

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision 42, Permit NAFK-8405
Application

Case No. RC-22-144

AFFIDAVIT OF SERVICE BY
REGULAR MAIL
AND CERTIFIED MAIL

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

John G. Hamre deposes and says that he is over the age of 18 years and not a party to this action and on, **the 30th day of June 2022**, he deposited in the United States Mail, Bismarck, North Dakota, **19** envelopes by standard first-class mail, postage prepaid, and all securely sealed and each containing a copy of:

NOTICE OF RECEIPT OF REVISION APPLICATION

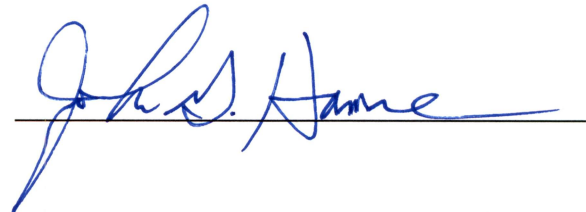
He further deposes and says that on the **1st day of June 2022**, he deposited in the United States Mail, Bismarck, North Dakota, **12** envelopes by certified mail, all securely sealed and each containing a copy of the same.

The envelopes were addressed as follows.

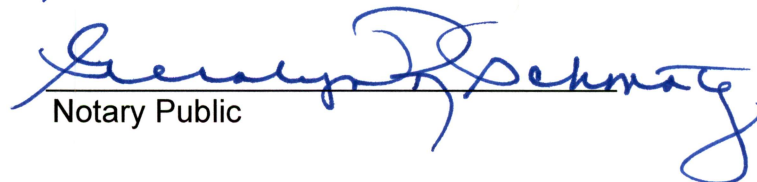
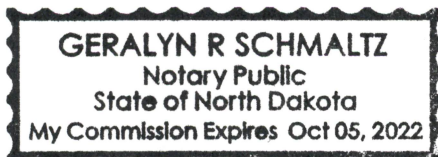
See Attached Lists

To the best of affiant's knowledge each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this 30th day of June, 2022



SEAL



Notary Public

Standard First-Class Mail

Jeb Williams
ND Game & Fish Dept
100 North Bismarck Expressway
Bismarck, ND 58505

David Glatt
ND Dept. of Environmental Quality
4201 Normandy Street
Bismarck, ND 58503-1324

John Paczkowski
North Dakota State Water Commission
900 East Blvd Ave.
Dept. 770
Bismarck, ND 58505-0850

Bill Peterson
State Historical Society of ND
612 East Blvd Ave
ND Heritage Center
Bismarck, ND 58505

Tom Claeys
State Forester
N.D. Forest Service
307 1st St. E
Bottineau, ND 58318

Mr. Bruce Schmidt
State Soil Conservation Specialist
2718 Gateway Ave.
Suite #104
Bismarck, ND 58503

Andrea Travnicek
ND Parks & Recreation
1600 East Century Ave.
Suite 3
Bismarck, ND 58503-0649

US EPA, Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

Mary E. Podoll, State Conservationist
Natural Resource Conservative Service
PO Box 1458
Bismarck ND 58502-1458

Daniel Cimarosti
US Army Corps of Engineers
ND Regulatory Office
3319 University Dr.
Bismarck, ND 58504-7565

Mark Watne, President
ND Farmers Union
PO Box 2136
Jamestown, ND 58402-2136

Mining Health & Safety Admn
CMSHA - US Dept of Labor
PO Box 25367
Denver CO 80225-5367

Bureau Of Land Management
TNT State Office
5001 Southgate DR
Billings, MT 59101-4669

Mr. Scott Larson
US Fish & Wildlife Service
3425 Miriam Avenue
Bismarck ND 58501-7926

5-BW JA
475 Summit Drive Suite 211
Minot Air Force Base
Minot ND 58705

Ed Murphy
ND Geological Survey
600 E. Blvd. Ave.
Bismarck, ND 58505-0840

Dakota Resource Council
1720 Burnt Boat Dr. Ste 104
Bismarck ND 58503-0801

Mr. Pete Hanebutt
North Dakota Farm Bureau
4900 Ottawa Street
Bismarck, ND 58503

Scott Blackburn, Environmental Coordinator
Planning & Compliance Office
National Park Service, Midwest Region
601 Riverfront Dr.
Omaha, NE 68102-4226

Certified mailings to the following surface owners:

Krist D. Kjelstrup and Taryn Kjelstrup
2845 3rd St. NW
Underwood, ND 58576-9638

Richard V. Hanson and Karen A. Hanson
435 20th Ave. NW
Turtle Lake, ND 58575-9427

