

PHONE (701) 355-5588



FAX (701) 794-3125

April 6, 2020

Mr. Dean Moos, Director
Reclamation Division, NDPSC
Department 408
600 East Boulevard Avenue
Bismarck, ND 58505-0480

RE: Affidavits of Publication

Dear Mr. Moos,

Enclosed with this letter are copies of the "Affidavit for Publication" notices from the Bismarck Tribune and the Center Republican for Permit BNCR-9702 Renewal 4/Revision 41.

If you have any questions, please contact me at the Center office.

Sincerely,

A handwritten signature in blue ink that reads "Karene M. Hall".

Karene M. Hall
Permit Coordinator

cc: Jay Volk, Jodey Houn

6 RC-20-23 Filed 04/06/2020 Pages: 6
Letter enclosing Affidavit of Publication
BNI Coal, Ltd.
Karene Hall

*** Proof of Publication ***

State of North Dakota)
) SS:
County of Burleigh)

Before me, a Notary Public for the State of North Dakota personally

appeared Jill Lindsay who being duly sworn, deposes and says that he (she) is the Clerk of Bismarck Tribune Co., and that the publication(s) were made through the

Bismarck Tribune on the following dates:

2/20, 27, 3/5 + 12/2020

Signed Jill Lindsay

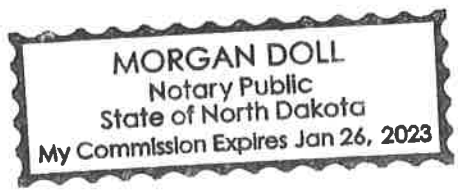
BNI COAL LTD

2360 NW 35TH AV
CENTER, ND 58530

ORDER NUMBER 1767

Sworn and subscribed to before me this 13th day of
March 20 20

Morgan Doll
Notary Public in and for the State of North Dakota



Section: Legals
Category: 5380 Public Notices
PUBLISHED ON: 02/20/2020, 02/27/2020, 03/05/2020, 03/12/2020

TOTAL AD COST: 6756.48
FILED ON: 3/12/2020

SECTION 29 T142N R84W
SE1/4

Brenda Schwalbe
Eugene Yantzer
Ashley Torgerson
Arlyce Muth

Brenda Schwalbe
Ila Vandenburg
Eldon Vandenburg
Wayne Vandenburg
Donna Vandenburg
Willetta Bartz
Eugene Yantzer
Ashley Torgerson
Arlyce Muth
Howard Skager
Nathan Skager
Jardene Moss
Karia Walter
Claudene Pickett
ND State Land Department

SW1/4

Brenda Schwalbe
Ila Vandenburg
Eldon Vandenburg
Wayne Vandenburg
Donna Vandenburg
Willetta Bartz
Eugene Yantzer
Myron Yantzer
Daryl Yantzer
Carol Yantzer
David Yantzer
Tim Yantzer
Arlyce Muth
Jardene Moss
Claudene Pickett
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Karia Walter

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Tim Yantzer
Arlyce Muth
Jardene Moss
Claudene Pickett
Howard Skager
Nathan Skager
Karia Walter
ND State Land Department

SECTION 31 T142N R84W
SE1/4

Kenneth Barnhardt
Helen Pfleger
Dennis Barnhardt

Kenneth Barnhardt
Helen Pfleger
Dennis Barnhardt
Joanne Trinkle
Karen O. Van Amburg

SECTION 32 T142N R84W
N1/2NW1/4, SW1/4NW1/4,
and NW1/4SW1/4

Brenda Schwalbe
Ila Vandenburg
Eldon Vandenburg
Wayne Vandenburg
Donna Vandenburg
Willetta Bartz
Eugene Yantzer
Myron Yantzer
Daryl Yantzer
Carol Yantzer
David Yantzer
Tim Yantzer
Arlyce Muth
Howard Skager
Nathan Skager
Jardene Moss
Karia Walter
Claudene Pickett
Tom & Kathleen Lipp

