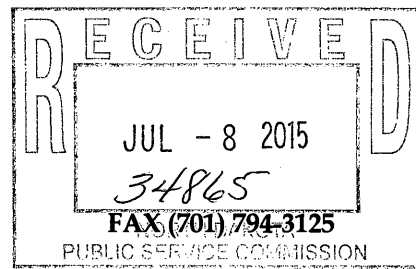


PHONE (701) 794-8734



AN ALLETE COMPANY  
2360 35<sup>TH</sup> AVENUE SW CENTER, ND 58530-9499  
MINING LIGNITE AT THE CENTER MINE SINCE 1970

July 8, 2015

Mr. Jim Deutsch, Director  
Reclamation Division, NDPSC  
Department 408  
600 East Boulevard Avenue  
Bismarck, ND 58505-0480

RE: Affidavits of Publication

Dear Mr. Deutsch,

Enclosed with this letter are copies of the "Affidavit of Publication" notices from the Bismarck Tribune and the Center Republican for Renewal Number 3 and Revision 38 to Permit BNCR-9702, from the Bismarck Tribune and the Center Republican for Renewal Number 4 and Revision 13 to Permit BNCR-9401 and from the Center Republican for Bond Release Number 8 to Permit BNCR-8106.

If you have any questions, please contact me at the Center office.

Sincerely,

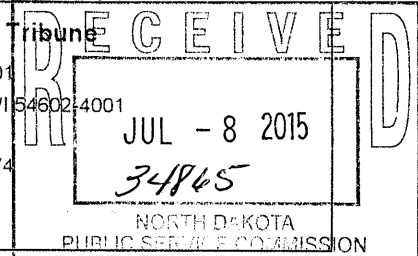
A handwritten signature in black ink, appearing to read "Karene M. Hall".

Karene M. Hall  
Permit Coordinator



**Classified Advertising Invoice**

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



BNI COAL LTD

2360 NW 35TH AV  
 CENTER ND 58530

Customer: 60001119  
 Phone: (701) 794-8734  
 Date: 06/04/2015

| Date     | Order #  | Type | Order Amt |
|----------|----------|------|-----------|
| 06/04/15 | 20787301 | INV  | 1,548.00  |

|             |      |
|-------------|------|
| Amount Paid | CK # |
|-------------|------|

**CREDIT CARD PAYMENT** (circle one)

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

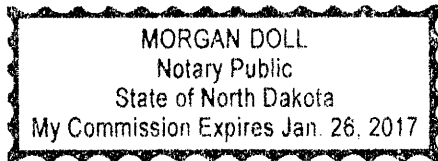
Cash Amt

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 |
|----------|----------|-----------|---|--------|------------|-----------|-------------|
| 05/14/15 | 06/04/15 | 4         | PO151925/Permit Renewal # 4<br>Bismarck Tribune | 150.00 | Legals     | 1,548.00  | 1,548.00    |

**Affidavit of Publication**  
 State of North Dakota ) SS County of Burleigh  
 Before me, a Notary Public for the State of North Dakota personally appeared AK 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: 5/14, 21, 28, 6/4 Signed Carmel Kutz sworn and subscribed to before me this June day of June 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: 1,548.00 |
|---------|---------------------|

Bismarck Tribune  
[www.bismarcktribune.com](http://www.bismarcktribune.com)  
 PO BOX 4001  
 LaCrosse, WI 54602-4001

**A PERMIT TO ENGAGE IN SURFACE MINING AND RECLAMATION ACTIVITIES**

Please take notice that BNI Coal Ltd., 2360 35th Avenue SW, Center, ND 58530-9499 has submitted applications to the North Dakota Public Service Commission for Renewal No. 4 and Revision No. 13 to Permit BNCR-9401, approved on August 16, 1995, to engage in surface coal mining and reclamation operations. The area for which a permit renewal is sought includes 384.17 acres in Sections 5 and 8, T141N, R83W and Section 32, T142N, R83W. This area is in Oliver County, North Dakota and is shown on the accompanying map. The permit revision updates the legal and financial, operations, reclamation, and surface water management sections, the extended mine plan, and the worst case bond estimate for permit renewal.

