal theory that service in a death camp is enough to prosecute someone as an accessory to murder. He said the verdict could lead to new prosecutions.

"It is really an unbelievable confirmation of our argument," he said.

Auschwitz survivor Leon Schwarzbaum, 94, who was not a co-plaintiff but came to see the verdict, said he could not forgive Groening. "Maybe he took the ring from my mother's finger as she was forced off the train."

CUTLINE: With the help of a Red Cross worker, former SS guard Oskar Groening, right, leaves the court after the verdict of his trial in Lueneburg, Germany, Wednesday, July 15, 2015. Groening, 94, who served at the Auschwitz death camp was convicted on 300,000 counts of accessory to murder and given a four-year sentence.

Norwegian tunnel may collapse after fuel truck explosions

COPENHAGEN, Denmark (AP) — Sea water leaked dangerously into an undersea tunnel in western Norway on Wednesday after a fuel truck crashed into the tunnel's side, triggering a series of explosions. The leaks prompted fears the tunnel could collapse, police said.

The accident and subsequent explosions took place around 11 a.m. in the nearly 2-kilometer (1.2-mile) Skatestraum tunnel, which links two islands in the Sogn og Fjordane region north of the city of Bergen.

Truck driver Tore Myrestrand told the Firda newspaper he had problems with the brakes in the deepest part of the tunnel, which is 91 meters (299 feet) below sea level. After the crash, he said he escaped from the truck and grabbed an emergency phone in the tunnel.

Authorities immediately closed the tunnel to everyone except firefighters. Thick black smoke billowed out of the tunnel after the explosions and a subsequent fire caused by the tanker, which had detached from the truck.

The firefighters later were evacuated as the sea water began to leak in, police said on Twitter, adding there were fears the tunnel would collapse. Thousands of liters (gallons) of sea water slowly flooded in, reducing the smoke.

Police said six people were treated for minor smoke inhalation at a nearby hospital.

Testimony from Rosenberg brother released in famous spy case

WASHINGTON (AP) — The federal government on Wednesday unsealed decades-old grand jury testimony from the brother of Ethel Rosenberg, who along with her husband, Julius, was put to death in 1953 in a sensational Cold War-era atomic spying case.

The testimony from David Greenglass, whose statements helped secure the convictions of his sister and brother-in-law, had been withheld from public view even as other crucial court records have been unsealed in the last decade. Historians had greatly anticipated the release of the records, the final piece of evidence to be made public in a case that consumed national attention.

A federal judge in New York ordered the testimony released following Greenglass' death last year at age 92.

With Greenglass as the government's star witness, the Rosenbergs were convicted in 1951 of conspiring to steal secrets about the atomic bomb for the Soviet Union. They maintained their innocence until their deaths, and since then public suspicion has mounted that Ethel Rosenberg was wrongly convicted of espionage.

Greenglass was indicted as a co-conspirator and was himself sentenced to 10 years in prison. He held a wartime job as an Army machinist at the Los Alamos, New Mexico, headquarters of the top-secret Manhattan Project to build the atomic bomb. During the couple's trial, he testified that he had given them research data that he had obtained. He said he saw his older sister transcribing the information on a portable typewriter at the Rosenbergs' New York apartment in 1945.

But decades later, he was quoted by a New York Times journalist as having admitted to lying on the stand about his sister in order to protect his wife. Greenglass said then that it was likely his wife, and not his sister, who had typed up the notes to give to the Soviets.

A group of historians and archivists asked the federal judge to unseal grand jury records related to the indictments. Testimony of 43 of the case's 46 witnesses had been released before Wednesday, but the remaining three, including Greenglass, had objected and their transcripts had been withheld.

U.S. District Judge Alvin Hellerstein ordered the transcripts unsealed in May, calling the records "critical pieces of an important moment in our nation's history."

Lending company officers claim tribal immunity from lawsuits

HELENA (AP) — Three leaders of an online lending company owned by Montana's Chippewa Cree Tribe say they are protected by tribal immunity and asked a Vermont judge to dismiss a lawsuit claiming they are predatory lenders who are breaking federal and state laws.

Plain Green CEO Joel Rosette and board members Ted Whitford and Tim McInerney said in their request filed Tuesday in U.S. District Court in Vermont that the judge should order the case to arbitration if he decides not to dismiss it outright.

Vermont residents Jessica Gingras and Angela Given are asking U.S. District Judge J. Garvan Murtha to certify a class-action lawsuit against the Plain Green officers. They claim the company charges excessive interest rates, sets repayment schedules to maximize interest, requires access to borrowers' bank accounts and doesn't investigate borrowers' ability to repay their loans.

The women's lawsuit claims the company's practices amount to exploiting and extorting its customers, who are often poor people who need emergency cash and have no other options to borrow money. The financial and technological backer of Plain Green is a non-Native American company attempting to use the tribal-sovereignty doctrine to shield them from lawsuits over their practices, said the women's attorney, Matt Byrne, after filing the lawsuit in May.

