

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA )  
 ) SS  
 COUNTY OF Oliver )

I Rhonda Iglehart, being first duly sworn, on my own oath, say, that I am the bookkeeper of the Center Republican, a weekly newspaper of general circulation, published in the city of Center, that the advertisement headed:

BNI-CENTER MINE CR-NOTICE OF APPLICATION PERMIT/LEGAL

a printed copy of which is here annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the notice was published in the newspaper proper, and not in a supplement,

for 4 consecutive week 04/02/2020 to wit:

Column Inches 26.5	\$6.71	\$192.13	03/12/2020
Column Inches 26.5	\$6.71	\$192.13	03/19/2020
Column Inches 26.5	\$6.71	\$192.13	03/26/2020
Column Inches 26.5	\$6.71	\$192.13	04/02/2020

Notary Fee \$1.00 Total Cost of Legal \$769.52

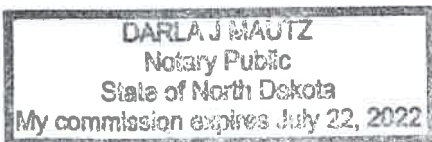
*Rhonda Iglehart*

Subscribed and sworn to before me this 9th day of April A.D. 2020

(Seal) *Darla J Mautz*

Notary Public, State of North Dakota

My Commission Expires



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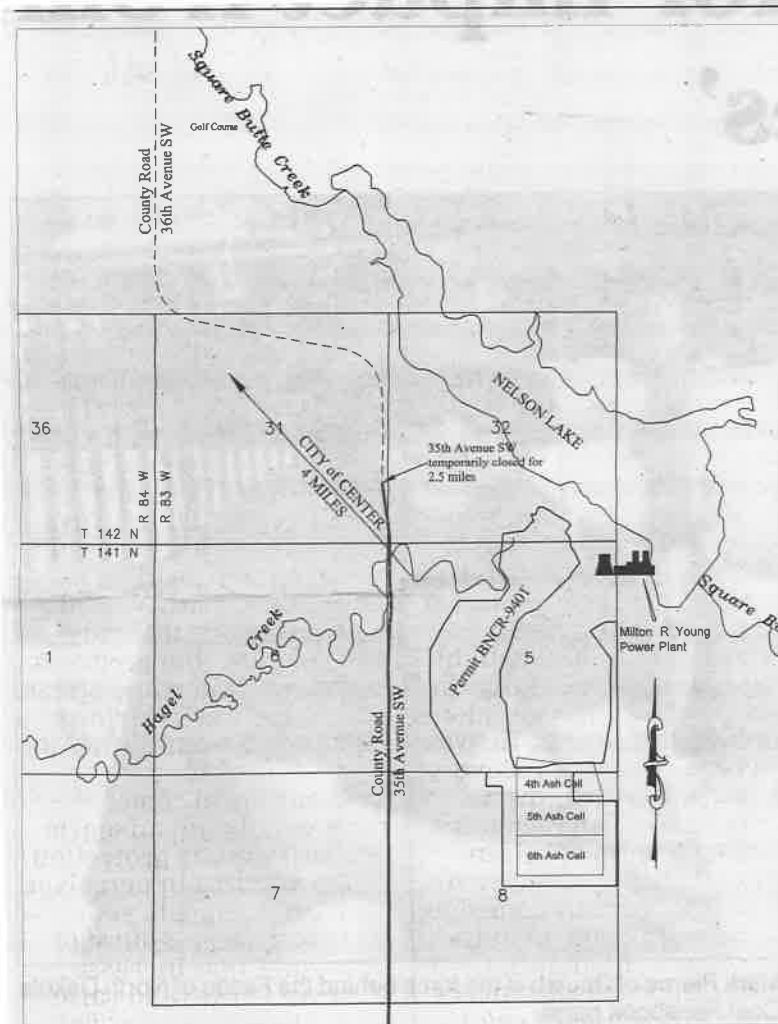
Mark Pierce of Beulah is the force Coal Facebook page.

"I want people to see who we are, what we do, and the impact we have on the state, the region and all the other people that we have an impact on," said Pierce.

His effort is a way to really humanize the impact a closure would have on the workers, families and communities would have. He's relying on the heavy hitters to do some major work on behalf of the miners and power plant, and a lot of those heavy hitters are friends of North Dakota coal.

