

FALKIRK MINE

July 21, 2022

RECEIVED

JUL 25 2022

NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Ms. Zanna Brinkman
Reclamation Director
ND State Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505

RE: Affidavit of Publication for Revision 42, 8th Addition to Permit NAFK-8405

Dear Ms. Brinkman:

Please find enclosed copies of the Affidavit of Publication for Revision 42, 8th Addition to Falkirk's Mining Permit NAFK-8405. The publication was published for four (4) consecutive weeks in the McLean County Independent and the Bismarck Tribune on June 2nd, 9th, 16th, and 23rd, 2022.

If you have any questions or comments, please contact me at 250-2420.

Sincerely,

THE FALKIRK MINING COMPANY



Tara Voigt
Executive Assistant II

TV
Attachments

11 RC-22-144 Filed 07/25/2022 Pages: 8
Affidavit of Publication with tear sheets
Falkirk Mining Company
Tara Voigt

*** Proof of Publication ***

JUL - 5 2022

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:

6/2, 9, 16 + 23/2022

Signed *Jill Lindsay*

THE FALKIRK MINING COMPANY

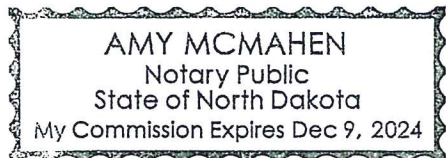
2801 1ST ST SW PO BOX 1087
UNDERWOOD, ND 58576

ORDER NUMBER 47568

Sworn and subscribed to before me this 23 day of

June 20 22

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



Section: Legals

Category: 5380 Public Notices

PUBLISHED ON: 06/02/2022, 06/09/2022, 06/16/2022, 06/23/2022

TOTAL AD COST: 5663.52

FILED ON: 6/23/2022

**NOTICE OF FILING A REVISION TO ADD AREA
TO AN EXISTING SURFACE COAL MINING PERMIT**

The Falkirk Mining Company, P.O. Box 1087, Underwood, ND 58576, has filed an application to revise surface coal mining activities for Revision 42 in Permit NAFK-8405, to add 3,359.7 acres to the permit. Revision 42 adds the N½ of Section 1, N½ of Section 2, N½ of Section 3 and NE¼, W½ of Section 5, T146N, R82W and the E½ of Section 33, S½ of Section 34, Section 35 and Section 36, T147N, R82W, approximately 3 miles north of Underwood. Information that was updated in the permit includes all introductory, legal, financial, compliance information, environmental, operations, reclamation and wetland sections. The stand-alone Ground Water Hydrology and Reclamation Bond/Cost sections have also been updated with this revision.

The map shows the location of the City of Underwood, North Dakota, and the outline of the permit area.

The owners of the surface and coal in the area affected by the permit revision are as follows:

TRACT 89

Township 146 North, Range 82 West

Section 5: S½ less U.S. Hwy. 83, and less a strip, piece, or parcel of land 150.00 feet in width

Surface Ownership: Krist D. Kjelstrup and Taryn Kjelstrup; Kjelstrup Land Holdings, LLLP

Coal Ownership: Sue Ellen Gruman Kraft; Karla Gruman Rippchen; Audra Rose Coppa; Mark Edward Gruman; Camille Wissmann; Krist D. Kjelstrup and Taryn Kjelstrup; Kjelstrup Land Holdings, LLLP; Dorchester Minerals, LP; Pogo Producing Company, LLC

TRACT 98

Township 146 North, Range 82 West

Section 1: Lots 1, 2, S½NE¼

Surface Ownership: Elnora Stengel, Life Estate, Remaindermen: Louis W. Stengel, Jr. and Dorothy A. Stengel, Sharleen Thorson, as Trustee of the Sharleen Thorson Living Trust, Zona O'Shea and Darrel O'Shea

Coal Ownership: Elnora Stengel, Life Estate, Remaindermen: Louis W. Stengel, Jr. and Dorothy A. Stengel, Sharleen Thorson, as Trustee of the Sharleen Thorson Living Trust, Zona O'Shea and Darrel O'Shea

