

Jangula, Esther A.

From: Deutsch, James R.
Sent: Wednesday, May 06, 2015 2:11 PM
To: Jangula, Esther A.
Subject: FW: Affidavits of Publication for Revision 1
Attachments: 2015-04-09 Rev 1 Tribune Affidavit of Publication.pdf; 2015-04-15 Rev 1 Beulah Beacon Affidavit of Publication.pdf; 2015-04-15 Rev 1 Hazen Star Affidavit of Publication.pdf

Esther – please login and save Sarah’s message and attachments to the Rev. 1 to NACC-1302 folder. Thanks!

From: Flath, Sarah [<mailto:Sarah.Flath@nacoal.com>]
Sent: Wednesday, May 06, 2015 2:04 PM
To: Deutsch, James R.; Moos, Dean K.; Kowalski, Randy L.
Subject: Affidavits of Publication for Revision 1

Please find attached the affidavits of publication for Revision 1 to Permit NACC-1302.

Sarah Flath

Senior Environmental Specialist
Coyote Creek Mining Company, L.L.C.
6502 17th St SW
Zap, ND 58580
Direct: (701) 873-7826
Cell: (701) 891-8516
E-mail: sarah.flath@nacoal.com



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Classified Advertising Invoice

Bismarck Tribune
 PO BOX 4001
 LaCrosse, WI 54602-4001
 888-418-6474

RECEIVED APR 28 2015

NORTH AMERICAN COAL

Customer: 60046645
 Phone: (701) 258-2200
 Date: 04/09/2015

2000 SCHAFFER ST
 Suite D
 BISMARCK ND 58501

Date	Order #	Type	Order Amt
04/09/15	20777638	INV	2,760.00

Amount Paid	CK #:
-------------	-------

Cash Amt

CREDIT CARD PAYMENT (circle one)



Card #: _____
 Exp Date: _____
 Signature: _____
 Credit card users: Fax to 608-791-8212

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT

Lee Enterprises no longer accepts credit card payments sent via e-mail. Emails containing credit card numbers will be blocked. Please use the coupon above to send a credit card payment to remittance address located in the upper right corner. You may also send the coupon to a secure fax at 608-791-8212.

Date	Date	Times Run	Description	Lines	Class Code	Order Amt	Net Amt Due
03/19/15	04/09/15	4	Bismarck Tribune	352.00	Legals	2,760.00	2,760.00

Affidavit of Publication
 State of North Dakota) SS. County of Burleigh
 Before me, a Notary Public for the State of North Dakota personally appeared CK who being duly sworn, deposes and says that he (she) is the Clerk of Bismarck Tribune Co., and that the publication(s) were made through the Bismarck Tribune on the following dates: 3/19, 20, 21, 22, 23. Signed Calvin K. Gust sworn and subscribed to before me this 23rd day of April 2015.
Morgan Doll
 Notary Public in and for the State of North Dakota



Please return invoice or put order number on check. Thank You.

Remarks	Total Due: 2,760.00
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Bismarck Tribune
 www.bismarcktribune.com
 PO BOX 4001
 LaCrosse, WI 54602-4001

Terms: PAYMENT IS DUE UPON RECEIPT OF INVOICE

SF 4/28/15
 AS

Coal Ownership:

U.S. Department of Interior – Bureau of Land Management

TRACT 0068

Township 143 North, Range 88 West

Section 7: A tract of land in the SE $\frac{1}{4}$, described as follows:

Beginning at the southeast corner of said Section; thence N 00°51'22" E a distance of 480.00 feet, on the east line of said Section; thence N 89°22'10" W a distance of 400.00 feet; thence S 00°51'22" W a distance of 255.85 feet; thence S 45°57'37" W a distance of 318.84 feet, to the south line of said Section; thence S 89°22'10" E a distance of 625.87 feet on the south line to the southeast corner of said Section, being the point of beginning.

Surface Ownership:

Claire C. Schwalbe and Donald J. Schwalbe

Coal Ownership:

Claire C. Schwalbe
Pricilla A. Keogh, as Trustee Under Trust Agreement dated 4-27-1997
Faye Keogh, Trustee Under the Faye Keogh Revocable Trust dated 2-16-2000
Robert A. Keogh, as Trustee of the Robert A. Keogh Revocable Mineral Trust
Robert A. Keogh, as Trustee of the Robert A. Keogh Family Revocable Mineral Trust

TRACT 0069

Township 143 North, Range 88 West

Section 8: The south 480.00 feet of said Section, described as follows:

Beginning at the southwest corner of said Section; thence N 00°51'22" E a distance of 480.00 feet, on the west line of said Section; thence S 88°51'49" E a distance of 2624.04 feet, parallel with the south line to the north-south $\frac{1}{4}$ line of said Section; thence S 88°52'20" E a distance of 2621.89 feet, parallel with the south line to the east line of said Section; thence S 00°58'02" W a distance of 480.00 feet, on the east line to the southeast corner of said Section; thence N 88°52'20" W a distance of 2622.42 feet, on the south line to the south $\frac{1}{4}$ corner of said Section; thence N 88°51'49" W a distance of 2622.58 feet, on the south line to the southwest corner of said Section being the point of beginning. Said tract having an area of 57.801 acres of land.

