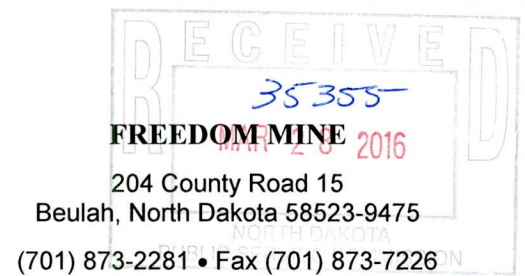


# THE COTEAU PROPERTIES COMPANY

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION



March 25, 2016

Mr. James R. Deutsch  
Director Reclamation Division  
Public Service Commission  
600 East Boulevard Avenue  
Department 408  
Bismarck, ND 58505-0480

Dear Mr. Deutsch:

Enclosed are three copies of Revision 56 to Permit NACT-8102. The revision updates the permit for Renewal #7. Responses below refer to deficiencies in your March 18, 2016 letter:

1. See the revised newspaper notice. The introduction has been revised removing the USGS quadrangle map reference.
2. The legal description for Tract 9 has been revised. Please replace pages 534-535.1 of Section 1.2.2 with the enclosed pages dated March 2016. The newspaper notification has also been revised showing the correct legal description for Tract 9.

If you have any questions, please contact me.

Sincerely,

THE COTEAU PROPERTIES COMPANY

Troy J. Leingang  
Environmental Manager

AJH  
Enc.

cc: Shana Brost, Mercer County Auditor (w/enc)

NOTICE OF FILING OF AN APPLICATION FOR RENEWAL OF PERMIT TO CONDUCT  
SURFACE COAL MINING AND RECLAMATION OPERATIONS

The Coteau Properties Company, 204 County Road 15, Beulah, ND 58523, has filed an application for renewal of Permit NACT-8102 with the North Dakota Public Service Commission. The current permit area covers portions of Sections 12, 13, and 24, T145N, R88W, and Sections 18 and 19, T145N, R87W, Mercer County, North Dakota, and contains approximately 1,352.74 acres. The permit term will be from August 31, 2016, to August 31, 2021.

The permit area is approximately six miles north of Beulah, North Dakota. The map shows the distance to the city of Beulah, North Dakota, and the outline of the permit area.

The owners of the surface in the permit area are as follows:

Tract 1

Township 145 North, Range 88 West  
Section 12: S $\frac{1}{2}$ SW $\frac{1}{4}$

Surface Ownership:               The Coteau Properties Company

Tract 2

Township 145 North, Range 88 West  
Section 13: NE $\frac{1}{4}$ , less a tract of 73.085 acres, and less a tract of 7.894 acres

Surface Ownership:               The Coteau Properties Company

Tract 2A

Township 145 North, Range 88 West  
Section 13: A 73.085 acre tract lying in the NE $\frac{1}{4}$

Surface Ownership:               Basin Electric Power Cooperative

Tract 2B

Township 145 North, Range 88 West

Section 13: A 7.894 acre tract lying in the NE¼

Surface Ownership: Dakota Gasification Company

Tract 3

Township 145 North, Range 88 West

Section 13: NW¼

Surface Ownership: The Coteau Properties Company

Tract 4

Township 145 North, Range 88 West

Section 13: SE¼, less a tract of 26.562 acres

Surface Ownership: The Coteau Properties Company

Tract 4A

Township 145 North, Range 88 West

Section 13: A tract of 26.562 acres lying in the SE¼

Surface Ownership: Dakota Gasification Company

Tract 5

Township 145 North, Range 88 West

Section 24: A tract of land located within the E½NE¼, described as follows: Beginning at a point known as the northeast corner of Section 24, T145N, R88W; thence west along the north section line 1320 feet; thence south 1760 feet; thence east 1320 feet; thence north along the east section line 1760 feet to the point of beginning. Said tract contains 53.33 acres more or less, less 4.571 acres and less that portion of Sublot 1 lying within this tract.

Surface Ownership: The Coteau Properties Company

Tract 5A

Township 145 North, Range 88 West

Section 24: A tract of approximately 4.571 acres in the E $\frac{1}{2}$ NE $\frac{1}{4}$

Surface Ownership: Basin Electric Power Cooperative

Tract 5B

Township 145 North, Range 88 West

Section 24: That portion of Sublot 1 insofar as it lies within a tract of land located within the E $\frac{1}{2}$ NE $\frac{1}{4}$ , more fully described as follows: Beginning at a point known as the Northeast corner of Section 24, Township 145 North, Range 88 West; thence Westerly along the North section line approximately 1320 feet; thence Southerly approximately 1760 feet; thence Easterly approximately 1320 feet; thence Northerly along the East section line approximately 1760 feet to the point of beginning.