Today's Markets

All figures from 3 p.m. EST

Stocks of Local Interest

Name	Ex	Div	Yld	PE	Last	Daily Chg	YTD %Chg
AK Steel	NY	...	...	...	3.02	-.21	-49.2
AT&T Inc	NY	1.88	5.4	32	34.83	-.29	+3.7
AMD	NA	...	...	...	2.00	-.05	-25.1
AlcatelLuc	NY	...	...	...	3.54	-.01	-.4
Alcoa	NY	.12	1.1	15	10.61	-.17	-32.8
Alibaba n	NY	...	...	51	80.54	-.97	-22.5
Altria	NY	2.08	4.0	21	51.41	+.06	+4.3
Ambev	NY	.24	3.9	...	6.23	+.02	+1.0
AmAirlines	NA	.40	1.0	9	41.63	-.43	-22.4
AmExp	NY	1.16	1.5	14	78.71	-.26	-15.4
ARltCapPr	NA	...	...	...	8.84	+.24	-2.3
Amgen	NA	3.16	2.0	22	159.98	+.66	+.4
Annaly	NY	1.20	12.4	...	9.65	+.14	-10.7
Apple Inc	NA	2.08	1.6	16	126.59	+.98	+14.7
ApldMatl	NA	.40	2.1	18	18.61	-.29	-25.3
ArcelorMit	NY	.20	2.3	...	8.88	-.35	-19.5
ArchCoal	NY	...	...	...	.31	-.00	-82.6
ArenaPhm	NA	...	...	...	4.71	+.24	+35.7
BkofAm	NY	.20	1.1	19	17.82	+.69	-.4
B iPVixST	NY	...	...	...	17.56	-.20	-44.3
BarrickG	NY	.20	2.1	60	9.65	-.24	-10.2
BestBuy	NY	.92	2.7	15	34.43	-.15	-11.7
Boeing	NY	3.64	2.5	18	146.99	-.76	+13.1
CSX	NY	.72	2.2	16	32.53	+.46	-10.2
Caterpillar	NY	3.08	3.7	13	84.16	-.30	-8.1
Celgene	NA	...	...	45	131.74	+8.89	+17.8
ChesEng	NY	.35	3.2	...	11.06	-.32	-43.5
Cisco	NA	.84	3.0	16	28.09	+.06	+1.7
Citigroup	NY	.20	.4	23	56.67	+.76	+4.7
CocaCola	NY	1.32	3.2	26	41.26	+.09	-2.3
ConAgra	NY	1.00	2.2	30	44.58	-.14	+22.9
CSVInvNG	NY	...	...	...	5.16	-.42	-35.8
CSVLgNGs	NY	...	...	...	2.28	+.15	-42.7
CSVLgCrde	NY	...	...	...	2.04	-.19	-58.4
CSVelIVST	NA	...	...	...	43.49	-.57	+39.7
CSVixSh rs	NA	...	...	...	7.32	+.19	-73.5
Deere	NY	2.40	2.5	13	96.30	-.10	+8.9
DeltaAir	NY	.36	.8	13	44.34	+.68	-9.9
DenburyR	NY	.25	4.8	3	5.22	-.11	-35.8
DxGldBull	NY	...	...	...	6.26	-.37	-43.9
Disney	NY	1.32	1.1	25	118.46	+.61	+25.8
eBay	NA	...	...	27	63.35	-.24	+12.9
EMC Cp	NY	.46	1.8	20	25.24	+.12	-15.1
ExxonMbl	NY	2.92	3.5	12	82.76	-.35	-10.5
Facebook	NA	...	...	87	89.82	+.14	+15.1
FstIntBc A	NA	.80	2.8	15	28.10	+.23	+1.0
Fitbit n	NY	...	...	...	47.46	+1.46	+59.9
FordM	NY	.60	4.1	19	14.73	-.08	-5.0
FrptMcM	NY	.20	1.2	...	16.52	-.59	-29.3
FrontierCm	NA	.42	8.7	...	4.86	-.08	-27.2
GenElec	NY	.92	3.4	...	26.71	+.05	+5.7
GenMotors	NY	1.44	4.6	15	31.47	-.31	-9.9
GileadSci	NA	1.72	1.5	131	117.44	+.08	+24.6
Hallibrtn	NY	.72	1.7	15	41.44	-1.12	+5.4
HarleyD	NY	1.24	2.2	14	56.46	-1.15	-14.3
HewlettP	NY	.70	2.3	12	30.56	+.05	-23.8
HomeDp	NY	2.36	2.0	24	115.97	+.61	+10.5
HuntBncsh	NA	.24	2.1	15	11.53	+.09	+9.6
iShJapan	NY	.13	1.0	...	12.92	+.01	+14.9
iShChinaLC	NY	.76	1.8	...	41.91	-.82	+.7
iShEMkts	NY	.84	2.2	...	38.46	-.32	-2.1
iS Eafe	NY	1.70	2.6	...	64.97	-.11	+6.8
iShR2K	NY	1.66	1.3	...	125.71	-.52	+5.1
Intel	NA	.96	3.3	13	29.52	-.14	-18.7
ItauUnibH	NY	.41	4.1	...	9.95	-.15	-15.8
JDS Uniph	NA	...	...	...	11.13	-.15	-18.9
JPMorgCh	NY	1.76	2.5	12	69.21	+.17	+11.3
MDU Res	NY	.73	3.9	13	18.91	-.35	-19.5
Macys	NY	1.44	2.0	17	72.57	+5.84	+10.4
MktVGold	NY	.12	.7	...	16.36	-.34	-11.0
MV OilSvc	NY	.86	2.6	...	32.87	-.93	-8.5
McDnlds	NY	3.40	3.4	21	99.34	+.56	+6.0
MeadJohn	NY	1.65	1.9	24	86.94	-1.19	-13.5
Merck	NY	1.80	3.1	15	58.46	+.27	+2.9
MicronT	NA	...	...	6	18.85	-.77	-46.2
Microsoft	NA	1.24	2.7	19	45.75	+.13	-1.5
NBGreece	NY	...	...	...	1.17	+.03	-34.6
Netflix s	NA	...	...	...	97.32	-3.05	+99.4
NobleCorp	NY	1.50	10.6	...	14.16	-.42	-14.5
OhrPharm	NA	...	...	...	3.79	+.52	-54.6
Oracle	NY	.60	1.5	18	40.88	+.10	-9.1
PPL Corp	NY	1.49	4.8	11	31.06	+.07	-7.9
Pandora	NY	...	...	...	14.09	-1.16	-21.0
PayPal wi	NA	...	...	...	37.35	+.42	+1.7
PeabdyE	NY	.01	.7	...	1.51	-.11	-80.5
Penney	NY	...	...	...	9.29	+.28	+43.3
PepsiCo	NY	2.81	2.9	22	96.92	-.21	+2.5
PetrbrsA	NY	...	...	...	7.57	-.07	-.1
Petrobras	NY	...	...	...	8.51	-.12	+16.5
Pfizer	NY	1.12	3.2	24	35.00	-.08	+12.4
PhilipMor	NY	4.00	4.8	17	82.56	-.12	+1.4
PwShs QQQ	NA	1.50	1.0	...	110.18	-.08	+6.7
PUVixST rs	NY	...	...	...	31.87	-.64	-74.7
PrUCrude rs	NY	...	...	...	33.66	-2.08	-35.1
Receptos	NA	...	...	...	229.47	+22.29	+87.3
RegionsFn	NY	.24	2.3	14	10.38	+.16	-1.8
RiteAid	NY	...	...	24	8.75	-.07	+16.4
RoyDShllA	NY	3.76	6.6	12	57.00	-.64	-14.9
SpdrGold	NY	...	...	...	110.12	-.62	-3.0
S&P500ETF	NY	4.03	1.9	...	210.90	+.22	+2.6
SpdrOGEx	NY	.71	1.6	...	43.51	-1.72	-9.1
SandRdge	NY	...	...	...	.76	-.05	-58.5
SeadrillLtd	NY	...	...	3	9.69	-.43	-18.9
SiriusXM	NA	...	...	43	3.86	+.03	+10.1
SwstnEngy	NY	...	...	11	22.00	-.13	-19.4
Sprint	NY	...	...	...	3.89	-.11	-6.3
SP Engy	NY	1.99	2.7	...	73.43	-1.11	-7.2
SPDR Fncl	NY	.43	1.7	...	25.24	+.24	+2.0
StillwtrM	NY	...	...	18	10.48	-.31	-28.9
SynthBiol	Mkt	...	...	...	3.66	-.34	+150.7
TaiwSemi	NY	.73	3.2	...	22.53	-.28	+.6
TimeWarn	NY	1.40	1.5	22	90.54	+.55	+6.0
Transocn	NY	.60	4.1	...	14.60	-.52	-20.4
Trinity	NY	.44	1.7	7	25.81	+.02	-7.9
Twitter	NY	...	...	...	35.81	-.91	-.2
UPS B	NY	2.92	3.0	28	97.25	-.62	-12.5
US Bancrp	NY	1.02	2.2	15	45.78	+1.90	+1.8
US OilFd	NY	...	...	...	17.20	-.52	-15.5
USSteel	NY	.20	1.1	36	18.60	-1.33	-30.5
Vale SA	NY	.60	10.8	...	5.57	-.14	-32.0
VangEmg	NY	1.10	2.8	...	39.74	-.35	-.7
VerizonCm	NY	2.20	4.6	21	47.35	-.06	+1.2
WalMart	NY	1.96	2.7	15	73.89	+.10	-14.0
WellsFargo	NY	1.50	2.6	14	58.15	+.90	+6.1
Yamana g	NY	.06	2.4	...	2.52	-.10	-37.3
YumBrnds	NY	1.64	1.8	41	89.18	-2.40	+22.4

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Stock Exchange Highlights

Dow	Nasdaq	S&P 500
18,023.71	5,092.75	2,104.31
-29.87	-12.14	-4.64

Market Summary: NYSE and Nasdaq

Gainers ($2 or more)

Name	Last	Chg	%chg
MillerE pfC	2.41	+1.23	+104.2
MillerE pfD	2.42	+1.21	+100.0
BG Med rs	2.27	+.73	+47.4
Itus Cp rs	4.69	+1.21	+34.8
TraconPh n	13.14	+2.44	+22.8
OhrPharm	3.79	+.52	+15.9
ParaShp 21	10.34	+1.34	+14.9
PTC Thera	56.06	+7.12	+14.5
SuprtlHosp	2.60	+.31	+13.5
MagellPt rs	2.95	+.32	+12.2
HeliosMAn	2.46	+.25	+11.4
ITT Ed	4.36	+.43	+10.9
Receptos	229.47	+22.29	+10.8
Zogenix rs	19.60	+1.91	+10.8
CathGn wt	12.47	+1.07	+9.4
Eco-StimE	5.14	+.44	+9.4
RecroPhm	15.78	+1.36	+9.4
PrtnrCm	3.19	+.27	+9.2
Macys	72.57	+5.84	+8.8
BridgfdFds	10.38	+.82	+8.6

Losers ($2 or more)

Name	Last	Chg	%chg
CrnstTR rs	20.80	-3.70	-15.1
IEC Elec	3.90	-.66	-14.5
CodeReb n	19.68	-3.21	-14.0
VitalThera	23.03	-3.68	-13.8
FreeSeas rs	2.45	-.37	-13.1
PennVa	3.14	-.47	-12.9
DxNGBll rs	13.97	-1.83	-11.6
DBXChiSC	43.90	-5.64	-11.4
DxSPOGBull	26.07	-3.28	-11.2
AmElTech	4.08	-.50	-10.9
Nathans s	30.38	-3.72	-10.9
Innsuites	2.49	-.30	-10.8
MVChiAMC	41.14	-4.95	-10.7
Kemet	2.07	-.24	-10.4
ComstkRs	2.06	-.24	-10.3
MYOS	3.06	-.35	-10.1
Dnx300Chin	28.65	-3.11	-9.8
MartenTrn	20.62	-2.19	-9.6
eHiCarSv n	12.02	-1.26	-9.5
EmerldO rs	2.97	-.31	-9.5

Actives ($1 or more)

Name	Vol (000s)	Last	Chg
BkofAm	125596	17.82	+.69
MicronT	32832	18.85	-.77
Sprint	26866	3.89	-.11
Apple Inc	26224	126.59	+.98
Facebook	25293	89.82	+.14
Intel	24506	29.52	-.14
RegionsFn	22866	10.38	+.16
Vale SA	21758	5.57	-.14
Macys	19291	72.57	+5.84
PeabdyE	17212	1.51	-.11
Netflix s	17059	97.32	-3.05
ApldMatl	16762	18.61	-.29
AT&T Inc	16191	34.83	-.29
DeltaAir	16150	44.34	+.68
Microsoft	15914	45.75	+.13
ARltCapPr	15549	8.84	+.24
OhrPharm	14712	3.79	+.52
Cisco	14639	28.09	+.06
SiriusXM	14368	3.86	+.03
Celgene	13493	131.74	+8.89

Sales figures as of 3:00 pm E.T. are unofficial.