Surface Ownership:

North Dakota Department of Trust Lands

Coal Ownership:

North Dakota Department of Trust Lands

TRACT 0070

Township 143 North, Range 88 West

Section 9: The south 840.00 feet of said Section, described as follows: Beginning at the southwest corner of said Section; thence S 89°23'38" E a distance of 2632.99' on the south line to the south $\frac{1}{4}$ corner of said Section; thence S 89°27'29" E a distance of 2634.10', on the south line to the southeast corner of said Section; thence N 00°53'59" E a distance of 840.00', on the east line of the southeast $\frac{1}{4}$ of said Section; thence N 89°27'30" W a distance of 2632.67', to the north-south $\frac{1}{4}$ line of said Section; thence N 89°23'38" W a distance of 2633.43', to the west line of the southwest $\frac{1}{4}$ of said Section; thence S 00°58'02" W a distance of 840.00', on the west line of the southwest $\frac{1}{4}$ to the southwest corner of said Section being the point of beginning.

Surface Ownership:

Otter Tail Power Company
Northern Municipal Power Agency
Montana-Dakota Utilities Co.
NorthWestern Corporation

Coal Ownership:

Claire C. Schwalbe
Pricilla A. Keogh, as Trustee Under Trust Agreement dated 4-27-1997
Faye Keogh, Trustee Under the Faye Keogh Revocable Trust dated 2-16-2000
Robert A. Keogh, as Trustee of the Robert A. Keogh Revocable Mineral Trust
Robert A. Keogh, as Trustee of the Robert A. Keogh Family Revocable Mineral Trust

TRACT 0071

Township 143 North, Range 88 West

Section 10: A tract of land in the S $\frac{1}{2}$, described as follows: Beginning at the southwest corner of said Section; thence S 88°14'15" E a distance of 2553.55', on the south line to the south $\frac{1}{4}$ corner of said Section; thence S 88°52'57" E a distance of 1817.57', on the south line of said Section; thence N 00°51'10" E a distance of 735.23', parallel with the east line of the southeast $\frac{1}{4}$ of said Section; thence N 40°02'31" W a distance of 861.94'; thence N 57°12'18" W a distance of 727.19'; thence S 50°03'18" W a distance of 284.89'; thence N 78°20'02" W a distance of 407.49', to the north-south $\frac{1}{4}$ line of said Section; thence S 01°32'39" W a distance 340.64', to the center-south $\frac{1}{16}$ corner of said Section; thence N 88°35'02" W a distance of 1284.06', to the southwest $\frac{1}{16}$ corner of said Section; thence S 01°13'26" W a distance of 825.21', on the $\frac{1}{16}$ line of said Section; thence N 88°14'15" W a distance of 639.74', parallel with the south line of the southwest $\frac{1}{4}$ to the $\frac{1}{64}$ line of said Section; thence N 59°04'44" W a distance of 738.79', to the west line of the southwest $\frac{1}{4}$ of said Section; thence S 00°53'59" W a distance of 840.00', on the west line of the southwest $\frac{1}{4}$ to the southwest corner of said Section being the point of beginning.

Surface Ownership:

Otter Tail Power Company
Northern Municipal Power Agency
Montana-Dakota Utilities Co.
NorthWestern Corporation

Coal Ownership:

U. S. Department of Interior – Bureau of Land Management

During the first term of the permit, The Coyote Creek Mining Company, L.L.C., proposes to request Mercer County approval to conduct surface coal mining and reclamation operations within 100 feet of the outside right-of-way for the following right-of ways:

1. The north and south outside right-of-ways and across the right-of-ways of the east-west portion of County Road 12 between the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19, T143N, R88W with a mine haulage road until approximately 2045.
2. The west right-of-way of the north-south section line between the north 300 feet of Sections 17 and 18, T143N, R88W until approximately 2045.
3. The north right-of-way of the east-west section line between Sections 8 and 17, T143N, R88W until approximately 2045.
4. The north right-of-way of the east-west section line between Sections 9 and 16, T143N, R88W until approximately 2045.
5. The north right-of-way of the east-west section line between the SW $\frac{1}{4}$ Section 10 and the NW $\frac{1}{4}$ Section 15, T143N, R88W and the west 1,817 feet of the north right-of-way of the east-west section line between the SE $\frac{1}{4}$ Section 10 and the NE $\frac{1}{4}$ Section 15, T143N, R88W until approximately 2045.

