

PHONE (701) 355-5588



FAX (701) 794-3125

A BNI ENERGY COMPANY

December 7, 2021

Ms. Zanna Brinkman, Director
Reclamation Division, NDPSC
Department 408
600 East Boulevard Avenue
Bismarck, ND 58505-0480

RE: Affidavits of Publication

Dear Ms. Brinkman,

Enclosed with this letter are copies of the "Affidavit of Publication" notices from the Bismarck Tribune and the Center Republican for Permit BNCR-1101 Revision 9.

If you have any questions, please contact me at the Center office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karene M. Hall".

Karene M. Hall
Permit Coordinator

cc: Jay Volk

13 RC-21-298 Filed 12/07/2021 Pages: 5
Letter enclosing Affidavit of Publication - electronic only
BNI Coal, Ltd.

*** Proof of Publication ***

State of North Dakota)
) SS:
County of Burleigh)

Before me, a Notary Public for the State of North Dakota personally

appeared Jill Lindsay who being duly sworn, deposes and says that he (she) is the Clerk of Bismarck Tribune Co., and that the publication(s) were made through the

Bismarck Tribune on the following dates:

10/21, 28, 11/4 + 11/2021

Signed Jill Lindsay

BNI COAL LTD

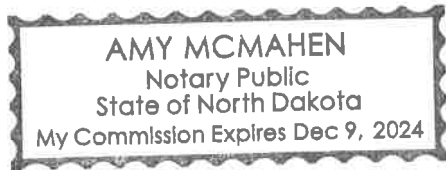
2360 NW 35TH AV
CENTER, ND 58530

ORDER NUMBER 36381

Sworn and subscribed to before me this 11 day of

November 20 21

Amy McMahon
Notary Public in and for the State of North Dakota



Section: Legals

Category: 5380 Public Notices

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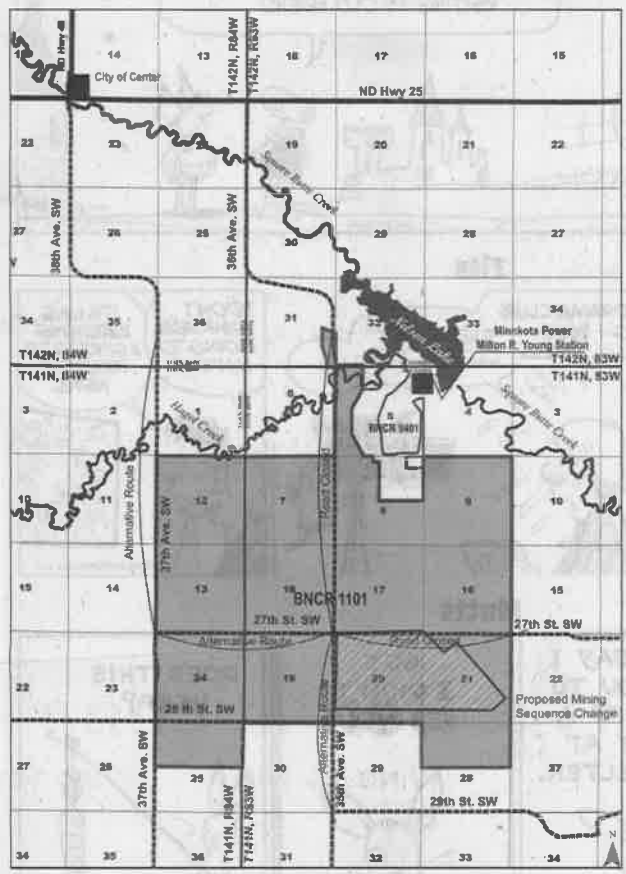
NOTICE OF APPLICATION FOR A PERMIT REVISION TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION ACTIVITIES

Please take notice that BNI Coal Ltd., 2360 35th Avenue SW, Center, North Dakota 58530-9499 has submitted an application to the North Dakota Public Service Commission for Revision No. 9 to Permit BNCR-1101, to engage in surface coal mining and reclamation operations. The approved permit includes 8,360.72 acres in parts of Sections 5, 7, 8, 9, 16, 17, 18, 19, 20, 21 and 28 T141N R83W, parts of Sections 12, 13, 24 and 25 T141N R84W and parts of Sections 31 and 32 T142N R83W and was approved on May 28, 2014. This permit area is located southeast of Center, south of the BNI Coal Offices and Minnkota Power Cooperative power plant in Oliver County, North Dakota and is shown on the accompanying map. The permit revision will change the mining sequence for 345 acres in Sections 20 and 21 T141N R83W planned for mining in 2031 through 2037, by advancing mining in the area to 2021 through 2032. Revision 9 will also add 2 acres to the permit boundary in Section 18 T141N R83W and update the Worst Case Bond variable costs. The permit revision will include updates to the Legal and Financial Section including ownership and control, will update the metes & bounds description, and will update all the maps in the permit with regards to the boundary change.

