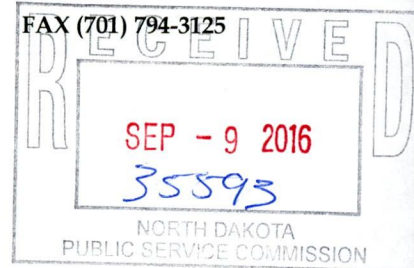




PHONE (701) 355-5588



September 6, 2016

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 Revision 39 to Permit BNCR-9702.

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

Sincerely,

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

Karene M. Hall  
Permit Coordinator

8 RC-16-256 Filed 09/09/2016 Pages: 5  
Affidavits of publication of newspaper notices filed by the applicant  
BNI Coal, Ltd.  
Karene Hall

BNI COAL, LTD.  
2360 35<sup>TH</sup> AVENUE SW, CENTER, ND 58530-9499



**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: 08/18/2016

Date	Order #	Type	Order Amt
08/18/16	20856142	INV	1,472.00

Amount Paid	CK #
_____	_____

CashAmt

**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
07/28/16	08/18/16	4	Bismarck Tribune	76.00	Legals	1,472.00	1,472.00
			PO163590 / BNCR9702				

**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: 7/28, 8/4, 11, 18. Signed Carme Kuntz sworn and subscribed to before me this 23rd day of August 2016.  
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: 1,472.00
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**Bismarck Tribune**  
[www.bismarcktribune.com](http://www.bismarcktribune.com)  
PO BOX 4001  
LaCrosse, WI 54602-4001

Terms: PAYMENT IS DUE UPON RECEIPT OF INVOICE

**NOTICE OF APPLICATION FOR A 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, North Dakota 58530-9499 has submitted an application to the North Dakota Public Service Commission for Permit Revision No. 39 to BNCR-9702, approved on August 2, 2000, to engage in surface coal mining and reclamation operations. The area for which a permit revision is sought includes approximately 7,018 acres in parts of Sections 21, 27, 28, 29, 31, 32, 33 and 34 T142N R84W and parts of Sections 3, 4, 5, 6, 7, 8, 9 and 10 T141N R84W. This area is in Oliver County, North Dakota and is shown on the accompanying map.

Revision 39 to Permit BNCR 9702 proposes to change the post-mine topography within Section 3, T141N, R84W surrounding Minnkota Power's bond released inert waste disposal facility to aid in the final closure of the cell. This permit revision proposes changes within the 89 acre buffer area (Variance Area 8) surrounding the cell along with redisturbance of 87 acres of reclaimed land around the buffer area to obtain spoil for use as backfill to close the ash disposal cell.

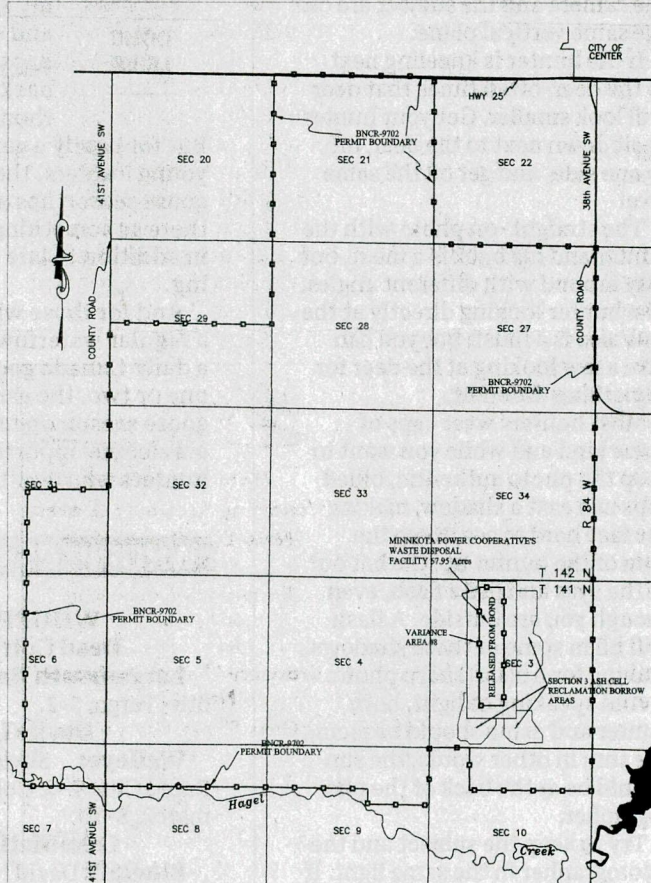
Revision 39 to Permit BNCR 9702 also proposes to change the post-mine topography in the S½ of Section 29, the N½ of Section 32, and the NW¼ of Section 33 in preparation of a final pit location in the S½ of Section 29.

Revision 39 to Permit BNCR 9702 also proposes updates to the Legal and Financial Section, will update the right-of-way closures in the transportation plan, will update the backfilling and regrading plan, will update the Post Mining topography and Slope Analysis information and will update the post mining land use section.

Any person whose interests are or may be adversely affected by the proposed action has the right to file written comments, objections or request an informal conference with the North Dakota Public Service Commission. Written comments, objections, and requests for informal conferences should be filed with the Reclamation Division, Public Service Commission, 600 East Boulevard, Dept. 408, Bismarck, ND 58505-0480 within 30 days after the last publication of this notice. A copy of the revision application is available for inspection at the Office of the Auditor, Oliver County Courthouse, Center, ND 58530 and the Reclamation Division, Public Service Commission, 600 East Boulevard Avenue, Dept. 408, Bismarck, ND 58505-0480.

