

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Coteau Properties Company
Revision No. 43, Permit NACT-9501
Approval

Case No. RC-17-489

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

February 14, 2018

Based on the application for **Revision Number 43 to Permit Number NACT-9501 received November 17, 2017**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted on November 17, 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 639.1571 acres being deleted from the permit as part of this revision have not been affected by the applicant. An inspection of this area was conducted by Commission staff to verify that these lands were not disturbed by the Coteau Properties Company and,
3. The Commission's findings that were made when the permit was issued remain applicable to the revised operation and reclamation plans.

Revision Number 43 to Permit Number NACT-9501 is hereby granted to The Coteau Properties Company to delete 639.1571 acres located in portions of Sections 23, 24 and 27, T146N, R88W, Mercer County, that were not affected by surface coal mining and reclamation operations as described in the permit revision application received November 17, 2017.

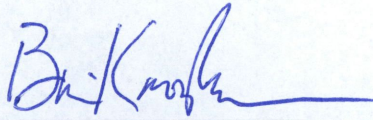
The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and any additional or revised permit conditions listed on SFN-10562. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be an insignificant alteration to the previously approved permit. (Attached is a copy of the metes and bounds description of land being deleted in the permit area.)

LOCATION

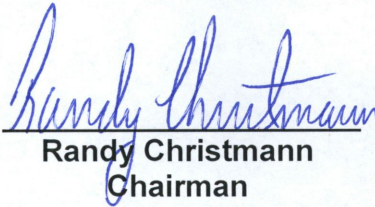
MINE	ADDRESS	ACRES	Sec.	Twp.	Range	County
Freedom	Beulah, ND	-319.1506	23	146N	88W	Mercer
		-159.8687	24	146N	88W	
		-160.1378	27	146N	88W	

-639.1571 acres - Total Area Deleted

PUBLIC SERVICE COMMISSION



Brian Kroshus
Commissioner



Randy Christmann
Chairman



Julie Fedorchak
Commissioner

Permit NACT-9501 Revision No. 43 Metes & Bounds of Deleted Acres:

A tract of land being the east 1/2 of Section 23, T146N, R88W, 5th P.M., Mercer County, North Dakota, described as follows:

Beginning at the north 1/4 corner of said Section; thence S 89-03-04 E, 2,636.58 feet to the northeast corner of said Section; thence S 01-11-37 W, 2,640.32 feet to the east 1/4 corner of said Section; thence S 01-11-39 W, 2,640.30 feet to the southeast corner of said Section; thence N 89-00-43 W, 2,629.72 feet to the south 1/4 corner of said Section; thence N 01-07-10 E, 2,639.46 feet to the center 1/4 corner of said Section; thence N 01-07-10 E, 2,639.32 feet to the point of beginning.

Said tract contain 319.1506 acres as shown on this plat.

All bearings and distances are based on the North Dakota State Plane Coordinate System, South Zone, 1927 N. A. D.

A tract of land being the southwest 1/4 of Section 24, T146N, R88W, 5th P.M., Mercer County, North Dakota, described as follows:

Beginning at the west 1/4 corner of said Section; thence S 89-02-33 E, 2,634.54 feet to the center 1/4 corner of said Section; thence S 01-04-55 W, 2,641.14 feet to the south 1/4 corner of said Section; thence N 89-01-26 W, 2,639.72 feet to the southwest corner of said Section; thence N 01-11-39 E, 2,640.30 feet to the point of beginning.

Said tract contains 159.8687 acres as shown on this plat.

All bearings and distances are based on the North Dakota State Plane Coordinate System, South Zone, 1927 N. A. D.

A tract of land being the northwest 1/4 of Section 27, T146N, R88W, 5th P.M., Mercer County, North Dakota, described as follows:

Beginning at the northwest corner of said Section; thence S 88-50-49 E, 2,642.40 feet to the north 1/4 corner of said Section; thence S 01-01-44 W, 2,640.34 feet to the center 1/4 corner of said Section; thence N 88-51-13 W, 2,641.16 feet to the west 1/4 corner of said Section; thence N 01-00-07 E, 2,640.66 feet to the point of beginning.

Said tract contains 160.1378 acres as shown on this plat.

All bearings and distances are based on the North Dakota State Plane Coordinate System, South Zone, 1927 N. A. D.