TRACT 99

Township 146 North, Range 82 West

Section 1: Lots 3, 4, S½NW¼, less a 20.66 acre tract of land lying in Lots 3 and 4

Surface Ownership: James Coutts and Jacqualen Coutts
Coal Ownership: Elnora Stengel, Life Estate, Remaindermen: Jacqualen Coutts; AgriBank, FCB

TRACT 100

Township 146 North, Range 82 West

Section 1: A 20.66 acre tract of land lying in Lots 3 and 4

Surface Ownership: James Coutts and Jacqualen Coutts
Coal Ownership: James Coutts and Jacqualen Coutts; AgriBank, FCB

TRACT 101

Township 146 North, Range 82 West

Section 2: Lots 1, 2, S½NE¼

Surface Ownership: The Falkirk Mining Company
Coal Ownership: The Falkirk Mining Company; North Dakota Department of Trust Lands

TRACT 102

Township 146 North, Range 82 West

Section 2: Lots 3, 4, S½NW¼, less Lot A in the NW¼

Surface Ownership: Paulson Family Farms, LLLP
Coal Ownership: United States of America – Bureau of Land Management

TRACT 103

Township 146 North, Range 82 West

Section 2: Lot A in the NW¼

Surface Ownership: Gary R. Heidelberger
Coal Ownership: United States of America – Bureau of Land Management

TRACT 104

Township 146 North, Range 82 West

Section 3: NE¼

Surface Ownership: The Falkirk Mining Company
Coal Ownership: Dallas Benzmiller and Vicki Benzmiller; Stuart Busch and Paula Busch; Dennis J. Dietz; Leslie Forland and Wendy Forland; Juanita Grewing and Dan Grewing; Troy Buller and Stephanie Buller; Stacey Busch; Cassie Busch; Bradley Busch; Tamara Paulsen and Keith Paulsen; Richard Brunelle and Deann Brunelle; The Falkirk Mining Company; United States of America – Bureau of Land Management

TRACT 105

Township 146 North, Range 82 West

Section 3: NW¼

Surface Ownership: James R. Britton, as Trustee of the James R. Britton Family Trust dated 02-01-08, as Amended on 06-02-17

Coal Ownership: James R. Britton, as Trustee of the James R. Britton Family Trust dated 02-01-08, as Amended on 06-02-17

TRACT 106

Township 146 North, Range 82 West

Section 5: W½ of Lot 1, Lot 2, W½SE¼NE¼, SW¼NE¼, less Outlot B

Surface Ownership: Kjelstrup Land Holdings, LLLP
Coal Ownership: Sue Ellen Gruman Kraft; Karla Gruman Rippchen; Audra Rose Coppa; Mark Edward Gruman; Camille Wissmann; Kjelstrup Land Holdings, LLLP; Dorchester Minerals, LP; Pogo Producing Company, LLC

TRACT 107

Township 146 North, Range 82 West

Section 5: E½SE¼NE¼, less Outlot B

Surface Ownership: David P. Kjelstrup and Linda K. Kjelstrup
Coal Ownership: Sue Ellen Gruman Kraft; Karla Gruman Rippchen; Audra Rose Coppa; Mark Edward Gruman; Camille Wissmann; David P. Kjelstrup and Linda K. Kjelstrup; Dorchester Minerals, LP; Pogo Producing Company, LLC

TRACT 108

Township 146 North, Range 82 West

Section 5: Outlot B, located in Lot 1 and the S½NE¼

Surface Ownership: Wade Haseleu and Amanda Haseleu -
Coal Ownership: Sue Ellen Gruman Kraft; Karla Gruman Rippchen; Audra Rose Coppa; Mark Edward Gruman; Camille Wissmann; Wade Haseleu and Amanda Haseleu; Dorchester Minerals, LP; Pogo Producing Company, LLC

TRACT 109

Township 146 North, Range 82 West

Section 5: E½ of Lot 1, less Outlot B

Surface Ownership: David P. Kjelstrup and Linda K. Kjelstrup
Coal Ownership: Sue Ellen Gruman Kraft; Karla Gruman Rippchen; Audra Rose Coppa; Mark Edward Gruman; Camille Wissmann; David P. Kjelstrup and Linda K. Kjelstrup; Dorchester Minerals, LP; Pogo Producing Company, LLC