The application for revision of the surface coal mining permit is available for public inspection at the offices of the North Dakota Public Service Commission, 600 East Boulevard Avenue, Bismarck, ND, 58505-0480, and the County Auditor, Oliver County Courthouse, Center, ND, 58530. A USB flash drive copy of the revision application may be requested by contacting the Public Service Commission at (701) 328-2400 or ndpsc@nd.gov, or by sending a written request. Any person whose interests are or may be adversely affected by the revision application has the right to file written comments, objections or requests for an informal conference with the North Dakota Public Service Commission. Written comments, objections, and requests for an informal conference should be filed with the Public Service Commission, 600 East Boulevard, Dept. 408, Bismarck, ND 58505-0480 within 30 days after the last publication of this notice. The written request should state the concerns or objections regarding the revision.

The legal description and names of surface and coal owners in Sections 20 and 21 T141N R83W affected by the proposed mining sequence change follow:

LEGAL DESCRIPTION	SURFACE OWNER (S)	COAL OWNERS
SECTION 20 T141N R83W		
NE1/4	Douglas D. & Deberra K. Doll LE James & Bonita Pazdernik LE	Douglas D. & Deberra K. Doll LE James & Bonita Pazdernik LE Beverly R. Buttram Dorothy Cottrell Charles Marsters Sandra Kay Gish Ronald P. Tuning L.D. Jenkins Willow Point Corporation Gentry, LLC Ralph & Irene Kautzman Anton Landeis Douglas D. & Deberra K. Doll LE James & Bonita Pazdernik LE Helen Pfleger
S1/2SW1/4	Douglas D. & Deberra K. Doll LE James & Bonita Pazdernik LE	
SECTION 21 T141N R83W		
SE1/4	Doll Farm Enterprises	
NE1/4	Delmar Hagerott	Delmar Hagerott
NW1/4	Douglas D. & Deberra K. Doll LE James & Bonita Pazdernik LE	Ralph & Irene Kautzman Anton Landeis Douglas D. & Deberra K. Doll LE James & Bonita Pazdernik LE Helen Pfleger
SW1/4	Doll Farm Enterprises	Helen Pfleger Maria Brown LE Remainderman: Holli K. Taylor Myra Buntin LE Remaindermen: Darrell Ray Buntin III Amand Marie Minick
SE1/4	Douglas D. & Deberra K. Doll LE James & Bonita Pazdernik LE	Ralph & Irene Kautzman Anton Landeis Douglas D. & Deberra K. Doll LE James & Bonita Pazdernik LE



Affidavit of Publication

STATE OF NORTH DAKOTA,
COUNTY OF OLIVER, ss.

I, Lori Cox, being first duly sworn, on oath says, that she is the bookkeeper of the CENTER REPUBLICAN, a weekly newspaper published in Center, County of Oliver, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies weekly, and has been published within said county for fifty-two successive weeks next prior to the publication of the notice herein mentioned; that the

Application For Permit Revision w/Map/Legal

BNI COAL

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once each week for 4 successive week, on the day of each week on which said newspaper was regularly published to-wit:

12 - Center Republican: 10/21/2021, 10/28/2021,
11/4/2021, 11/11/2021

That the full amount of the fees for
the publication of the annexed notice is: \$ 829.00