USA

SE1/4NW1/4 and S1/2,
Less NW1/4SW1/4

NE1/4

Brenda Schwalbe
Eugene Yantzer
Ashley Torgerson
Arlyce Muth

Tom & Kathleen Lipp
Marshall & Winston, Inc.
Hancock Enterprises
Fortin Enterprises, Inc.
Brenda Schwalbe
Ila Vandenburg
Eldon Vandenburg
Wayne Vandenburg
Donna Vandenburg
Willetta Bartz
Eugene Yantzer
Ashley Torgerson
Arlyce Muth
Howard Skager
Nathan Skager
Jardene Moss
Karia Walter
Claudene Pickett

SECTION 33 T142N R84W
NW1/4, S1/2, NE1/4NE1/4,
and SW1/4NE1/4

BNI Coal, Ltd.

Clement Bobb
Diane Wilkens
Betty Staigle
Kathleen Mosbrucker
Katherine Himmelspach
BNI Coal, Ltd.

SECTION 4 T141N R84W
N1/2
S1/2

BNI Coal, Ltd.
BNI Coal, Ltd.

B.W. Henderscheid
B.W. Henderscheid
Enid Bargmann

SECTION 3 T141N R84W
ENTIRE SECTION

Minnkota Power Cooperative B.W. Henderscheid
Enid Bargmann

SECTION 7 T141N R84W
E1/2

Keith Dahl
Keith Dahl
Ralph Mosbrucker

SECTION 8 T141N R84W
NW1/4

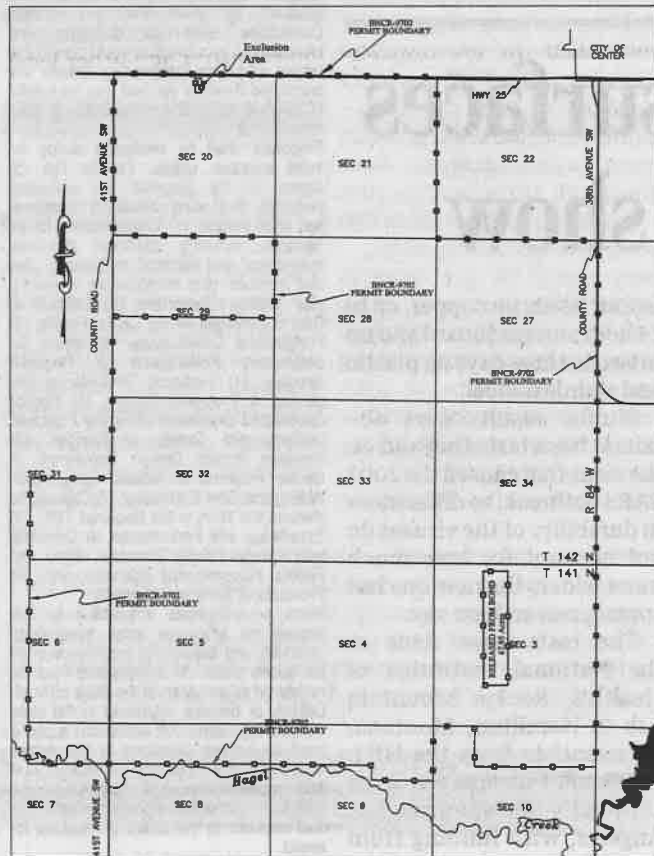
Tim Doll
Helen Pfleger
Dennis Barnhardt
Kenneth Barnhardt
BNI Coal, Ltd.
Marie Mosbrucker
Dean Mosbrucker
Brian Mosbrucker
Lorie Makelke
Nicole Wilson
Colton Schmitz
Laverne Huck Life Estate
*Remaindermen:
Rachelle Markel
Raynee Morrell
Rayette Fasching
Raydene Zimmerman
Raylynn Huck
Melvin Geiger

SECTION 9 T141N R84W
NW1/4

Marion Reinke Life Estate
*Remainderman
Adele M. Barrett
BNI Coal, Ltd.
Marion Reinke Life Estate
*Remainderman
Adele M. Barrett
B.W. Henderscheid
Enid Bargmann

