

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Knife River Corporation
Bond Release No. 2, Permit KRGC-8404
Approval

Case No. RC-13-811

RELEASE OF BOND
FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS

July 10, 2019

Based on the application for **Bond Release Number 2 for Surface Coal Mining Permit KRGC-8404**, filed September 24, 2013 and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. Attached to the Application for Release of Bond were copies of all letters sent by the Permittee as required by NDCC §38.14.1-17(1)(b). Affidavits of publication for the advertisement required by NDCC §38.14.1-17(1)(a) have been filed and have been made part of the Application for Release of Bond. The last date of publication was November 1, 2013.
2. On October 23, 2013 and October 18, 2018, the Commission conducted inspections and evaluations of the reclamation work involved in this bond release as required by NDCC §38.14.1-17(3). The surface owners, agents, or lessees were given notice of the bond release inspections and had the opportunity to participate with the Commission in conducting the inspections of the bond release areas at the Gascoyne Mine.

In accordance with NDCC §38.14.1-17, Bond Release No. 2 for Surface Coal Mining Permit No. KRGC-8404 is hereby granted to Knife River Corporation effective August 9, 2019, unless a formal hearing is requested. Release in the amount of \$174,716.00 is approved. The area is described by a metes and bounds description and as follows:

Portions of Sections 33, T131N, R99W, Bowman County, releasing all reclamation liabilities on 222 acres.

The decision to release all of the bond on this acreage is made for the following reasons:

The Knife River Corporation has met the requirements of the applicable reclamation laws and rules administered by the Commission for successfully implementing the post-mine land uses as approved in the reclamation plan. The bond release includes approximately 56.1 acres of reclaimed land approved for cropland use, 2.8 acres of reclaimed township road and 5.5 acres of reclaimed

wildlife habitat grassland The bond release area also includes 157.6 acres of land that was not disturbed by mining activities.

IMPORTANT – PLEASE READ

1. If bond release has been approved, actual release of bond shall not occur until the effective date of this decision. If a formal hearing is requested on this bond release decision by a person with a valid legal interest or by the head of any state or local government agency with appropriate jurisdiction, the actual release of bond may not occur until after a final decision is issued following the formal hearing. A request for formal hearing by any such person must be filed with the Public Service Commission within 30 days of this bond release decision.
2. If bond release has been disapproved or if you are unsatisfied with the amount of bond approved for release, you have the right to request a formal hearing regarding this decision by filing an application for a hearing with the Public Service Commission within 30 days of the date of this decision.

PUBLIC SERVICE COMMISSION


Julie Fedorchak
Commissioner


Brian Kroshus
Chairman


Randy Christmann
Commissioner

MINING BOND RELEASE #2
SECTION 33, T131N-R99W

A tract of land situate in Section 33, T.131N., R.99W., Bowman County, North Dakota, being more particularly described as follows:

Beginning at a point located at KRC coordinates N 1320 & W 6749.4, such point designated as corner 336;
thence West a distance of 1020.6 feet to corner 337;
thence 45°00'00"W distance of 212.1 feet to corner 338;
thence West a distance of 830.0 feet to corner 339;
thence N54°49'23"W a distance of 2030.9 feet to corner 340;
thence West a distance of 150.0 feet to corner 216;
thence North a distance of 2640.0 feet to corner 215;
thence East a distance of 2640.0 feet to corner 214;
thence South a distance of 2640.0 feet to corner 213;
thence S41° 34'00" a distance of 1764.3 feet to corner 336;