Stock Footnotes: g = Dividends and earnings in Canadian dollars. h = Does not meet continued-listing standards. lf = Late filing with SEC. n = New in past 52 weeks. pf = Preferred. rs = Stock has undergone a reverse stock split of at least 50 percent within the past year. rt = Right to buy security at a specified price. s = Stock has split by at least 20 percent within the last year. un = Units. vj = In bankruptcy or receivership. wd = When distributed. wi = When issued. wt = Warrants. **Gainers and Losers** must be worth at least $2 to be listed. **Most Actives** must be worth at least $1. Volume in hundreds of shares. **Source:** The Associated Press.

All figures from 3 p.m. EST

Stock Market Indexes

52-Week High	52-Week Low	Name	Last	Chg	%Chg	YTD %Chg	12-mo %Chg
18,351.36	15,855.12	Dow Industrials	18,023.71	-29.87	-.17	+1.13	+5.17
9,310.22	7,700.57	Dow Transportation	8,226.68	-57.52	-.69	-9.99	-2.03
657.17	524.82	Dow Utilities	571.66	+1.48	+.26	-7.51	+2.32
11,254.87	9,886.08	NYSE Composite	10,941.56	-51.69	-.47	+.94	-.69
5,164.36	4,116.60	Nasdaq Composite	5,092.75	-12.14	-.24	+7.53	+15.07
2,409.56	1,922.79	Nasdaq Global Sel	2,375.40	-5.42	-.23	+7.39	+15.01
938.44	814.14	S&P 100	929.42	-.52	-.06	+2.32	+5.56
2,134.72	1,820.66	S&P 500	2,104.31	-4.64	-.22	+2.21	+6.19
1,551.28	1,269.45	S&P MidCap	1,512.41	-10.58	-.69	+4.13	+7.21
22,537.15	19,160.13	Wilshire 5000	22,221.77	-78.86	-.35	+2.55	+6.15

Mutual Funds

Name	Obj	Offering Price	Total Return/Rank 4-wk	12-mo	5-year	Pct Load	Min Init Invt
American Funds AmBalA m	MA	24.96	+0.7	+5.3/A	+12.4/A	5.75	250
American Funds BondA m	CI	12.65	+0.1	+1.1/C	+3.4/C	3.75	250
American Funds CapIncBuA m	IH	59.73	+0.3	+1.6/B	+9.6/A	5.75	250
American Funds CpWldGrIA m	WS	47.74	0.0	+2.6/C	+11.2/C	5.75	250
American Funds EurPacGrA m	FG	51.05	-0.1	+2.7/B	+8.4/C	5.75	250
American Funds FnInvA m	LB	53.73	+0.6	+7.9/C	+14.9/C	5.75	250
American Funds GrthAmA m	LG	45.61	+0.5	+9.4/D	+15.6/D	5.75	250
American Funds IncAmerA m	MA	21.51	0.0	+2.5/D	+11.3/A	5.75	250
American Funds InvCoAmA m	LB	37.52	0.0	+5.6/D	+14.5/D	5.75	250
American Funds NewPerspA m	WS	39.14	+0.6	+7.3/A	+12.8/B	5.75	250
American Funds WAMutInvA m	LV	41.21	+0.6	+5.5/C	+15.5/A	5.75	250
Dodge & Cox Income	CI	13.59	-0.2	+1.0/C	+4.2/B	NL	2,500
Dodge & Cox IntlStk	FB	44.14	-1.5	-3.0/D	+9.6/A	NL	2,500
Dodge & Cox Stock	LV	183.60	0.0	+5.9/B	+16.6/A	NL	2,500
Fidelity Contra	LG	104.62	+2.2	+12.5/C	+16.5/C	NL	2,500
Fidelity ContraK	LG	104.59	+2.2	+12.6/C	+16.7/C	NL	0
Fidelity LowPriStk d	MV	52.97	0.0	+8.1/A	+16.4/B	NL	2,500
Fidelity Spartan 500IdxAdvtg	LB	74.38	+0.9	+8.8/B	+16.4/A	NL	10,000
FrankTemp-Franklin IncomeA m	CA	2.33	-1.3	-4.4/E	+8.7/A	4.25	1,000
Oakmark Intl I	FB	25.09	-0.4	-0.2/B	+10.7/A	NL	1,000
Oppenheimer EquityA m	LG	14.50	+0.8	+10.0/D	+14.7/D	5.75	1,000
Oppenheimer QuBalA m	IH	18.09	+0.1	+4.1/A	+7.2/D	5.75	1,000
PIMCO AllAssetA m	TV	11.46	-0.6	-6.4	+4.6	3.75	1,000
PIMCO LowDrC m	CS	10.02	+0.3	0.0/E	+1.6/C	1.00	1,000
PIMCO RealRtnC m	IP	10.84	+0.3	-4.2/E	+2.4/C	1.00	1,000
Putnam GlbHlthCrA m	SH	77.85	+4.9	+33.2/C	+23.1/D	5.75	0
Putnam GrowIncA m	LV	21.70	-1.3	+3.1	+14.7	5.75	0
Putnam HiYldA m	HY	7.80	-0.6	-0.6/C	+7.5/B	4.00	0
Putnam TaxFHYldA m	HM	12.36	-0.2	+6.1/B	+6.0/B	4.00	0
Putnam VoyagerA m	LG	31.62	-0.3	+8.1/E	+13.2/E	5.75	0
T Rowe Price GrowStk	LG	57.54	+2.1	+16.2/A	+18.7/A	NL	2,500
T Rowe Price NewIncome	CI	9.44	-0.1	+1.3/C	+3.3/D	NL	2,500
Vanguard 500Adml	LB	194.72	+0.9	+8.8/B	+16.4/A	NL	10,000
Vanguard IntlStkIdxAdm	FB	27.22	-1.1	-3.9/E	NA	NL	10,000
Vanguard TgtRe2020	TE	29.18	+0.1	+3.8/A	+10.0/A	NL	1,000
Vanguard Tgtet2025	TG	17.01	+0.1	+4.0/A	+10.7/B	NL	1,000
Vanguard TotBdAdml	CI	10.69	0.0	+1.7/B	+3.2/D	NL	10,000
Vanguard TotIntl	FB	16.28	-1.0	-3.9/E	+6.7/D	NL	3,000
Vanguard TotStlAdm	LB	53.22	+0.7	+9.0/B	+16.7/A	NL	10,000
Vanguard TotStIdx	LB	53.20	+0.7	+8.9/B	+16.5/A	NL	3,000
Viking TaxFrMT m	SI	10.11	+0.4	+3.2/B	+3.5/B	3.75	1,000
Waddell & Reed Adv AccumA m	LG	11.49	+2.7	+14.5/B	+16.6/C	5.75	750
Waddell & Reed Adv BondA m	TW	6.28	0.0	+0.5/B	+2.8/E	5.75	750
Waddell & Reed Adv CoreInv A m	LG	7.34	+1.1	+6.0/E	+16.5/C	5.75	750
Waddell & Reed Adv SciTechA m	ST	15.88	-2.1	+3.6/E	+18.9/A	5.75	750
Waddell & Reed Adv ValueA m	LV	16.74	-0.1	+5.5/C	+13.9/C	5.75	750
Williston Basin MNAmeStkA m	EE	5.73	-3.2	-25.0/B	+11.6/A	5.00	1,000

BL -Balanced, GL -Global Stock, IL -International Stock, LC -Large-Cap Core, LG -Large-Cap Growth, LV -Large-Cap Val., MT -Mortgage, SB -Short-Term Bond, SP -S&P 500, XC -Multi-Cap Core, XG -Multi-Cap Growth, XV -Multi-Cap Val.Total Return: Chng in NAV with dividends reinvested. Rank: How fund performed vs. others with same objective: A is in top 20%, E in bottom 20%. Min Init Invt: Minimum $ needed to invest in fund. NA = Not avail. NE = Data in question. NS = Fund not in existence. **Source:** Lipper, Inc. Mutual Funds as of close yesterday.

