



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

Kevin Cramer  
Tony Clark  
Brian P. Kalk

Executive Secretary  
Darrell Nitschke

600 E. Boulevard Ave. Dept 408  
Bismarck, North Dakota 58505-0480  
Web: [www.nd.gov/psc](http://www.nd.gov/psc)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
Phone 701-328-2400  
Toll Free 1-877-245-6685  
Fax 701-328-2410  
TDD 800-366-6888 or 711

April 20, 2010

Mr. Dale Frink  
State Engineer  
North Dakota State Water Commission  
900 East Boulevard  
Bismarck, ND 58505

Dear Mr. Frink:

Enclosed for your review is a CD containing the application for a new Surface Coal Mining and Reclamation Permit in Oliver County, North Dakota. The Otter Creek Mining Company, L.L.C. has submitted permit application NAOC-0802 for the proposed Otter Creek Mine northwest of Center. This application proposes mining on lands in all or portions of Sections 5 and 6 of T142N, R84W; Sections 1 and 2 of T142N, R85W; Sections 20, 29, 31, and 32 of T143N, R84W; and Sections 35 and 36 of T143N, R85W of Oliver County, North Dakota, containing 5,490.1 acres

We ask that you review this application within your areas of responsibility and provide us with any comments by June 7, 2010. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Deutsch".

James R. Deutsch  
Director  
Reclamation Division

Enclosure

m\Otter Creek\0802\advisory committee\rvw\_rqst\_4-20-10



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April 20, 2010

Mr. David Glatt  
North Dakota Health Department  
Environmental Health Section  
Gold Seal Center  
918 East Divide Avenue  
Bismarck, ND 58501-1947

Dear Mr. Glatt:

Enclosed for your review is a CD containing the application for a new Surface Coal Mining and Reclamation Permit in Oliver County, North Dakota. The Otter Creek Mining Company, L.L.C. has submitted permit application NAOC-0802 for the proposed Otter Creek Mine northwest of Center. This application proposes mining on lands in all or portions of Sections 5 and 6 of T142N, R84W; Sections 1 and 2 of T142N, R85W; Sections 20, 29, 31, and 32 of T143N, R84W; and Sections 35 and 36 of T143N, R85W of Oliver County, North Dakota, containing 5,490.1 acres

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James R. Deutsch  
Director  
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April 20, 2010

Mr. Scott Hochhalter  
State Soil Conservation Specialist  
2718 Gateway Ave., Unit #104  
Bismarck, ND 58503

Dear Mr. Hochhalter:

Enclosed for your review is a CD containing the application for a new Surface Coal Mining and Reclamation Permit in Oliver County, North Dakota. The Otter Creek Mining Company, L.L.C. has submitted permit application NAOC-0802 for the proposed Otter Creek Mine northwest of Center. This application proposes mining on lands in all or portions of Sections 5 and 6 of T142N, R84W; Sections 1 and 2 of T142N, R85W; Sections 20, 29, 31, and 32 of T143N, R84W; and Sections 35 and 36 of T143N, R85W of Oliver County, North Dakota, containing 5,490.1 acres

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James R. Deutsch  
Director  
Reclamation Division

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April 20, 2010

Mr. Larry Kotchman  
State Forester  
N.D. Forest Service  
Molberg Center  
307 1<sup>st</sup> Street East  
Bottineau, ND 58318

Dear Mr. Kotchman:

Enclosed for your review is a CD containing the application for a new Surface Coal Mining and Reclamation Permit in Oliver County, North Dakota. The Otter Creek Mining Company, L.L.C. has submitted permit application NAOC-0802 for the proposed Otter Creek Mine northwest of Center. This application proposes mining on lands in all or portions of Sections 5 and 6 of T142N, R84W; Sections 1 and 2 of T142N, R85W; Sections 20, 29, 31, and 32 of T143N, R84W; and Sections 35 and 36 of T143N, R85W of Oliver County, North Dakota, containing 5,490.1 acres

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Sincerely,

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James R. Deutsch  
Director  
Reclamation Division

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April 20, 2010

Mr. Ed Murphy  
Director and State Geologist  
North Dakota Geological Survey  
600 East Boulevard  
Bismarck, ND 58505-0480

Dear Mr. Murphy:

Enclosed for your review is a CD containing the application for a new Surface Coal Mining and Reclamation Permit in Oliver County, North Dakota. The Otter Creek Mining Company, L.L.C. has submitted permit application NAOC-0802 for the proposed Otter Creek Mine northwest of Center. This application proposes mining on lands in all or portions of Sections 5 and 6 of T142N, R84W; Sections 1 and 2 of T142N, R85W; Sections 20, 29, 31, and 32 of T143N, R84W; and Sections 35 and 36 of T143N, R85W of Oliver County, North Dakota, containing 5,490.1 acres

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James R. Deutsch  
Director  
Reclamation Division

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April 20, 2010

Mr. Merlan Paaverud  
State Historical Society of ND  
Heritage Center  
Bismarck, ND 58505

Dear Mr. Paaverud:

Enclosed for your review is a CD containing the application for a new Surface Coal Mining and Reclamation Permit in Oliver County, North Dakota. The Otter Creek Mining Company, L.L.C. has submitted permit application NAOC-0802 for the proposed Otter Creek Mine northwest of Center. This application proposes mining on lands in all or portions of Sections 5 and 6 of T142N, R84W; Sections 1 and 2 of T142N, R85W; Sections 20, 29, 31, and 32 of T143N, R84W; and Sections 35 and 36 of T143N, R85W of Oliver County, North Dakota, containing 5,490.1 acres

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James R. Deutsch  
Director  
Reclamation Division

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April 20, 2010

Mr. Paul J. Sweeney  
State Conservationist  
Natural Resource Conservation Service  
P.O. Box 1458  
Bismarck, ND 58502-1458

Dear Mr. Sweeney:

The Otter Creek Mining Co., L.L.C. has submitted an application for Surface Coal Mining Permit NAOC-0802 for the Otter Creek Mine. The application proposes to permit 5,490.1 acres of land located northwest of Center in Oliver County. Section 2.8.3 and related links of the permit application describe the prime farmland reclamation plans. A total of 690.6 acres of prime farmland have been identified within the permit area.

An electronic copy of the revision application is on the enclosed DVD. Please review the revision application with regard to the prime farmland reclamation plans and submit written comments to the plans, or your concurrence with the plans, to our office by June 7, 2010. If you have any questions, please contact Steve Schroeder or Bill Gunnerson at 328-4096.

Sincerely,

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James R. Deutsch  
Director  
Reclamation Division

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TDD 800-366-6888 or 711

April 20, 2010

Mr. Terry Steinwand  
Director  
North Dakota Game and Fish Department  
100 North Bismarck Expressway  
Bismarck, ND 58505

Dear Mr. Steinwand:

Enclosed for your review is a CD containing the application for a new Surface Coal Mining and Reclamation Permit in Oliver County, North Dakota. The Otter Creek Mining Company, L.L.C. has submitted permit application NAOC-0802 for the proposed Otter Creek Mine northwest of Center. This application proposes mining on lands in all or portions of Sections 5 and 6 of T142N, R84W; Sections 1 and 2 of T142N, R85W; Sections 20, 29, 31, and 32 of T143N, R84W; and Sections 35 and 36 of T143N, R85W of Oliver County, North Dakota, containing 5,490.1 acres

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James R. Deutsch  
Director  
Reclamation Division

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