"There are a number of public officials, numerous individuals from other organizations, pro-coal organizations that are on this - lots of public relations and government agencies, people from a lot of different companies that are on this page," said Pierce.

He doesn't have proof, but he's been told that the



**NOTICE OF APPLICATION FOR A RENEWAL AND 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, ND 58530-9499 has submitted applications to the North Dakota Public Service Commission for Renewal No.5 and Revision No. 16 to Permit BNCR-9401, approved on August 16, 1995, to engage in surface coal mining and reclamation operations. The area for which a permit renewal is sought includes 381.88 acres in Sections 5 and 8, T141N, R83W and Section 32, T142N, R83W. This area is in Oliver County, North Dakota and is shown on the accompanying map. The permit revision updates the legal and financial, operations, reclamation, and surface water management sections, the extended mine plan, and the worst case bond estimate for permit renewal.

Any person whose interests are or may be adversely affected by the proposed application has the right to file written comments, objections or request an informal conference with the North Dakota Public Service Commission. Written comments, objections or requests for informal conferences should be sent to the ND Public Service Commission, 600 E Boulevard Avenue, Dept. 408, Bismarck, ND 58505 within 30 days after the last date of publication of this notice. Copies of the applications are available for inspection at the Oliver County Auditor's office located in the Oliver County Courthouse, Center, North Dakota 58530 and the Director's office, Reclamation Division, North Dakota Public Service Commission, 13th Floor State Capitol Building, Bismarck, North Dakota 58505.

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 5 T141N R83W  
N 1/2 and SW 1/4**

**SURFACE OWNER**  
Minnkota Power Cooperative  
**COAL OWNER**  
Great Northern Properties  
**SE 1/4**  
**SURFACE OWNER**  
Minnkota Power Cooperative  
**COAL OWNER**  
Minnkota Power Cooperative

**Section 8 T141N R83W  
NW 1/4**

**SURFACE OWNER**  
BNI Coal, LTD  
**COAL OWNER**  
Larry & Virginia Schmidt  
Daryl & Loretta Tabor  
Linda Borlaug  
John Kautzman  
Donna Barnhardt  
Randy Titsworth  
Ronnie Titsworth  
Marita Bishop  
Lucille Gardner  
PEC Minerals, LP  
BNI Coal, Ltd.  
Clay Hedrick, Jr.  
Charles Hamilton, Jr.  
M. Ellen Emley  
Barbara Endres  
Richard Files  
Robert Files  
Erika Hilliard  
Penelope Files  
Carolyn Files  
Blackstone Minerals  
Walter Duncan, Inc.  
Kurt Files  
Georgianne Hedrick Mercer  
John Hedrick  
Barbara Hager  
Donald Hager  
Joyce Hager Giles  
James Hager  
Mary McGarity  
Alexis Bochko  
Dean Stucky  
Jean Clift  
Susan Koehn  
Julia & Donald Gregory  
Patsy McGehee  
Jack Horn  
Donald R. Posey

**Section 8 T141N R83W**

**NE1/4NE1/4**

**SURFACE OWNER**  
Minnkota Power Cooperative  
**COAL OWNER**  
USA  
**NW1/4NE1/4, S1/2NE1/4**  
**SURFACE OWNER**  
Minnkota Power Cooperative  
**COAL OWNER**  
Minnkota Power Cooperative

**Section 32 T142N R83W**

**SE1/4**

**SURFACE OWNER**  
Minnkota Power Cooperative  
**COAL OWNER**  
Minnkota Power Cooperative  
(3-12-20)(3-19-20)(3-26-20)(4-2-20)

2020  
2020  
2020  
2020

\*\*\* 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:

3/12, 19, 26 + 4/2/2020

Signed Jill Lindsay

BNI COAL LTD

2360 NW 35TH AV  
CENTER, ND 58530

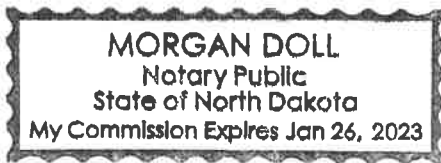
ORDER NUMBER 3106

Sworn and subscribed to before me this 2nd day of

April 2020

Morgan Doll

Notary Public in and for the State of North Dakota



Section: Legals

Category: 5380 Public Notices

PUBLISHED ON: 03/12/2020, 03/19/2020, 03/26/2020, 04/02/2020

TOTAL AD COST: 2732.40

FILED ON: 4/2/2020

NOTICE OF APPLICATION FOR A RENEWAL AND 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, ND 58530-9499 has submitted applications to the North Dakota Public Service Commission for Renewal No.5

