

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Coteau Properties Company
Revision 33, Permit NACT-8601
Application

Case No. RC-21-111

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

September 22, 2021

Based on the application for **Revision Number 33 to Permit Number NACT-8601 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-8601 is effectively terminated with the deletion of 772.4630 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 33 to Permit Number NACT-8601 is hereby granted to the Coteau Properties Company to delete 772.4630 acres in a portion of Section 8, T145N, R87W and a portion of Section 12, T145N, R88W, 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 | -293.3415 | 8 | 145N | 87W | Mercer |
| | | -479.1215 | 12 | 145N | 88W | Mercer |

-772.4630 acres - Total Area Deleted

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner

Permit No. NACT-8601 Revision No. 33 Metes and Bounds of Deleted Acres:

A tract of land located in Section 12, T145N, R88W, 5th P.M., Mercer County, North Dakota, having all bearings and distances based on the North Dakota State Plane Coordinate System, South Zone, 1927 N. A. D., G.P.S. Real Time Kinematic survey.

All bound calls supersede any metes within this description.

Described as follows:

Beginning at the northwest corner of said Section; thence S 00°57'12" W a distance of 2640.37', to the west 1/4 corner of said Section; thence S 00°57'20" W a distance of 1320.70', to the south 1/16 corner of said Section; thence S 88°22'23" E a distance of 2639.99', to the center-south 1/16 corner of said Section; thence S 88°22'19" E a distance of 2641.44', to the south 1/16 corner of said Section; thence N 00°58'08" E a distance of 1302.20', to the east 1/4 corner of said Section; thence N 00°59'00" E a distance of 2639.88', to the northeast corner of said Section; thence N 88°09'43" W a distance of 2645.26', to the north 1/4 corner of said Section; thence N 88°10'18" W a distance of 2638.11', to the northwest corner of said Section, being the point of beginning.

Said tract having an area of 479.1215 acres of land.

A tract of land located in Section 8, T145N, R87W, 5th P.M., Mercer County, North Dakota, having all bearings and distances based on the North Dakota State Plane Coordinate System, South Zone, 1927 N. A. D., G.P.S. Real Time Kinematic survey.

All bound calls supersede any metes within this description.

Described as follows:

Beginning at the northwest corner of said Section; thence S 00°50'41" W a distance of 2639.29', to the west 1/4 corner of said Section; thence S 00°50'56" W a distance of 1313.68', to the south 1/16 corner of said Section; thence S 88°54'17" E a distance of 2635.17', to the center-south 1/16 corner of said Section; thence S 88°54'32" E a distance of 2639.29', to the south 1/16 corner of said Section; thence N 01°03'33" E a distance of 1315.92', to the east 1/4 corner of said Section; thence N 88°56'00" W a distance of 2643.36', to the center 1/4 corner of said Section; thence N 00°52'49" E a distance of 953.45', on the north-south 1/4 line; thence N 89°46'05" W a distance of 228.40'; thence N 21°48'48" W a distance of 416.80'; thence N 20°58'38" W a distance of 370.05'; thence N 37°42'53" W a distance of 161.20'; thence N 44°23'40" W a distance of 118.61'; thence N 31°42'34" W a distance of 764.24'; thence N 00°52'49" E a distance of 110.71', to the north line of said Section; thence N 88°55'31" W a distance of 195.35', to the west 1/16 corner of said Section; thence N 88°55'31" W a distance of 1318.78', to the northwest corner of said Section, being the point of beginning.

Said tract having an area of 293.3415 acres of land.

Total permitted area is 772.4630 acres.

Freedom Mine\Permits\NACT - 8601\Revisions\No. 33\Rev33_apprvl_award_9-22-21