Surface Ownership: Dakota Gasification Company

Tract 6

Township 145 North, Range 88 West

Section 24: A tract of land located within the E $\frac{1}{2}$ NE $\frac{1}{4}$ , described as follows: Beginning at a point known as the northeast corner of Section 24, T145N, R88W; thence south along the east section line 1760 feet to the point of beginning; thence west 1320 feet; thence south 440 feet; thence east 1320 feet; thence north along the east section line 440 feet to the point of beginning, less that portion of Sublot 1 lying within this tract.

Surface Ownership: The Coteau Properties Company

Tract 6A

Township 145 North, Range 88 West

Section 24: That portion of Sublot 1 insofar as it lies within a tract of land located within the E $\frac{1}{2}$ NE $\frac{1}{4}$ , more particularly described as follows: Beginning at a point known as the Northeast corner of Section 24, Township 145 North, Range 88 West; thence Southerly along the East section line approximately 1760 feet to the true point of beginning; thence Westerly approximately 1320 feet; thence Southerly approximately 440 feet; thence Easterly approximately 1320 feet; thence Northerly along the East section line approximately 440 feet to the point of beginning.

Surface Ownership: Dakota Gasification Company

Tract 7

Township 145 North, Range 88 West

Section 24: A tract of land in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , being more particularly described as; commencing at the northwest corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ , thence S 88-43-02 E along the north line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$  a distance of 1,320.07 feet; thence S 00-56-49 W along the east line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$  a distance of 1,251.06 feet; thence N 88-45-49 W a distance of 1,319.65 feet to a point on the west line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; thence N 00-55-41 E along the west line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$  a distance of 1,252.14 feet to the point of beginning, containing 37.90 acres, more or less

Surface Ownership: Basin Electric Power Cooperative

Tract 7A

Township 145 North, Range 88 West

Section 24: A tract of land in the W $\frac{1}{2}$ NE $\frac{1}{4}$ , being more particularly described as; commencing at the northwest corner of the NE $\frac{1}{4}$ , thence S 00-55-41 W along the west line of said NE $\frac{1}{4}$  a distance of 1,252.14 feet to the point of beginning; thence S 88-45-49 E a distance of 1,319.65 feet to a point on the east line of said W $\frac{1}{2}$ NE $\frac{1}{4}$ ; thence S 00-56-49 W along the east line of said W $\frac{1}{2}$ NE $\frac{1}{4}$  a distance of 921.54 feet; thence N 90-00-00 W a distance of 1,099.57 feet; thence N 36-38-31 W a distance of 301.60 feet; thence N 00-00-00 E a distance of 158.00 feet; thence N 90-00-00 W a distance of 41.43 feet to a point on the west line of said W $\frac{1}{2}$ NE $\frac{1}{4}$ ; thence N 00-55-41 E along the west line of said W $\frac{1}{2}$ NE $\frac{1}{4}$  a distance of 528.68 feet to the point of beginning, containing 27.10 acres, more or less

Surface Ownership: The Coteau Properties Company

Tract 7B

Township 145 North, Range 88 West

Section 24: A tract of land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , being more particularly described as; commencing at the northwest corner of the NE $\frac{1}{4}$ , thence S 00-55-41 W along the west line of said NE $\frac{1}{4}$  a distance of 1,780.81 feet to the point of beginning; thence S 90-00-00 E a distance of 41.43 feet; thence S 00-00-00 W a distance of 158.00 feet; thence S 36-38-31 E a distance of 301.60 feet; thence S 90-00-00 E a distance of 1,099.57 feet to a point on the east line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; thence S 00-56-49 W along the east line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$  470.32 feet to a point on the south line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; thence N 90-00-00 W along the south line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$  a distance of 1,319.21 feet; thence N 00-01-13 E along the west line of said NE $\frac{1}{4}$  a distance of 858.86 feet to the point of beginning, containing 15.00 acres, more or less

Surface Ownership: Dakota Gasification Company

Tract 8A

Township 145 North, Range 88 West

Section 24: A tract of 1.971 acres lying in the E $\frac{1}{2}$ NW $\frac{1}{4}$

Surface Ownership:                   The Coteau Properties Company

Tract 9

Township 145 North, Range 88 West

Section 24: A tract of land located within the E $\frac{1}{2}$ E $\frac{1}{2}$ , more particularly described as follows: Beginning at the Northeast corner of Section 24, Township 145 North, Range 88 West; thence Southerly along the East section line approximately 2200 feet to the true point of beginning; thence Westerly approximately 1320 feet; thence Southerly approximately 1320 feet; thence Easterly approximately 1320 feet; thence Northerly along the East section line approximately 1320 feet to the point of beginning.

