



**APPLICATION FOR REVISION OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS**
PUBLIC SERVICE COMMISSION
RECLAMATION DIVISION
SFN 10562 (1-2004)

Date February 26, 2021
Revision Number 34
State ND
Zip Code 58523

Name of Company, Corporation, Partnership, or Individual The Coteau Properties Company	Permit Number NACT-8203
Address 204 County Road 15	City Beulah

The above named hereby makes application for the above Revision Number to: (include a brief description of the surface coal mining and reclamation operation being revised.)
See Attachments I & II

Attached to this Permit Revision Application are a narrative describing the proposed permit revision, reasons for requesting the revision, and appropriate maps, cross-sections, graphs, construction details, revised reclamation plans and other data which demonstrate compliance with Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and the permit conditions of the approved permit. If an incidental boundary revision involving an acreage adjustment is being requested as part of the permit revision application, the following information shall be included (attach a copy of a metes and bounds description):


NAME OF MINE	ACRES	LOCATION			
		SEC.	TWP.	RANGE	COUNTY
Freedom Mine	-1155.3680				
ADDRESS					
204 County Road 15					
Beulah, ND 58523					
TOTAL ACRES	-1155.3680				

Based upon the proposed changes and any incidental boundary revisions to the permit as stated herein, a new or adjusted bond, or its equivalent, duly executed in accordance with Section 38-14.1-16 of the North Dakota Century Code and Chapter 69-05.2-12 of the North Dakota Administrative Code will be delivered to the Public Service Commission prior to issuance of the surface coal mining and reclamation operations permit herein requested. A check for filing fees, pursuant to Section 38-14.1-13 of the North Dakota Century Code, in the amount of \$ 0, is included with the revision application.

Name of Official Authorized to Represent the Applicant
Kayla Torgerson


- I, the above named, certify that:
1. All information and documents required by Sections 38-14.1-13, 38-14.1-14, and 38-14.1-15 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, are submitted as part of this permit application;
 2. Information and documentation contained in the permit application affirmatively demonstrate that:
 - a. The permit revision application is accurate and complete and all the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code have been complied with;
 - b. Reclamation as required by Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code can be accomplished under the reclamation plan contained in this permit revision application;

- c. An assessment of the probable cumulative impact of all anticipated mining in the general area on the hydrologic balance as specified in subdivision o of subsection 1 of Section 38-14.1-14 has been made and the proposed operation has been designed to prevent material damage to the hydrologic balance both on and off the mine site;
 - d. The area proposed to be affected is not included within an area designated unsuitable for all or certain types of surface coal mining and is not within an area under study for such designation in an administrative proceeding;
 - e. The proposed surface coal mining operation will not interrupt, discontinue or preclude farming on alluvial valley floors that are irrigated or naturally subirrigated and will not materially damage the quantity or quality of water in surface or underground water systems that supply these alluvial valley floors; and
 - f. The permit revision applicant has the legal right to surface mine the land for which this permit revision application is made and all of the requirements of Chapter 38-18 of the North Dakota Century Code have been complied with.
3. The area proposed to be affected is not included within an area where mining is prohibited pursuant to Section 38-14.1-07 of the North Dakota Century Code; unless specifically allowed in accordance with the provisions of Section 69-05.2-04-01 of the North Dakota Administrative Code; and
 4. The surface coal mining and reclamation operations contained in this permit revision application will be carried out at all times in a manner which ensures that all of the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and any permit conditions attached thereto are complied with.

Signature of Official 	Title Environmental Specialist
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VERIFICATION

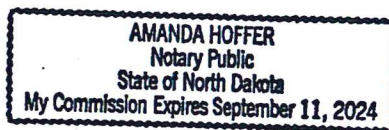
I, Sarah J. Flath, being first and duly sworn, verify that the information contained in this Permit Revision Application is true and correct to the best of my knowledge and belief.

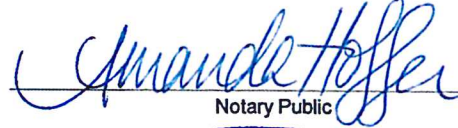
Signature of Official 	Title Environmental Manager
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STATE OF North Dakota)
)ss.
 COUNTY OF Mercer)

Subscribed and Sworn before me, this 26th day of February, 2021.

(SEAL)




 Notary Public
 My Commission Expires: _____

This revision will delete all 1,155.3680 acres from NACT-8203 and transfer all liabilities from NACT-8203 to NACT-1801. All NACT-8203 acres and liabilities are already covered by NACT-1801, including worst case bond calculations. The transfer of all acres and liabilities to NACT-1801 will allow NACT-8203 to be terminated, which is the purpose of this revision.

Attachment II

An area of land located in T145N, R87W, 5TH P.M., Mercer County, North Dakota described as follows:

Beginning at the northwest corner of Section 18, T145N, R87W, of the 5th P.M.; thence bearing S 00°57'07"W a distance of 900.00 feet, on the west line of said Section; thence bearing N 89°59'44"E a distance of 817.00 feet; thence bearing S 45°00'18"E a distance of 2521.20 feet, to the center 1/4 corner of said Section; thence bearing S 72°05'41"E a distance of 2760.19 feet, to the east line of said Section; thence bearing S 00°50'52"W a distance of 1820.00 feet, to the southeast corner of said Section; thence bearing S 01°12'45"W a distance of 2629.70 feet, on the east line to the west 1/4 corner of Section 20, T145N, R87W, 5TH P.M.; thence bearing S 88°58'10"E a distance of 2627.37 feet, to the center 1/4 corner of said Section; thence bearing N 01°05'13"E a distance of 2634.22 feet, to the north 1/4 corner of said Section; thence bearing S 89°04'11"E a distance of 2621.73 feet, to the northeast corner of said Section; thence bearing N 01°08'04"E a distance of 2630.73 feet, to the east 1/4 corner of Section 17, T145N, R87W, 5TH P.M.; thence bearing N 01°08'14"E a distance of 1318.67 feet, to the north 1/16 corner of said Section; thence bearing N 89°00'08"W a distance of 2631.81 feet, to the center-north 1/16 corner of said Section; thence bearing N 00°59'20"E a distance of 1324.09 feet, to the north 1/4 corner of said Section; thence bearing N 00°52'55"E a distance of 1314.81 feet, to the center-south 1/16 corner of Section 8, T145N, R87W of the 5TH P.M.; thence bearing N 88°54'17"W a distance of 2635.17 feet, to the south 1/16 corner of said Section; thence bearing N 89°24'28"W a distance of 2630.98 feet, to the center 1/4 corner of Section 7, T145N, R87W, 5TH P.M.; thence bearing S 00°54'36"W a distance of 1074.14 feet, on the north-south 1/4 line of said Section; thence bearing S 89°59'35"W a distance of 607.98 feet; thence bearing S 77°57'15"W a distance of 1022.74 feet, to the south line of said Section; thence bearing N 89°16'39"W a distance of 1026.40 feet, on the south line of said Section to the point of beginning.