Surface Ownership:

Otter Tail Power Company
Northern Municipal Power Agency
Montana-Dakota Utilities Co.
NorthWestern Corporation

Coal Ownership:

Claire C. Schwalbe
Pricilla A. Keogh, as Trustee Under Trust Agreement
dated 4-27-1997
Faye Keogh, Trustee Under the Faye Keogh Revocable Trust
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Robert A. Keogh, as Trustee of the Robert A. Keogh
Revocable Mineral Trust
Robert A. Keogh, as Trustee of the Robert A. Keogh Family
Revocable Mineral Trust

TRACT 0071

Township 143 North, Range 88 West

Section 10: A tract of land in the S½, described as follows: Beginning at the southwest corner of said Section; thence S 88°14'15" E a distance of 2553.55', on the south line to the south 1/4 corner of said Section; thence S 88°52'57" E a distance of 1817.57', on the south line of said Section; thence N 00°51'10" E a distance of 735.23', parallel with the east line of the southeast 1/4 of said Section; thence N 40°02'31" W a distance of 861.94'; thence N 57°12'18" W a distance of 727.19'; thence S 50°03'18" W a distance of 284.89'; thence N 78°20'02" W a distance of 407.49', to the north-south 1/4 line of said Section; thence S 01°32'39" W a distance 340.64', to the center-south 1/16 corner of said Section; thence N 88°35'02" W a distance of 1284.06', to the southwest 1/16 corner of said Section; thence S 01°13'26" W a distance of 825.21', on the 1/16 line of said Section; thence N 88°14'15" W a distance of 639.74', parallel with the south line of the southwest 1/4 to the 1/64 line of said Section; thence N 59°04'44" W a distance of 738.79', to the west line of the southwest 1/4 of said Section; thence S 00°53'59" W a distance of 840.00', on the west line of the southwest 1/4 to the southwest corner of said Section being the point of beginning.

Surface Ownership:

Otter Tail Power Company
Northern Municipal Power Agency
Montana-Dakota Utilities Co.
NorthWestern Corporation

Coal Ownership:

U. S. Department of Interior – Bureau of Land Management

During the first term of the permit, The Coyote Creek Mining Company, L.L.C., proposes to request Mercer County approval to conduct surface coal mining and reclamation operations within 100 feet of the outside right-of-way for the following right-of-ways:

1. The north and south outside right-of-ways and across the right-of-ways of the east-west portion of County Road 12 between the SE¼SW¼ Section 18 and the NE¼NW¼ Section 19, T143N, R88W with a mine haulage road until approximately 2045.
2. The west right-of-way of the north-south section line between the north 300 feet of Sections 17 and 18, T143N, R88W until approximately 2045.
3. The north right-of-way of the east-west section line between Sections 8 and 17, T143N, R88W until approximately 2045.
4. The north right-of-way of the east-west section line between Sections 9 and 16, T143N, R88W until approximately 2045.
5. The north right-of-way of the east-west section line between the SW¼ Section 10 and the NW¼ Section 15, T143N, R88W and the west 1,817 feet of the north right-of-way of the east-west section line between the SE¼ Section 10 and the NE¼ Section 15, T143N, R88W until approximately 2045.

During the first term of the permit, The Coyote Creek Mining Company, L.L.C., also proposes to request Mercer County approval to temporarily close the following section lines or roads to conduct surface coal mining and reclamation operations:

1. The east 626 feet of the east-west section line between Sections 7 and 18, T143N, R88W until approximately 2045.
2. The south 480 feet of the north-south section line between Sections 7 and 8, T143N, R88W until approximately 2045.
3. The south 480 feet of the north-south section line between Sections 8 and 9, T143N, R88W until approximately 2045.
4. The south 840 feet of the north-south section line between Sections 9 and 10, T143N, R88W until approximately 2045.

A copy of Revision 1 to Permit NACC-1302 is available for public inspection at the office of the North Dakota Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480, and at the office of the County Auditor, Mercer County Courthouse, Stanton, North Dakota 58571.

A petition to designate an area as unsuitable for surface coal mining operations that is within the proposed permit revision area, or written comments, objections, or requests for an informal conference on the revision, or to request a hearing on approval to conduct surface coal mining operations within 100 feet of the right-of-way of County Road 12, may be submitted by any person with an interest which is or may be adversely affected, to the North Dakota Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480, within 30 days after the last publication of this notice. Any request for informal conference must be in writing to the Commission. The request must also state specifically the issues or objections that an affected party has regarding the revision.