Kjelstrup Land Holdings, LLLP
P.O. Box 281
Underwood, ND 58576-0281

North Dakota Department of Trust Lands
P.O. Box 5523
Bismarck, ND 58502-5523

Elnora Stengel, Life Estate
c/o Louis W. Stengel, Jr.
Attorney-in-Fact
P.O. Box 326
Underwood, ND 58576-0326

McLean Sheridan Rural Water District
Attn: Ann Oberg
987 17th Ave. NW
Turtle Lake, ND 58575-9649

James Coutts and Jacqualen Coutts
2476 6th St. NW
Underwood, ND 58576-9504

Paulson Family Farms, LLLP
868 26th Ave. NW
Coleharbor, ND 58531-9478

Gary R. Heidelberger
868 26th Ave NW
Coleharbor, ND 58531-9478

James R. Britton
Trustee of the James R. Britton Family Trust
P.O. Box 576
Turtle Lake, ND 58575-0576

David P. Kjelstrup and Linda K. Kjelstrup
P.O. Box 281
Underwood, ND 58576-0281

Wade and Amanda Haseleu
P.O. Box 718
Underwood, ND 58576-0718

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision No. 42, Permit NAFK-8405
Application

Case No. RC-22-144

NOTICE OF RECEIPT OF REVISION APPLICATION

June 1, 2022

The Falkirk Mining Company has filed an application for Revision No. 42 to Surface Coal Mining Permit No. NAFK-8405 for the Falkirk Mine. This revision adds 3,359.7 acres to the existing permit in the northern portion of the permit area. The introductory, legal, financial, compliance information, environmental, operations, reclamation, and wetlands sections have been revised. The stand-alone Underwood Field Ground Water Hydrology document and the Reclamation Bond/Cost sections associated with the permit have also been updated with this revision.

The revision application and mining and reclamation permit may be inspected at:

Public Service Commission
State Capitol
600 East Boulevard Avenue
Bismarck, North Dakota 58505-0480

McLean County Auditor
County Courthouse
712 5th Avenue
Washburn, North Dakota 58577

You may submit written comments or objections on the proposed permit revision application and its effects on the environment and on surface owners of the land in the permit area. You may request an informal conference with the Commission and the applicant on the revision application. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, or requests for informal conference must be made by July 25, 2022.

If there is an informal conference, you may request a formal administrative hearing on the Commission ruling on the application. Your request for a formal hearing must be made within thirty days of the Commission ruling on the application.

Written comments, objections, or requests for informal conferences should be addressed to the Public Service Commission, 600 East Boulevard Avenue, Dept. 408, Bismarck, North Dakota 58505-0480. For more information you may contact the Public Service Commission at 701-328-2400.

Signed on this 1 day of June 2022.

By: 
Steve Kahl
Executive Director

RC-22-144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

David P. Kjelstrup and Linda K. Kjelstrup
 P.O. Box 281
 Underwood, ND 58576-0281



9590 9402 6880 1104 0494 74

2. Article Number (Transfer from service label)

7021 2720 0003 0053 5793

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

DAVID P. KJELSTRUP

D. Is delivery address different from item 1?
If YES, enter delivery address below:

Yes

No

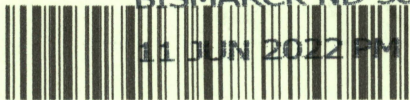
3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

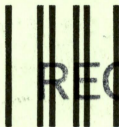
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USPS TRACKING #
BISMARCK ND 585



11 JUN 2022 PM 1 L

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USPS
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JUN 13 2022

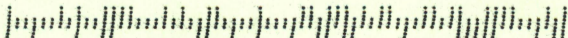
United States
Postal Service

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NORTH DAKOTA
PUBLIC SERVICE COMMISSION

North Dakota Public Service Commission
600 E Blvd Ave Dept. 408
Bismarck, ND 58505-0480

048099



RC-22-144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kjelstrup Land Holdings, LLLP
 P.O. Box 281
 Underwood, ND 58576-0281



9590 9402 6880 1104 0495 35

2. Article Number (Transfer from service label)

7021 2720 0003 0053 5731

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? If YES, enter delivery address below:

- Yes
- No

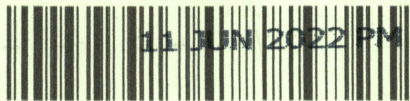
3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
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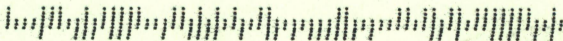
JUN 13 2022