Miles City STAR

Monday, July 6, 2015 | Miles City, Montana | $1.00

STAR PHOTO/Steve Allison

As the BNSF crew finishes up their upgrades to the Fourth Street crossing, they load up their equipment Monday morning so their work will have time to cool down and be ready for the next train to roll through Miles City. Making sure the trains can stay on schedule has had the crew busy starting and stopping their work as they install improvements on all the crossings across town. Part of the upgrades allow the signals to pick up the trains 1,000 feet down the tracks, a necessity since as of today, the maximum speeds for trains through Miles City will increase from 30 to 60 miles per hour.

Max train speed doubles today

By JESSICA BERGMAN
Star Staff Writer

Burlington Northern Santa Fe will be changing the maximum speed of freight trains from 30 mph to 60 mph on the Forsyth to Miles City route starting today.

Matthew Jones, BNSF Public Affairs Regional Director for Montana and Wyoming, says the purpose of the change is to "improve operations," which the increased speed is believed to do.

BNSF ran an advertisement in the Miles City Star on July 1 advising of the change to start on July 6.

Custer County Commissioners and Miles City Mayor Butch Grenz, however, had little knowledge on the change in train speed, as they were informed only a few days before the change went into effect.

"There is always concerns associated with increased speed," County Commissioner Jason Strouf said, "but safety measures have been added to ensure public safety."

According to BNSF's Coordinator of Field Safety Roy Harper, the decision was part of new electronic upgrades that have been made that allow the signal for an oncoming train to be sensed at a much greater distance, thus lowering the crossing gates in conjunction with the speed of the train.

Harper explained that the tracks in Miles City are class four tracks, as regulated by the Federal Railroad Administration, and that the maximum speed for a class four track is 60 mph.

However, not all trains will operate through town at the maximum speed, Jones said.

New, upgraded signals located at Leighton Boulevard, 10th, 8th, and 4th streets are also designed to look down track from 1,000 feet and have the ability to move at track speed.

"Shorter wait times at public crossings are also a guarantee," Jones ensures.

He would like to remind people that it is important to obey all crossing laws.

"No matter what speed a train is moving, it's impossible to stop it quickly for any reason."

Infrastructure improvements made across Montana and North Dakota in recent years include installation of Centralized Traffic Control signals. The installation of CTC allows trains to double track, allowing for higher speed passage through towns. CTC signals allow a dispatcher to transfer an oncoming train to a side track, allowing the second train to pass without slowing down. In the past, trains passing through had to slow down, allowing the train to stop in time if there was another train. With the CTC installation, trains are able to pass through at higher speeds.

The Educational Campaign from the America Associated of Railroads and Operation Lifesaver, www.seetracksthinktrain.com, works alongside BNSF and is a site to get more information on railroad safety.

Nine file for city offices

By ELAINE FORMAN
Star Staff Writer

Filing for the city election closed Thursday, and nine people signed up to run, including three that are running for mayor. Every office has at least one candidate.

The candidates are as follows:

- For mayor: Ward 3 Councilman John Hollowell, Mayor Butch Grenz and Robert Shipley.
- Treasurer: Treasurer John Moorehead.
- Ward 1: Councilwoman Susanne Galbraith.
- Ward 2: Former Councilman John Uden.
- Ward 3: Juvenile Probation Officer Matt Phillips.
- Ward 4: Councilwoman Roxanna Brush and former police officer Jeff Erlenbusch.

If the city chooses to hold a primary, it will be Sept. 15. The general election is Nov. 3.

Saskatchewan to get military help to fight wildfires

REGINA, Saskatchewan (AP) — Close to 1,000 Canadian military personnel are on their way to help fight wildfires in the western Canadian province of Saskatchewan where thousands of residents have been evacuated.

Fires

Duane McKay, commissioner of emergency management with the province, said Sunday that he military will bolster their ability to fight the fires. Provincial officials say about 741,000 acres (300,000 hectares) ares burning in Saskatchewan this year — around 10 times what's normal.

The Alberta government is preparing to receive up to 5,000 people evacuated from La Ronge, Saskatchewan. Saskatchewan officials say 1,136 had registered in La Ronge and were transported to Cold Lake, Alberta, on Saturday night, while thousands of others were traveling out of the community on their own and would likely stay with friends or family.

Montana woman charged with mailing loaded gun to senator

KALISPELL (AP) — A northwestern Montana woman is charged with mailing a loaded gun, ammunition and other weapons to U.S. Sen. Jon Tester.

The Daily Inter Lake reports 56-year-old Cathleen Roselyn Cantlon of Troy appeared in federal court in Missoula on July 1 and pleaded not guilty to interstate mailing of a firearm and ammunition and possession of a firearm after being committed to a mental health institution.

Court records say two packages believed mailed by Cantlon arrived at the U.S. Senate mail facility in Landover, Maryland in May. One contained a .22-caliber handgun, ammunition, a knife, pepper spray and a five-page letter that mentions mental health and banking issues. A second package included an envelope with the words "hazard contaminated/dirty bomb" written on it.

An investigation found that the mailed gun had been seized from Cantlon in October 2014 and later returned.

South Carolina lamakers return for Confederate flag debate

COLUMBIA, S.C. (AP) — The depth of support for bringing down the Confederate flag gets its first test in the South Carolina Legislature this week as lawmakers return to Columbia to come up with a specific plan.

The General Assembly returns Monday to discuss Gov. Nikki Haley's budget vetoes and what to do with the rebel flag that has flown over some part of the Statehouse for more than 50 years.

Several bills have been filed, but details such as when to bring down the flag, whether to put another flag in its place and what kind of ceremony should mark the removal are not specified.

And if South Carolina takes any lesson from the 2000 debate that brought the Confederate flag off the Statehouse dome to its current location at a nearby monument to Confederate soldiers, it is that minor details can trip things up.

The Senate will debate the flag bill first, and Sen. Larry Martin expects several amendments discussing whether to keep the flagpole and put a different flag on it. Suggestions have included the U.S. flag, the South Carolina flag and a flag that may have been flown by Confederate troops but doesn't have the same connections as the red banner with the blue cross and white stars.

"We're going to be about as thorough listening to folks as we can be," said Martin, a Republican, after walking out of the governor's office Monday morning. "But we need to get to a vote today."

The Senate opened its discussions on the flag with an amendment to put the rebel banner's future up to a public vote. Debate was expected to last several hours.

The governor, business leaders, the Legislative Black Caucus and civil rights leaders are against flying any flag that flew over the Confederacy.

"There is no good-looking Confederate flag. It all stands for the same thing — secession," said Lonnie Randolph, president of the South Carolina chapter of the National Association for the Advancement of Colored People.

Outside the Statehouse, dozens of protesters began to arrive Monday morning. Some called for the flag to come down. Others, such as Nelson Waller in his rebel flag tie, said the state was giving in to Northern liberals and civil rights activists.

Waller carried a sign that read "Keep the flag. Dump Nikki!" Two decades ago, he carried a "Dump Beasley" sign after then-Gov. David Beasley made an unsuccessful attempt to get the Confederate flag off the Statehouse dome.

Congress back with looming fall funding deadline

WASHINGTON (AP) — Members of Congress return Tuesday from July Fourth fireworks and parades facing a daunting summer workload and an impending deadline to fund the government or risk a shutdown in the fall.

The funding fight is shaping up as a major partisan brawl against the backdrop of an intensifying campaign season, with Republicans eager to avoid another Capitol Hill mess as they struggle to hang onto control of Congress and take back the White House next year. Already they are deep into the blame game with Democrats over who would be responsible if a shutdown does happen, with House Speaker John Boehner denouncing Democrats' "dangerously misguided strategy" and House Democratic leader Nancy Pelosi accusing Boehner and his Republicans of pursuing "manufactured crises."

The funding deadline does not even arrive until Sept. 30, but lawmakers face more immediate tests, too. Near the top of the list is renewing highway funding before the government loses authority July 31 to send much-needed transportation money to the states right in the middle of summer driving season.