Coyote Creek Mining Company, L.L.C.
6502 17th Street SW
Zap, ND 58580

NOTICE OF FILING OF A REVISION TO AN APPROVED SURFACE COAL MINING PERMIT

The Coyote Creek Mining Company, L.L.C., 6502 17th Street SW, Zap, ND 58580, as applicant, has filed an application for Revision 1 to Permit NACC-1302 with the North Dakota Public Service Commission. Revision 1 adds 352.105 acres to the permit in Sections 7, 8, 9, 10, and 18, T143N, R88W, and includes plans for new haulroad construction, a coal handling facility, and construction of two new sedimentation ponds. Introductory information, legal information, business entity/compliance information, surface owner protection act compliance information, identification of interests and rights of entry, geology, surface water hydrology, ground water hydrology, pre-mining land use and vegetation, soil resources, cultural resources, operations – general, transportation facilities, surface water management, and post-mining land use plans were all updated for this revision. The current permit area covers portions of Sections 6 and 7, T142N, R88W, Sections 1, 2, 3, 11 and 12, T142N, R89W, Sections 19, 30 and 31, T143N, R88W, and Sections 23, 24, 25, 26, 27, 34, 35, and 36, T143N, R89W, of the Fifth Principal Meridian, Mercer County, North Dakota. The total acreage within the proposed permit area is approximately 8,444 acres. The permit area is approximately ten miles southwest of Beulah and is found on the newspaper publication notice map. The map shows the distance to the city of Zap, North Dakota, and the outline of the proposed permit area.

The owners of the surface and coal in the revision area are as follows:

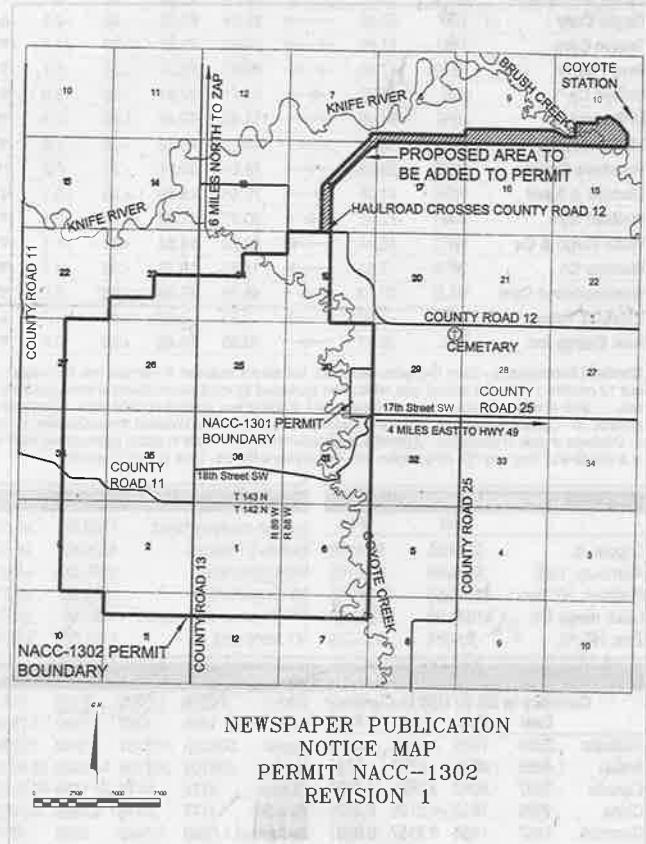
TRACT 0067

Township 143 North, Range 88 West

Section 18: A tract of land in the N½ and SW¼, described as follows: Beginning at the south 1/4 corner of said Section; thence N 01°18'29" E a distance of 2,633.78 feet, on the north-south 1/4 line to the center 1/4 corner of said Section; thence N 45°57'37" E a distance of 3,309.84 feet; thence S 89°22'10" E a distance of 302.33 feet, parallel with the north line of the northeast 1/4 to the east line of said Section; thence N 00°50'53" E a distance of 300.00 feet, on the east line to the northeast corner of said Section; thence N 89°22'10" W a distance of 625.87 feet, on the north line of said Section; thence S 45°57'37" W a distance of 2,846.09 feet, to the north-south 1/4 line of said Section; thence S 45°57'37" W a distance of 806.77 feet; thence S 01°18'29" W a distance of 54.61 feet, parallel with the north-south 1/4 line to the east-west 1/4 line of said Section; thence S 01°18'29" W a distance of 2,634.42 feet, parallel with north-south 1/4 line to the south line of said Section; thence S 89°00'24" E a distance of 567.01 feet, on the south line of said Section to the point of beginning.

Surface Ownership:

Ronald E. Gunsch and Janice J. Gunsch



AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA)
)
) SS
COUNTY OF Mercer)

I SHELLEY CHASE, being first duly sworn, on my own oath, say, that I am the bookkeeper of the Beulah Beacon, a weekly newspaper of general circulation, published in the city of Beulah, that the advertisement headed:

COYOTE CREEK MINING CO LLC BH-REVISION 1 TO PERMIT NACC-1302/LEGAL

a printed copy of which is here annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the notice was published in the newspaper proper, and not in a supplement,

for 4 consecutive week 04/09/2015 to wit:

Column Inches 50	\$6.06	\$303.00	03/19/2015
Column Inches 50	\$6.06	\$303.00	03/26/2015
Column Inches 50	\$6.06	\$303.00	04/02/2015
Straight Matter Lines 50	\$0.72	\$303.00	04/09/2015