TRACT 110

Township 146 North, Range 82 West

Section 5: Lots 3, 4, S½NW¼

Surface Ownership: Krist D. Kjelstrup and Taryn Kjelstrup; Kjelstrup Land Holdings, LLLP
Coal Ownership: Sue Ellen Gruman Kraft; Karla Gruman Rippchen; Audra Rose Coppa; Mark Edward Gruman; Camille Wissmann; Krist D. Kjelstrup and Taryn Kjelstrup; Kjelstrup Land Holdings, LLLP; Dorchester Minerals, LP; Pogo Producing Company, LLC

TRACT 111

Township 147 North, Range 82 West

Section 33: NE¼, SE¼

Surface Ownership: James R. Britton, as Trustee of the James R. Britton Family Trust dated 02-01-08, as Amended on 06-02-17
Coal Ownership: James R. Britton, as Trustee of the James R. Britton Family Trust dated 02-01-08, as Amended on 06-02-17

TRACT 112

Township 147 North, Range 82 West

Section 34: SE¼

Surface Ownership: Paulson Family Farms, LLLP
Coal Ownership: Beverly Jean Paulson and Donald E. Paulson, Trustees Under the Beverly Jean Paulson Living Trust dated 12-03-04; Marion E. Benser, formerly Marion E. Arenstein; Dora E. Rindt

TRACT 113

Township 147 North, Range 82 West

Section 34: SW¼

Surface Ownership: James R. Britton, as Trustee of the James R. Britton Family Trust dated 02-01-08, as Amended on 06-02-17
Coal Ownership: James R. Britton, as Trustee of the James R. Britton Family Trust dated 02-01-08, as Amended on 06-02-17

TRACT 114

Township 147 North, Range 82 West

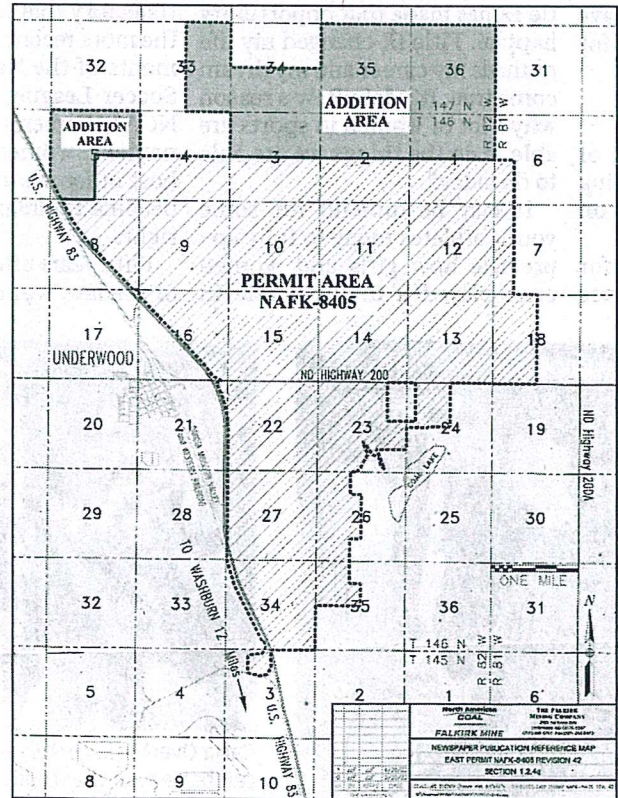
Section 35: NE $\frac{1}{4}$, W $\frac{1}{2}$
 Surface Ownership: Richard V. Hanson and Karen A. Hanson
 Coal Ownership: Richard V. Hanson and Karen A. Hanson
TRACT 115
Township 147 North, Range 82 West
 Section 35: SE $\frac{1}{4}$
 Surface Ownership: The Falkirk Mining Company
 Coal Ownership: The Falkirk Mining Company; AgriBank, FCB
TRACT 116
Township 147 North, Range 82 West
 Section 36: NE $\frac{1}{4}$
 Surface Ownership: Elnora Stengel, Life Estate, Remaindermen: Louis W. Stengel, Jr. and Dorothy A. Stengel, Sharleen Thorson, as Trustee of the Sharleen Thorson Living Trust, Zona O'Shea and Darrel O'Shea
 Coal Ownership: North Dakota Department of Trust Lands
TRACT 117
Township 147 North, Range 82 West
 Section 36: SE $\frac{1}{4}$, SW $\frac{1}{4}$
 Surface Ownership: North Dakota Department of Trust Lands
 Coal Ownership: North Dakota Department of Trust Lands
TRACT 118
Township 147 North, Range 82 West
 Section 36: NW $\frac{1}{4}$ less Auditor's Lot A in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
 Surface Ownership: The Falkirk Mining Company
 Coal Ownership: North Dakota Department of Trust Lands
TRACT 119
Township 147 North, Range 82 West
 Section 36: Auditor's Lot A in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
 Surface Ownership: McLean Sheridan Rural Water District
 Coal Ownership: North Dakota Department of Trust Lands
 Operations within 100 feet of the outside right-of-way of the following sections will be necessary during the planned mining for the current permit area and the area added to the permit as part of Revision No. 42. Prior to the operations being conducted in these areas, Falkirk will obtain the approval of the Board of McLean County Commissioners, the road authority, subject to public notice and hearing.