Legislative maneuvering over the highway bill may also create an opening to renew the disputed federal Export-Import Bank, which makes and underwrites loans to help foreign companies buy U.S. products. The bank's charter expired June 30 due to congressional inaction, a defeat for business and a victory for conservative activists who turned killing the obscure agency into an anti-government cause celebre.

Depending on the progress of the Obama administration's nuclear negotiations with Iran, lawmakers could face debate on that issue, too. Leading Republicans have made clear that they are prepared to reject any deal the administration comes up with.

Sen. Bob Corker, chairman of the Foreign Relations Committee, said Sunday: "Well, we have gone from dismantling their program to managing proliferation. That's the biggest concern. That's already done."

Corker, R-Tenn., said on CBS's "Face the Nation" that he has told Secretary of State John Kerry: "'Look, you create just as much of a legacy walking away from a bad deal as you do headlong rushing into bad deal.'"

weather forecast

TUESDAY

87/57

Mostly sunny skies. A stray shower or thunderstorm possible.

Blaze burns homes, forces evacuations in Idaho area

BAYVIEW, Idaho (AP) — A wildfire in northern Idaho has destroyed at least six homes and forced about 200 residents in an upscale lakeside community to evacuate as it ballooned to more than 3 square miles Monday.

The blaze started Sunday afternoon and burned through a mix of year-round residences and seasonal homes near the southern shore of Lake Pend Oreille, the state's largest lake and a recreation and fishing destination. The flames have destroyed other buildings such as boat houses and pump houses in the Bayview area that includes expensive homes, especially next to the water.

About 100 firefighters on the ground put in a fire line between the fire and homes, but another 200 residents have been told to be ready to evacuate if needed, fire spokesman Jim Lyon said.

"We're dealing with some extremely steep terrain," he said.

The fight included four aircraft and a U.S. Navy boat that was dousing homes, but crews faced temperatures expected around 90 degrees Monday, with winds picking up in the afternoon. Those are the same conditions as on Sunday when the fire grew, Lyon said.

The blaze started near the lake shore and burned upslope through timber, Lyon said. He said a team of investigators planned to examine where the fire started to try to determine a cause.

"We have a good idea of where it started," he said. "There were people out on a boat that saw it. It started down low at lake level, or near the edge of the lake, and traveled up and southwesterly."

No injuries have been reported from the fire burning through a mix of private, state and federal land.

OPINION

BNSF speeds by safety, notice issues

Not long ago the Star published its annual Summer Kids Calendar, full of info about summer activities in this area. As usual, a large part of the information has to do with safety, e.g. bicycle, swimming, drivers watching for children, etc.

With that in mind, the residents of Miles City - with minimal warning (a small ad at the bottom of page 12 in the Miles City Star on July 1) and no community involvement or input - are faced with maybe the most menacing, alarming threat to public safety in recent years.

Our Opinion

Effective today, trains traveling the Miles City to Forsyth route will be allowed to travel twice as fast through the community.

Picture a loaded coal train with an average of 115 to 120 cars, each with 140 tons of coal per car, pulled by four diesel engines each weighing over 200 tons, a combined weight of roughly 18,400 tons - yes 36,000,000 million pounds - coming through our community numerous times a day; yes those same trains that have been rolling through eastern Montana communities for years. Now try to understand the decision to double their speed to 60 mph, from the usual 30 mph.

According to BNSF's Coordinator of Field Safety Roy Harper, the decision was part of new electronic upgrades that have been made that allow the signal for an oncoming train to be sensed at a much greater distance, thus lowering the crossing gates in conjunction with the speed of the train.

Harper explained that the tracks in Miles City are class four tracks, as regulated by the FRA, Federal Railroad Administration, and that the maximum speed for a class four track is 60 mph.

The decision seems logical on the surface, based on what the FRA rules allow, and based on the necessary upgrades to comply with the rules, but there are a number of flaws in this decision.

We find it extremely shortsighted of BNSF to make such a decision without any type of community involvement, without public hearings, and with only a week to 10 days' notification to public officials and the citizens of the communities prior to implementation of the policy.

Practically on a daily basis the news is filled with stories of train derailments and safety issues regarding our railroad systems. With that in mind, shouldn't BNSF be somewhat cognizant of the public's grave concerns about these issues and the necessity to involve community members in such drastic changes.

The assumption that the potential additional safety issues which might be caused by doubling the speed of the trains should be of no concern to community members is absurd. New technology that relays the speed and time factor to lower the crossing guards doesn't deal with a number of issues. First and foremost, unfortunately our children have and will continue to move across railroad tracks at places other than the crossings. As always, the shortest distance between two points is always a straight line. Within a couple of blocks of the train tracks in Miles City, there are numerous venues which involve our children: Spotted Eagle Recreation Area, Denton Field, Jaycees Field, Tedesco Field, The Oasis, Riverside Park, and Custer County District High School all have the potential for a disaster with the doubling of the speed.

The residents of Miles City only have to go back in history 10 years to remember what a train derailment looks like. On July 1, 2005 at 3:40 p.m., a coal train derailed at the Tenth Street crossing, sending 12 coal cars careening off the tracks onto Tenth Street and the vacant lot adjacent to the crash site. Fortunately, a car stopped at the crossing was alone and had time to back up and avoid being crushed by a multi-ton load. Had there been more than one car at the crossing, this derailment may vey well have ended in loss of life. Now, double the speed of that train, and it would very likely have been a much different conclusion.

We urge Montana's Senate and House representatives, plus local city and county elected officials to get involved and make BNSF rethink this very irresponsible decision before we are reporting about a tragedy that could have been avoided.

- Dan Killoy, Star Publisher

Trump does have a point

Rich Lowry

Syndicated Columnist

You are hardly a name-brand company if you haven't dumped Donald Trump during the past seven days.

NBC, Univision and Macy's all have thrown The Donald under the bus, in the heaviest blow to schlock culture in this country since the cancellation of "Jersey Shore."

The carnage ranges across media, encompassing reality TV ("Celebrity Apprentice"), entertainment properties (the Miss USA Pageant), fashion (the Donald J. Trump Signature Collection) and even fragrance (Success by Trump).

Yes, the 2016 Republican field is so wide and diverse, it includes perhaps the nation's first presidential candidate with his own fragrance, "a masculine combination of rich vetiver, tonka bean, birchwood and musk."

To imagine that Abraham Lincoln's marketing was focused on posing for photographs for Mathew Brady. Poor old Abe - he could never think big.

The shunning of Trump is in response to his, uh, memorable presidential announcement that included comments about the alleged rampant criminality of Mexican immigrants - they're drug runners, rapists, etc. - that were typically crude. Trump could make a statement about arcane tax policy - and still make you want to take a shower afterward.

Although this isn't anything new. The companies fleeing him are acting on what has become one of the foremost principles of American public life: It's not enough to be offended; you must punish the offender.

As it happens, Trump's new enemies are doing him an enormous political favor, at least in the short term. There are few things that benefit a Republican candidate in the current environment of left-wing bullying more than getting fired and boycotted for something he's said.

Trump's instantly notorious Mexico comments did more to insult than to illuminate, yet a kernel in them hit on an important truth that typical politicians either don't know or simply fear to speak. "When Mexico sends its people," Trump said, "they're not sending their best."

This is obviously correct. We aren't raiding the top 1 percent of Mexicans and importing them to this country. Instead, we are getting representative Mexicans, who - through no fault of their own - come from a poorly educated country at a time when education is essential to success in an advanced economy.

Trump's comments made it sound as though Mexico is sending us moral defectives. But immigrants are willing to work. Immigrant men ages 18-65 are in the labor force at a higher rate than native men.

It's just that a lack of education hampers even hard-working people. This is illustrated in an exhaustive report by Steven Camarota of the Center for Immigration Studies, which favors a lower level of immigration.

Immigrants here from Mexico - which has sent more immigrants than any other country for decades - have the lowest levels of education. Nearly 60 percent of them haven't graduated from high school.