Notary Fee \$1.00 Total Cost of Legal \$1,213.00

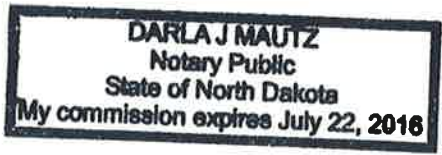
Shelley Chase

Subscribed and sworn to before me this 15th day of April A.D. 2015

(Seal) *Darla J. Mautz*

Notary Public, State of North Dakota

My Commission Expires



AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA)
)
) SS
)
COUNTY OF Mercer)

I SHELLEY CHASE, being first duly sworn, on my own oath, say, that I am the bookkeeper of the Hazen Star, a weekly newspaper of general circulation, published in the city of Hazen, that the advertisement headed:

COYOTE CREEK MINING CO LLC HZ-REVISION 1 TO PERMIT NACC-1302/LEGAL

a printed copy of which is here annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the notice was published in the newspaper proper, and not in a supplement,

for 4 consecutive week 04/09/2015 to wit:

Column Inches 50	\$6.06	\$303.00	03/19/2015
Column Inches 50	\$6.06	\$303.00	03/26/2015
Column Inches 50	\$6.06	\$303.00	04/02/2015
Column Inches 50	\$6.06	\$303.00	04/09/2015

Notary Fee \$1.00 Total Cost of Legal \$1,213.00

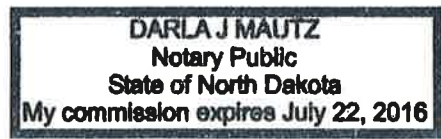
Shelley Chase

Subscribed and sworn to before me this 15th day of April A.D. 2015

(Seal) Darla J. Mautz

Notary Public, State of North Dakota

My Commission Expires



RECEIVED ARK 30 2015

Public Notice

ADVERTISEMENT FOR BIDS

Sealed bids will be received by the Hazen Park District, Hazen, North Dakota at the Hazen City Hall, 146 Main Street East, Hazen, North Dakota until 4:00 pm April 27th, 2015 at which time they will be publicly opened and read aloud for furnishing all labor, materials, and all else necessary for the construction of the Hazen RV Park, Hazen, North Dakota.

Bids shall be upon basis of each payment for the following major estimated quantities:

- 2,000 LF – 4" Watermain
- 1,800 LF – 8" Sanitary Sewer
- 3,000 CY – Common Excavation
- 45 RV Slips

The proposed work specified in the contract documents must be substantially complete by July 15, 2015 and entirely completed by August 1, 2015.

The contract documents are on file and may be examined at the following locations:

Hazen Park District Offices
Hazen City Hall
146 Main Street East
Hazen, North Dakota 58545

Ulteig Engineers, Inc.
1412 Basin Avenue
Bismarck, North Dakota 58504
Attn: Mark Johnson, PE

All bids shall be made on the bid packet included in the project manual.

A complete digital copy of the drawings and project manual, pursuant to which labor, materials, or services must be furnished, is available at www.ulteig.com. You may download the digital plan documents for \$20.00 by inputting the Quest Project No. 3817138 on our website's homepage (located under Bidding Documents). Please contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in downloading and working with the digital project information. Bidders may also obtain hard copies of the drawings and project manual from the issuing office of Ulteig Engineers, Inc., 1412 Basin Avenue Bismarck, North Dakota 58504 upon payment of a non-refundable fee of \$50.00. All bidders must be registered with Ulteig Engineers prior to bid opening.

All bids shall be made on the bidding documents included in the project manual. All bids shall be in a sealed envelope with a brief description thereon of the work for which the bid is being submitted and shall contain the required bid security. Bids may be filed with the Hazen Park District during normal office hours or hand carried to the meeting prior to the scheduled bid opening, as specified above. No bidder shall withdraw his bid for at least 30 Days after the scheduled closing time for the receipt of bids.

Each bid shall be accompanied by a bidder's security in a sum equal to five (5) percent of the full amount of the bid in accordance with the Instructions to Bidders. The bidder shall submit a Bid Bond, certified check, or cashier's check payable to the Hazen Park District. The

bid security is a guarantee that the bidder, if awarded the contract, will enter into a contract for the work described in the contract documents. The bid security of the three (3) lowest bidders will be retained until the contract has been awarded and executed, but no longer than 30 days after the opening of bids. The successful bidder will be required to furnish contract Performance and Payment Bonds, each in the full amount of the contract.

The Owner reserves the right to reject any or all bids and to waive informalities.

