



Public Service Commission
State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Brian Kroshus

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

sent via email and regular mail

September 22, 2021

Sarah Flath
Environmental Manager
Coteau Properties Company
204 County Road 15
Beulah, ND 58523-9475
sarah.flath@nacoal.com

Dear Ms. Flath:

This is to inform you of the September 22, 2021 approval of Revision No. 34 to Permit No. NACT-8203 held by the Coteau Properties Company for the Freedom Mine. Revision No. 34 deletes all 1,155.3680 acres from this permit and transfers all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine. This action effectively terminates Permit No. NACT-8203.

This permit revision was found to be an insignificant alteration to Permit No. NACT-8203 and was not subject to public notice requirements. Commission approval was required for the revision because of the acreage deletion.

Enclosed is the original revision award form. Please contact us with any questions.

Sincerely,

Dean K. Moos
Director
Reclamation Division

Enclosure

cc via email only: Amanda Hoffer (amanda.hoffer@nacoal.com)
Kayla Torgerson (Kayla.Torgerson@nacoal.com)
Dillon Belisle (Dillon.Belisle@Nacoal.com)
Rylan Sundsbak (Rylan.Sundsbak@nacoal.com)

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Coteau Properties Company
Revision 34, Permit NACT-8203
Application

Case No. RC-21-108

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

September 22, 2021

Based on the application for **Revision Number 34 to Permit Number NACT-8203 received March 3, 2021**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application received on March 3, 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; and,
2. Permit No. NACT-8203 is effectively terminated with the deletion of 1,155.3680 acres; however, the acres affected by mining activities within the permit area remain subject to the applicable mining and reclamation standards and approved plans in Permit No. NACT-1801.

Revision Number 34 to Permit Number NACT-8203 is hereby granted to the Coteau Properties Company to delete 1,155.3680 acres in portions of Sections 7, 8, 17, 18, and 20, T145N, R87W, Mercer County, from this permit and to transfer all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine.

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.

LOCATION

Mine	Address	Acres	Sections	Twp.	Range	County
Freedom	Beulah, ND	-1,155.3680	7, 8, 17, 18, and 20	145N	87W	Mercer

-1,155.3680 acres - Total Area Deleted

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner

Permit No. NACT-8203 Revision No. 34 Metes and Bounds of Deleted Acres:

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.

Said tract having an area of 1,155.3680 acres of land.

Freedom Mine\Permits\NACT - 8203\Revisions\Rev. 34\Rev34_apprvl_award_9-22-21



Public Service Commission

State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Brian Kroshus

sent via email and regular mail

September 22, 2021

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

Jeffrey W. Fleischman, Chief
Denver Field Division
Office of Surface Mining
PO Box 11018
Casper, WY 82601
jfleischman@osmre.gov

Dear Mr. Fleischman:

This is to inform you of the September 22, 2021 approval of Revision No. 34 to Permit No. NACT-8203 held by the Coteau Properties Company for the Freedom Mine. Revision No. 34 deletes all 1,155.3680 acres from this permit and transfers all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine. This action effectively terminates Permit No. NACT-8203. This permit contained leased federal coal but this revision was not considered a mine plan modification. The federal coal has been mined and the coal lease has been released by BLM.

This permit revision was found to be an insignificant alteration to Permit No. NACT-8203 and was not subject to public notice requirements. Commission approval was required for the revision because of the acreage deletion.

Enclosed are copies of the revision and the revision award form. Please contact us with any questions.

Sincerely,

Dean K. Moos
Director
Reclamation Division

Enclosures

cc via email only: John Sieving (jsieving@osmre.gov)

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Coteau Properties Company
Revision 34, Permit NACT-8203
Application

Case No. RC-21-108

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

September 22, 2021

Based on the application for **Revision Number 34 to Permit Number NACT-8203 received March 3, 2021**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application received on March 3, 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; and,
2. Permit No. NACT-8203 is effectively terminated with the deletion of 1,155.3680 acres; however, the acres affected by mining activities within the permit area remain subject to the applicable mining and reclamation standards and approved plans in Permit No. NACT-1801.

Revision Number 34 to Permit Number NACT-8203 is hereby granted to the Coteau Properties Company to delete 1,155.3680 acres in portions of Sections 7, 8, 17, 18, and 20, T145N, R87W, Mercer County, from this permit and to transfer all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine.

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.

LOCATION

Mine	Address	Acres	Sections	Twp.	Range	County
Freedom	Beulah, ND	-1,155.3680	7, 8, 17, 18, and 20	145N	87W	Mercer

-1,155.3680 acres - Total Area Deleted

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner

Permit No. NACT-8203 Revision No. 34 Metes and Bounds of Deleted Acres:

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.