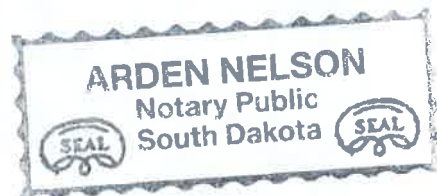
Lori Cox

Subscribed and sworn to before me this 11/19/2021

Arden Nelson

Arden Nelson, Notary Public
State of South Dakota

My commission expires August 1, 2025



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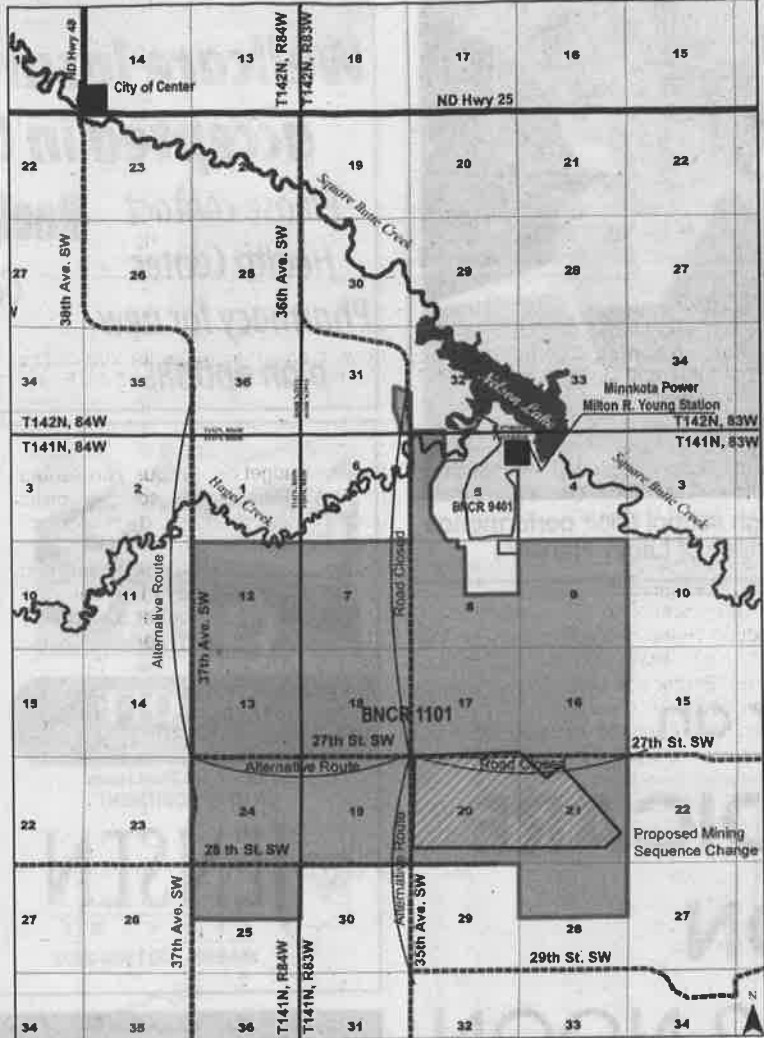
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Any person whose interests are or may be adversely affected by the revision application has the right to file written comments, objections or requests for an informal conference with the North Dakota Public Service Commission. Written comments, objections, and requests for an informal conference should be filed with the Public Service Commission, 600 East Boulevard, Dept. 408, Bismarck, ND 58505-0480 within 30 days after the last publication of this notice. The written request should state the concerns or objections regarding the revision.

The legal description and names of surface and coal owners in Sections 20 and 21 T141N R83W affected by the proposed mining sequence change follow:

LEGAL DESCRIPTION SECTION 20 T141N R83W

NE1/4
SURFACE OWNER(S)
Douglas D. & Deberra K. Doll LE
James & Bonita Pazdernik LE
COAL OWNERS



Douglas D. & Deberra K. Doll LE
James & Bonita Pazdernik LE
Beverly R. Buttram
Dorothy Cottrell
Charles Marsters
Sandra Kay Gish
Ronald P. Tuning
L.D. Jenkins
Willow Point Corporation
Gentry, LLC
LEGAL DESCRIPTION
S1/2SW1/4
SURFACE OWNER(S)
Douglas D. & Deberra K. Doll LE
James & Bonita Pazdernik LE
COAL OWNERS
Ralph & Irene Kautzman
Anton Landeis
Douglas D. & Deberra K. Doll LE
James & Bonita Pazdernik LE
LEGAL DESCRIPTION
SE1/4
SURFACE OWNER(S)
Doll Farm Enterprises
COAL OWNERS
Helen Pflieger
LEGAL DESCRIPTION
SECTION 21 T141N R83W
NE1/4
SURFACE OWNER(S)
Delmar Hagerott
COAL OWNERS
Delmar Hagerott
LEGAL DESCRIPTION

NW1/4
SURFACE OWNER(S)
Douglas D. & Deberra K. Doll LE
James & Bonita Pazdernik LE
COAL OWNERS
Ralph & Irene Kautzman
Anton Landeis
Douglas D. & Deberra K. Doll LE
James & Bonita Pazdernik LE
LEGAL DESCRIPTION
SW1/4
SURFACE OWNER(S)
Doll Farm Enterprises
COAL OWNERS
Helen Pflieger
Marla Brown LE
Remainderman:
Holli K. Taylor
Myra Buntin LE
Remaindermen:
Darrell Ray Buntin III
Amand Marie Minick
LEGAL DESCRIPTION
SE1/4
SURFACE OWNER(S)
Douglas D. & Deberra K. Doll LE
James & Bonita Pazdernik LE
COAL OWNERS
Ralph & Irene Kautzman
Anton Landeis
Douglas D. & Deberra K. Doll LE
James & Bonita Pazdernik LE
(10-21-21)(10-28-21)(11-4-21)
(11-11-21)