Dated this 30th day of March, 2015
Al Mautz, Chairman Hazen Park Board
Hazen Parks & Recreation, Hazen, North Dakota
(4-2-15) (4-9-15) (4-16-15)

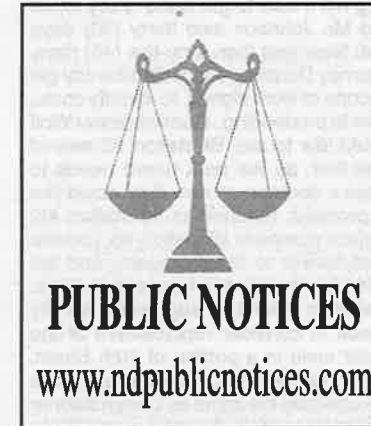
NOTICE TO BIDDERS

The Mercer County Board of Commissioners will accept Culvert Bids until 10:30 AM CT on April 15, 2015 at the Courthouse in Stanton, North Dakota. At that time bids will be opened. All equipment, supplies and products are to be delivered to any point designated within Mercer County between May 6, 2015 and March 31, 2016 unless noted otherwise.

CULVERTS-CORRUGATED MET-AL-all culverts and accessories must conform to North Dakota State Department of Transportation specifications. No bid bond required. Bids must be marked "CULVERTS" on the outside of the envelope.

Bid specification documents may be obtained from: Mercer County Highway Dept. PO Box 412 Beulah, ND 58523 telephone # 701-873-5586 or Mercer County Auditor Office PO Box 39 Stanton, ND 58571 telephone # 701-745-3292. The Board of Mercer County Commissioners reserves the right to reject any one or all of the bids submitted and to waive any informality in any bid and to hold all bids for a period not to exceed thirty (30) days from the said date of opening bids.

By order of the Mercer County Commission
SHANA L BROST MERCER COUNTY AUDITOR
(3-26-15) (4-2-15) (4-9-15)



NOTICE OF ELECTION

Notice is given that on April 16, 2015, an election will be held to elect 3 members of the board of directors to the district board. The election will take place at Cora Aldrin's Place Polls open at 3PM and close at 6PM CT of that day.

Notice is further given that any elector desiring to have that elector's name appear on the ballot must file a request with the secretary of the district.

Darbie Berger, Secretary
Fort Clark Irrigation

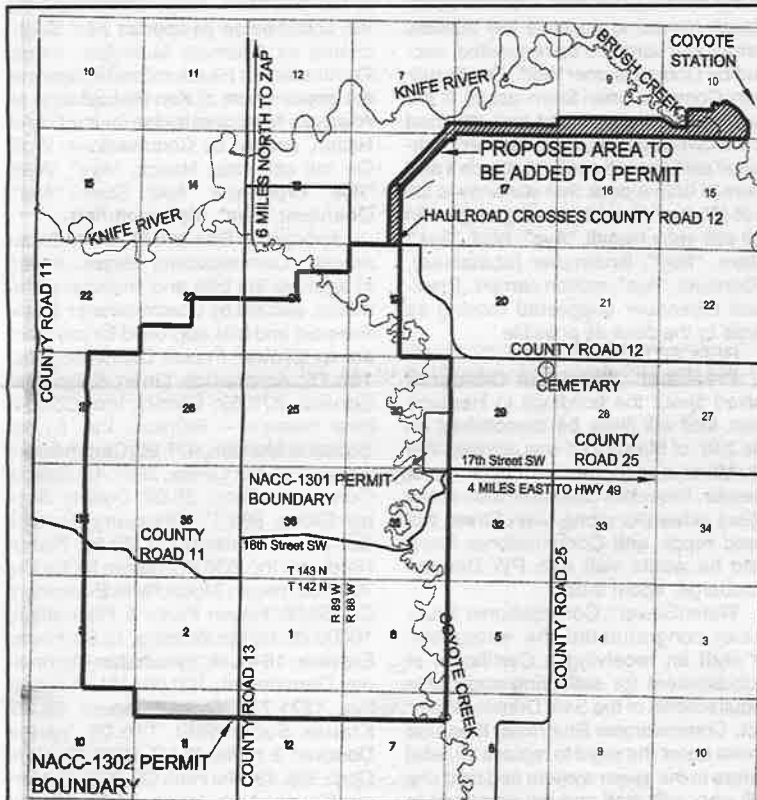
(4-9-15) (4-16-15)

NOTICE OF BOARD OF EQUALIZATION MEETING

The City of Pick City will hold the board of equalization meeting on April 14, 2015 at 7:30 p.m. C.D.T. at city hall. If anyone is interested in looking at the assessor's book, they can do so during city office hours.

Patricia Brown, auditor
City of Pick City

(4-9-15)



NEWSPAPER PUBLICATION
NOTICE MAP
PERMIT NACC-1302
REVISION 1

NOTICE OF FILING OF A REVISION TO AN APPROPRIATED SURFACE COAL MINING PERMIT

The Coyote Creek Mining Company, L.L.C., 6502 17th Street SW, Zap, ND 58580, as applicant, has filed an application for Revision 1 to Permit NACC-1302 with the North Dakota Public Service Commission. Revision 1 adds 352.105 acres to the permit in Sections 7, 8, 9, 10, and 18, T143N, R88W, and includes plans for new haulroad construction, a coal handling facility, and construction of two new sedimentation ponds. Introductory information, legal information, business entity/compliance information, surface owner protection act compliance information, identification of interests and rights of entry, geology, surface water hydrology, ground water hydrology, pre-mining land use and vegetation, soil resources, cultural resources, operations – general, transportation facilities, surface water management, and post-mining land use plans were all updated for this revision.