**Virus can live on up to 3 days, tests**

The new coronavirus can live in the air for several hours and on some surfaces for as long as two to three days, tests by U.S. government and other scientists have found. Their work, published Wednesday, doesn't prove that anyone has been infected through breathing it from the air or by touching contaminated surfaces, researchers used a nebulizer device to put samples of the new virus into the air, imitating what might happen if an infected person coughed or made the virus airborne some other way. They found that viable virus could be detected up to three hours later in the air, up to its theoretically possible periods in those conditions, but this work shows that the virus stays viable for long transmission of the virus," saying there is aerosolized stress. "We're not by any way saying there is aerosolized transmission of the virus," but this work shows that the virus stays viable for long periods in those conditions, so it's theoretically possible.

Changes in crash patterns day in April. March instead of the first Sun-ter lighting. "An hour may not seem like a significant amount of time, but even small changes in our morning crashes and a spike in the evening, when darkness comes sooner, the study found. There was no overall change in crashes during the "fall back" week, the study said Trevor Chapman, a spokesman for Farmers Insurance Group. The insurance found.

Since emerging in China late last year, the new virus has infected more than 120,000 people worldwide and caused more than 4,300 deaths, far more than the 2003 SARS outbreak caused by a genetically similar virus. For this study, researchers used a nebulizer device to put samples of the new virus into the air, imitating what might happen if an infected person coughed or made the virus airborne some other way. They found that viable virus could be detected up to three hours later in the air, up to its theoretically possible periods in those conditions, but this work shows that the virus stays viable for long transmission of the virus," saying there is aerosolized stress. "We're not by any way saying there is aerosolized transmission of the virus," but this work shows that the virus stays viable for long periods in those conditions, so it's theoretically possible.

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Associated Press  
MARTLYNN MARCHIONE

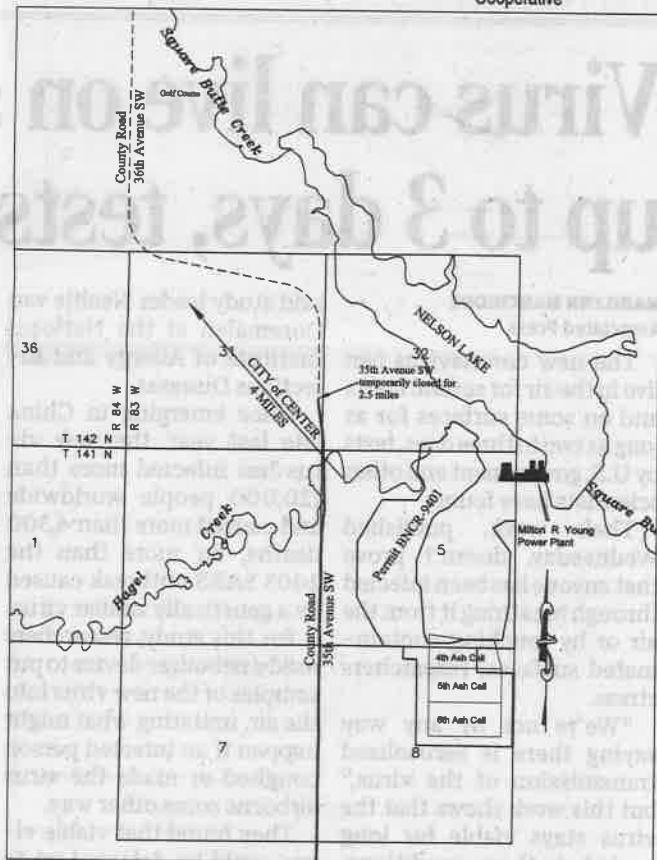
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SE 1/4	Minnkota Power Cooperative	Minnkota Power Cooperative
<b>Section 8 T141N R83W</b>		
NW 1/4	BNI Coal, LTD	Larry & Virginia Schmidt Daryl & Loretta Tabor Linda Borlaug John Kautzman Donna Barnhardt Randy Titsworth Ronnie Titsworth Marita Bishop Lucille Gardner PEC Minerals, LP BNI Coal, Ltd. Clay Hedrick, Jr. Charles Hamilton, Jr. M. Ellen Emley Barbara Endres Richard Files Robert Files Erika Hilliard Penelope Files Carolyn Files Blackstone Minerals Walter Duncan, Inc. Kurt Files Georgiana Hedrick Mercer John Hedrick Barbara Hager Donald Hager Joyce Hager Giles James Hager Mary McGarity Alexis Bochko Dean Stucky Jean Cliff Susan Koehn Julia & Donald Gregory Patsy McGehee Jack Horn Donald R. Posey
NE1/4NE1/4	Minnkota Power Cooperative	Section 8 T141N R83W USA
NW1/4NE1/4, S1/2NE1/4	Minnkota Power Cooperative	Minnkota Power Cooperative
<b>Section 32 T142N R83W</b>		
SE1/4	Minnkota Power Cooperative	Minnkota Power Cooperative