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PUBLIC SERVICE COMMISSION

North Dakota Public Service Commission
600 E Blvd Ave Dept. 408
Bismarck, ND 58505-0480



RC-22-144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gary R. Heidelberger
 868 26th Ave NW
 Colesharbor, ND 58531-9478

2588 6th Ave St NW
 Underwood ND 58576



9590 9402 6880 1104 0494 98

2. Article Number (Transfer from service label)

7021 2720 0003 0053 5779

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
James D. Heidelberger

B. Received by (Printed Name) C. Date of Delivery
James D. Heidelberger 6-8-22

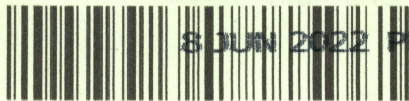
D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

2588 6th St NW
 Underwood, ND
 58576

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Mail Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
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8 JUN 2022 PM 1 L

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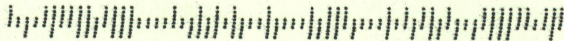
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NORTH DAKOTA
PUBLIC SERVICE COMMISSION

North Dakota Public Service Commission
600 E Blvd Ave Dept. 408
Bismarck, ND 58505-0480

05-048099



RC-22-144

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- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Paulson Family Farms, LLLP
 868 26th Ave. NW
 Coleharbor, ND 58531-9478



9590 9402 6880 1104 0495 04

2. Article Number (Transfer from service label)

7021 2720 0003 0053 5762

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Jean Paulson*

Agent

Addressee

B. Received by (Printed Name)

Jean Paulson

C. Date of Delivery

6/4/22

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below:

No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Priority Mail Express®

Registered Mail™

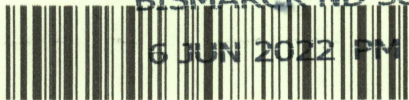
Registered Mail Restricted Delivery

Signature Confirmation™

Signature Confirmation Restricted Delivery

Restricted Delivery

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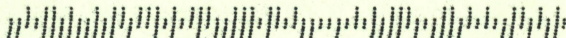
JUN - 8 2022

United States
Postal Service

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NORTH DAKOTA
PUBLIC SERVICE COMMISSION

North Dakota ~~Public Service Commission~~
600 E Blvd Ave Dept. 408
Bismarck, ND 58505-0480



RC-22-144

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- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

James R. Britton
 Trustee of the James R. Britton Family Trust
 P.O. Box 576
 Turtle Lake, ND 58575-0576



9590 9402 6880 1104 0494 81

2. Article Number (Transfer from service label)

7021 2720 0003 0053 5786

COMPLETE THIS SECTION ON DELIVERY

A. Signature

James Britton

- Agent
- Addressee

B. Received by (Printed Name)

James Britton

C. Date of Delivery

6-6-22

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
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6 JUN 2022 PM 1 L

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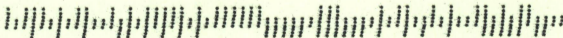
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• Sender: Please print your name, address, and ZIP+4® in this box•

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- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Elnora Stengel, Life Estate
 c/o Louis W. Stengel, Jr.
 Attorney-in-Fact
 P.O. Box 326
 Underwood, ND 58576-0326



9590 9402 6880 1104 0495 28

2. Article Number (Transfer from service label)

7021 2720 0003 0053 5748

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Dorothy Stengel

Agent

Addressee

B. Received by (Printed Name)

Dorothy Stengel

C. Date of Delivery

6/3/22

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Signature Confirmation™

Signature Confirmation Restricted Delivery

Registered Mail

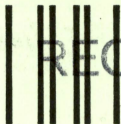
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Permit No. G-10

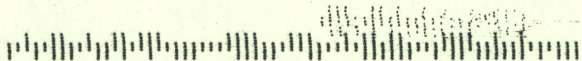
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PUBLIC SERVICE COMMISSION

North Dakota Public Service Commission
600 E Blvd Ave Dept. 408
Bismarck, ND 58505-0480



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RC-22-144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

James Coutts and Jacqualen Coutts
 2476 6th St. NW
 Underwood, ND 58576-9504



9590 9402 6880 1104 0495 11

2. Article Number (Transfer from service label)

7021 2720 0003 0053 5755

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Jacqueline Coutts*

- Agent
- Addressee

B. Received by (Printed Name)

Jacqueline Coutts

C. Date of Delivery

6-3-22

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below:

No

3. Service Type

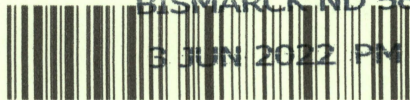
- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