SECTION 10 T141N R84W
NE1/4NW1/4 & NE1/4

Kenneth & Darlene Reinke USA



2/20, 27, 3/5 & 12 - 1767

PUBLIC NOTICES

NOTICE OF APPLICATION FOR A RENEWAL AND A REVISION 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 applications to the North Dakota Public Service Commission for Permit Renewal No. 4 and Revision No. 41 to BNCR-9702, approved on August 2, 2000, to engage in surface coal mining and reclamation operations. The area for which a permit renewal is sought includes approximately 7,655 acres in parts of Sections 20, 21, 27, 28, 29, 31, 32, 33 and 34 T142N R84W and parts of Sections 3, 4, 5, 6, 7, 8, 9 and 10 T141N R84W. This area is in Oliver County, North Dakota and is shown on the accompanying map. Renewal No. 4 will extend the permit term another five years until August 2, 2025. The permit revision depicts the coal removal subarea for the next five year permit term. The permit revision will update the Legal and Financial Section, the operations, reclamation, ground water, surface water management and post mining land use sections and the worst case bond estimate.

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, and requests for informal conferences should be filed with the Public Service Commission, 600 East Boulevard, Dept. 408, Bismarck, ND 58505-0480 within 30 days after the last publication of this notice. A copy of the permit application is 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 that will be affected by the revised plans are as follows:

LEGAL DESCRIPTION
SECTION 20 T142N R84W
NE1/4 (less 2.2 ac.-Lot A)
and SW1/4

SURFACE OWNER (S)

Jeanette Lange
Virginia Miller
Patricia Pella Life Estate
Remainderman:
Donna Y. Pella
Keith Arthur
Susan Arthur Geiger
Yonne Langseth
Jacqueline Gullickson
COAL OWNERS

USA

SE1/4

SURFACE OWNER (S)

Jeanette Lange
Virginia Miller
Patricia Pella Life Estate
Remainderman:
Donna Y. Pella
Keith Arthur
Susan Arthur Geiger
Yonne Langseth
Jacqueline Gullickson
COAL OWNERS
Jeanette Lange
Virginia Miller
Patricia Pella Life Estate
Remainderman:
Donna Y. Pella
Keith Arthur
Susan Arthur Geiger
Yonne Langseth
Jacqueline Gullickson
BNI Coal, Ltd.

NW1/4

SURFACE OWNER (S)