1. The north-south section line between the NW $\frac{1}{4}$ of Section 1 and the NE $\frac{1}{4}$ of Section 2, T146N, R82W.
2. The north-south section line between the NW $\frac{1}{4}$ of Section 2 and the NE $\frac{1}{4}$ of Section 3, T146N, R82W.
3. The north-south section line between the NW $\frac{1}{4}$ of Section 3 and the NE $\frac{1}{4}$ of Section 4, T146N, R82W.
4. The north-south section line between Section 4 and Section 5, T146N, R82W.
5. The north-south section line between Section 5 and Section 6, T146N, R82W.
6. The east-west section line between Section 5, T146N, R82W and Section 32, T147N, R82W.
7. The north-south section line between Section 33 and Section 34, T147N, R82W.
8. The north-south section line between Section 34 and Section 35, T147N, R82W.
9. The north-south section line between Section 35 and Section 36, T147N, R82W.
10. The east-west section line between Section 1, T146N, R82W and Section 36, T147N, R82W.
11. The east-west section line between Section 2, T146N, R82W and Section 35, T147N, R82W.
12. The east-west section line between Section 3, T146N, R82W and Section 34, T147N, R82W.

As shown in the permit application, mining and related construction activities will be located across several section lines and roads. The area added to the permit as part of Revision No. 42 will require temporary closure of several section lines and roads to allow mining to proceed. Prior to the operations being conducted in these areas, Falkirk will obtain the approval of the Board of McLean County Commissioners to temporarily close the following section lines and roads during the term of mining and reclamation:

1. The north-south section line between the NW $\frac{1}{4}$ of Section 1 and the NE $\frac{1}{4}$ of Section 2, T146N, R82W.
2. The north-south section line between the NW $\frac{1}{4}$ of Section 2 and the NE $\frac{1}{4}$ of Section 3, T146N, R82W.
3. The north-south section line between the NW $\frac{1}{4}$ of Section 3 and the NE $\frac{1}{4}$ of Section 4, T146N, R82W.
4. The north-south section line between the SW $\frac{1}{4}$ of Section 4 and the SE $\frac{1}{4}$ of Section 5, T146N, R82W.
5. The north-south section line between Section 5 and Section 6, T146N, R82W.
6. The north-south section line between Section 33 and Section 34, T147N, R82W.
7. The north-south section line between Section 34 and Section 35, T147N, R82W.
8. The north-south section line between Section 35 and Section 36, T147N, R82W.
9. The east-west section line between Section 1, T146N, R82W and Section 36, T147N, R82W.
10. The east-west section line between Section 2, T146N, R82W and Section 35, T147N, R82W.
11. The east-west section line between Section 3, T146N, R82W and Section 34, T147N, R82W.

