

Casey and Julie Voigt v. Coyote Creek Mining Company, LLC

Case No. RC-23-348

COY-038 Grade Approval Letter

Voigt Exhibit 20



Public Service Commission

State of North Dakota

COMMISSIONERS

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Sent via email only

September 27, 2023

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Mr. Jason Friedt
Coyote Creek Mining Company, L.L.C.
6502 17th St. SW
Zap, ND 58580
jason.friedt@nacoal.com

Dear Mr. Friedt:

This letter is in follow-up to grade approval request COY-038 that was submitted on September 12, 2023 for approximately 10.86 acres in the SE $\frac{1}{4}$ of Section 36, T143N, R89W in Permit NACC-1302. The postmine land use of potential cropland as depicted on the Post-Mining Contour Map is consistent with Section 4.1.2 (Post-Mining Topography and Landuse Map) most recently approved with Revision No. 11 and remains unchanged with pending Revision No. 12 with the exception for the reclaimed farmer access road shown in Revision No. 12. Grade approval is granted based on a review of the submitted materials and a field inspection by PSC personnel.

The proposed topsoil respread depth of 12.0 inches for Voigt ownership postmine potential cropland is approved. The total SPGM respread thickness of 24 inches for 9.66 acres and 36 inches for 1.20 acres as depicted on the submitted Post-Mining Contour Map is also approved. Blending will be necessary in areas having different total respread thicknesses, but without reducing the thickness of the area requiring the greater thickness, and ensuring the proper drainage through the transition area.

Please be reminded that methods must be used to minimize subsoil and topsoil compaction as specified and approved in Revision No. 2 to Permit NACC-1302. Upon completion of the SPGM respread in the approved area, the area must be stabilized to prevent erosion as required by NDAC 69-05.2-15-04(5) and NDAC 69-05.2-22-05.

If you have any questions, please contact this office.

Sincerely,

Jonathan Emmer
Assistant Director
Reclamation Division

cc via email only: [Jeremy Eckroth \(jeremy.eckroth@nacoal.com\)](mailto:jeremy.eckroth@nacoal.com)
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