Any person whose interests are or may be adversely affected by the applications has the right to file written comments, objections or request an informal conference with the North Dakota Public Service Commission. Written comments, objections or requests for informal conferences should be filed with the ND Public Service Commission, 600 E Boulevard Avenue, Dept. 408, Bismarck, ND 58505 within 30 days after the last publication of this notice. Copies of the applications are available for inspection at the Oliver County Auditor's office located in the Oliver County Courthouse, Center, North Dakota 58530 and the Director's office, Reclamation Division, North Dakota Public Service Commission, 13th Floor State Capitol Building, Bismarck, North Dakota 58505.

The legal description and names of the apparent surface and mineral (coal) owners of the land in the permit area are as follows:

| <u>LEGAL DESCRIPTION</u>                 | <u>SURFACE OWNER</u>       | <u>COAL OWNER</u>  |
|--|----------------------------|--|
| Section 5 T141N R83W<br>N 1/2 and SW 1/4 | Minnkota Power Cooperative | Great Northern Properties  |
| SE 1/4                                   | Minnkota Power Cooperative | Minnkota Power Cooperative   |
| Section 8 T141N R83W<br>NW 1/4           | BNI Coal, LTD              | Larry & Virginia Schmidt<br>Loretta Tabor<br>Linda Borlaug<br>John Kautzman<br>Donna Barnhardt<br>Randy Titsworth<br>Ronnie Titsworth<br>Marita Bishop<br>Lucille Gardner<br>PEC Minerals, LP<br>BNI Coal, Ltd.<br>Clay Hedrick, Jr.<br>Charles Hamilton, Jr.<br>M. Ellen Emley<br>Barbara Endres<br>Richard Files<br>Robert Files<br>Erika Hilliard<br>Penelope Files<br>Carolyn Files<br>Blackstone Minerals<br>Walter Duncan, Inc.<br>Kurt Files<br>Georgianne Hedrick Mercer<br>John Hedrick<br>Barbara Hager<br>Donald Hager<br>Joyce Hager Giles<br>James Hager<br>Mary McGarity<br>Alexis Bochko<br>Dean Stucky<br>Jean Clift<br>Susan Koehn<br>Julia & Donald Gregory<br>Patsy McGehee<br>Jack Horn<br>Donald R. Posey |
| Section 8 T141N R83W<br>NE 1/4 NE 1/4    | Minnkota Power Cooperative | USA  |
| NW 1/4 NE 1/4; S1/2 NE 1/4               | Minnkota Power Cooperative | Minnkota Power Cooperative   |
| Section 32 T142N R83W<br>SE 1/4          | Minnkota Power Cooperative | Minnkota Power Cooperative   |



AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA )  
 )  
 )  
COUNTY OF Oliver )

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

BNI-CENTER MINE CR-PERMIT BNCR-9401 RENEWAL W/MAP/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 06/04/2015 to wit:

|                  |        |          |            |
|------------------|--------|----------|------------|
| Column Inches 21 | \$6.06 | \$127.26 | 05/14/2015 |
| Column Inches 21 | \$6.06 | \$127.26 | 05/21/2015 |
| Column Inches 21 | \$6.06 | \$127.26 | 05/28/2015 |
| Column Inches 21 | \$6.06 | \$127.26 | 06/04/2015 |

Notary Fee \$1.00 Total Cost of Legal \$510.04

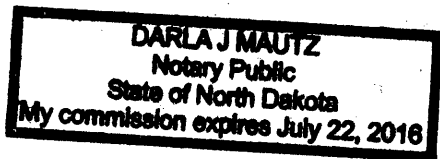
*Shelley Chase*

Subscribed and sworn to before me this 15<sup>th</sup> day of June A.D. 2015

(Seal) *Darla J. Mautz*

Notary Public, State of North Dakota

My Commission Expires



# Economic Development Foundation presents recruitment campaign

By DANIEL ARENS

The communities in Oliver and Mercer counties draw many people to work in the energy industry and the power stations in the area, but they have a problem retaining these workers as permanent residents. Many come to the area for a little while to make money before moving on, while others commute from Bismarck or other areas.

Terry Fleck, from the North Dakota Economic Development Foundation, spoke with the Mercer County Economic Development board Wednesday, May 17, to discuss strategies for recruiting and retaining new people within the area. With him was Wayde Sick, director of workforce safety at the foundation.

