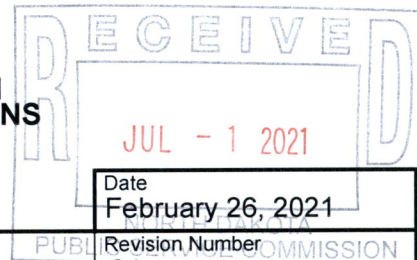




**APPLICATION FOR REVISION OF PERMIT TO ENGAGE IN  
 SURFACE COAL MINING AND RECLAMATION OPERATIONS**  
 PUBLIC SERVICE COMMISSION  
 RECLAMATION DIVISION  
 SFN 10562 (1-2004)



Name of Company, Corporation, Partnership, or Individual The Coteau Properties Company	Permit Number NACT-8401	Revision Number 24	
Address 204 County Road 15	City Beulah	State ND	Zip Code 58523

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	-159.488				
ADDRESS					
204 County Road 15					
Beulah, ND 58523					
<b>TOTAL ACRES</b>	<b>-159.488</b>				

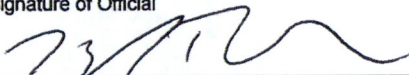
Based upon the proposed changes and any incidental boundary revisions to the permit as stated herein, a new or adjusted bond, or its equivalent, duly executed in accordance with Section 38-14.1-16 of the North Dakota Century Code and Chapter 69-05.2-12 of the North Dakota Administrative Code will be 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 \$ N/A, 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
--	-----------------------------------

**VERIFICATION**

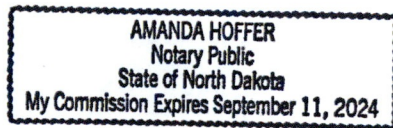
I, Sarah J. Flath, being first and duly sworn, verify that the information contained in this Permit Revision Application is true and correct to the best of my knowledge and belief.

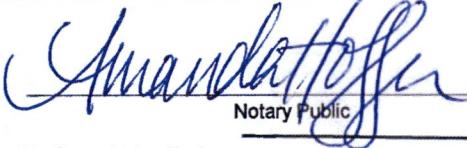
Signature of Official 	Title Environmental Manager
--	--------------------------------

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 159.488 acres from NACT-8401 and transfer all liabilities from NACT-8401 to NACT-1801. All NACT-8401 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-8401 to be terminated, which is the purpose of this revision.

An area of land being the south 1/2 of the southeast 1/4 of Section 8, and the north 1/2 of the northeast 1/4 of Section 17, all in T145N, R87W of the 5TH P.M., Mercer County, North Dakota described as follows:

Beginning at the southeast corner of Section 8, T145N, R87W of the 5TH P.M.; thence bearing N 01°03'33"E a distance of 1315.92 feet, to the south 1/16 corner of said Section; thence bearing N 88°54'32"W a distance of 2639.30 feet, to the center-south 1/16 corner of said Section; thence bearing S 00°52'55"W a distance of 1314.81 feet, to the south 1/4 corner of said Section; thence bearing S 00°59'20"W a distance of 1324.09 feet, to the center-north 1/16 corner of Section 17, T145N, R87W of the 5TH P.M.; thence bearing S 89°00'08"E a distance of 2631.82 feet, to the north 1/16 corner of said Section; thence bearing N 01°08'14"E a distance of 1318.670 feet, on the east line of said Section to the point of beginning.

THE COTEAU PROPERTIES COMPANY

Revision 24 to Permit NACT-8401

February 26, 2021

TABLE OF CONTENTS

SECTION	A	-	LEGAL INFORMATION
	A-1	-	Application Form
	A-2	-	Area to be Deleted from Permit NACT-8401 Map
	A-3	-	Area to be Deleted from Permit NACT-8401 Metes and Bounds Description

REVISION 24  
02/26/21  
06/29/21



# 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

Name of Company, Corporation, Partnership, or Individual The Coteau Properties Company	Permit Number NACT-8401	Revision Number 24	
Address 204 County Road 15	City Beulah	State ND	Zip Code 58523

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	-159.488				
ADDRESS					
204 County Road 15					
Beulah, ND 58523					
<b>TOTAL ACRES</b>	<b>-159.488</b>				

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 \$ N/A, is included with the revision application.

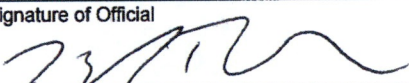
Name of Official Authorized to Represent the Applicant  
Kayla Torgerson

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;

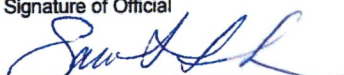
SFN 10562 (1-2004)

- 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**

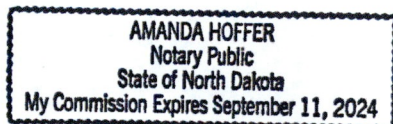
I, Sarah J. Flath, being first and duly sworn, verify that the information contained in this Permit Revision Application is true and correct to the best of my knowledge and belief.

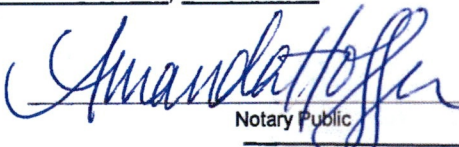
Signature of Official 	Title Environmental Manager
--	--------------------------------

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 159.488 acres from NACT-8401 and transfer all liabilities from NACT-8401 to NACT-1801. All NACT-8401 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-8401 to be terminated, which is the purpose of this revision.