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3 JUN 2022 PM 1 L



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Permit No. G-10

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JUN - 6 2022

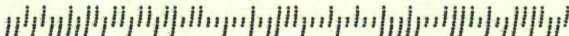
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Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

NORTH DAKOTA

PUBLIC SERVICE COMMISSION

North Dakota Public Service Commission
600 E Blvd Ave Dept. 408
Bismarck, ND 58505-0480



RC-22-144

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



Richard V. Hanson and Karen A. Hanson
435 20th Ave. NW
Turtle Lake, ND 58575-9427



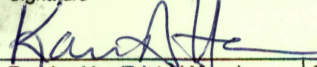
9590 9402 6880 1104 0494 50

2. Article Number (Transfer from service label)

7021 2720 0003 0053 5816

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X 

Agent

Addressee

B. Received by (Printed Name)

Karen A Hanson

C. Date of Delivery

6-3-22

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

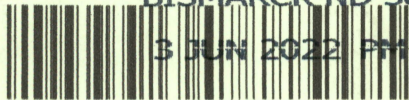
- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

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Mail Restricted Delivery
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USPS TRACKING#

BISMARCK ND 585



3 JUN 2022 PM 1 L

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Postage & Fees Paid
USPS
Permit No. G-10

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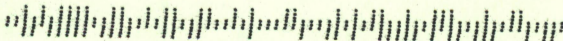
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United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

NORTH DAKOTA
PUBLIC SERVICE COMMISSION

North Dakota Public Service Commission
600 E Blvd Ave Dept. 408
Bismarck, ND 58505-0480



RC-22-144

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Wade and Amanda Haseleu
 P.O. Box 718
 Underwood, ND 58576-0718



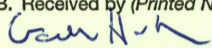
9590 9402 6880 1104 0494 67

2. Article Number (Transfer from service label)

7021 2720 0003 0053 5809

COMPLETE THIS SECTION ON DELIVERY

A. Signature X  Agent Addressee

B. Received by (Printed Name)


C. Date of Delivery
6-3-22

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

restricted Delivery

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4 JUN 2022 PM 1 L

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USPS
Permit No. G-10

9590 9402 6880 1104 0494 67

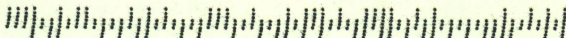
JUN - 6 2022

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NORTH DAKOTA
PUBLIC SERVICE COMMISSION

North Dakota Public Service Commission
600 E Blvd Ave Dept. 408
Bismarck, ND 58505-0480



RC-22-144

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Krist D. Kjelstrup and Taryn Kjelstrup
 2845 3rd St. NW
 Underwood, ND 58576-9638



9590 9402 6880 1104 0495 42

2. Article Number (Transfer from service label)

7021 2720 0003 0058 5724

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Krist Kjelstrup*

- Agent
- Addressee

B. Received by (Printed Name)

Krist Kjelstrup

C. Date of Delivery

6-8-22

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Mail
Mail Restricted Delivery
00)

USPS TRACKING#

BISMARCK ND 585



3 JUN 2022 PM 1 L

RECEIVED

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 6880 1104 0495 42

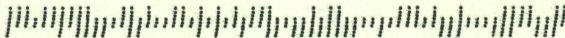
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RC-22-144

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1. Article Addressed to:

McLean Sheridan Rural Water District
 Attn: Ann Oberg
 987 17th Ave. NW
 Turtle Lake, ND 58575-9649



9590 9402 6880 1104 0495 59

2. Article Number (Transfer from service label)

7021 2720 0003 0053 5717

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

Janul Johannes

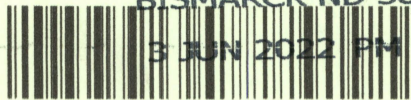
3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Restricted Delivery

USPS TRACKING #
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3 JUN 2022 PM 1 L

9590 9402 6880 1104 0495 59

RECEIVED

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USPS
Permit No. G-10

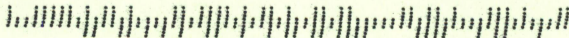
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RC-22-144

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

North Dakota Department of Trust Lands
 P.O. Box 5523
 Bismarck, ND 58502-5523



9590 9402 6880 1104 0494 43

2. Article Number (Transfer from service label)

7021 2720 0003 0053 5823

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X J. Vogel

- Agent
- Addressee

B. Received by (Printed Name)

MF

C. Date of Delivery

6-3-22

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Restricted Delivery

USPS TRACKING#
BISMARCK ND 585



3 JUN 2022 PM 1 L

9590 9402 6880 1104 0494 43

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Permit No. G-10

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