Fleck stated that the greatest export for North Dakota is its young people, and that it is his purpose to help counties around the state bring back as many of these young people as possible. He mentioned specifically targeting military families, as servicemen and women are willing to relocate since it has become a part of life for them.

Sick cited a recent study in which the four things that are most likely to bring people back to their hometowns were found to be aesthetics, community openness, education opportunities, and social offerings. North Dakota can offer many of these things in its communities, and individual communities should work on enhancing these four things as much as possible if they hope to not only attract people to return to their hometowns, but to re-

tain them for years to come.

One of the key successes of the N.D. Economic Development Foundation so far has been the establishment of a recruitment network. This network avidly searches for employment opportunities by communicating with one another about job openings. One possible benefit of the network is that, if a person moves to a community to work in the energy field, the network will be able to identify potential employment possibilities for a spouse, which encourages the family to actually settle down and live here.

Fleck also said that North Dakotans are their own worst enemy when it comes to recruitment, due to the inside jokes they use. For example, if someone from down south was considering moving up to work in the energy industry, North Dakotans would likely laugh about the person's ability to last through the winter. Fleck said the state needs to promote itself and develop its own image to attract out-of-state people to come here.

The economic development board brought up several points related to education funding and what image the state in general, as well as Oliver and Mercer counties, should use to promote themselves. Fleck addressed these concerns and stated that he still believes North Dakota has lots of potential for future growth.

Fleck noted that the foundation itself does not make presentations due to limited resources, but will gladly provide information communities can use and display during the events.

## OBITUARIES

### Larry Myers

Larry Myers, Hebron, passed away November 11, 2014, at his home. Funeral services will be held at 11 a.m. Wednesday, June 10, 2015, at the Community Cemetery, Center. Services will be followed by a luncheon

at the Betty Hagel Memorial Civic Center.

Larry was born July 8, 1953, in Mandan. He lived in South Dakota for about 10 years, then moved to Hebron until the time of his passing.

Larry is loved by his mother, Mary Myers, Man-

dan; brother, Roy Myers, Mandan; sister, Gail Simon, Carrington; and his nieces and nephews.

He was preceded in death by his father, Earl Myers Sr.; brother Earl Myers, Jr.; sister-in-law Janece Myers; and his grandparents.

## PUBLIC NOTICES

### CITY OF CENTER

#### NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN that on Tuesday, the 9th day of June 2015, at the polling place at the Center-Stanton School in the City of Center, Oliver County, North Dakota, a special election will be conducted from 11:00 A.M. to 7:00 P.M. of that day for the purpose of submitting to the qualified electors of the City of Center a question regarding proposed Home Rule Charter.

The form of ballot presenting the question to be voted upon at said special election will be as follows:

#### OFFICIAL BALLOT CITY OF CENTER SPECIAL ELECTION TUESDAY, JUNE 9, 2015

Instruction to Voter:

Are you in favor of the City of Center's proposed Home Rule Charter?

YES NO

To vote, mark an (X) in the square to the right of the "Yes" if you agree with Home Rule. Mark an (X) in the square to the right of the "No" if you do not agree with Home Rule.

Absentee ballots for city residents for the city of center special election are available until June 8, 2015 from Becky Dollinger, City Auditor, City of Center, 312 N Lincoln Ave, PO Box 76, Center ND 58530-0076. Telephone (701)794-3502.

An individual having a disability preventing access to the polling place, who does not prefer to vote absentee, should contact Becky Dollinger, City Auditor, to obtain the phone number for the inspector of the precinct to coordinate a designated time to receive assistance in voting at the polling place.

Dated this 24th day of April, 2015.  
BECKY DOLLINGER, CITY AUDITOR  
CITY OF CENTER, OLIVER COUNTY, NORTH DAKOTA

(5-28-15) (6-4-15)

### NOTICE OF APPLICATION FOR A RENEWAL AND REVISION OF A PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION ACTIVITIES

Please take notice that BNI Coal Ltd., 2360 35th Avenue SW, Center, ND 58530-9499 has submitted applications to the North Dakota Public Service Commission for Renewal No. 4 and Revision No. 13 to Permit BNCR-9401, approved on August 16, 1995, to engage in surface coal mining and reclamation operations. The area for which a permit renewal is sought includes 384.17 acres in Sections 5 and 8, T141N, R83W and Section 32, T142N, R83W. This area is in Oliver County, North Dakota and is shown on the accompanying map. The permit revision updates the legal and financial, operations, reclamation, and surface water management sections, the extended mine plan, and the worst case bond estimate for permit renewal.