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STATE OF NORTH DAKOTA )
) SS
COUNTY OF Oliver )

I Rhonda Iglehart, being first duly sworn, on my own oath, say, that I am the bookkeeper of the Center Republican, a weekly newspaper of general circulation, published in the city of Center, that the advertisement headed:

BNI-CENTER MINE CR-NOTICE APPLICATION/BOND RELEASE/LEGAL

a printed copy of which is here annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the notice was published in the newspaper proper, and not in a supplement,

for 4 consecutive week 04/09/2020 to wit:

Table with 4 columns: Column Inches, Price per inch, Total Price, and Date. Rows show 20.25 inch columns for dates 03/19/2020, 03/26/2020, 04/02/2020, and 04/09/2020.

Notary Fee \$1.00 Total Cost of Legal \$588.24

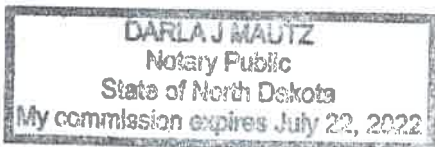
Rhonda Iglehart (handwritten signature)

Subscribed and sworn to before me this 9th day of April A.D. 2020

(Seal) Darla J Mautz (handwritten signature)

Notary Public, State of North Dakota

My Commission Expires



as whatever edibles remain in the basin - fish, insects and crustaceans - will be steered in that directions by the gales.

The time for put-and-take fish will come in mid-to-late spring as stockings take place around the region. Consider releasing these bigger holdover fish this time of year to be caught again and sustain the excitement of having a few "ghost trout" in the lake that exceed 16, 18 or 20 inches. Find those waters that provide the possibility of busting a few of those big ghosts now as ice recedes and gear up with the tackle and tactics to get the job done for an exciting start to the openwater season.

him in the time spanned the fifteen between us, the water came alive as the late-season storm a matter of 20 minutes my limit of gold fishing down in the inch or two of snow around them and was time to get before the balance deep event was

I've tied hundreds and jigs that never water, and some off on my first find the branch unseen tree below back cast before chance of touch face of the street trips to the lagoon Bay and in on the water to salmon. Over I've sat countless days in a boat for a nice buck shooting range not even getting tunity. What's activity and do tence? Hope. So that all my effort in the accomplishment ultimate goal. the easy finish a few crappies, lies on my home ations, figuring

miss out on the news!

Republican (part of a headline)

er (part of a headline)