Surface Ownership:                   Dakota Gasification Company

Tract 10

Township 145 North, Range 88 West

Section 24: SE $\frac{1}{4}$ , less a tract of land commencing at a point 533.00 feet west of the southeast corner, thence west 260.00 feet, thence north 503.00 feet to the point of beginning, containing 2.75 acres more or less, and a tract of land commencing at the southeast corner, thence west 533.00 feet, thence north 1,760.00 feet, thence east 533.00 feet, thence south 1,760.00 feet to point of beginning, containing 21.50 acres more or less; also less and except a tract of land in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  more particularly described as; beginning at the northeast corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ , thence S 00-57-57 W along the east line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 859.68 feet; thence N 89-02-03 W a distance of 1,318.89 feet to a point on the west line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; thence N 00-56-49 E along the west line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 868.68 feet to a point on the north line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; thence S 88-38-35 W along the north line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 1,319.21 feet to the point of beginning, containing 26.17 acres, more or less

Surface Ownership:                   Dakota Gasification Company

Tract 11

Township 145 North, Range 88 West

Section 24: Beginning at a point 533.00 feet due west of the southeast corner; thence 260.00 feet due west; thence 503.00 feet due north; thence 260.00 feet due east; thence 503.00 feet due south to the point of beginning, containing 2.75 acres, more or less. Also: Beginning at the southeast corner as the point of beginning; thence 533.00 feet due west; thence 1,760.00 feet due north; thence 533.00 feet due east; thence 1,760.00 feet due south to the point of beginning, containing 21.50 acres, more or less.

Surface Ownership:                   Dakota Gasification Company

Tract 12

Township 145 North, Range 88 West

Section 12: S $\frac{1}{2}$ SE $\frac{1}{4}$ , less Tracts 12A and 12B

Surface Ownership:                   The Coteau Properties Company

Tract 12A

Township 145 North, Range 88 West

Section 12: A tract of 0.146 acres lying in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , described as follows: Beginning at a point known as the southeast corner of Section 12, T145N, R88W; thence north 250.44 feet on the east line of said section to the point of beginning; thence west 75.01 feet; thence north 84.00 feet; thence east 76.43 feet to the east line of said section; thence south 84.01 feet on the east line of said section to the point of beginning.

Surface Ownership:                   Basin Electric Power Cooperative

Tract 12B

Township 145 North, Range 88 West

Section 12: A tract of 0.316 acres lying in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , described as follows: Beginning at a point known as the southeast corner of Section 12, T145N, R88W; thence north 917.53 feet on the east line of said section to the point of beginning; thence west 171.29 feet; thence north 80.00 feet; thence east 172.64 feet to the east line of said section; thence south 80.01 feet on the east line of said section to the point of beginning.

Surface Ownership:                   Basin Electric Power Cooperative

Tract 13

Township 145 North, Range 87 West

Section 18: Lots 1, 2, E $\frac{1}{2}$ NW $\frac{1}{4}$ , less Tracts 13A, 13B, and less a tract of 0.416 acres

Surface Ownership: The Coteau Properties Company

Tract 13A

Township 145 North, Range 87 West

Section 18: A tract of 4.562 acres lying in Lot 2

Surface Ownership: Dakota Gasification Company

Tract 13B

Township 145 North, Range 87 West

Section 18: A tract of 0.161 acres lying in Lot 1, described as follows: Beginning at a point known as the northwest corner of Section 18, T145N, R87W; thence south 1096.75 feet on the west line of said section to the point of beginning; thence east 114.54 feet; thence south 61.00 feet; thence west 115.56 feet to the west line of said section; thence north 61.01 feet on the west line of said section to the point of beginning.

