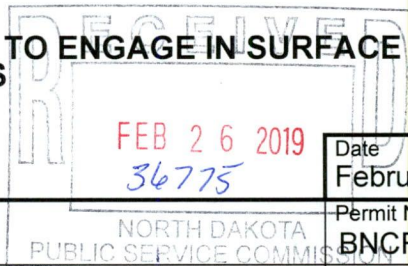




APPLICATION FOR RENEWAL OF PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION OPERATIONS

PUBLIC SERVICE COMMISSION
RECLAMATION DIVISION
SFN 10566 (1-2004)



Name of Permittee BNI Coal, Ltd.		Date February 22, 2019
Address 2360 35th Avenue SW		Permit Number BNCR-8202
City Center	State ND	Zip Code 58530

The above named hereby makes application for Renewal Number 7 of the above Permit Number in order to continue to engage in surface coal mining and reclamation operations within the area described below in the permit during the period from July 31, 2019 to July 31, 2024.

The reasons for requesting the renewal is attached and any changes to the matters set forth in the approved Permit are particularly described in the accompanying revision application.

The applicable public notice provisions of Section 38-14.1-18 of the North Dakota Century Code have been complied with. A copy of the advertisement is attached and affidavits of publications will be furnished to the Commission prior to issuance of the Permit Renewal.

Bond for surface coal mining and reclamation operations and liability insurance will be provided for the proposed period of renewal. Attached is a statement evidencing that the bond is sufficient and will continue in full force for the renewal period and that liability insurance will be provided for the renewal period.

LOCATION				ACRES
SECTION	TOWNSHIP	RANGE	COUNTY	
22	142	84	Oliver	569.19
26	142	84	Oliver	158.52
TOTAL ACRES				727.71

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

Name of Official Karene M. Hall

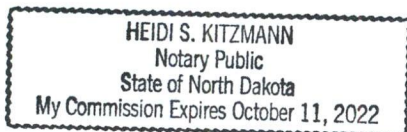
I, the above named, being first and duly sworn, verify that the information contained in the Permit Renewal Application is true and correct to the best of my knowledge and belief.

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 22nd day of February 2019.

(SEAL)



Heidi S. Kitzmann
Notary Public
My Commission Expires: 10-11-2022

Renewal No. 7 Request

Although mining has been completed, this renewal is being requested because stockpiles and a main haul road corridor remain in this permit and Permit BNCR-8202 is due to expire.

The bond for this area is sufficient and will continue for the renewal period. Liability insurance is provided and will be renewed on a yearly basis throughout the renewal period.

NOTICE OF APPLICATION FOR RENEWAL 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 Renewal No. 7 to BNCR-8202 to engage in surface coal mining and reclamation operations. The area for which a permit renewal is sought includes approximately 728 acres in parts of Sections 22 and 26 T142N R84W. This area is in Oliver County, North Dakota and is shown on the accompanying map and is described below. Coal removal is completed in this permit area but is still being used to support mining activities in other permit areas. Renewal No. 7 will extend the permit term another five years until July 31, 2024.

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, requests for informal conferences and petitions should be sent to the Public Service Commission, Dept. 408, 600 East Boulevard, Bismarck, ND 58505-0480 within 30 days after the final date of publication of this notice. A copy of the permit renewal application and the approved permit are available for inspection at the Office of the Auditor, Oliver County Courthouse, Center, ND 58530 and the Office of the Director of the Reclamation Division, Public Service Commission, 600 East Boulevard Avenue, Bismarck, ND 58505-0480.

The legal description and names of the apparent surface and mineral (coal) owners of the land in the permit area are as follows:

<u>Description</u>	<u>Surface Owner(s)</u>	<u>Mineral Owner(s)</u>
Section 22, T142N, R84W N $\frac{1}{2}$ NE $\frac{1}{4}$	David Helm	USA
S $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$	BNI Coal, Ltd.	USA
N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$	BNI Coal, Ltd.	University of Mary ND State Land Dept.
Section 26, T142N, R84W NW $\frac{1}{4}$	Arnold & Ruby Meyhoff	USA

Application for Renewal 7
to Permit BNCR-8202



CITY OF CENTER

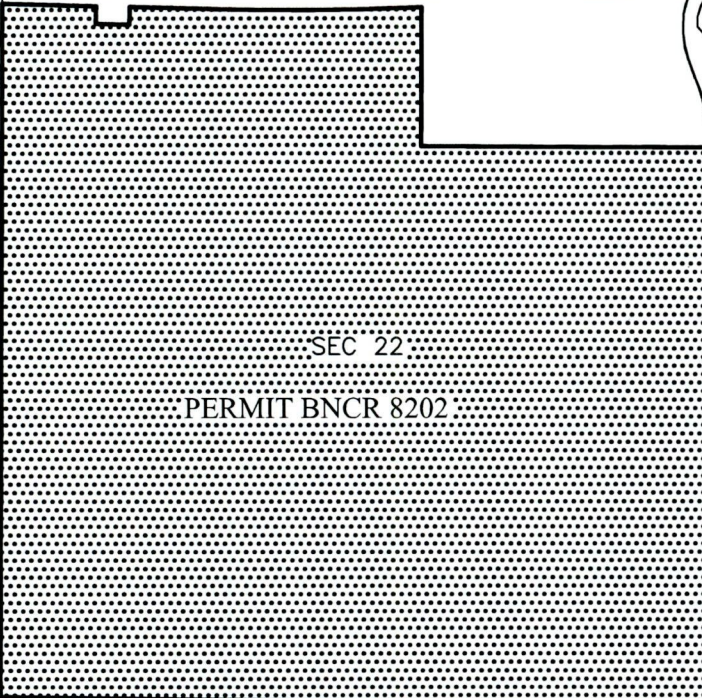
SQUARE

ND HWY 48

ND HWY 25

BUTTE

CREEK



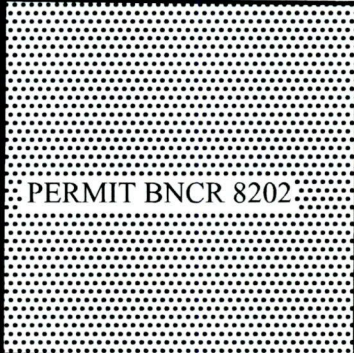
SEC 22

PERMIT BNCR 8202

38th Avenue SW

SEC 23

22nd Street SW



PERMIT BNCR 8202

SEC 27

SEC 26