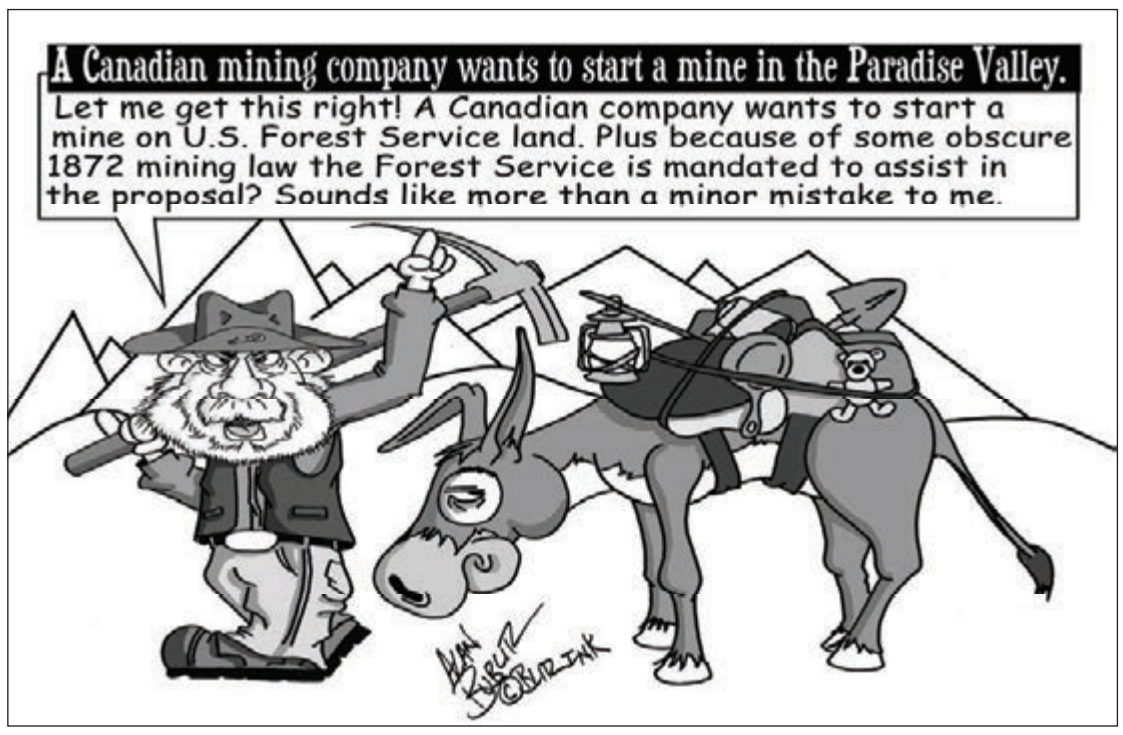
This puts Mexican immigrants at a disadvantage, and it shows. Nearly 35 percent of immigrants from Mexico and their U.S.-born children are in poverty; nearly 68 percent are in or near poverty. This is the highest level for immigrants from any country.

Fifty-four percent of immigrants from Mexico lack health insurance. A higher proportion of Mexican immigrants uses means-tested government programs than immigrants from any other country - more than 57 percent. Immigrants make progress on almost every indicator over time, but are still far behind natives after two decades.

For all its crassness, Trump's rant on immigration is closer to reality than the gauzy cliches of immigration romantics, who are unwilling to acknowledge that there might be an issue welcoming large numbers of high-school dropouts into a 21st-century economy. If we don't want to add to the ranks of the poor, the uninsured and the welfare-dependent, we should have fewer low-skilled immigrants - assuming saying that is not yet officially considered a hate crime.

The point could be made much more deftly and accurately by anyone not named Donald J. Trump. In the meantime, he fills the vacuum, and enjoys the whirlwind.

EDITOR'S NOTE: Rich Lowry can be reached via e-mail: comments.lowry@nationalreview.com.



The Star welcomes letters to the editor from its readers expressing opinions on any issue of public interest. Letters should be signed (unless e-mailed) and include an address and daytime phone number for verification. They should be legible and less than 500 words in length. The Star reserves the right to edit letters for length, taste and libel.

Stardust

People and Perspectives from Miles City's past

25 YEARS AGO (1990)

He may not be ready for prime time, but Custer County's sheriff has had his first taste of the limelight. Tony Harbaugh will be featured on a fall episode of NBC's "Unsolved Mysteries." Harbaugh and Deputy Mark Lester spent Saturday, June 30, with a film crew, re-enacting scenes and giving interviews. "It was really a unique and intriguing experience for me," said Harbaugh. Cody Turnquist, Paula Schieffer, and Kami Finneman, seniors at Custer County District High School, were among the 1,800 student council leaders and faculty advisors attending the 54th National Association of Student Councils Conference, in Milwaukie, Ore.

The Miles City Veterans Affairs Medical Center switched over to a new telephone system this weekend, nearly completing a project started in September 1988. The cost for equipment and installation was about $900,000. A new building was constructed on the VAMC grounds to house the system.

Dee Dee Annette Davis and Mary Beth Willems, both of Miles City, are recipients of two, $225 scholarships awarded by First Security Bank and Trust. The scholarships are for tuition at Miles Community College.

Ten women attended the Thursday meeting of the Miles City Piecemakers Quilting Club at the home of Mollie Lentz. Clara Pering furnished refreshments.

50 YEARS AGO (1965)

Rev. Marion J. Vreugdenhil, pastor of the local Wesleyan Methodist Church for the past three years, will be leaving Miles City in the next few days. He and his family will be going to Sierra Leone, West Africa. Rev. Vreugdenhil has accepted a position on the staff of Kamakwie Secondary School, a high school operated by the American Wesleyan Mission of the Wesleyan Methodist Church. Mrs. Vreugdenhil will be serving as a part-time nurse in the Kamakie Hospital, which is also run by the mission.

Pvt. and Mrs. Gary Kuchynka have arrived in Miles City for visits with their parents, Mr. and Mrs. Henry Kuchynka and Mr. and Mrs. Ken Greenslit. Pvt. Kuchynka is stationed at Fort Benning, Georgia.

Dolores Irene Christensen, daughter of Mr. and Mrs. Andrew Christensen, was married at the First Lutheran Church to Frederick William Aye, son of Mr. Willis Aye and Mrs. John Grunther of Coalwood.

Mr. and Mrs. William Niklas have as house guests three of their children and three of their families: Mr. and Mrs. Don Niklas, Karen, Denise, Don, Joe, Mary and John are here from Redondo Beach, Calif.; Mr. and Mrs. Lou Remily, the former Betty Sue Niklas, Janet and Gregg, of Madison, Wis.; and Mrs. Jack Mee, the former Maureen Niklas and son Michael, from Butte.

75 YEARS AGO (1940)

A reward of $10 has been offered to the person who locates the body of the 12 year old boy who was drowned at Forsyth on June 15 while attending the Old Timers Picnic in Forsyth with his parents, said Sheriff Allen. The Yellowstone has been dragged twice and another effort is to be made again soon.

The first full week of training under the Civilian Pilots training program of the Civil Aeronautics Authority began Monday night, when the fifteen applicants met at the high school for a two-hour ground school session. Students taking the course are Harold Luke, James Barron, Edelle Rolfe, Lucius Hurlburt, Don Coe, Glenn Ingersoll, Stan Lee Warren, Walter Marino, Rod McKay, Walt Martin, Lyle West, Selmar Thorsen and Mike Minkoff.

Five Miles City youths and one from Broadus left for Fort Missoula where they will spend a month training under the Civilian Military Training Corps, it was announced by E. W. Winter, who is in charge of the program in Miles City. Those attending the camp include Richard Dyba, Joseph C. Noel, Edgar S. Farr, Donald D Love, and Robert Jenkins, all of Miles City, and Roy Estes of Broadus.

100 YEARS AGO (1915)

TO ALL OWNERS OF HORSES: Take notice that French representatives will have a Cavalry and Artillery Inspection at the Milwaukee Yards in Miles City on July 7 and 8. We will buy all of the horses and mares that we can get from 15 to 16 1/2 hands high and from 5 to 10 years old. We want them sound and the work-horse type is preferred. We will pay $115 for Cavalry horses, $140 for Gunners, and $150 for heavier artillery horses. (adv.)

J. B. McGowan, from Minneapolis, who, with his wife, was here visiting his cousin, Jay Henton, took in the Roundup, and has returned home. He was so pleased he says nothing but death can stop him from coming again next year.

Dr. Randall returned from Chicago where he had been taking a post graduate course, and has resumed his practice in association with Dr. Garberson.

The boys who were here from other localities to enter in the Roundup and who make a circuit of such events, had a number of suggestions to offer as for features which may be incorporated in future. These include the roping of Angora goats, or pigs, four horse Roman standing races and chariot races.

Miles City STAR

Thursday, August 6, 2015 | Miles City, Montana | $1.00

Train speeds discussed

By ASHLEY RONESS
Star Staff Writer

The Miles City community has been in an uproar after the recent increased speed of trains through town, but citizens are refusing to lay down without a fight.