Surface Ownership: Basin Electric Power Cooperative

Tract 14

Township 145 North, Range 87 West

Section 18: Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , less an 8.886 acre tract

Surface Ownership: The Coteau Properties Company

Tract 15

Township 145 North, Range 87 West

Section 19: E $\frac{1}{2}$ NE $\frac{1}{4}$

Surface Ownership: The Coteau Properties Company

Tract 16

Township 145 North, Range 87 West

Section 19: W $\frac{1}{2}$ NE $\frac{1}{4}$

Surface Ownership:                   The Coteau Properties Company

Tract 17

Township 145 North, Range 87 West

Section 19: Lots 1, 2, E $\frac{1}{2}$ NW $\frac{1}{4}$

Surface Ownership:                   North American Coal Royalty Company

A copy of the renewal application 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.

Written comments, objections, or requests for an informal conference on the renewal 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 renewal.

The Coteau Properties Company  
204 County Road 15  
Beulah, North Dakota 58523

TRACT 9Township 145 North, Range 88 West

**Section 24: A tract of land located within the E $\frac{1}{2}$ E $\frac{1}{2}$ , more particularly described as follows: Beginning at the Northeast corner of Section 24, Township 145 North, Range 88 West; thence Southerly along the East section line approximately 2200 feet to the true point of beginning; thence Westerly approximately 1320 feet; thence Southerly approximately 1320 feet; thence Easterly approximately 1320 feet; thence Northerly along the East section line approximately 1320 feet to the point of beginning.**

**SURFACE OWNERSHIP:**

Dakota Gasification Company - 100.0000%  
 c/o Amy Spilman  
 Property and Right-of-Way Division  
 1717 E Interstate Ave.  
 Bismarck, ND 58503-0564

## Corporate Officers:

Paul Sukut, CEO  
 David Sauer, Senior VP and COO  
 All of:  
 1717 E Interstate Ave.  
 Bismarck, ND 58503-0564

## Registered Agent:

Corporation Service Company  
 1709 N 19th St. Ste. 3  
 Bismarck, ND 58501-2121

**Consent Document(s):** Lease No. 01123

**COAL OWNERSHIP:**

Barbara Glinz - 50.0000%  
 1521 Skyline Dr.  
 Jamestown, ND 58401-2458

**Right of Entry Document(s):** None – Unleased – Lease Terminated

Ruby Boland - 5.0000%  
 100 7<sup>th</sup> St. NW #105  
 Beulah, ND 58523-6264

**Right of Entry Document(s):** Lease No. 01123

Gaylen Boeckel - 5.0000%  
221 Front St. SW  
P.O. Box 22  
Beulah, ND 58523  
**Right of Entry Document(s):** Lease No. 01123

Gary Boeckel - 5.0000%  
4601 County Rd. 20  
Stanton, ND 58571  
**Right of Entry Document(s):** Lease No. 01123

Irene Fischer - 5.0000%  
100 – 7<sup>th</sup> St. NW #306  
Beulah, ND 58523  
**Right of Entry Document(s):** Lease No. 01123

Ruth Hausauer - 5.0000%  
118 22nd St. NE  
Beulah, ND 58523-6134  
**Right of Entry Document(s):** Lease No. 01123

Monty Jonathon Reub – 1.6600%  
309 1<sup>st</sup> St. SW  
Beulah, ND 58523-6741  
**Right of Entry Document(s):** Lease No. 01123

Pamela Sue Helm – 1.6700%  
2862 Warwick Loop  
Bismarck, ND 58504-7639  
**Right of Entry Document(s):** Lease No. 01123

Roxy Edmond Reub – 1.6700%  
5771 3<sup>rd</sup> St. SW  
Beulah, ND 58523-9108  
**Right of Entry Document(s):** Lease No. 01123

Janet Morast - 5.0000%  
114 Hwy. 49 S Apt. 12  
Beulah, ND 58523-6782  
**Right of Entry Document(s):** Lease No. 01123

Jody L. Boeckel - 5.0000%  
1505 1<sup>st</sup> St. E  
West Fargo, ND 58078  
**Right of Entry Document(s):** Lease No. 01123

Fern Schlender - 5.0000%  
334 County 11  
Golden Valley, ND 58541  
**Right of Entry Document(s):** Lease No. 01123

Fay Horn - 5.0000%  
332 1<sup>st</sup> Ave. NE  
Garrison, ND 58540-7107  
**Right of Entry Document(s):** Lease No. 01123

**Note:** A portion of this tract is utilized by Dakota Gasification for waste disposal and has been excepted from the Coteau Permit Boundary.

**LAST CHANGE TO OWNERSHIP INFORMATION:**  
Revised March 2016 – Revision No. 56 / Renewal No. 7