

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Coyote Creek Mining Company, L.L.C.  
Revision No. 11, Permit NACC-1302  
Application

Case No. RC-21-45

**REVISION OF PERMIT TO ENGAGE IN  
SURFACE COAL MINING AND RECLAMATION OPERATIONS**

September 1, 2021

Based on the application for **Revision Number 11 to Permit Number NACC-1302** received **January 25, 2021**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted on January 25, 2021 is complete and accurate and the applicant has complied with the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code.
2. The applicant has received Federal Coal Lease NDM 110277 covering 320 acres of federal coal within the permit area. As required by Special Condition No. 3 to Permit NACC-1302, no coal removal on these federal coal tracts may occur until the U.S. Department of the Interior approves the federal mine plan pursuant to 30 CFR 746.11. Until that mine plan is approved, surface disturbances on the federal coal tracts must be limited to those activities that are needed for carrying out mining on the adjoining tracts where the coal interests are privately owned.
3. Performance bonds in the total amount of \$23,300,000 are currently sufficient for the proposed mining and reclamation operations in the permit area.
4. The Commission's other findings that were made when the permit was issued remain applicable to the revised operation and reclamation plans.

**Revision Number 11 to Permit Number NACC-1302 is hereby granted to The Coyote Creek Mining Company, L.L.C. to mine the federal coal tracts located in the SW1/4 of Section 24 and SE1/4 of Section 26, and the private coal tract in the SE1/4 of Section 23 within the existing permit area, modify operations and reclamation plans to include this additional mining area, and to update other information and plans in this permit as described in the revision application received January 25, 2021.**

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and any additional or revised permit conditions listed on attached PSC Reclamation Form - 3. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be a significant alteration to the previously approved permit.

PUBLIC SERVICE COMMISSION

  
Randy Christmann  
Commissioner

  
Julie Fedorchak  
Chair

  
Brian Kroshus  
Commissioner

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