

**NOTICE OF APPLICATION FOR A PERMIT RENEWAL 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 Permit Renewal No. 8 to BNCR-8106 to engage in surface coal mining and reclamation operations. The area for which a permit renewal is sought includes approximately 1,169.71 acres in portions of Sections 23, 25, 35 and 36, T142N R84W and Sections 31 and 32, T142N R83W. This area is in Oliver County, North Dakota and is shown on the accompanying map and is described below. The next five-year permit term will be from July 18, 2023 to July 18, 2028.

The application for renewal 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 copy of the renewal 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 with an interest which is, or may be, adversely affected may file a petition to designate an area added to the permit with the renewal application as unsuitable for surface coal mining operations. Petitions to designate an area as unsuitable for surface mining, and written comments, objections, or requests for informal conferences on the renewal application may be submitted by any person with an interest which is, or may be, adversely affected by the renewal to the North Dakota Public Service Commission, 600 East Boulevard Avenue, 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 renewal.

The legal description and names of the apparent surface owners of the land in the permit area are as follows:

<u>LEGAL DESCRIPTION</u>	<u>SURFACE OWNER (S)</u>
Section 23 T142N R84W SW ¼	Ruby Meyhoff
NW ¼	Ruby Meyhoff Rodney & Vicki Meckle (home site) City of Center (lagoon)
Section 25 T142N R84W S ½	Kenneth J. Schmidt
Section 35 T142N R84W N ½	Michelle Marie Ternes
S ½	Mike Dresser
Section 36 T142N R84W S ½	ND State Land Department
N ½ less S 300' of the N ½	Minnkota Power Coop.

- 2 RC-22-420 Filed 12/09/2022 Pages: 3
Revision 59 / Renewal 8 Public Notice
BNI Coal, Ltd.
- 2 RC-22-419 Filed 12/09/2022 Pages: 3
Revision 59 / Renewal 8 Public Notice
BNI Coal, Ltd.



S 300' of N ½

BNI Coal, Ltd.

Section 31 T142N R83W

NW ¼

less 18.8 acres in the NW ¼

Benjamin Reinke
Elizabeth Wagendorf
Brian Reinke

18.8 acres in the NW ¼

BNI Coal, Ltd.

NE ¼

less 15.1 acres

Wayne Windhorst
Darlene Voegele

15.1 acres in the NE ¼

BNI Coal, Ltd.

S ½

less 6.7 acres

Benjamin Reinke
Elizabeth Wagendorf
Brian Reinke

6.7 acres in the S ½

BNI Coal, Ltd.

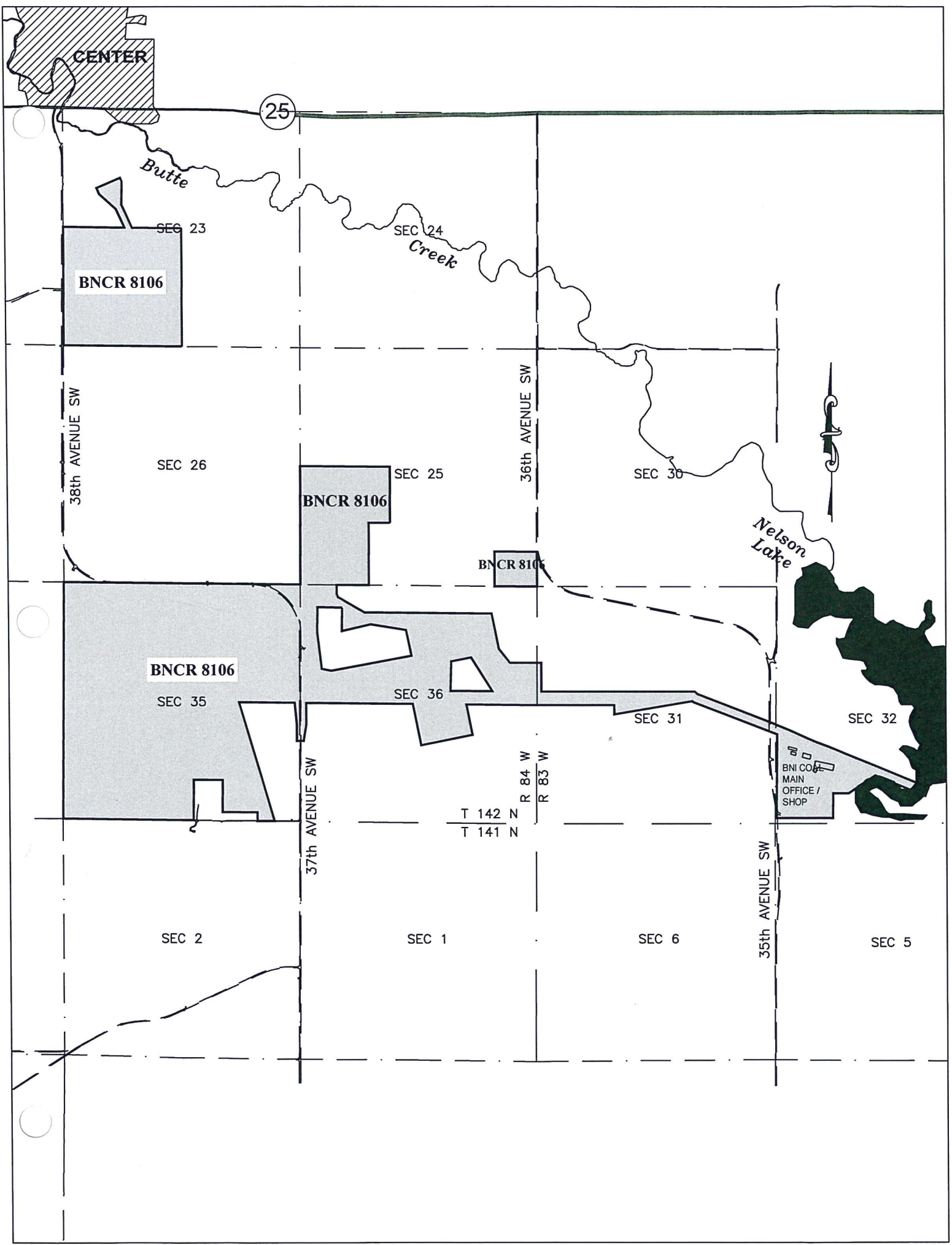
Section 32 T142N R83W

74.4 acres in SW ¼ &

SW ¼ SE ¼

BNI Coal, Ltd.





CENTER

25

Butte

SEC 23

BNCR 8106

SEC 24
Creek

SEC 26

38th AVENUE SW

SEC 25

BNCR 8106

36th AVENUE SW

SEC 30

Nelson Lake

BNCR 8106

BNCR 8106

SEC 35

SEC 36

SEC 31

SEC 32

BNI CO
MAIN
OFFICE /
SHOP

T 142 N
T 141 N

R 84 W
R 83 W

SEC 2

SEC 1

SEC 6

35th AVENUE SW

SEC 5