Marlene Hagerott
COAL OWNERS

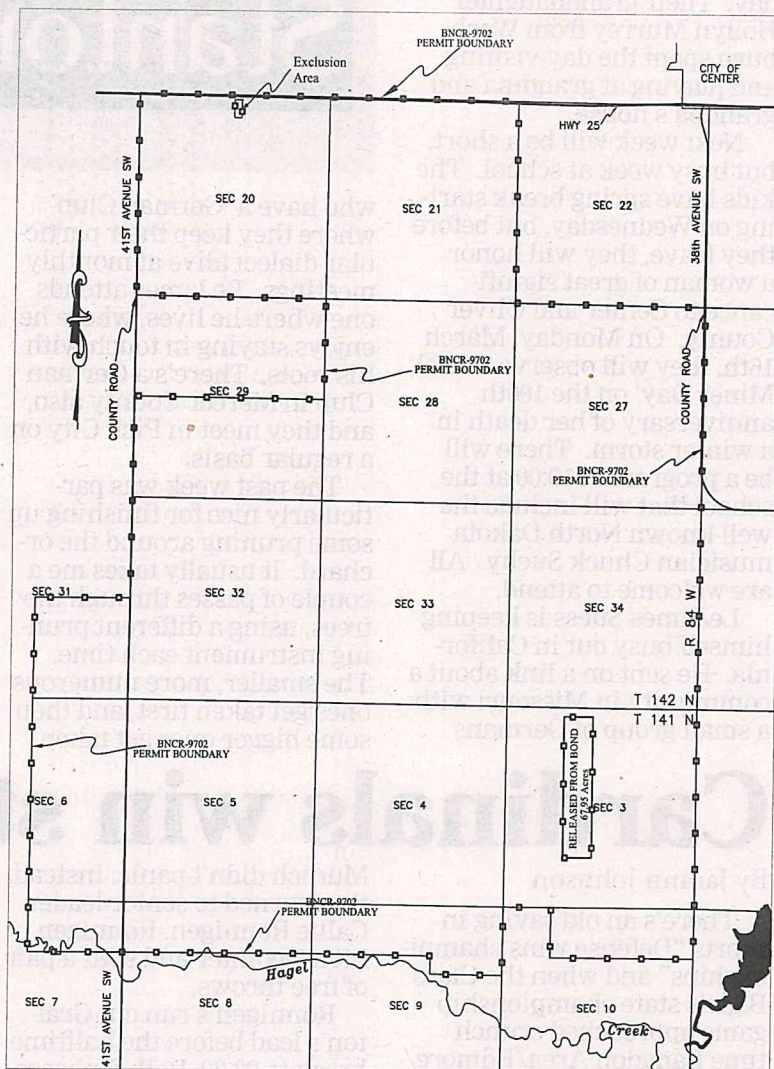
USA

SECTION 21 T142N R84W

Entire Section

SURFACE OWNER (S)

Jeanette Lange
Virginia Miller
Patricia Pella Life Estate
Remainderman:
Donna Y. Pella
Keith Arthur
Susan Arthur Geiger
Yonne Langseth
Jacqueline Gullickson
COAL OWNERS
Jeanette Lange
Virginia Miller
Patricia Pella Life Estate
Remainderman:
Donna Y. Pella
Keith Arthur
Susan Arthur Geiger
Yonne Langseth
Jacqueline Gullickson
COAL OWNERS



BNI Coal, LTD
Assembly of God Fin. Serv.
ND Council-Assembly of God
SECTION 27 T142N R84W

ENTIRE Section

SURFACE OWNER (S)

BNI Coal, Ltd.
COAL OWNERS
Katherine Himmelspach
Betty Staigle
Diane Wilkens
Kathleen Mosbrucker
BNI Coal, Ltd.
Clement Bobb

SECTION 28 T142N R84W

W 1/2

SURFACE OWNER (S)

BNI Coal, Ltd.

COAL OWNERS

USA

NE 1/4

Less NE1/4NE1/4

SURFACE OWNER (S)

BNI Coal, Ltd.

COAL OWNERS

Lucille Bobb

BNI Coal, Ltd.

ND State Land Department

NE1/4NE1/4

SURFACE OWNER (S)

BNI Coal, Ltd.

COAL OWNERS

John Bobb, Jr.

BNI Coal, Ltd.

ND State Land Department

SE1/4

Less NE1/4SE1/4

SURFACE OWNER (S)

BNI Coal, Ltd.

COAL OWNERS

Lucille Bobb

BNI Coal, Ltd.

NE1/4SE1/4

SURFACE OWNER (S)

BNI Coal, Ltd.

COAL OWNERS

John Bobb, Jr.

BNI Coal, Ltd.

SECTION 29 T142N R84W

SE1/4

SURFACE OWNER (S)

Brenda Schwalbe

Eugene Yantzer

Ashley Torgerson

Arlyce Muth

COAL OWNERS

Brenda Schwalbe

Ila Vandenburg

Eldon Vandenburg

Wayne Vandenburg

Donna Vandenburg

Willette Bartz

Eugene Yantzer

Ashley Torgerson

Arlyce Muth

Howard Skager

Nathan Skager

Jardene Moss

Karla Walter

Claudene Pickett

ND State Land Department

SW1/4

SURFACE OWNER (S)

Brenda Schwalbe

Ila Vandenburg

Eldon Vandenburg

Wayne Vandenburg

Donna Vandenburg

Willette Bartz

Eugene Yantzer

Myron Yantzer

Daryl Yantzer

Carol Yantzer

David Yantzer

Tim Yantzer

Arlyce Muth

Jardene Moss

Claudene Pickett

Howard Skager

Nathan Skager

Karla Walter

COAL OWNERS

Brenda Schwalbe

Ila Vandenburg

Eldon Vandenburg

Wayne Vandenburg

Donna Vandenburg

Willette Bartz

Eugene Yantzer

Myron Yantzer

Daryl Yantzer

Carol Yantzer

David Yantzer

Tim Yantzer

Arlyce Muth

Jardene Moss

Claudene Pickett

Howard Skager

Nathan Skager

Karla Walter

ND State Land Department

SECTION 31 T142N R84W

SE 1/4

SURFACE OWNER (S)