On Wednesday a representative from Rep. Ryan Zinke's office, Alex Sterhan, held a meeting with Miles City Star Publisher Dan Killoy, County Commissioners Kevin Krausz and Jason Strouf, High School Principal Beez Lucero and Miles City Mayor Butch Grenz to discuss the increased speeds of trains going through town.

Concerns were discussed to be delivered back to Rep. Zinke to then be put into a letter to BNSF, hopefully from all of Montana's congressional delegation.

The major concern was the location of the high school right next to the tracks. Principal Lucero is taking precautions against a possible disaster by adding train derailments to the school's crisis plan and having representatives from the railroad come and talk to the students.

"Derailments are always my biggest fear. We have 550 kids that would have to leave quickly out of the other side of the building," said Lucero.

Along with the high school, Denton Field and the Oasis are only a block away from the tracks, putting more children at risk. Plus, many residential homes are located close to the tracks.

Mayor Grenz brought up the concern of how the fire department is on one side of town, while the tracks are on the other. Meaning if an accident happened, the response time would be considerably slower.

All parties agreed that an accident or derailment would be much worse and more widespread since speeds have increased from 30 miles per hour to 60 mph.

At the end of the month, Rep. Zinke plans on coming to town to hold a Town Hall meeting. Zinke's office is also trying to coordinate with Rep. Daines and Sen. Tester to be here.

Train speeds increased July 6, with BNSF explaining that the Federal Railroad Administration allows 60mph speeds on Class 4 tracks, which is what Miles City has.

Outdoor classroom seating

STAR PHOTO/Steve Allison

When the call came from the metal work artist Wednesday that the benches were ready for the Spotted Eagle outdoor classroom, Walleyes Unlimited volunteers Duncan Bartholomew, from left, Dale Marcil and Dennis Schroeder quickly jumped into action and mounted them in place. Two went inside the classroom, and this special corner bench was mounted in a special place just outside the pole ring outlining the classroom's space. Now that the benches are in place, the group hopes to surround the outside area with dirt and seed it with native grasses that surround it now.

Charges filed against producer of fake Eastwood film

HELENA (AP) — Montana officials have filed fraud and theft charges against a man accused of scamming investors into giving him more than $24,000 to produce a cowboy documentary he said would be narrated by Clint Eastwood.

The film is bogus and the actor was never contacted, state prosecutors said. Other promises Matthew McClintock made — that PBS would air the film, royalties would go to breast cancer research and a prominent historian would be involved — were also false, they said in charging papers filed on Wednesday in Missoula.

Courts

Deputy Securities Commissioner Lynne Egan discussed the criminal charges during a court hearing Thursday on whether a ban on McClintock's fundraising efforts should be kept in place.

McClintock used nearly all of the $24,232 he raised to pay for living expenses, to dine out in restaurants and to buy personal items, including tires and a cowboy hat, Egan told District Judge Mike Menahan of Helena.

Just over $200 remained when the state froze McClintock's three bank accounts, Egan said.

"So he spent $575 on a hat?" Menahan asked.

"Yes, and he wore it at the last hearing," Egan replied.

McClintock did not show up for Thursday's hearing and does not have an attorney. Officials with the state auditor's office said they do not know where he is.

The judge ordered a preliminary injunction prohibiting McClintock from soliciting any more investments.

At a previous hearing in June, McClintock acknowledged to The Associated Press that he had never spoken with Eastwood. But he insisted the film was real — though he said he may have difficulty completing it because of ongoing health problems.

Seventy individual investors paid McClintock "advertising fees" and nine businesses paid "sponsorship fees" in return for a portion of the royalties and their names in the film's credits. One investor gave McClintock $10,000 and another $4,850.

McClintock told the investors he would give a portion of the film's royalties to the Western Montana Breast Cancer Fund, which does not exist.

Besides theft and fraudulent practices charges, McClintock also faces charges of failure to register as a salesperson and failure to register a security. Each of the six charges carries a maximum 10-year prison sentence if convicted and a combined maximum fine of $75,000.

McClintock is on probation after pleading guilty in 2010 in a money-raising scam in southwestern Montana. He was previously convicted of fraud and obtaining money by false pretenses in Oklahoma.

Montana man won't stop selling supplements

HELENA (AP) — Federal prosecutors are seeking jail time for a Montana man they say is still selling dietary supplements after a judge ordered him to stop because he was distributing unapproved and mislabeled drugs that promised to treat cancer and other diseases.

Toby McAdam of Livingston said Wednesday that he has stopped selling those supplements and that his company, Risingsun Health, is only offering one product, Lugol's iodine.

He told The Associated Press that he has done everything Food and Drug Administration officials have required him to do, but he can't afford to stop selling the iodine.

"It's not a dietary supplement, it's sold by chemical companies," he said. "To me, by definition, it is not a supplement."

The National Institutes of Health's Office of Dietary Supplements lists iodine as a supplement. Lugol's iodine is advertised by other sellers as aiding the thyroid and as a traditional medicine to treat various illnesses.

McAdam's company advertises it as a vegetable wash and a natural water purifier and says "the body requires the element of iodine for essential body functions." McAdam claimed that by not including medicinal or healing statements in his advertisements, he is following the court order to not sell supplements.

"I make no statement that makes medical claims that it can be used as a supplement. I changed all of that," he said

McAdam agreed in 2010 to stop selling supplements, topical products with bloodroot or graviola plant extracts and any new drugs that had not been approved by the FDA.

Before then, he had regularly sold unapproved drugs that claimed to treat diseases such as cancer, anemia, asthma, attention deficit disorder, arthritis, epilepsy and intestinal parasites, prosecutors said.

Despite that agreement, he continued to sell products such as bloodroot that were intended to treat or prevent diseases, prosecutors said.

A judge issued a civil contempt order in 2013 demanding that he cease all manufacture and sales of products to be ingested by or applied topically to humans or animals, including drugs and dietary supplements.

Suspect in latest theater attack had psychological issues

NASHVILLE, Tenn. (AP) — What initially appeared to be another mass shooting at a movie theater ended up being an attack by a disturbed homeless man who wasn't armed with a real gun and was eventually shot and killed by police.

Vincente David Montano, 29, bought a ticket for "Mad Max: Fury Road" at a theater in a middle-class community in southern Nashville on Wednesday and entered with pepper spray, an airsoft pellet gun and an ax, Metro Nashville Police spokesman Don Aaron said.

Some of the theatergoers in the audience ran outside and alerted police officers who had responded to a vehicle crash nearby, police said in a news release issued late Wednesday.

South Precinct Officer Jonathan Frith, a six-year veteran, was the first officer to encounter Montano, the news release said. Montano pointed his pellet gun at Frith and pulled the trigger, prompting Frith to fire one round from his patrol rifle in self-defense, the release said. Frith then backed out of the theater while keeping Montano contained inside as SWAT officers responded.

At that point, Montano began to use the pepper spray and officers said they encountered a cloud of it as they entered to take Montano into custody. Montano fired his pellet gun again and four SWAT members fired back, the release said. Montano attempted to flee out the rear door of the theater and as he emerged with ax in hand and started toward officers, five opened fire, according to the release. Montano was struck and killed.

No one other than Montano was killed. One man was cut on the shoulder, evidently by the ax Montano was carrying, and that man, his wife and daughter were treated for pepper spray, Aaron said.

Aaron said police had not uncovered a motive, but he said Montano had been committed for psychiatric treatment at least four times, twice in 2004 and twice in 2007. It wasn't immediately clear why he had been committed or if that commitment was involuntary.

"This individual has had significant psychiatric or psychological issues," Aaron said.

Just two days before the attack, Montano's mother, Denise Pruett, contacted police in Murfreesboro, Tennessee, and said Montano was missing. She told police that her son was diagnosed with paranoid schizophrenia in April 2006, according to the missing person report.

She said she had not seen him since March 2013, according to the report. In May 2015, authorities in Texas contacted her and said she needed to file a missing persons report in Murfreesboro, the report states.

The Murfreesboro report says Pruett brought with her a copy of a Tennessee identification card for Montano that listed an address for Nashville Rescue Mission, a homeless shelter. The report lists his address as "homeless" and says he "has a hard time taking care of himself."

Mystery of Flight 370 evolves with first tangible clue

SYDNEY (AP) — For 17 months, Malaysia Airlines Flight 370 was, in a sense, nowhere. The lack of any tangible clue to its fate was eerie, unsettling, bizarre — a real-world echo of the TV show "Lost" and the wayward-jetliner mystery at the heart of its story.

With the Malaysian prime minister's announcement Thursday that a wing fragment found on an Indian Ocean island belongs to the missing plane, the mystery has changed. Less Bermuda Triangle or Amelia Earhart; more Air France 447, which crashed into the Atlantic in 2009 but confounded investigators for nearly two years until its black boxes were found.