The current permit area covers portions of Sections 6 and 7, T142N, R88W, Sections 1, 2, 3, 11 and 12, T142N, R89W, Sections 19, 30 and 31, T143N, R88W, and Sections 23, 24, 25, 26, 27, 34, 35, and 36, T143N, R89W, of the Fifth Principal Meridian, Mercer County, North Dakota. The total acreage within the proposed permit area is approximately 8,444 acres. The permit area is approximately ten miles southwest of Beulah and is found on

the newspaper publication notice map. The map shows the distance to the city of Zap, North Dakota, and the outline of the proposed permit area.

The owners of the surface and coal in the revision area are as follows:

TRACT 0067

Township 143 North, Range 88 West

Section 18: A tract of land in the N½ and SW¼, described as follows: Beginning at the south 1/4 corner of said Section; thence N 01°18'29" E a distance of 2,633.78 feet, on the north-south 1/4 line to the center 1/4 corner of said Section; thence N 45°57'37" E a distance of 3,309.84 feet; thence S 89°22'10" E a distance of 302.33 feet, parallel with the north line of the northeast 1/4 to the east line of said Section; thence N 00°50'53" E a distance of 300.00 feet, on the east line to the northeast corner of said Section; thence N 89°22'10" W a distance of 625.87 feet, on the north line of said Section; thence S 45°57'37" W a distance of 2,846.09 feet, to the north-south 1/4 line of said Section; thence S 45°57'37" W a distance of 806.77 feet; thence S 01°18'29" W a distance of 54.61 feet, parallel with the north-south 1/4 line to the east-west 1/4 line of said Section; thence S 01°18'29" W a distance of 2,634.42 feet, parallel with north-south 1/4 line to the south line of said Section; thence S 89°00'24" E a distance of 567.01 feet, on the south line of said Section to the point of beginning.

Surface Ownership: Ronald E.

Gunsch and Janice J. Gunsch
Coal Ownership: U. S. Department of Interior – Bureau of Land Management

TRACT 0068

Township 143 North, Range 88 West

Section 7: A tract of land in the SE¼, described as follows: Beginning at the southeast corner of said Section; thence N 00°51'22" E a distance of 480.00 feet, on the east line of said Section; thence N 89°22'10" W a distance of 400.00 feet; thence S 00°51'22" W a distance of 255.85 feet; thence S 45°57'37" W a distance of 318.84 feet, to the south line of said Section; thence S 89°22'10" E a distance of 625.87 feet on the south line to the southeast corner of said Section, being the point of beginning.

Surface Ownership: Claire C. Schwalbe and Donald J. Schwalbe
Coal Ownership: Claire C. Schwalbe

Pricilla A. Keogh, as Trustee Under Trust Agreement dated 4-27-1997

Faye Keogh, Trustee Under the Faye Keogh Revocable Trust dated 2-16-2000

Robert A. Keogh, as Trustee of the Robert A. Keogh Revocable Mineral Trust

Robert A. Keogh, as Trustee of the Robert A. Keogh Family Revocable Mineral Trust

TRACT 0069

Township 143 North, Range 88 West

Section 8: The south 480.00 feet of said Section, described as follows: Beginning at the southwest corner of said Section; thence N 00°51'22" E a distance of 480.00 feet, on the west line of said Section; thence S 88°51'49" E a distance of 2624.04 feet, parallel with the south line to the north-south 1/4 line of said Section; thence S 88°52'20" E a distance of 2621.89 feet, parallel with the south line to the east line of said Section; thence S 00°58'02" W a distance of 480.00 feet, on the east line to the southeast corner of said Section; thence N 88°52'20" W a distance of 2622.42 feet, on the south line to the south 1/4 corner of said Section; thence N 88°51'49" W a distance of 2622.58 feet, on the south line to the southwest corner of said Section being the point of beginning. Said tract having an area of 57.801 acres of land.

Surface Ownership: North Dakota Department of Trust Lands

Coal Ownership: North Dakota Department of Trust Lands

TRACT 0070

Township 143 North, Range 88 West

Section 9: The south 840.00 feet of said Section, described as follows: Beginning at the southwest corner of said Section; thence S 89°23'38" E a distance of 2632.99' on the south line to the south 1/4 corner of said Section; thence S 89°27'29" E a distance of 2634.10', on the south line to the southeast corner of said Section; thence N 00°53'59" E a distance of 840.00', on the east line of the southeast 1/4 of said Section; thence N 89°27'30" W

a distance of 2632.67', to the north-south 1/4 line of said Section; thence N 89°23'38" W a distance of 2633.43', to the west line of the southwest 1/4 of said Section; thence S 00°58'02" W a distance of 840.00', on the west line of the southwest 1/4 to the southwest corner of said Section being the point of beginning.