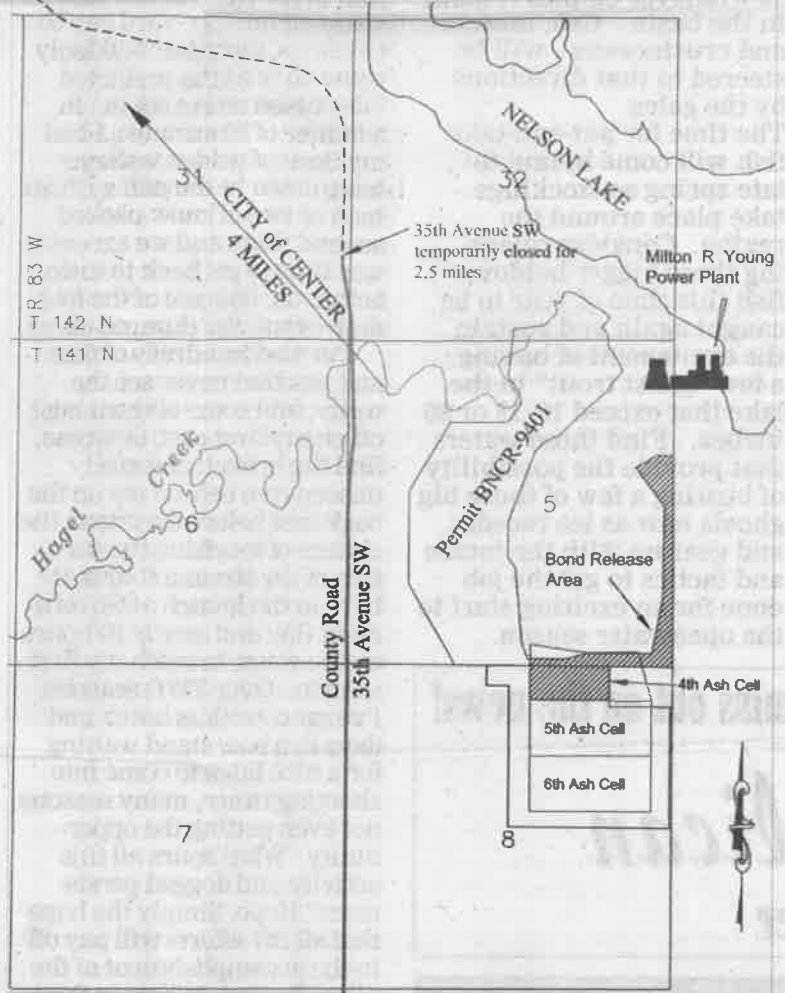
LEGAL NOTICE

**NOTICE OF APPLICATION TO RELEASE PERFORMANCE BOND**

BNI Coal, Ltd., 2360 35th Avenue SW, Center, ND 58530-9499 has submitted an application to the North Dakota Public Service Commission to release the following tract of land from all phases (I-IV) of bond release and all remaining reclamation liabilities: 43.60 acres in Permit BNCR-9401 in the NE¼ of Section 8-141-83 and E ½ of Section 5-141-83 in Oliver County. Permit BNCR-9401 was approved on August 16, 1995. No monetary release is being requested with this bond release since the bond amount is based on the worst-case reclamation condition that covers this permit at the Center Mine. The total bond amount for Permit BNCR-9401 is \$1,404,271. The bond release tracts are depicted on the attached map.

Final bond release for 43.60 acres in Permit BNCR-9401 is being requested in accordance with the North Dakota Public Service Commission policy memorandum No. 15, which establishes the total bond release requirements for waste disposal sites on mined lands only. The bond release tract contains Cell Number 4 of Minnkota Power Cooperative's FGD Sludge Disposal Facility. The disposal facility has been constructed in accordance with Minnkota's Permit SP-159 issued by the North Dakota Department of Environmental Quality. The proposed bond release area has been zoned industrial by Oliver County. Small portions of topsoil removal occurred in 1996 in association with construction of a storm water pond. Topsoil and subsoil were removed from the ash cell area in 2010-2011 and coal removal occurred in 2017. Following the removal of lignite, construction of Ash Cell #4 for the Milton R. Young Power Plant was completed by Minnkota Power Cooperative. None of the usual operations associated with reclamation of a pit have been performed due to the intended use of Ash Cell #4 for disposal of power plant wastes. Ash Cell #4 was put into use by Minnkota in November 2018.

Copies of the bond release applica-



tion are available for inspection at the Oliver County Auditor's office located in the Oliver County Courthouse, Center, North Dakota 58530 and the Director's office, Reclamation Division, North Dakota Public Service Commission, 600 E Boulevard Avenue, Dept. 408,, Bismarck, North Dakota 58505.

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(3-19-20)(3-26-20)(4-2-20)(4-9-20)

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