

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Coteau Properties Company
Revision No. 33, Permit NACT-9101
Approval

Case No. RC-17-78

REVISION OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS

June 27, 2017

Based on the application for **Revision Number 33 to Permit Number NACT-9101** received **February 8, 2017**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted on February 8, 2017, is complete and accurate and the applicant has complied with the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code.
2. The Commission's findings that were made when Permit's NACT-9101 and NACT-9001 were issued, and the findings made with subsequent revisions that added lands to the permits, remain applicable to the revised operation and reclamation plans.

Revision Number 33 to Permit Number NACT-9101 is hereby granted to The Coteau Properties Company to update mining and reclamation plans for the next five-year term of the permit as described in the permit revision application received February 8, 2017. This revision also adds approximately 478 acres of land that is currently in Permit NACT-9001 to this permit and updates the appropriate section of the permit. This revision also converts Permit NACT-9101 to an electronic format.

Attached is a copy of the metes and bounds description of the area being added to the permit.

Location

<u>Mine</u>	<u>Address</u>	<u>Section</u>	<u>Twp.</u>	<u>Range</u>	<u>County</u>
Freedom	Beulah, ND	9 & 10	145N	88W	Mercer

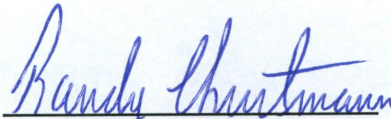
Total Acres – 477.820

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and any additional or revised permit conditions listed on attached PSC Reclamation Form - 3. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be a significant alteration to the previously approved permit.

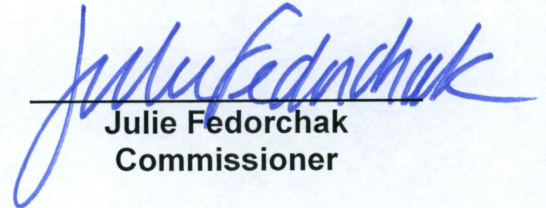
PUBLIC SERVICE COMMISSION



Brian Kroshus
Commissioner



Randy Christmann
Chairman



Julie Fedorchak
Commissioner

Section 1.2.2.1a - Metes and Bounds Description for Areas Added in Revision 33

A tract of land located in the S½ of Section 9, and the S½ S½ of Section 10, all in T145N, R87W of the 5TH P.M.

Beginning at the southwest corner of said Section 9; thence bearing S 89°07'53"E a distance of 2634.54 feet to the south ¼ corner of said Section 9, thence bearing S 89°07'44"E a distance of 2634.50 feet, to the southeast corner of said Section 9; thence bearing S 89°04'51"E a distance of 2626.50 feet, to the south ¼ corner of said Section 10; thence bearing S 89°04'31"E a distance of 2626.27 feet to the southeast corner of said Section 10; thence bearing N 01°04'24"E a distance of 1319.17 feet, to the south 1/16 corner of said Section 10; thence bearing N 89°04'39"W a distance of 2626.13 feet, to the center south 1/16 corner of said Section 10; thence bearing N 89°04'59"W a distance of 2626.30 feet, to the south 1/16 corner of said Section 10; thence bearing N 01°05'22"E a distance of 1319.15 feet, to the east ¼ corner of said Section 9; thence bearing N 89°11'54"W a distance of 5270.42 feet, to the west ¼ corner of said Section 9; thence bearing S 01°03'33"W a distance of 2631.84 feet, on the west line of said Section to the point of beginning.

Said area of land contains an area of 477.820 acres