Surface Ownership: Otter Tail Power Company; Northern Municipal Power Agency; Montana-Dakota Utilities Co.; NorthWestern Corporation

Coal Ownership: Claire C. Schwalbe Pricilla A. Keogh, as Trustee Under Trust Agreement dated 4-27-1997

Faye Keogh, Trustee Under the Faye Keogh Revocable Trust dated 2-16-2000

Robert A. Keogh, as Trustee of the Robert A. Keogh Revocable Mineral Trust

Robert A. Keogh, as Trustee of the Robert A. Keogh Family Revocable Mineral Trust

TRACT 0071

Township 143 North, Range 88 West

Section 10: A tract of land in the S½, described as follows: Beginning at the southwest corner of said Section; thence S 88°14'15" E a distance of 2553.55', on the south line to the south 1/4 corner of said Section; thence S 88°52'57" E a distance of 1817.57', on the south line of said Section; thence N 00°51'10" E a distance of 735.23', parallel with the east line of the southeast 1/4 of said Section; thence N 40°02'31" W a distance of 861.94'; thence N 57°12'18" W a distance of 727.19'; thence S 50°03'18" W a distance of 284.89'; thence N 78°20'02" W a distance of 407.49', to the north-south 1/4 line of said Section; thence S 01°32'39" W a distance 340.64', to the center-south 1/16 corner of said Section; thence N 88°35'02" W a distance of 1284.06', to the southwest 1/16 corner of said Section; thence S 01°13'26" W a distance of 825.21', on the 1/16 line of said Section; thence N 88°14'15" W a distance of 639.74', parallel with the south line of the southwest 1/4 to the 1/64 line of said Section; thence N 59°04'44" W a distance of 738.79', to the west line of the southwest 1/4 of said Section; thence S 00°53'59" W a distance of 840.00', on the west line of the southwest 1/4 to the southwest corner of said Section being the point of beginning.

Surface Ownership: Otter Tail Power Company; Northern Municipal Power Agency; Montana-Dakota Utilities Co.; NorthWestern Corporation

Coal Ownership: U. S. Department of Interior – Bureau of Land Management

During the first term of the permit, The Coyote Creek Mining Company, L.L.C., proposes to request Mercer County approval to conduct surface coal mining and reclamation operations within 100 feet of the outside right-of-way for the following right-of-ways:

1. The north and south outside right-of-ways and across the right-of-ways of the east-west portion of County Road 12 between the SE¼SW¼ Section 18 and the NE¼NW¼ Section 19, T143N,

R88W with a mine haulage road until approximately 2045.

2. The west right-of-way of the north-south section line between the north 300 feet of Sections 17 and 18, T143N, R88W until approximately 2045.

3. The north right-of-way of the east-west section line between Sections 8 and 17, T143N, R88W until approximately 2045.

4. The north right-of-way of the east-west section line between Sections 9 and 16, T143N, R88W until approximately 2045.

5. The north right-of-way of the east-west section line between the SW¼ Section 10 and the NW¼ Section 15, T143N, R88W and the west 1,817 feet of the north right-of-way of the east-west section line between the SE¼ Section 10 and the NE¼ Section 15, T143N, R88W until approximately 2045.

During the first term of the permit, The Coyote Creek Mining Company, L.L.C., also proposes to request Mercer County approval to temporarily close the following section lines or roads to conduct surface coal mining and reclamation operations:

1. The east 626 feet of the east-west section line between Sections 7 and 18, T143N, R88W until approximately 2045.

2. The south 480 feet of the north-south section line between Sections 7 and 8, T143N, R88W until approximately 2045.

3. The south 480 feet of the north-south section line between Sections 8 and 9, T143N, R88W until approximately 2045.

4. The south 840 feet of the north-south section line between Sections 9 and 10, T143N, R88W until approximately 2045.

A copy of Revision 1 to Permit NACC-1302 is available for public inspection at the office of the North Dakota Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480, and at the office of the County Auditor, Mercer County Courthouse, Stanton, North Dakota 58571.

A petition to designate an area as unsuitable for surface coal mining operations that is within the proposed permit revision area, or written comments, objections, or requests for an informal conference on the revision, or to request a hearing on approval to conduct surface coal mining operations within 100 feet of the right-of-way of County Road 12, may be submitted by any person with an interest which is or may be adversely affected, to the North Dakota Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480, within 30 days after the last publication of this notice. Any request for informal conference must be in writing to the Commission. The request must also state specifically the issues or objections that an affected party has regarding the revision.

Coyote Creek Mining Company, L.L.C.
6502 17th Street SW
Zap, ND 58580
(3-19-15) (3-26-15) (4-2-15) (4-9-15)