



APPLICATION FOR PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION OPERATIONS
 PUBLIC SERVICE COMMISSION
 RECLAMATION DIVISION
 SFN 10552 (1-2004)



Date
December 21, 2018

Name of Company, Corporation, Partnership, or Individual The Coteau Properties Company		Permit Number NACT-1801	
Address 204 County Road 15	City Beulah	State ND	Zip Code 58523

The above named hereby makes application for the above listed permit number to engage in surface coal mining and reclamation operations in the State of North Dakota during the period from December 22, 2018 (date) to December 22, 2023 (date) on the following area (attach a copy of metes and bounds description):

NAME OF MINE	ACRES	LOCATION			
		SEC.	TWP.	RANGE	COUNTY
Freedom Mine	5272.142	See Attachment I			
ADDRESS					
204 County Road 15					
Beulah, ND 58523					
TOTAL ACRES	5272.142				


A bond, or its equivalent, duly executed in accordance with Section 38-14.1-16 of the North Dakota Century Code and Chapter 69-05.2-12 of the North Dakota Administrative Code will be delivered to the Public Service Commission prior to issuance of the surface coal mining and reclamation operations permit herein requested. A check for filing fees, pursuant to Section 38-14.1-13 of the North Dakota Century Code, in the amount of \$ 500.00, is included with the permit application.

Name of Official Authorized to Represent the Applicant Kayla Torgerson
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I, the above named, certify that:

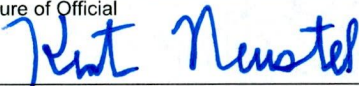
1. All information and documents required by Sections 38-14.1-13, 38-14.1-14, and 38-14.1-15 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, are submitted as part of this permit application;
2. Information and documentation contained in the permit application affirmatively demonstrate that:
 - a. The permit application is accurate and complete and all the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code have been complied with;
 - b. Reclamation as required by Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code can be accomplished under the reclamation plan contained in this permit application;
 - c. An assessment of the probable cumulative impact of all anticipated mining in the general area on the hydrologic balance as specified in subdivision o of subsection 1 of Section 38-14.1-14 of the North Dakota Century Code has been made and the proposed operation has been designed to prevent material damage to the hydrologic balance both on and off the mine site;
 - d. The area proposed to be affected is not included within an area designated unsuitable for all or certain types of surface coal mining and is not within an area under study for such designation in an administrative proceeding;
 - e. The proposed surface coal mining operation will not interrupt, discontinue or preclude farming on alluvial valley floors that are irrigated or naturally subirrigated and will not materially damage the quantity or quality of water in surface or underground water systems that supply these alluvial valley floors; and
 - f. The permit applicant has the legal right to surface mine the land for which this permit application is made and all of the requirements of Chapter 38-18 of the North Dakota Century Code have been complied with.

- 3. The area proposed to be affected is not included within an area where mining is prohibited pursuant to Section 38-14.1-07 of the North Dakota Century Code, unless specifically allowed in accordance with the provisions of Section 69-05.2-04-01 of the North Dakota Administrative Code; and
- 4. The proposed method of surface coal mining and reclamation operations contained in this permit application will be carried out at all times in a manner which ensures that all of the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and any permit conditions attached thereto are complied with.

Signature of Official 	Title Environmental Specialist
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VERIFICATION

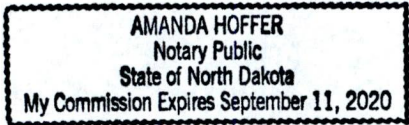
I, Kent Neustel, being first and duly sworn, verify that the information contained in this Permit Application is true and correct to the best of my knowledge and belief.

Signature of Official 	Title Vice President
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STATE OF North Dakota)
) ss.
 COUNTY OF Mercer)

Subscribed and Sworn before me, this 21 day of December, 2018.

(SEAL)




 Notary Public

My Commission Expires: _____

A tract of land located in T145N, R87W and R88W of the 5th P.M., Mercer County, North Dakota, having all bearings and distances based on the North Dakota State Plane Coordinate System, South Zone, 1927 N. A. D., G.P.S. Real Time Kinematic survey.

All bound calls supersede any metes within this description.

Tract described as follows:

Beginning at the northwest corner of said Section 12, T145N, R88W; thence S88°10'18"E a distance of 2638.11' to the north 1/4 corner of said Section; thence S88°09'43"E a distance of 2645.26' to the northeast corner of said Section; thence S00°59'00"W a distance of 2639.88' to the east 1/4 corner of said Section; thence S00°58'08"W a distance of 2604.40' to the southeast corner of said Section; thence S89°16'39"E a distance of 1026.40' on the south line of Section 7, T145N, R87W, 5TH P.M.; thence N77°57'15"E a distance of 1022.74'; thence N89°59'35"E a distance of 607.98'; thence N00°54'36"E a distance of 1074.14' on north-south 1/4 line to the center of said Section; thence S89°24'28"E a distance of 2630.98' on east-west 1/16 line to the south 1/16 corner of said Section ; thence N00°50'56"E a distance of 1313.68' on east line of said Section to the east 1/4 corner ; thence N00°50'41"E a distance of 2639.29' on east line of said Section to the northeast corner; thence S88°55'31"E a distance of 1318.78' on the north line of Section 8, T145N, R87W, 5TH P.M. to the west 1/16 corner of said Section; thence S88°55'31"E a distance of 195.35' on north line of said Section; thence S00°52'49"W a distance of 110.71'; thence S31°42'34"E a distance of 764.24'; thence S44°23'40"E a distance of 118.61'; thence S37°42'53"E a distance of 161.20'; thence S20°58'38"E a distance of 370.05'; thence S21°48'48"E a distance of 416.80'; thence S89°46'05"E a distance of 228.40' to the north-south 1/4 line of said Section; thence S00°52'48"W a distance of 953.45' on the north-south 1/4 line of said Section to the center 1/4 corner; thence S88°56'00"E a distance of 2643.36' on the east-west 1/4 line to the east 1/4 corner of said Section; thence S01°03'33"W a distance of 2631.85' to the southeast corner of said Section; thence S01°08'14"W a distance of 2637.34 ' to the east 1/4 corner of Section 17, T145N, R87W, 5TH P.M.; thence S01°08'04"W a distance of 2630.73' to the southeast corner of said Section; thence S01°02'28"W a distance of 2638.79' to the east 1/4 corner of Section 20, T145N, R87W, 5TH P.M.; thence S00°53'20"W a distance of 2638.78' to the southeast corner of said Section; thence S00°45'58"W a distance of 2638.60' to the east 1/4 corner of Section 29, T145N, R87W, 5TH P.M.; thence S00°45'53"W a distance of 2638.51' to the southeast corner of said Section; thence N88°52'43"W a distance of 2632.18' to the south 1/4 corner of said Section; thence N89°01'50"W a distance of 2628.71' to the southwest corner of said Section; thence N89°02'11"W a distance of 2635.70' to the south 1/4 of Section 30, T145N, R87W, 5TH P.M.; thence N89°02'09"W a distance of 1317.86' to the west 1/16 corner of said Section; thence N00°49'39"E a distance of 1317.22' to the southwest 1/16 corner of said Section; thence N00°49'39"E a distance of 223.76' on the north-south 1/16 line of said Section; thence N18°04'10"W a distance of 386.22'; thence S71°55'50"W a distance of 350.00'; thence N18°04'10"W a distance of 350.00'; thence N71°55'50"E a distance of 350.00'; thence N18°04'10"W a distance of 2518.87'; thence N89°01'53"W a distance of 156.85'; thence N00°58'07"E a distance of 151.17'; thence N89°01'53"W a distance of 98.11' to the west line of

said Section; thence N00°58'07"E a distance of 500.00' to the northwest corner of said Section; thence N00°57'57"E a distance of 294.19' on the east line of Section 24, T145N, R88W, 5TH P.M.; thence N26°08'08"W a distance of 368.23'; thence S80°24'07"W a distance of 636.29'; thence N88°50'29"W a distance of 116.98'; thence N29°01'47"W a distance of 799.99'; thence N61°13'20"E a distance of 379.45'; thence N00°00'10"E a distance of 489.54'; thence N21°10'37"E a distance of 96.54'; thence S88°28'21"E a distance of 64.63'; thence S75°56'13"E a distance of 190.50'; thence N79°22'45"E a distance of 72.36'; thence N38°54'13"E a distance of 68.68'; thence N24°58'17"E a distance of 791.19'; thence N47°41'15"E a distance of 43.63'; thence N74°13'31"E a distance of 95.14'; thence N49°10'06"E a distance of 88.78'; thence N12°06'47"E a distance of 68.64'; thence N12°24'46"W a distance of 326.56'; thence N09°07'26"W a distance of 399.59'; thence N67°21'19"W a distance of 73.80'; thence N66°56'55"W a distance of 79.77'; thence N78°05'11"W a distance of 79.07'; thence S51°36'57"W a distance of 1643.71'; thence S69°15'51"W a distance of 554.22'; thence N19°53'03"W a distance of 561.73'; thence N00°58'15"E a distance of 144.98'; thence N35°40'17"W a distance of 301.56'; thence N00°58'16"E a distance of 157.98'; thence N89°01'49"W a distance of 79.99'; thence N36°54'09"W a distance of 45.60'; thence N89°01'40"W a distance of 124.71'; thence N41°18'30"W a distance of 100.01'; thence N00°58'22"E a distance of 203.76'; thence N45°58'30"E a distance of 30.00'; thence S89°01'45"E a distance of 188.77'; thence N00°58'13"E a distance of 193.66'; thence N80°08'20"E a distance of 1372.75'; thence N01°00'36"E a distance of 985.18' to the south line of Section 13, T145N, R88W, 5TH P.M.; thence N88°43'02"W a distance of 519.32' on the east-west line of said Section ; thence N00°57'07"E a distance of 15.07'; thence N88°43'02"W a distance of 575.35'; thence N00°57'07"E a distance of 285.06'; thence N88°43'02"W a distance of 144.99'; thence N00°57'07"E a distance of 3146.29'; thence N45°58'26"E a distance of 141.43'; thence S89°02'00"E a distance of 599.12'; thence S59°22'42"E a distance of 96.64'; thence with a curve turning to the left with an arc length of 83.83', with a radius of 161.95', with a chord bearing of S74°12'28"E, with a chord length of 82.90'; thence S89°02'15"E a distance of 12.33'; thence N15°45'50"W a distance of 134.72'; thence N24°44'46"W a distance of 747.85'; thence S41°18'42"W a distance of 884.06'; thence N89°02'00"W a distance of 58.35'; thence S00°57'07"W a distance of 970.78' to the east-west 1/4 line of Section 13, T145, R88W, 5TH P.M.; thence N88°34'59"W a distance of 2189.28' on the east-west 1/4 line of said Section; thence N01°00'32"E a distance of 61.84'; thence N88°59'38"W a distance of 63.14'; thence N01°00'59"E a distance of 70.95'; thence N88°59'02"W a distance of 330.03' to the west line of said Section; thence N00°57'13"E a distance of 2511.15' to the northwest corner of said Section; thence N00°57'20"E a distance of 2641.41' to the west 1/4 corner of Section 12, T145N, R88W, 5TH P.M.; thence N00°57'12"E a distance of 2640.37' on the west line of said Section to the point of beginning.