Kenneth Barnhardt

Helen Pfleger

Dennis Barnhardt

COAL OWNERS

Kenneth Barnhardt

Helen Pfleger

Dennis Barnhardt

Joanne Trinkle

Karen O. Van Amburg

SECTION 32 T142N R84W

N1/2NW1/4, SW1/4NW1/4,

and NW1/4SW1/4

SURFACE OWNER (S)

Brenda Schwalbe

Ila Vandenburg

Eldon Vandenburg

Wayne Vandenburg

Donna Vandenburg

Willette Bartz

Eugene Yantzer

Myron Yantzer

Daryl Yantzer

Carol Yantzer

David Yantzer

Tim Yantzer

Arlyce Muth

Howard Skager

Nathan Skager

Jardene Moss

Karla Walter

Claudene Pickett

COAL OWNERS

USA

SE1/4NW1/4 and S 1/2,

Less NW 1/4SW 1/4

SURFACE OWNER (S)

Tom & Kathleen Lipp

COAL OWNERS

Tom & Kathleen Lipp

Marshall & Winston, Inc.

Hancock Enterprises

Fortin Enterprises, Inc.

NE 1/4

SURFACE OWNER (S)

Brenda Schwalbe

Eugene Yantzer

Ashley Torgerson

Arlyce Muth

COAL OWNERS

Brenda Schwalbe

Ila Vandenburg

Eldon Vandenburg

Wayne Vandenburg

Donna Vandenburg

Willette Bartz

Eugene Yantzer

Ashley Torgerson

Arlyce Muth

Howard Skager

Nathan Skager

Jardene Moss

Karla Walter

Claudene Pickett

SECTION 33 T142N R84W

NW1/4, S1/2, NE1/4NE1/4,

and SW1/4NE1/4

SURFACE OWNER (S)

BNI Coal, Ltd.

COAL OWNERS

Clement Bobb

Diane Wilkens

Betty Staigle

Kathleen Mosbrucker

Katherine Himmelspach

BNI Coal, Ltd.

John Bobb, Jr.

SE1/4NE1/4 and NW1/4NE1/4

SURFACE OWNER (S)

BNI Coal, Ltd.

COAL OWNERS

Lucille Bobb

Clement Bobb

Diane Wilkens

Betty Staigle

Kathleen Mosbrucker

Katherine Himmelspach

BNI Coal, Ltd.

SECTION 34 T142N R84W

W1/2NW1/4

SURFACE OWNER (S)

BNI Coal, Ltd.

COAL OWNERS

Linda Ash

Thomas J. Dresser, Sr.

E1/2NW1/4, NE 1/4 and

N1/2SE1/4

SURFACE OWNER (S)

BNI Coal, Ltd.

COAL OWNERS

USA

SW 1/4

SURFACE OWNER (S)

BNI Coal, Ltd.

COAL OWNERS

Mary Dresser

SE1/4SE1/4

SURFACE OWNER (S)

BNI Coal, Ltd.

COAL OWNERS

Paul Ash, Dean Ash &

Theresa Ash c/o Linda Ash

Laura Ann Dresser

Tammy Korkowski

Tom Dresser, Jr.

SW1/4SE1/4

SURFACE OWNER (S)

BNI Coal, Ltd.

COAL OWNERS

Tom Dresser, Jr.

Laura Ann Dresser

Tammy Korkowski

SECTION 6 T141N R84W

NE 1/4

SURFACE OWNER (S)

Marie Mosbrucker

COAL OWNERS

Marie Mosbrucker

Lyle Mosbrucker

Calvin Mosbrucker

Dean Mosbrucker

Brian Mosbrucker

Lorie Makelke