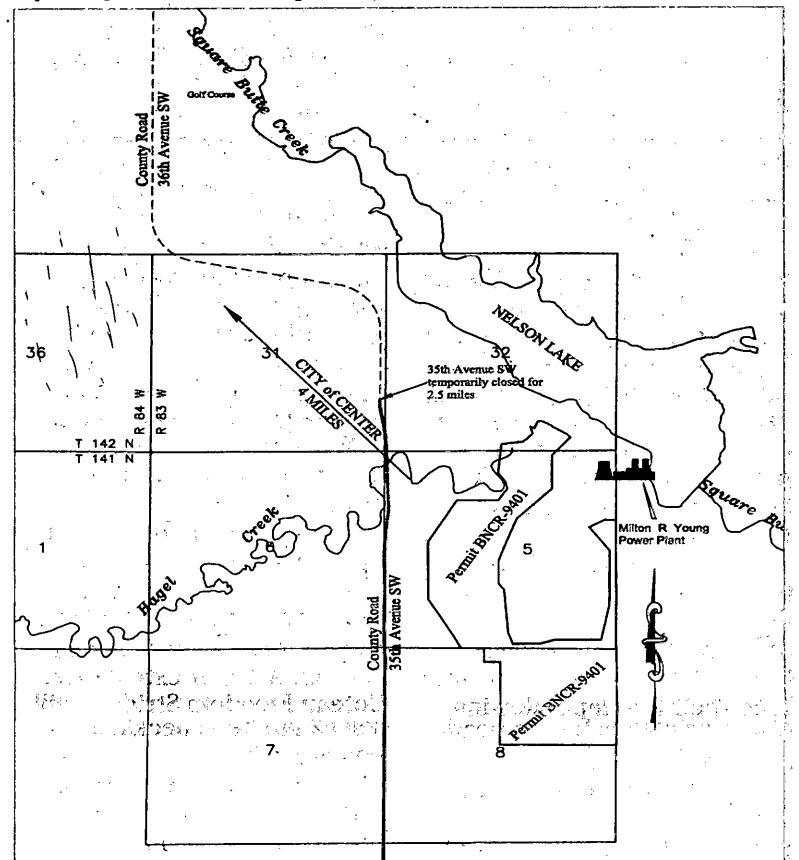
Any person whose interests are or may be adversely affected by the applications has the right to file written comments, objections or request an informal conference with the North Dakota Public Service Commission. Written comments, objections or requests for informal conferences should be filed with the ND Public Service Commission, 600 E Boulevard Avenue, Dept. 408, Bismarck, ND 58505 within 30 days after the last publication of this notice. Copies of the applications are available for inspection at the Oliver County Auditor's office located in the Oliver County Courthouse, Center, North Dakota 58530 and the Director's office, Reclamation Division, North Dakota Public Service Commission, 13th Floor State Capitol Building, Bismarck, North Dakota 58505.

The legal description and names of the apparent surface and mineral (coal) owners of the land in the permit area are as follows:

Legal Description: Section 5 T141N R83W, N 1/2 and SW 1/4; Surface Owner: Minnkota Power Cooperative; Coal Owner: Great Northern Properties; Legal Description: SE 1/4; Surface Owner: Minnkota Power Cooperative; Coal Owner: Minnkota Power Cooperative; Legal Description: Section 8 T141N R83W, NW 1/4; Surface Owner: BNI

Coal, LTD; Coal Owner: Larry & Virginia Schmidt, Loretta Tabor, Linda Borlaug, John Kautzman, Donna Barnhardt, Randy Titsworth, Ronnie Titsworth, Marita Bishop, Lucille Gardner, PEC Minerals, LP, BNI Coal, Ltd., Clay Hedrick, Jr., Charles Hamilton, Jr., M. Ellen Emley, Barbara Endres, Richard Files, Robert Files, Erika Hilliard, Penelope Files, Carolyn Files, Blackstone Minerals, Walter Duncan, Inc., Kurt Files, Georgianne Hedrick Mercer, John Hedrick, Barbara Hager, Donald Hager, Joyce Hager Giles, James Hager, Mary

