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February 20, 2015

Honorable Wade Mann
2911 North 14th Street
Suite 303
Bismarck, ND 58503

Via email only to wmann@nd.gov

Re: Coyote Creek Mine Permit Number NACC-1302
PSC Docket No.: RC-13-850
OAH Case No. 20140505

Dear Judge Mann:

In accordance with your order on late-filed exhibits in this matter dated February 13, 2015, enclosed is the Affidavit of Charles Norris in response to three late-filed exhibits. Mr. Norris's affidavit has three photographs included as Attachment A. We believe the materials contained within Attachment A are directly responsive to the late-filed exhibits, are limited in scope solely to rebuttal of these late-field exhibits, and further clarify Mr. Norris's testimony. By this letter, we request that the attachments be included with Mr. Norris's affidavit as late-filed exhibits. If the other parties have any objection and you determine that these materials do not comply with your order, we reiterate our request that these materials be considered by the Commission as "information not presented at a hearing" as per N.D.C.C. § 28-32-15.

Respectfully,

A handwritten signature in blue ink, appearing to read "Derrick Braaten", with a stylized flourish at the end.

Derrick Braaten

Copy: Brian Bjella (*via email: bbjella@crowleyfleck.com*)
Illona Jeffcoat-Sacco (*via email: ijs@nd.gov*)
Client