Said tract of land contains an area of 5506.712 acres less 234.573 acres (Parcel A, B and C).

Total permitted area of land is 5272.142 acres.

PARCEL A

A tract of land located in the northeast 1/4 of Section 13, T145N, R88W of the 5th P.M., Mercer County, North Dakota, having all bearings and distances based on the North Dakota State Plane Coordinate System, South Zone, 1927 N. A. D., G.P.S. Real Time Kinematic survey.

All bound calls supersede any metes within this description.

Tract described as follows:

Beginning at the northeast corner of said Section 13, T145N, R88W; thence S00°57'07"W a distance of 1372.14' on the east line of said Section; thence S46°08'33"W a distance of 1266.79'; thence S89°59'45"W a distance of 442.21'; thence N13°22'15"W a distance of 510.99'; thence N02°45'20"W a distance of 1604.71'; thence N14°55'21"E a distance of 194.24' thence S88°34'20"E a distance of 1524.21' on the north line of said Section to the point of beginning.

Said tract of land contains an area of 68.883 acres

PARCEL B

A tract of land located in Section 18, T145N, R87W and Section 13, T145N, R88W of the 5th P.M., Mercer County, North Dakota, having all bearings and distances based on the North Dakota State Plane Coordinate System, South Zone, 1927 N. A. D., G.P.S. Real Time Kinematic survey.

All bound calls supersede any metes within this description.

Tract described as follows:

Beginning at the west 1/4 corner of said Section 18, T145N, R87W; thence N00°57'07"E a distance of 146.54' on the west line of said Section to the true point of beginning; thence N48°11'38"E a distance of 351.44'; thence S32°32'47"E a distance of 461.57'; thence S89°04'25"E a distance of 57.71'; thence S39°54'26"E a distance of 412.28'; thence S50°05'34"W a distance of 400.00'; thence N39°54'26"W a distance of 225.00'; thence S50°05'34"W a distance of 516.34' to the east line of Section 13, T145N, R88W; thence S50°05'34"W a distance of 657.20'; thence N39°54'26"W a distance of 225.01'; thence S50°05'34"W a distance of 349.13'; thence N09°28'56"W a distance of 465.42'; thence N48°11'38"E a distance of 1351.95' to the point of beginning.

Said tract of land contains an area of 27.740 acres.

PARCEL C

A tract of land located in the southwest 1/4 of Section 19, T145N, R87W of the 5th P.M., Mercer County, North Dakota, having all bearings and distances based on the North Dakota State Plane Coordinate System, South Zone, 1927 N. A. D., G.P.S. Real Time Kinematic survey.

All bound calls supersede any metes within this description.

Tract described as follows:

Beginning at the south 1/4 corner of said Section 19, T145N, R87W; thence N89°02'41"W a distance of 2229.60'; thence N17°48'50"W a distance of 456.66'; thence N00°00'00"E a distance of 1957.78'; thence N90°00'00"E a distance of 1096.12'; thence N00°58'43"E a distance of 218.99'; thence S89°17'39"E a distance of 1316.11'; thence S01°01'13"W a distance of 2632.88' to the point of beginning.

Said tract of land contains an area of 137.950 acres.