Said tract having an area of 1,155.3680 acres of land.

Freedom Mine\Permits\NACT - 8203\Revisions\Rev. 34\Rev34_apprvl_award_9-22-21



Public Service Commission

State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Brian Kroshus

sent via email and regular mail

September 22, 2021

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

Mr. Marcello Calle
Program Support Division
Office of Surface Mining
Western Regional Coordinating Center
1999 Broadway, Suite 3320
Denver, CO 80202-3050
mcalle@osmre.gov

Dear Mr. Calle:

This is to inform you of the September 22, 2021 approval of Revision No. 34 to Permit No. NACT-8203 held by the Coteau Properties Company for the Freedom Mine. Revision No. 34 deletes all 1,155.3680 acres from this permit and transfers all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine. This action effectively terminates Permit No. NACT-8203. This permit contained leased federal coal but this revision was not considered a mine plan modification. The federal coal has been mined and the coal lease has been released by BLM.

This permit revision was found to be an insignificant alteration to Permit No. NACT-8203 and was not subject to public notice requirements. Commission approval was required for the revision because of the acreage deletion.

Enclosed are copies of the revision and the revision award form. Please contact us with any questions.

Sincerely,

Dean K. Moos
Director
Reclamation Division

Enclosures

cc via email only: Elizabeth Schaeffer (eshaeffer@osmre.gov)
Erica Trent (etrent@osmre.gov)

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Coteau Properties Company
Revision 34, Permit NACT-8203
Application

Case No. RC-21-108

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

September 22, 2021

Based on the application for **Revision Number 34 to Permit Number NACT-8203 received March 3, 2021**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application received on March 3, 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; and,
2. Permit No. NACT-8203 is effectively terminated with the deletion of 1,155.3680 acres; however, the acres affected by mining activities within the permit area remain subject to the applicable mining and reclamation standards and approved plans in Permit No. NACT-1801.

Revision Number 34 to Permit Number NACT-8203 is hereby granted to the Coteau Properties Company to delete 1,155.3680 acres in portions of Sections 7, 8, 17, 18, and 20, T145N, R87W, Mercer County, from this permit and to transfer all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine.

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.

LOCATION

Mine	Address	Acres	Sections	Twp.	Range	County
Freedom	Beulah, ND	-1,155.3680	7, 8, 17, 18, and 20	145N	87W	Mercer

-1,155.3680 acres - Total Area Deleted

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner

Permit No. NACT-8203 Revision No. 34 Metes and Bounds of Deleted Acres:

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.

Said tract having an area of 1,155.3680 acres of land.

Freedom Mine\Permits\NACT - 8203\Revisions\Rev. 34\Rev34_apprvl_award_9-22-21



Public Service Commission

State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Brian Kroshus

sent via email and regular mail

September 22, 2021

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

Mr. Nate Arave
Chief, Branch of Solid Minerals
Bureau of Land Management
5001 Southgate Dr.
Billings, MT 59101-4669
narave@blm.gov

Dear Mr. Arave:

This is to inform you of the September 22, 2021 approval of Revision No. 34 to Permit No. NACT-8203 held by the Coteau Properties Company for the Freedom Mine. Revision No. 34 deletes all 1,155.3680 acres from this permit and transfers all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine. This action effectively terminates Permit No. NACT-8203. This permit contained leased federal coal but this revision was not considered a mine plan modification. The federal coal has been mined and the coal lease has been released by BLM.

This permit revision was found to be an insignificant alteration to Permit No. NACT-8203 and was not subject to public notice requirements. Commission approval was required for the revision because of the acreage deletion.

Enclosed are copies of the revision and the revision award form. Please contact us with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Dean K. Moos".

Dean K. Moos
Director
Reclamation Division

Enclosures

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Coteau Properties Company
Revision 34, Permit NACT-8203
Application

Case No. RC-21-108

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

September 22, 2021

Based on the application for **Revision Number 34 to Permit Number NACT-8203 received March 3, 2021**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application received on March 3, 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; and,
2. Permit No. NACT-8203 is effectively terminated with the deletion of 1,155.3680 acres; however, the acres affected by mining activities within the permit area remain subject to the applicable mining and reclamation standards and approved plans in Permit No. NACT-1801.

Revision Number 34 to Permit Number NACT-8203 is hereby granted to the Coteau Properties Company to delete 1,155.3680 acres in portions of Sections 7, 8, 17, 18, and 20, T145N, R87W, Mercer County, from this permit and to transfer all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine.

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.

