

PHONE (701) 355-5588



FAX (701) 794-3125

March 15, 2023

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

RE: Renewal 8 BNCR-8106 Affidavits of Publication

Dear Ms. Brinkman,

Enclosed with this letter are copies of the "Affidavit for Publication" notices from the Bismarck Tribune and the Center Republican for Permit BNCR-8106 Renewal 8.

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

Sincerely,

A handwritten signature in blue ink that reads "Karene M. Hall".

Karene M. Hall
Permit Coordinator

cc: Doug Scheetz, Jonathan Rudnick

8 RC-22-420 Filed 03/15/2023 Pages: 4
Letter enclosing Affidavit of Publication with tear sheets
BNI Coal, Ltd.
Karene Hall

***** 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:

1/19, 26, 2/2 + 9/2023
 Signed Jill Lindsay

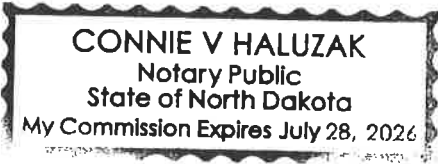
BNI COAL LTD

2360 NW 35TH AV
 CENTER, ND 58530

ORDER NUMBER 55741

Sworn and subscribed to before me this 9th day of

February 20 23
Connie V Haluzak
 Notary Public in and for the State of North Dakota



Section: Legals

Category: 5380 Public Notices

PUBLISHED ON: 01/19/2023, 01/26/2023, 02/02/2023, 02/09/2023

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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 BNGR-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, Dept. 408, Bismarck, ND, 58505-0480, and the office of the County Auditor, Oliver County Courthouse, Center, ND, 58530.

Any person whose interests are or may be adversely affected by the proposed action has the right to file written comments, objections or request an informal conference with the North Dakota Public Service Commission. Written comments, objections, and requests for informal conferences should be sent to the North Dakota Public Service Commission, 600 East Boulevard Avenue, 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 renewal. The legal description and names of the apparent surface owners of the land in the permit area are as follows:

LEGAL DESCRIPTION	SURFACE OWNER(S)
Section 23 T142N R84W SW ¼ NW ¼	Ruby Meyhoff Ruby Meyhoff
Section 25 T142N R84W S ½	Kenneth J. Schmidt
Section 35 T142N R84W N ½ S ½	Michelle Ternes Mike Dresser
Section 36 T142N R84W S ½ N ½ less S 300' of the N ½ S 300' of N ½	ND State Land Department Minnkota Power Coop. BNI Coal, Ltd.
Section 31 T142N R83W NW ¼ less 16.8 acres in the NW ¼	Benjamin Reinke Elizabeth Wagendorf Brian Reinke BNI Coal, Ltd. Wayne Windhorst Darlene Voegele BNI Coal, Ltd. Benjamin Reinke Elizabeth Wagendorf Brian Reinke BNI Coal, Ltd.
18.8 acres in the NW ¼ NE ¼ less 15.1 acres 15.1 acres in the NE ¼ S ½ less 6.7 acres	
6.7 acres in the S ½ Section 32 T142N R83W 74.4 acres in SW ¼ & SW ¼ SE ¼	BNI Coal, Ltd.

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

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:

3 - Center Republican: 1/26/2023, 2/2/2023, 2/9/2023, 2/16/2023

That the full amount of the fees for the publication of the annexed notice is: \$ 1023.24

Lori Cox

Subscribed and sworn to before me this 3/6/2023

Arden Pahl

Arden Pahl, Notary Public
State of South Dakota
My commission expires August 1, 2025



NOTICE OF APPLICATION FOR A PERMIT RENEWAL TO ENGAGE

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LEGAL DESCRIPTION

SURFACE OWNER (S)
 Section 23 T142N R84W
 SW ¼ Ruby Meyhoff
 NW ¼ Ruby Meyhoff
 Section 25 T142N R84W
 S ½ Kenneth J. Schmidt
 Section 35 T142N R84W
 N ½ Michelle Ternes
 S ½ Mike Dresser
 Section 36 T142N R84W
 S ½ ND State Land Department
 N ½ Minnkota Power Coop.

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less S 300' of the N ½
 S 300' of N ½ BNI Coal, Ltd.
 Section 31 T142N R83W
 NW ¼ Benjamin Reinke
 less 18.8 acres in the NW ¼
 Elizabeth Wagendorf
 Brian Reinke
 18.8 acres in the NW ¼
 BNI Coal, Ltd.
 NE ¼ Wayne Windhorst
 less 15.1 acres
 Darlene Voegelé
 15.1 acres in the NE ¼

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

BNI Coal, Ltd.
 S ½ Benjamin Reinke
 less 6.7 acres
 Elizabeth Wagendorf
 Brian Reinke
 6.7 acres in the S ½
 BNI Coal, Ltd.
 Section 32 T142N R83W
 74.4 acres in SW ¼ &
 BNI Coal, Ltd.
 SW ¼ SE ¼