Though other countries involved in the investigation make the point less emphatically than Malaysia, all agree the wing piece appears to be from Flight 370, lost March 8, 2014, on its way from Kuala Lumpur to Beijing with 239 people on board.

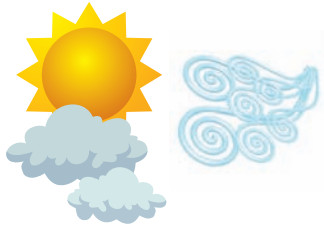
So we know it ended up in the ocean. We just don't know why. What does that change, if anything?

"The appearance of at least some wreckage takes it out of the realm of 'vanished without a trace, cue the music,' with 'OK, sure, it did go down in the ocean,'" said Ric Gillespie, a former U.S. aviation accident investigator who wrote a book about Earhart's still-unsolved 1937 disappearance over the Pacific Ocean. "It's an aviation accident."

Before the discovery of the wing piece on the French island of Reunion, experts generally agreed that the Boeing 777 crashed in a remote stretch of the Indian Ocean. But there were nagging suspicions that the experts got it wrong. Did the plane fly north to Asia, rather than south into the ocean? Could those on board even be stuck on some far-flung island, like the characters on "Lost"?

weather forecast

FRIDAY



84/56

Sunshine and some clouds. High 84F. Winds NNW at 5 to 10 mph.

JON TESTER
MONTANA

COMMITTEES:
APPROPRIATIONS
BANKING
INDIAN AFFAIRS
VETERANS' AFFAIRS
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

United States Senate

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202-224-2644

INTERNET:
http://tester.senate.gov/contact

July 24, 2015

Mr. Carl R. Ice
President and Chief Executive Officer
Burlington Northern Santa Fe Railway
2650 Lue Menk Drive
Fort Worth, TX 76131

Dear Mr. Ice:

I write to address concerns with BNSF's recent decision to increase maximum allowable train speeds from 30 miles per hour to 60 miles per hour in Miles City between Mile Post 77.7 and Mile Post 79. The increased speeds affect grade crossings in Miles City at Leighton Boulevard, 10th Street, 8th Street and 4th Street. These grade crossings are in relatively busy areas of Miles City, where it is essential to maintain safety standards tailored specifically for high traffic areas. As such, I urge BNSF to engage with community leaders to review the speed change decision and to consider alternative options.

When the speed change went into effect earlier this month, my constituents in the area expressed concerns with the new maximum train speed and frustrations with the lack of public input prior to the speed change being implemented. While BNSF has done a good job of providing detailed notice letters to city leaders and posting public services ads in the local paper to advise the public of the change, I believe it is vital to engage with the public both before and after making decisions that affects a community and impacts safety.

I encourage BNSF to immediately reach out to community leaders and affected citizens in Miles City to revisit the train speed increase and to ensure all concerns are considered. Thank you for your consideration and I look forward to your response.

Sincerely,

Jon Tester

Jon Tester

BOZEMAN (406) 586-4450
BUTTE (406) 723-3277
GLENDIVE (406) 365-2391
GREAT FALLS (406) 452-9585
HELENA (406) 449-5401
KALISPELL (406) 257-3360
BILLINGS (406) 252-0550
MISSOULA (406) 728-3003

Tongue River Railroad DEIS 2

I am Mark Fix and I am a rancher and irrigator on the Tongue River about 20 miles SW of Miles City. My Ranch would be crossed by two of the proposals in the DEIS and four of the alternatives.

The DEIS does not address how the rail line will affect flooding in Miles City. Miles City is working on an extensive rebuild of the dike protecting Miles City. Will the railroad grade force water from the Tongue towards the dike and cause it to fail? If the dike needs to be modified, will the cost be paid by the Tongue River Railroad or will the taxpayers of Miles City and Custer County have to pay for the improvement? In Montana, the preferred corridor for a railroad is by an easement. The DEIS assumes that the right of way will be by fee title. I would prefer an easement because then I would be paid for each easement. The DEIS says that a power line will be built along the railroad grade. We should be paid for that easement. The DEIS says that communications towers will be installed. Again, the landowner should be paid for that easement. If a fiber optic line or a pipeline is planned along the route the landowner should also be compensated for that.

We are in a different age from the time when railroads were given extensive parcels of land to build the railroad. The preferred method now is a term called wheelage. The landowner should be paid for the ongoing intrusion on his property. Something similar to 10 cents a ton a mile for the traffic across their land may be suitable. The agreement should be subject to inflation and should be adjusted upward over time.

I have been very happy the last few years because the cloud of a permit from the Surface Transportation Board has been lifted from my property. Ever since I bought the ranch in 1991 there has been a permit allowing the TRR to build on my property. There is no approved railroad across my land now and I would like to keep it that way. I have not had any land men coming to my place trying to buy the land for a right of way and threatening me with the fact that they have eminent domain and can condemn my land if they have to. That happened several times after I bought the ranch in 1991. If it takes another 10 or 20 years to complete the final EIS that would be fine with me. The DEIS is so big, I think it may take about that long to read it all.

The DEIS is very confusing when it comes to analyzing the different routes. It appears that a black box model has been created and data has been put in and results came out. It is hard to understand how this model works and what parameters were put into it. I doubt that anyone that programmed the model obtained any guidance from a farmer or rancher. I doubt that the results will protect the farmers and ranchers.

The DEIS only looks at problems within the right of way. Many of our operations nearby may be affected by the rail line. Many of the things we do from day to day to run the ranch will be altered. We may or may not be able to modify our operation to work around the railroad. Places that we built our homes, our corals, our fences were to make the land work best the way it is. Throwing a rail line in the middle of our ranches will forever alter our operations and the peace and tranquility that we enjoy in Eastern Montana. I urge you to approve the no action alternative. There is no public need and necessity for the railroad.

Tongue River Railroad DEIS

I am Mark Fix and I am a rancher and irrigator on the Tongue River about 20 miles SW of Miles City.

I am here to speak for the no action alternative. The draft environmental impact statement does not go into much detail even though it is a huge document. During scoping, you provided us maps that showed where the routes were supposed to be. We had questions about where there might be sidings. You provided that information to us. The DEIS does not show where the sidings might be. It only talks in general terms as to where they might be.

Our ranch has two routes proposed across it and four alternatives. During scoping the map that was given to me for the Moon Creek alternative went across my place and did not cross a well we have on the place. The latest proposal for the Moon Creek alternative would now cross the well. The DEIS says that any well that is crossed will be plugged. It does not state whether or not the TRR will replace the well. The Moon Creek alternative would split my ranch in half. I would probably need to replace one well with two wells because the pastures would be split in two. The Moon Creek route follows my access road up over the Moon Creek divide. I could not access my pasture because the railroad would take out my access road. The terrain is too steep and I could not access my North Pasture without building a new road. It appears that the cuts on the Moon Creek route could divert drainage water into the Tongue River drainage instead of the Yellowstone drainage. One of my dams may no longer fill with water due to this change.

The Tongue River route would also cross our property. One of the things that I realized after years of dealing with the proposed Tongue River Railroad is that a road would have to be built alongside the route to access the track for fire and to spray for weeds. Disturbing the land will open up a corridor for weeds to spread up and down the disturbed area. The DEIS talks about where road crossing may be required, but did not look at the fact that a road would be required for the Tongue River route. There is no access from Miles City to the SH ranch on the West side of the river. There is also no access after the Harwood Ranch until Brandenberg. There is also no road proposed for the Moon Creek alternative. Access to that area would be difficult and it is several miles from any residences. Fires created by the railroad may not be seen until they are out of control. There is no discussion about how the grade will be built. Will they need to use our private bridges across the Tongue to build the railroad or will they only access the area from the West side of the river. How will they service the area once the rail line is built? Again, will they want to use our private bridges?

I noticed that there is a picture of where the railroad is proposed under the I- 94 interstate. The picture does not show that an exit will be created at that point. There should be an exit provided so that emergency vehicles could access the rail line to fight fires and spray weeds. The picture brings up more questions. Would trains be stopped to wait for an opening on the existing BN line? It appears that a train parked near the BN line would block the access to Fort Keogh . The best way to access Fort Keogh to fight a fire would be to go to the Fish Hatchery and go under the Interstate. A train parked there would block that access. An exit would need to be provided to provide operation of Fort Keogh and

access for fire and spraying for weeds along the rail line. If a road is built along the track, will the costs be paid for by the TRR or by the taxpayers.