Copies of the application for this revision of a surface coal mining permit are available for public inspection at the offices of the North Dakota Public Service Commission, 600 East Boulevard Ave., Bismarck, ND 58505-0480 and at the office of the County Auditor, McLean County Courthouse, Washburn, ND 58577. Written comments, objections, or requests for informal conferences on the application may be submitted by any person with an interest which is or may be adversely affected to the North Dakota Public Service Commission, 600 East Boulevard Ave., 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.



JUL 18 2022

Affidavit of Publication

STATE OF NORTH DAKOTA,
COUNTY OF McLean, ss.

I, Rhonda Iglehart, employee of the McLean County Independent of said County and State, being first duly sworn, on oath says, that the McLean County Independent is a weekly newspaper published in Garrison ND County of McLean, 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

Permit PO #133889

Falkirk Mining Co

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:

4- McLean County Independant: 6/2/2022, 6/9/2022,
6/16/2022, 6/23/2022

That the full amount of the fees for
the publication of the annexed notice is: \$ 1953.00

Rhonda Iglehart

Subscribed and sworn to before me this 6/22/2022

Darla J. Mautz
Darla J. Mautz, Notary Public
State of North Dakota



**NOTICE OF FILING A REVISION
TO ADD AREA TO AN EXISTING SUR-
FACE COAL MINING PERMIT**

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The map shows the location of the City of Underwood, North Dakota, and the outline of the permit area.

The owners of the surface and coal in the area affected by the permit revision are as follows:

TRACT 89

Township 146 North, Range 82

West

Section 5: S½ less U.S. Hwy. 83, and less a strip, piece, or parcel of land 150.00 feet in width

Surface Ownership:

Krist D. Kjelstrup and Taryn Kjelstrup; Kjelstrup Land Holdings, LLLP

Coal Ownership:

SueEllen Gruman Kraft; Karla Gruman Rippchen; Audra Rose Coppa; Mark Edward Gruman; Camille Wissmann; Krist D. Kjelstrup and Taryn Kjelstrup; Kjelstrup Land Holdings, LLLP; Dorchester Minerals, LP; Pogo Producing Company, LLC

TRACT 98

Township 146 North, Range 82

West

Section 1: Lots 1, 2, S½NE¼

Surface Ownership:

Elnora Stengel, Life Estate, Remaindermen: Louis W. Stengel, Jr. and Dorothy A. Stengel, Sharleen Thorson, as Trustee of the Sharleen Thorson Living Trust, Zona O'Shea and Darrel O'Shea
Coal Ownership: Elnora Stengel, Life Estate, Remaindermen: Louis W. Stengel, Jr. and Dorothy A. Stengel, Sharleen Thorson, as Trustee of the Sharleen Thorson Living Trust, Zona O'Shea and Darrel O'Shea

TRACT 99

Township 146 North, Range 82

West

Section 1: Lots 3, 4, S½NW¼, less a 20.66 acre tract of land lying in Lots 3 and 4

Surface Ownership:

James Coumts and Jacqualen Coumts

Coal Ownership:

Elnora Stengel, Life Estate, Remaindermen: Jacqualen Coumts; AgriBank, FCB

TRACT 100

Township 146 North, Range 82

West

Section 1: A 20.66 acre tract of land lying in Lots 3 and 4

Surface Ownership:

James Coumts and Jacqualen Coumts

Coal Ownership:

James Coumts and Jacqualen Coumts; AgriBank, FCB

TRACT 101

Township 146 North, Range 82

West

Section 2: Lots 1, 2, S½NE¼

Surface Ownership:

The Falkirk Mining Company

Coal Ownership:

The Falkirk Mining Company; North Dakota Department of Trust Lands

TRACT 102

Township 146 North, Range 82

West

Section 2: Lots 3, 4, S½NW¼, less Lot A in the NW¼

Surface Ownership:

Paulson Family Farms, LLLP

Coal Ownership:

United States of America – Bureau of Land Management

TRACT 103

Township 146 North, Range 82

West

Section 2: Lot A in the NW¼

Surface Ownership:

Gary R. Heidelberg

Coal Ownership:

United States of America – Bureau of Land Management

TRACT 104

Township 146 North, Range 82

West

Section 3: NE¼

Surface Ownership:

The Falkirk Mining Company

Coal Ownership:

Dallas

Benzmiller and Vicki Benzmiller; Stuart Busch and Paula Busch; Dennis J. Dietz; Leslie Forland and Wendy Forland; Juanita Grewing and Dan Grewing; Troy Buller and Stephanie Buller; Stacey Busch; Cassie Busch; Bradley Busch; Tamara Paulsen and Keith Paulsen; Richard Brunelle and Deann Brunelle; The Falkirk Mining Company; United States of America – Bureau of Land Management

TRACT 105

Township 146 North, Range 82

West

Section 3: NW¼

Surface Ownership:

James R. Britton, as Trustee of the James R. Britton Family Trust dated 02-01-08, as Amended on 06-02-17

Coal Ownership:

James R. Britton, as Trustee of the James R. Britton Family Trust dated 02-01-08, as Amended on 06-02-17

TRACT 106

Township 146 North, Range 82

West

Section 5: W½ of Lot 1, Lot 2, W½SE¼NE¼, SW¼NE¼, less Outlot B

Surface Ownership:

Kjelstrup Land Holdings, LLLP

Coal Ownership:

SueEllen Gruman Kraft; Karla Gruman Rippchen; Audra Rose Coppa; Mark Edward Gruman; Camille Wissmann; Kjelstrup Land Holdings, LLLP; Dorchester Minerals, LP; Pogo Producing Company, LLC

TRACT 107

Township 146 North, Range 82

West

Section 5: E½SE¼NE¼, less Outlot B

Surface Ownership:

David P. Kjelstrup and Linda K. Kjelstrup

Coal Ownership:

SueEllen Gruman Kraft; Karla Gruman Rippchen; Audra Rose Coppa; Mark Edward Gruman; Camille Wissmann; David P. Kjelstrup and Linda K. Kjelstrup; Dorchester Minerals, LP; Pogo Producing Company, LLC

TRACT 108

Township 146 North, Range 82

West

Section 5: Outlot B, located in Lot 1 and the S½NE¼

Surface Ownership:

Wade Haseleu and Amanda Haseleu -

Coal Ownership:

SueEllen Gruman Kraft; Karla Gruman Rippchen; Audra Rose Coppa; Mark Edward Gruman; Camille Wissmann; Wade Haseleu and Amanda Haseleu; Dorchester Minerals, LP; Pogo Producing Company, LLC

TRACT 109
Township 146 North, Range 82

West

Section 5: E½ of Lot 1, less Outlot B

Surface Ownership:
David P. Kjelstrup and Linda K. Kjelstrup
Coal Ownership: SueEllen
Gruman Kraft; Karla Gruman Rippchen;
Audra Rose Coppa; Mark Edward Gruman;
Camille Wissmann; David P. Kjelstrup
and Linda K. Kjelstrup; Dorchester
Minerals, LP; Pogo Producing Company,
LLC

TRACT 110
Township 146 North, Range 82

West

Section 5: Lots 3, 4, S½NW¼

Surface Ownership:
Krist D. Kjelstrup and Taryn Kjelstrup;
Kjelstrup Land Holdings, LLLP
Coal Ownership: SueEllen
Gruman Kraft; Karla Gruman Rippchen;
Audra Rose Coppa; Mark Edward Gruman;
Camille Wissmann; Krist D. Kjelstrup
and Taryn Kjelstrup; Kjelstrup Land
Holdings, LLLP; Dorchester Minerals,
LP; Pogo Producing Company, LLC

TRACT 111
Township 147 North, Range 82

West

Section 33: NE¼, SE¼

Surface Ownership:
James R. Britton, as Trustee of the
James R. Britton Family Trust dated
02-01-08, as Amended on 06-02-17
Coal Ownership: James
R. Britton, as Trustee of the James R.
Britton Family Trust dated 02-01-08, as
Amended on 06-02-17