McGarity, Alexis Bochko, Dean Stucky, Jean Cliff, Susan Koehn, Julia & Donald Gregory, Patsy McGehee, Jack Horn, Donald R. Posey; Legal Description: Section 8 T141N R83W, NE 1/4 NE 1/4; Surface Owner: Minnkota Power Cooperative; Coal Owner: USA; Legal Description: NW 1/4 NE 1/4, S 1/2 NE 1/4; Surface Owner: Minnkota Power Cooperative; Coal Owner: Minnkota Power Cooperative; Legal Description: Section 32 T142N R83W, SE 1/4; Surface Owner: Minnkota Power Cooperative; Coal Owner: Minnkota Power Cooperative.



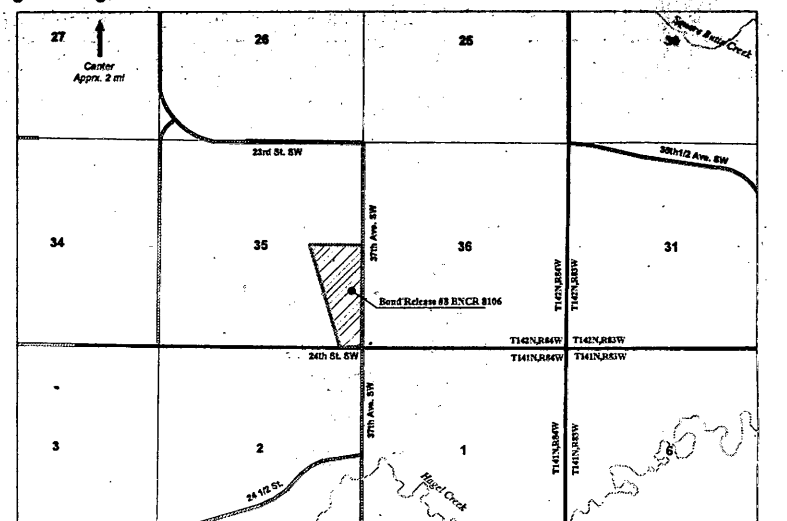
(5-14-15) (5-21-15) (5-28-15) (6-4-15)

### LEGAL NOTICE NOTICE OF APPLICATION TO RELEASE PERFORMANCE BOND

BNI Coal, Ltd., 2360 35th Avenue SW, Center, ND 58530-9499 has submitted an application to the North Dakota Public Service Commission to release the following tract of land from all phases (I-IV) of bond release and all remaining reclamation liabilities: 58.23 acres in Permit BNCR-8106 in the SE 1/4 of Section 35, T142N, R84W in Oliver County. Permit BNCR-8106 was approved on July 19, 1983. The bond release tract was initially permitted under Permit 24, approved on December 5, 1973 and Permit 37, approved on September 20, 1976. No monetary release is requested since the bond amount is based on the worst-case reclamation condition for the consolidated bond area that includes Permits BNCR-8106, BNCR-9702, BNCR-8202 and BNCR-8602. The current bond amount is \$34,139,439.00. The bond release tract is described below and depicted on the attached map. Initial disturbance on the bond release tract occurred in 1974 in preparation for coal removal. The mining of lignite began in 1975 and continued

through 1983. Reclamation consisting of grading, SPGM respread, and seeding occurred between 1980 and 1989. The post mine land uses for this tract consist of 53.05 acres of tame pasture and 5.18 acres right of way that includes a portion of the reclaimed county road (37th Ave. SW). No mining disturbance occurred on 1.46 acres along the southern boundary of the tract.

Copies of the bond release request and supporting documents are on file at the Oliver County Auditors Office, Center, ND 58530, and the Office of the Director of the Reclamation Division, ND Public Service Commission, 600 East Boulevard Avenue, Bismarck, ND 58505-0480. Any person having a valid legal interest, which is or may be adversely affected by release of the bond has the right to file written comments or objections, may request an informal conference or public hearing regarding the proposed releases from bond with the North Dakota Public Service Commission, 600 East Boulevard Avenue, Bismarck, ND 58505-0480 within thirty (30) days after the last publication of this notice.



BNI Coal Bond Release #8 from Permit BNCR8106

(6-4-15) (6-11-15) (6-18-15) (6-25-15)

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- Habitat plantings
- Food plots
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- Consulting
- Invasive tree and brush removal
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