



September 26, 2023

Via Email Only

John Schuh
Special Assistant Attorney General
North Dakota Public Service Commission
600 E. Boulevard Ave, Dept. 408
Bismarck, ND 58505-0480
jschuh@nd.gov

Re: Casey and Julie Voigt/Coyote Creek Mining Company, LLC

Dear John:

On September 22, 2023, I received three inspection reports dated July 11, 2023, July 20, 2023, and August 3, 2023. The inspection reports indicate that Coyote Creek Mining Company is currently respreading Suitable Plant Growth Material. We want to be clear that the Voigts agreed to go through the administrative process in good faith to look for constructive solutions. The Voigts trust that the PSC and Coyote Creek Mining Company will not argue that the mine has already respread topsoil and cannot put more down if it needs to be done. To be clear, adding additional SPGM is always an option, even if the mine has already respread and replanted a cover crop. Pipeline companies do this routinely when revegetation is not successful. Our position will be that we are asking for additional SPGM to be respread and this is feasible if we convince the PSC that it is required or desirable. If the Mine or the PSC intend to argue that once the respread of SPGM has occurred our arguments are moot or it can no longer respread additional SPGM please let us know now so that we can avoid spending time and resources in an inefficient manner.

Sincerely,

A handwritten signature in blue ink, appearing to read "Derrick Braaten".

Derrick Braaten

DB/dnz

cc: Wade Mann, attorney for Coyote Creek Mining Company
Casey and Julie Voigt