



**APPLICATION FOR PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION OPERATIONS**

PUBLIC SERVICE COMMISSION  
RECLAMATION DIVISION  
SFN 10552 (1-2004)

<b>RECEIVED</b>		Date	33967
		October 31, 2013	
		Permit Number	NACC-1302
		State	ND
		Zip Code	58501-1264

Name of Company, Corporation, Partnership, or Individual <b>Coyote Creek Mining Company, L.L.C.</b>		City <b>Bismarck</b>
Address <b>2000 Schafer Street</b>		

The above named hereby makes application for the above listed permit number to engage in surface coal mining and reclamation operations in the State of North Dakota during the period from February 1, 2015 (date) to February 1, 2019 (date) on the following area (attach a copy of metes and bounds description):

NAME OF MINE	ACRES	LOCATION			
		SEC.	TWP.	RANGE	COUNTY
Coyote Creek Mine	8,091.511	-----	-----	----->	See Attachment 1
ADDRESS					
2000 Schafer Street					
Bismarck, ND 58501-1264					
<b>TOTAL ACRES</b>	<b>8,091.511</b>				

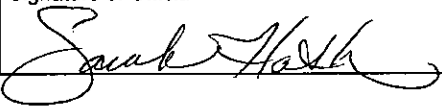
A bond, or its equivalent, duly executed in accordance with Section 38-14.1-16 of the North Dakota Century Code and Chapter 69-05.2-12 of the North Dakota Administrative Code will be delivered to the Public Service Commission prior to issuance of the surface coal mining and reclamation operations permit herein requested. A check for filing fees, pursuant to Section 38-14.1-13 of the North Dakota Century Code, in the amount of \$ 81,415.10, is included with the permit application.

Name of Official Authorized to Represent the Applicant <b>Sarah J. Flath</b>
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I, the above named, certify that:

1. All information and documents required by Sections 38-14.1-13, 38-14.1-14, and 38-14.1-15 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, are submitted as part of this permit application;
2. Information and documentation contained in the permit application affirmatively demonstrate that:
  - a. The permit application is accurate and complete and all the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code have been complied with;
  - b. Reclamation as required by Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code can be accomplished under the reclamation plan contained in this permit application;
  - c. An assessment of the probable cumulative impact of all anticipated mining in the general area on the hydrologic balance as specified in subdivision o of subsection 1 of Section 38-14.1-14 of the North Dakota Century Code has been made and the proposed operation has been designed to prevent material damage to the hydrologic balance both on and off the mine site;
  - d. The area proposed to be affected is not included within an area designated unsuitable for all or certain types of surface coal mining and is not within an area under study for such designation in an administrative proceeding;
  - e. The proposed surface coal mining operation will not interrupt, discontinue or preclude farming on alluvial valley floors that are irrigated or naturally subirrigated and will not materially damage the quantity or quality of water in surface or underground water systems that supply these alluvial valley floors; and
  - f. The permit applicant has the legal right to surface mine the land for which this permit application is made and all of the requirements of Chapter 38-18 of the North Dakota Century Code have been complied with.

- 3. The area proposed to be affected is not included within an area where mining is prohibited pursuant to Section 38-14.1-07 of the North Dakota Century Code, unless specifically allowed in accordance with the provisions of Section 69-05.2-04-01 of the North Dakota Administrative Code; and
- 4. The proposed method of surface coal mining and reclamation operations contained in this permit application will be carried out at all times in a manner which ensures that all of the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and any permit conditions attached thereto are complied with.

Signature of Official 	Title Senior Environmental Specialist
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**VERIFICATION**

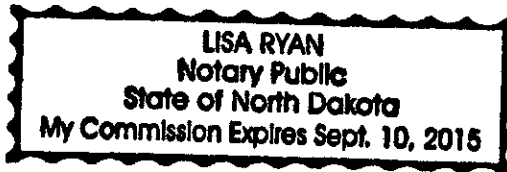
I, Donn R. Steffen, being first and duly sworn, verify that the information contained in this Permit Application is true and correct to the best of my knowledge and belief.

Signature of Official 	Title Engineering/Environmental Manager
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STATE OF North Dakota  
COUNTY OF Mercer )<sup>ss.</sup>

Subscribed and Sworn before me, this 31st day of October 2013.

(SEAL)



Lisa Ryan  
Notary Public  
My Commission Expires: 09/10/15

# COYOTE CREEK MINING COMPANY, L.L.C.

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION

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2000 Schafer Street, Suite D  
Bismarck, ND 58501-1204  
(701) 258-2200 • Fax (701) 222-7594  
Toll-Free 1-877-258-3300

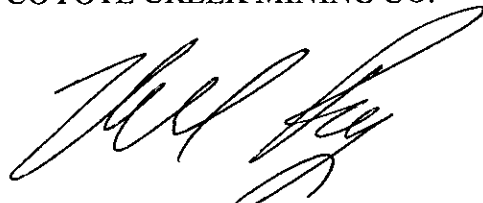
October 31, 2013

To the Reviewing Agency,

This letter serves to certify the design information contained within the surface water management plan for the Coyote Creek Mine, which was prepared by myself, or under my direction, for Permit NACC-1302. I also certify that the plans prepared incorporate current design requirements established by the North Dakota Public Service Commission.

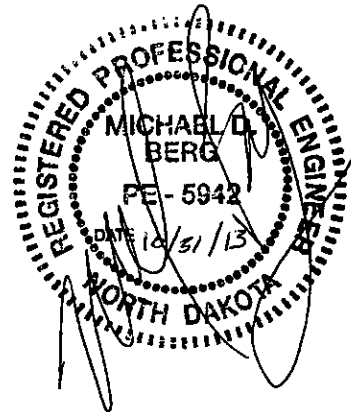
Sincerely,

COYOTE CREEK MINING CO.



Michael D. Berg PE  
Engineering and Environmental Manager  
Registration No. PE-5942  
North Dakota

MDB



# COYOTE CREEK MINING COMPANY, L.L.C.

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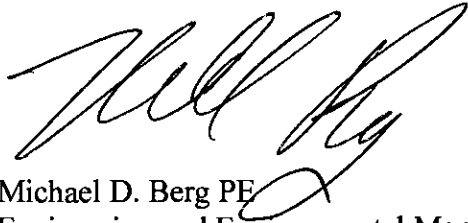
October 30, 2013

To the Reviewing Agency,

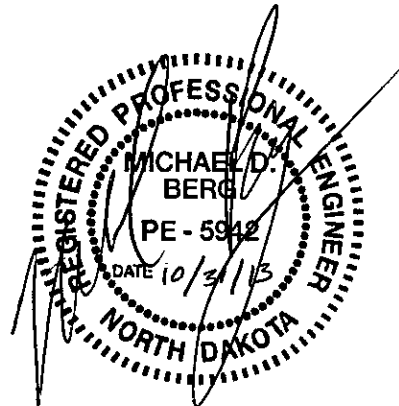
This letter serves to certify the design information contained within this transportation operations plan for the Coyote Creek Mine, which was prepared by myself, or under my direction, for Permit NACC-1302. I also certify that the plans prepared incorporate current design requirements established by the North Dakota Public Service Commission.

Sincerely,

COYOTE CREEK MINING CO.



Michael D. Berg PE  
Engineering and Environmental Manager  
Registration No. PE-5942  
North Dakota



BF