TRACT 112
Township 147 North, Range 82

West

Section 34: SE¼

Surface Ownership:
Paulson Family Farms, LLLP
Coal Ownership: Beverly
Jean Paulson and Donald E. Paulson,
Trustees Under the Beverly Jean Paulson
Living Trust dated 12-03-04; Marion
E. Benser, formerly Marion E. Arenstein;
Dora E. Rindt

TRACT 113
Township 147 North, Range 82

West

Section 34: SW¼

Surface Ownership:
James R. Britton, as Trustee of the
James R. Britton Family Trust dated
02-01-08, as Amended on 06-02-17
Coal Ownership: James
R. Britton, as Trustee of the James R.
Britton Family Trust dated 02-01-08, as
Amended on 06-02-17

TRACT 114
Township 147 North, Range 82

West

Section 35: NE¼, W½

Surface Ownership:
Richard V. Hanson and Karen A. Hanson
Coal Ownership: Richard
V. Hanson and Karen A. Hanson

TRACT 115
Township 147 North, Range 82

West

Section 35: SE¼

Surface Ownership:
The Falkirk Mining Company
Coal Ownership: The
Falkirk Mining Company; AgriBank, FCB

TRACT 116
Township 147 North, Range 82

West

Section 36: NE¼

Surface Ownership:
Elnora Stengel, Life Estate, Remaindermen:
Louis W. Stengel, Jr. and Dorothy
A. Stengel, Sharleen Thorson, as
Trustee of the Sharleen Thorson Living
Trust, Zona O'Shea and Darrel O'Shea
Coal Ownership: North
Dakota Department of Trust Lands

TRACT 117
Township 147 North, Range 82

West

Section 36: SE¼, SW¼

Surface Ownership:
North Dakota Department of Trust Lands
Coal Ownership: North
Dakota Department of Trust Lands

TRACT 118
Township 147 North, Range 82

West

Section 36: NW¼ less Auditor's Lot A in the NW¼NW¼

Surface Ownership:
The Falkirk Mining Company
Coal Ownership: North
Dakota Department of Trust Lands

TRACT 119
Township 147 North, Range 82

West

Section 36: Auditor's Lot A in the NW¼NW¼

Surface Ownership:
McLean Sheridan Rural Water District
Coal Ownership: North
Dakota Department of Trust Lands

Operations within 100 feet of the
outside right-of-way of the following
sections will be necessary during the
planned mining for the current permit
area and the area added to the permit
as part of Revision No. 42. Prior to the
operations being conducted in these
areas, Falkirk will obtain the approval
of the Board of McLean County
Commissioners, the road authority, subject
to public notice and hearing.

The north-south section line between
the NW¼ of Section 1 and the NE¼ of
Section 2, T146N, R82W.

The north-south section line between
the NW¼ of Section 2 and the NE¼ of
Section 3, T146N, R82W.

The north-south section line between
the NW¼ of Section 3 and the NE¼ of
Section 4, T146N, R82W.

The north-south section line between
Section 4 and Section 5, T146N, R82W.

The north-south section line between
Section 5 and Section 6, T146N, R82W.

The east-west section line between
Section 5, T146N, R82W and Section
32, T147N, R82W.

The north-south section line between
Section 33 and Section 34, T147N,
R82W.

The north-south section line between
Section 34 and Section 35, T147N,
R82W.

