



Public Service Commission

State of North Dakota

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23 February 2015

Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
600 E. Blvd. Ave. Dept. 408
Bismarck, ND 58505-0480

Re: Coyote Creek Mining Company, LLC
Permit No. NACC-1302
Application

RC-13-850

Dear Mr. Nitschke:

Enclosed for filing as a late-filed exhibit in the captioned case is the Affidavit of Bruce Beechie.

By copy of this letter and enclosure to Wade Mann, Administrative Law Judge, we request the affidavit be admitted and that Judge Mann assign it an exhibit number.

Thank you.

Best regards,

Illona A. Jeffcoat-Sacco
General Counsel

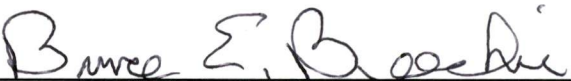
c w/encl by electronic mail only:

Wade Mann (wmann@nd.gov)
Brian Bjella (bbjella@crowleyfleck.com)
Derrick Braaten (derrick@baumstarkbraaten.com)

4. That he participated in the AVF reviews of Coyote Creek in 2009 and 2013. That he did not specifically review the color infrared photography for the 2009 Dakota Westmoreland Corporation AVF review or for the 2013 Coyote Creek Mining Company AVF review. However, he did review the map in OSM's 1985 AVF publication that includes Coyote Creek and that map identified potential AVF's based on the information OSM obtained from infrared photographs.

5. That his use of the OSM AVF map was the basis of his January 2, 2015 testimony about using infrared photographs during the AVF reviews (see pages 614-616 of the Transcript of Formal Hearing).

Dated this 23rd day of February 2015



Bruce E. Beechie

Subscribed and sworn before me
this 23rd day of February, 2015.



Notary Public