The legal description and names of the apparent surface and mineral (coal) owners of the land in the permit area that will be affected by the revised plans are as follows:

LEGAL DESCRIPTION	SURFACE OWNER (S)	COAL OWNERS
<b>SECTION 3 T141N R84W ENTIRE SECTION</b>	Minnkota Power Cooperative	B.W. Henderscheid Enid Bargmann



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-NOTICE OF APPLICATION PERMIT REVISION BNI/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 08/18/2016 to wit:

Column Inches 21	\$6.38	\$133.98	07/28/2016
Column Inches 21	\$6.38	\$133.98	08/04/2016
Column Inches 21	\$6.38	\$133.98	08/11/2016
Column Inches 21	\$6.38	\$133.98	08/18/2016

Notary Fee \$1.00 Total Cost of Legal \$536.92

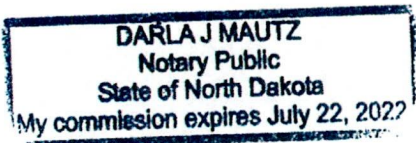
*Shelley Chase*

Subscribed and sworn to before me this 24<sup>th</sup> day of August A.D. 2016

(Seal) *Darla J Mautz*

Notary Public, State of North Dakota

My Commission Expires



2-16-p-pd 58540

**Livestock**

TURTLE LAKE WEIGH STATION will be shipping cows and bulls out Aug. 29. Have them there by noon. Call Darin, 701-315-0144. 43-tfn-p-x 58577

**Misc. for Sale**

L-111 JOHN DEERE mower, 42-in. cut, 20 hp engine; runs real good; good working order. \$600 or best offer. Phone 701-442-5437. 15-16-p-pd 58540

GULBRANSON PIANO, located in Gackle, \$200. Bisanonline.com ad 2017506. Call 701-320-5864. 13-16-p-nc 58540

J&J HAZEN MEATS, formerly Hazen Meats is now looking to fill our schedule starting immediately for processing beef and hogs. Please call 701-748-5600. M-F 8:30 a.m. to 5:30 p.m. to schedule. 13-16-p-pd 58540

SKYLINE RANCH Produce farmers' markets - 3 to 6 p.m., Monday, All Seasons Arena, Hazen; 3 to 6 p.m., Wednesday, Shopko, Beulah; 4 to 7 p.m., Friday, Lewis & Clark Int. Ctr., Washburn. 9-tfn-p-x 58577

ORDER QUALITY REPRINTS of pictures from area newspapers at your local newspaper office. Pictures of area events and people published in

AFFIDAVIT OF

STATE OF NORTH DAKOTA )  
 ) SS  
 COUNTY OF Oliver )

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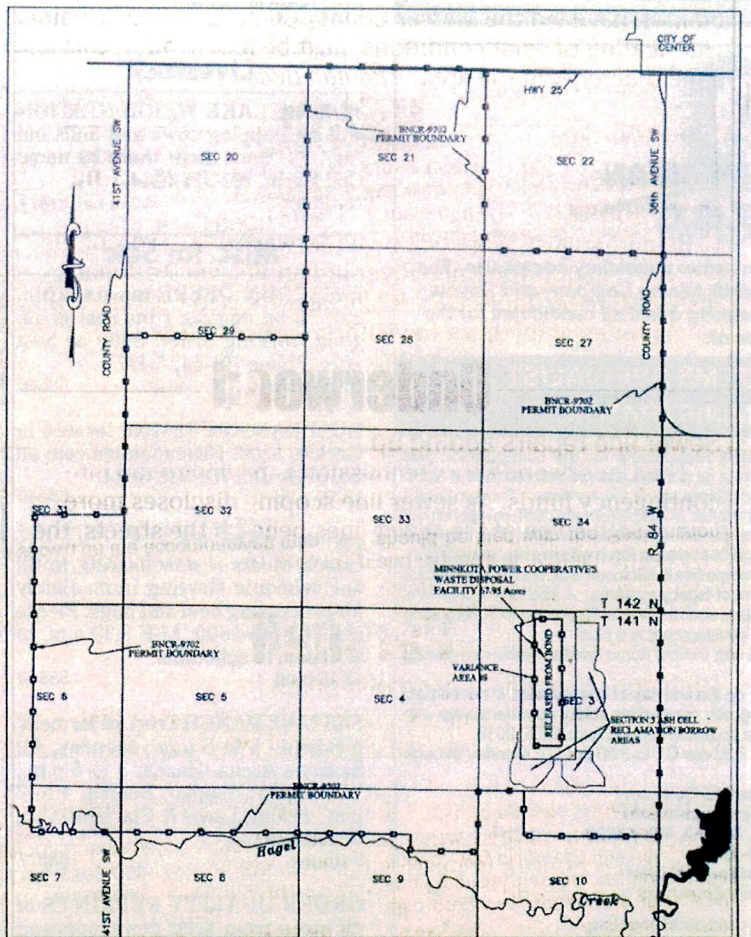
*Shelley Chase*

Subscribed and sworn to before me this 24<sup>th</sup> day of August A.D. 2016

(Seal) *Darla J. Mautz*  
 Notary Public, State of North Dakota

My Commission Expires

**DARLA J MAUTZ**  
 Notary Public  
 State of North Dakota  
 My commission expires July 22, 2022



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ENTIRE SECTION		Enid Bargmann