



APPLICATION FOR REVISION TO DELETE UNDISTURBED ACREAGE FROM A PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION OPERATIONS
 PUBLIC SERVICE COMMISSION
 RECLAMATION DIVISION
 SFN 10574 (1-2004)

RECEIVED
 35937
 MAY 31 2017

Name of Company, Corporation, Partnership, or Individual BNI Coal, Ltd.		Date May 26, 2017
Address 2360 35th Avenue SW		Permit Number BNCR-9401
City Center	NORTH DAKOTA PUBLIC SERVICE COMMISSION	State ND
		Zip Code 58530-9499

The above named hereby makes application for Revision Number 14 to delete the following undisturbed acreage from the above surface coal mining Permit Number in the State of North Dakota (attach a copy of a metes and bounds description if appropriate):

NAME OF MINE	ACRES	LOCATION			
		SEC.	TWP.	RANGE	COUNTY
Center Mine	15.24	8	141	83	Oliver
ADDRESS					
2360 35th Avenue SW					
Center, ND 58530-9499					
TOTAL ACRES	15.24				

Attached to this permit revision application is a narrative describing the proposed revision to delete undisturbed acreage from the permit, reasons for requesting the deletion, and how the deletion will affect the approved operation and reclamation plan with appropriate maps, cross-sections, revised mining and reclamation plans and other data that reflects the changes in the approved permit and which demonstrate compliance with Chapter 38-14.1 of the North Dakota Century Code, the rules promulgated thereunder, and the permit conditions of the approved permit.

Name of Official Karene M. Hall

I, the above named official of the permit revision applicant, certify that:

1. The acreage in the permit revision application has not been disturbed by surface coal mining and reclamation operations; and
2. Information and documentation contained in the permit revision application affirmatively demonstrate that the permit revision application is accurate and complete and all the requirements of Chapter 38-14.1 of the North Dakota Century Code and of the rules promulgated thereunder have been compiled with.

Signature of Official <i>Karene M. Hall</i>	Title Permit Coordinator
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VERIFICATION

Name Karene M. Hall

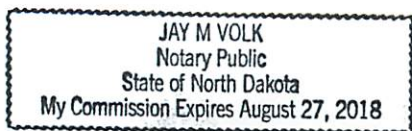
I, the above named, being first and duly sworn, verify that the information contained in the Permit Revision Application is true and correct to the best of my knowledge and belief.

Signature of Official <i>Karene M. Hall</i>	Title Permit Coordinator
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STATE OF North Dakota)
)ss.
 COUNTY OF Oliver)

Subscribed and Sworn before me, this 26th day of May, 2017.

(SEAL)

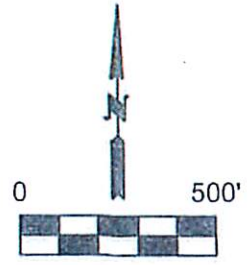


J M Volk
 Notary Public
 My Commission Expires: 8-27-2018

Revision No. 14 Deletion Request

This deletion is being requested because the surface owner will be using this location for a waste disposal facility. Please note that 0.3 acres of surface disturbance occurred in 2011 by the surface owner's contractor. This disturbance was not done by BNI and the area did not have any coal removal.

The Northeast Corner of Section 8,
Township 141 North, Range 83 West,
of the Fifth Principal Meridian,
Oliver County, North Dakota



BNCR 9401

SEC 5

L4

SECTION LINE



REMOVAL AREA
15.24 ACRES

POINT OF BEGINNING
NAD 27 NORTH DAKOTA STATE
PLANE SOUTH ZONE US FOOT
NORTH 506,603.4
EAST 1,822,015.8

L3

L1

L2

SECT 8
146.57 Acres

SECTION LINE

SEC 9

LINE	BEARING	DISTANCE
L1	S 00°05'21" W	655.54'
L2	N 89°38'45" W	1011.50'
L3	N 00°00'00" E	656.39'
L4	S 89°35'53" E	1012.53'

BNCR 9401 Sect 08 **161.81 Acres +/-**
Rev. 14 Removal **15.24 Acres +/-**

Remainder Total **146.57 Acres +/-**

- NOTES:**
1. THE BASIS OF THIS SURVEY IS THE 1927 NORTH DAKOTA STATE PLANE SYSTEM, SOUTH ZONE, US SURVEY FOOT.
2. SURVEY CONTROL WAS ESTABLISHED IN 1993 BY MEASUREMENT SCIENCES, INC..
3. ADDITIONAL SURVEY CONTROL AND COORDINATE BASIS WAS ESTABLISHED IN 1994-1996 BY ULTEIG ENGINEERS.


CERTIFICATION:
I, TODD MARSCHALL, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ACCOMPANYING DOCUMENT WAS SURVEYED AND/OR PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. ANY ALTERATIONS TO THIS DOCUMENT WILL VOID MY CERTIFICATION.

Todd Marschall
Todd Marschall R.L.S. 4431
Houston Engineering, Inc.

5-26-17
Date



Dwg Rev #	Date	By	Description



2360 35TH AVE
SW CENTER, ND
58530-9499

Legal-Description (Map)
BNCR 9401
Revision 14 Removal Acres

By: Todd Marschall Date: 5-24-2017 Plate: 1.8-3