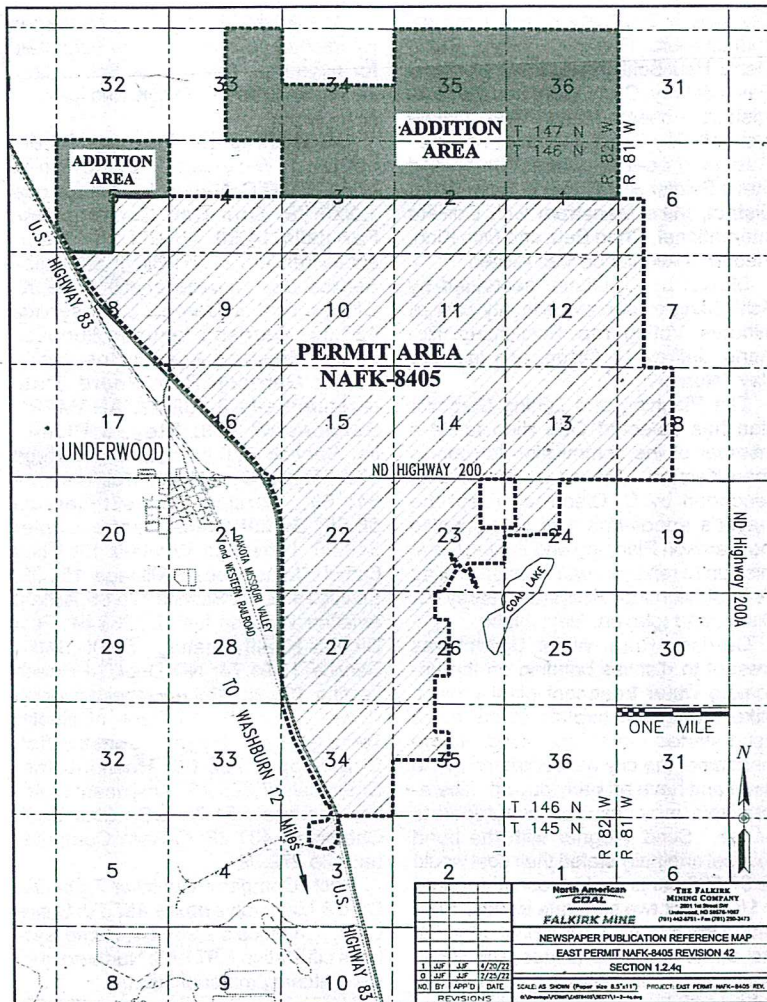
The north-south section line between
Section 35 and Section 36, T147N,
R82W.

The east-west section line between
Section 1, T146N, R82W and Section
36, T147N, R82W.

The east-west section line between
Section 2, T146N, R82W and Section
35, T147N, R82W.

The east-west section line between
Section 3, T146N, R82W and Section
34, T147N, R82W.

As shown in the permit application,
mining and related construction activities
will be located across several section
lines and roads. The area added to the
permit as part of Revision No. 42 will
require temporary closure of several
section lines and roads to allow mining



to proceed. Prior to the operations being conducted in these areas, Falkirk will obtain the approval of the Board of McLean County Commissioners to temporarily close the following section lines and roads during the term of mining and reclamation:

The north-south section line between the NW¼ of Section 1 and the NE¼ of Section 2, T146N, R82W.

The north-south section line between the NW¼ of Section 2 and the NE¼ of Section 3, T146N, R82W.

The north-south section line between the NW¼ of Section 3 and the NE¼ of Section 4, T146N, R82W.

The north-south section line between the SW¼ of Section 4 and the SE¼ of Section 5, T146N, R82W.

The north-south section line between Section 5 and Section 6, T146N, R82W.

The north-south section line between Section 33 and Section 34, T147N, R82W.

The north-south section line between Section 34 and Section 35, T147N, R82W.

The north-south section line between Section 35 and Section 36, T147N, R82W.

The east-west section line between Section 1, T146N, R82W and Section 36, T147N, R82W.

The east-west section line between Section 2, T146N, R82W and Section 35, T147N, R82W.

The east-west section line between Section 3, T146N, R82W and Section 34, T147N, R82W.

Copies of the application for this revision of a surface coal mining permit are available for public inspection at the offices of the North Dakota Public Service Commission, 600 East Boulevard Ave., Bismarck, ND 58505-0480 and at the office of the County Auditor, McLean County Courthouse, Washburn, ND 58577.

Written comments, objections, or requests for informal conferences on the application may be submitted by any person with an interest which is or may be adversely affected to the North Dakota Public Service Commission, 600 East Boulevard Ave., 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.

(June 2, 9, 16, 23, 2022)