Attachment II

Page 1 of 1

An area of land being the south 1/2 of the southeast 1/4 of Section 8, and the north 1/2 of the northeast 1/4 of Section 17, all in T145N, R87W of the 5TH P.M., Mercer County, North Dakota described as follows:

Beginning at the southeast corner of Section 8, T145N, R87W of the 5TH P.M.; thence bearing N 01°03'33"E a distance of 1315.92 feet, to the south 1/16 corner of said Section; thence bearing N 88°54'32"W a distance of 2639.30 feet, to the center-south 1/16 corner of said Section; thence bearing S 00°52'55"W a distance of 1314.81 feet, to the south 1/4 corner of said Section; thence bearing S 00°59'20"W a distance of 1324.09 feet, to the center-north 1/16 corner of Section 17, T145N, R87W of the 5TH P.M.; thence bearing S 89°00'08"E a distance of 2631.82 feet, to the north 1/16 corner of said Section; thence bearing N 01°08'14"E a distance of 1318.670 feet, on the east line of said Section to the point of beginning.

REVISION 24

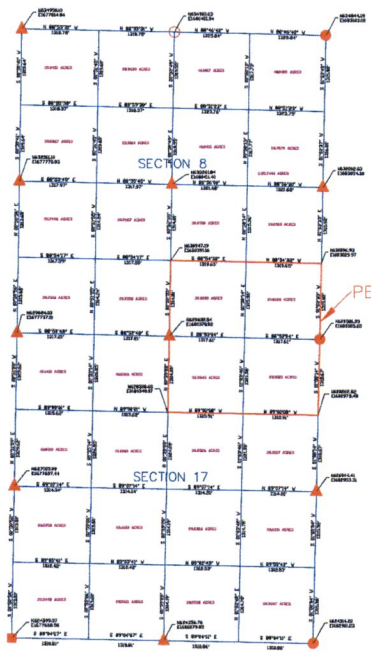
02/26/21

06/29/21

# AREA TO BE DELETED FROM PERMIT NACT-8401 MAP G.P.S. SURVEY

R. 87 W.

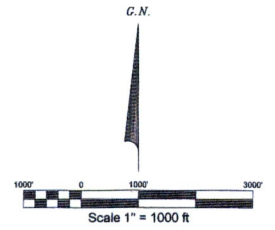
T. 145 N.



An Area of land being the south 1/2 of the southeast 1/4 of Section 8, and the north 1/2 of the northeast 1/4 of Section 17, all in T145N, R87W of the 5TH P.M., Mercer County, North Dakota. Described as follows:  
 Beginning at the southeast corner of Section 8, T145N, R87W of the 5TH P.M.;  
 thence bearing N 01°43'33"E a distance of 1315.92 feet, to the center-south 1/16 corner of said Section;  
 thence bearing N 88°54'32"W a distance of 2639.30 feet, to the south 1/4 corner of said Section;  
 thence bearing S 60°52'35"W a distance of 1314.81 feet, to the center-south 1/16 corner of said Section;  
 thence bearing S 60°59'20"W a distance of 1324.09 feet, to the center-north 1/16 corner of Section 17, T145N, R87W of the 5TH P.M.;  
 thence bearing S 89°40'08"E a distance of 2631.82 feet, to the north 1/2 corner of said Section;  
 thence bearing N 01°08'14"E a distance of 1318.67 feet, on the east line of said Section to the point of beginning.  
 Said area of land contains 159.5231 acres.

**DELETED ACREAGE BY SECTION**

SECTION 8, T145N, R87W = 79.4361 ACRES
SECTION 17, T145N, R87W = 79.0870 ACRES
<b>TOTAL 158.5231 ACRES</b>



- LEGEND**
- ORIGINAL STONE FOUND IN PLACE
  - ▲ IRON PIN WITH CAP SET BY RLS 1242
  - IRON PIN WITH CAP SET BY RLS 1177
  - IRON PIN WITH CAP SET BY RLS 2925
  - △ CALCULATED AND TO BE SET BY RLS 951
  - IRON PIN WITH CAP SET BY RLS 1243

**NOTE:**  
 SECTION CORNERS AND 1/4 CORNERS WERE CALCULATED FROM G.P.S. REAL TIME SURVEYS.  
 CHECK ALL RECORDATION FORMS ON FILE AT THE MERCER COUNTY COURTHOUSE FOR THE CHAIN HISTORY OF CORNER POSITION.  
 ALL BEARINGS AND DISTANCES ARE BASED ON THE NORTH DAKOTA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, 1927 DATUM.

I HEREBY CERTIFY THAT THIS DEPENDENT RESURVEY AND MONUMENTATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA.

ANY ALTERATION OF THIS PLAT WILL VOID MY CERTIFICATION.  
 Stanley F. Seibel 03-26-2021  
 STANLEY F. SEIBEL R.L.S. 3950



THE FOREGOING CERTIFICATE WAS ACKNOWLEDGED BEFORE ME BY STANLEY F. SEIBEL THIS 26th DAY of February 2021

*Stanley F. Seibel*  
 NOTARY PUBLIC

AMERICAN NOTARY  
 Notary Public  
 My Commission Expires September 11, 2024

COTEAU		FREEDOM MINE	
SOUTH DAKOTA		SOUTH DAKOTA	
AREA TO BE DELETED FROM PERMIT NACT-8401 MAP			
SHEET 1 OF 1			
SECTION A-2			
NO.	BY	DATE	REVISIONS
3	SFS	2-24-21	
SCALE: 1" = 1,000'		MAP NUMBER	
PROJECT: MINE SITE REVISION 24			

Section A-3 - Area to be Deleted from Permit NACT-8401 Metes and  
Bounds Description

An area of land being the south 1/2 of the southeast 1/4 of Section 8, and the north 1/2 of the northeast 1/4 of Section 17, all in T145N, R87W of the 5TH P.M., Mercer County, North Dakota described as follows:

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