LOCATION

Mine	Address	Acres	Sections	Twp.	Range	County
Freedom	Beulah, ND	-1,155.3680	7, 8, 17, 18, and 20	145N	87W	Mercer

-1,155.3680 acres - Total Area Deleted

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner

Permit No. NACT-8203 Revision No. 34 Metes and Bounds of Deleted Acres:

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.

Said tract having an area of 1,155.3680 acres of land.

Freedom Mine\Permits\NACT - 8203\Revisions\Rev. 34\Rev34_apprvl_award_9-22-21



Public Service Commission

State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Brian Kroshus

sent via email only

September 22, 2021

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

Mr. Loren Wickstrom
Field Office Manager
Bureau of Land Management
ND Field Office
99 23rd Avenue West Suite A
Dickinson, ND 58601
lwickstr@blm.gov

Dear Mr. Wickstrom:

This is to inform you of the September 22, 2021 approval of Revision No. 34 to Permit No. NACT-8203 held by the Coteau Properties Company for the Freedom Mine. Revision No. 34 deletes all 1,155.3680 acres from this permit and transfers all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine. This action effectively terminates Permit No. NACT-8203. This permit contained leased federal coal but this revision was not considered a mine plan modification. The federal coal has been mined and the coal lease has been released by BLM.

This permit revision was found to be an insignificant alteration to Permit No. NACT-8203 and was not subject to public notice requirements. Commission approval was required for the revision because of the acreage deletion.

Enclosed is a copy of the revision award form. Please contact us with any questions.

Sincerely,

Dean K. Moos
Director
Reclamation Division

Enclosure

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Coteau Properties Company
Revision 34, Permit NACT-8203
Application

Case No. RC-21-108

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

September 22, 2021

Based on the application for **Revision Number 34 to Permit Number NACT-8203 received March 3, 2021**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application received on March 3, 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; and,
2. Permit No. NACT-8203 is effectively terminated with the deletion of 1,155.3680 acres; however, the acres affected by mining activities within the permit area remain subject to the applicable mining and reclamation standards and approved plans in Permit No. NACT-1801.

Revision Number 34 to Permit Number NACT-8203 is hereby granted to the Coteau Properties Company to delete 1,155.3680 acres in portions of Sections 7, 8, 17, 18, and 20, T145N, R87W, Mercer County, from this permit and to transfer all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine.

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.

LOCATION

Mine	Address	Acres	Sections	Twsp.	Range	County
Freedom	Beulah, ND	-1,155.3680	7, 8, 17, 18, and 20	145N	87W	Mercer

-1,155.3680 acres - Total Area Deleted

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner

Permit No. NACT-8203 Revision No. 34 Metes and Bounds of Deleted Acres:

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.

Said tract having an area of 1,155.3680 acres of land.

Freedom Mine\Permits\NACT - 8203\Revisions\Rev. 34\Rev34_apprvl_award_9-22-21



Public Service Commission
State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Brian Kroshus

sent via email only

September 22, 2021

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

Shana Brost
Mercer County Auditor
PO Box 39
Stanton, ND 58571
sbrost@nd.gov

Dear Ms. Brost:

This is to inform you of the September 22, 2021 approval of Revision No. 34 to Permit No. NACT-8203 held by the Coteau Properties Company for the Freedom Mine. Revision No. 34 deletes all 1,155.3680 acres from this permit and transfers all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine. This action effectively terminates Permit No. NACT-8203.

Enclosed is a copy of the revision award form. Please contact us with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Dean K. Moos".

Dean K. Moos
Director
Reclamation Division

Enclosure

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Coteau Properties Company
Revision 34, Permit NACT-8203
Application

Case No. RC-21-108

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

September 22, 2021

Based on the application for **Revision Number 34 to Permit Number NACT-8203 received March 3, 2021**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application received on March 3, 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; and,
2. Permit No. NACT-8203 is effectively terminated with the deletion of 1,155.3680 acres; however, the acres affected by mining activities within the permit area remain subject to the applicable mining and reclamation standards and approved plans in Permit No. NACT-1801.

Revision Number 34 to Permit Number NACT-8203 is hereby granted to the Coteau Properties Company to delete 1,155.3680 acres in portions of Sections 7, 8, 17, 18, and 20, T145N, R87W, Mercer County, from this permit and to transfer all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine.

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.

LOCATION

Mine	Address	Acres	Sections	Twp.	Range	County
Freedom	Beulah, ND	-1,155.3680	7, 8, 17, 18, and 20	145N	87W	Mercer

-1,155.3680 acres - Total Area Deleted

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner

Permit No. NACT-8203 Revision No. 34 Metes and Bounds of Deleted Acres:

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.

Said tract having an area of 1,155.3680 acres of land.

Freedom Mine\Permits\NACT - 8203\Revisions\Rev. 34\Rev34_apprvl_award_9-22-21