

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**BNI Coal, Ltd.
Renewal No. 3, Permit BNCR-9401
Application**

Case No. RC-10-112

**RENEWAL OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS**

August 4, 2010

Based on the application received on April 16, 2010, Renewal No. 3 for Permit Number BNCR-9401 is hereby granted to BNI Coal, Ltd. to renew the surface coal mining permit subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, and the rules promulgated there under, on the following described areas:

Portions of Sections 5 and 8, T141N, R83W, totaling 254.7 acres, all in Oliver County.

This five-year permit renewal will allow BNI Coal, Ltd. to continue to operate under approved mining and reclamation plans until August 16, 2015. Permit No. BNCR-9401 is currently covered by Surety Bond No. 400JR3522 issued by St. Paul Fire & Marine Insurance Company in the amount of \$695,060.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
Chairman



Brian P. Kalk
Commissioner