

THE COTEAU PROPERTIES COMPANY

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION

LAND OFFICE

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July 5, 2018

Clyde Eisenbeis
2819 Hogan Drive
Bismarck, ND 58503

Delivered via E-mail to cte677@gmail.com

RE: Township 146 North, Range 88 West
Section 34: NW¼
Mercer County, North Dakota

Dear Mr. Eisenbeis:

The Coteau Properties Company (hereinafter "Coteau"), is in receipt of the e-mail you sent to Sarah Flath, and several other individuals, on June 20, 2018.

In response to the questions posed in your e-mail, we did receive your May 1, 2017, September 15, 2017 and October 10, 2017 e-mail messages. We also received your referenced "written authorization." However, these e-mails, and your "written authorization" were not sufficient written documents to satisfy the terms between the parties. This is why we provided you with a written agreement, which was provided for the first time on May 19, 2017. You did not respond to Coteau but rather to the North Dakota Public Service Commission ("PSC"), and did not identify specific issues related to the agreement. Much later, on September 15, 2017, you again sent an e-mail to the PSC and indicated the agreement included items that were not relevant. But again, you did not communicate directly to Coteau nor did you provide any suggestions for changes. We strongly disagree with your assertion that the agreement includes items that are not relevant. Please understand that the first step in any action surrounding this approach required your signature on that agreement. We again provided the agreement to you in a letter dated September 22, 2017 and offered to install an approach. As Coteau did not receive a positive response to that offer, the offer lapsed on October 23, 2017, as noted in the letter.

Coteau has not caused any damage to your land and we are losing patience with these continued baseless allegations against us, which are most often not made directly to us, but through e-mails sent to the PSC. We are also disappointed in the waste of public resources by continued inclusion of the PSC in what is at best a private matter between you and Coteau. We have yet to see anything but broad and baseless allegations and are growing tired of these continued provocations. Coteau is always willing to listen but cannot respond specifically to broad allegations with no evidentiary background. Please understand that should these actions continue in this manner we will be forced to identify all of our available legal options. Rather than doing that, we would prefer that you contact us directly at any time so that we could meet to discuss any direct, reasonable concerns you may have.

Sincerely,



Christopher D. Friez
Land Manager

cc: Sarah Flath
Brad Erickson

On 6 Jul 2018, Clyde Eisenbeis emailed this response,

"Mr. Friez,

I am copying the **PSC** on this response, which includes your letter as an attachment.

I am also copying the **Farmland** renters who were at some of the meetings with Coteau and the **PSC**.

On 13 Apr 2016 Bill Kirk and Jerry Becker showed us where they thought the approach could be installed (marked with wooden stakes). Jerome Boeshans and Jayme Boeshans were at that meeting at the **Farmland**. We approved the location of the approach. Bill Kirk and Jerry Becker thought they could start in a couple of weeks. Nothing was said about a written authorization.

On 29 Jul 2016 Brad Erickson told me the approach would be installed in two weeks. Nothing was said about a written authorization.

After waiting six months, on 27 Oct 2016, I contacted the **PSC**.

There is a major error in your letter. The facts show that Coteau has caused all of the damage to the **Farmland**. See the attachment for a summary and details.

Which facts do you categorize as baseless allegations? Identify all of the statements that you categorize as baseless allegations on the first page, item by item, including the numbered items.

In addition, identify the facts you categorize as baseless allegations in the details section, date by date, including the pages with images."

There has been no response to the Clyde Eisenbeis email.