

**Thompson, Pamela J.**

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**From:** no-reply@efilingmail.tylertech.cloud  
**Sent:** Wednesday, April 10, 2024 8:01 AM  
**To:** Thompson, Pamela J.  
**Subject:** Filing Accepted for Case: 08-2024-CV-00694; Casey Voigt, et al. vs. North Dakota Public Service Commission, et al.; Envelope Number: 5616439

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# Filing Accepted

Envelope Number: 5616439  
Case Number: 08-2024-CV-00694  
Case Style: Casey Voigt, et al. vs. North Dakota Public Service Commission, et al.



The filing below was reviewed and has been accepted by the clerk's office. You may access the file copy of the document filed by clicking on the below link.

Filing Details	
<b>Court</b>	Burleigh County
<b>Case Number</b>	08-2024-CV-00694
<b>Case Style</b>	Casey Voigt, et al. vs. North Dakota Public Service Commission, et al.
<b>Date/Time Submitted</b>	4/9/2024 4:08 PM CST
<b>Date/Time Accepted</b>	4/10/2024 8:00 AM CST
<b>Accepted Comments</b>	
<b>Filing Type</b>	Exhibit
<b>Filing Description</b>	CR Exhibit 7 - Affidavit of Service, Certified Mail, Letters - Notice of Formal Hearing
<b>Activity Requested</b>	EFile
<b>Filed By</b>	Pamela Thompson
<b>Filing Attorney</b>	John Schuh

Document Details	
<b>Lead Document</b>	CR Exhibit 7 - Affidavit of Service Certified Mail Letters - Notice of Formal Hearing.pdf
<b>Lead Document Page Count</b>	8
<b>File Copy</b>	<a href="#">View Document</a>
This link is active for 30 days. To access this document, you will be required to enter your email address. Click <a href="#">here</a> for more information. If the link above is not accessible, copy this URL into your	

browser's address bar to view the document:  
<https://northdakota.tylertech.cloud/ViewDocuments.aspx?FID=ec0de99f-12a9-47c6-b423-6a35e5421c76>

For technical assistance, contact your service provider or  
North Dakota Court's Information Technology Department 701-328-4218  
Please do not reply to this email. It was automatically generated.

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

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

**Case No. RC-23-348**

**AFFIDAVIT OF SERVICE BY**  
**CERTIFIED MAIL**

**STATE OF NORTH DAKOTA**

**COUNTY OF BURLEIGH**

**Jill Miller** deposes and says that she is over the age of 18 years and not a party to this action and on, **the 30th day of November, 2023**, she deposited in the United States Mail, Bismarck, North Dakota, **5** certified mail envelopes, postage prepaid, all securely sealed and each containing:

**NOTICE OF FORMAL HEARING**

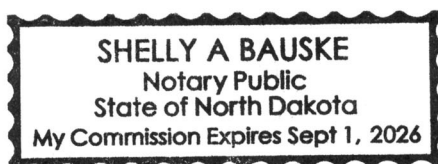
The envelopes were addressed as follows.

See Attached List

To the best of affiant's knowledge each address shown is the respective addressee's last reasonably ascertainable post office address.

  
\_\_\_\_\_

Subscribed and sworn to before me  
**this 30th day of November, 2023**



S E A L

  
\_\_\_\_\_  
Notary Public

Casey and Julie Voigt  
v. Coyote Creek Mining Company, LLC  
Case No. RC-23-348  
Affidavit of Service  
Notice of Formal Hearing  
Page 2 of 2

Jeremy Eckroth  
Coyote Creek Mining Company, LLC  
6502 17<sup>th</sup> St. SW  
Zap, ND 58523  
**Cert. No. 7021 2720 0003 0053 7391**

Derrick Braaten  
Braaten Law Firm  
109 North 4<sup>th</sup> Street, Suite 100  
Bismarck, ND 58501  
**Cert. No. 7021 2720 0003 0053 7414**

Wade Mann  
Crowley-Fleck, PLLP  
100 West Broadway, Suite 250  
Bismarck, ND 58501  
**Cert. No. 7021 2720 0003 0053 7421**

Hope L. Hogan  
Office of Administrative Hearings  
2911 N 14<sup>th</sup> St. Suite 303  
Bismarck, ND 58503  
**Cert. No. 7021 2720 0003 0053 7438**

Casey & Julie Voigt  
PO Box 454  
Beulah, ND 58523  
**Cert. No. 7021 2720 0003 0053 7407**

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

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

**Case No. RC-23-348**

**NOTICE OF FORMAL HEARING**

**November 30, 2023**

**Preliminary Statement**

The Public Service Commission (Commission) received a request for a Formal Hearing on November 22, 2023 from Casey and Julie Voigt, who are landowners in the permit area at the Coyote Creek Mine in Mercer County. The Voigts are concerned with the terms of their lease agreement with Coyote Creek Mining Company, methods used to calculate the projected suitable plant growth material (SPGM) respread depths, SPGM respread depths for property owned or ranched by the Voigts, and the future productivity of their soil.

**Notice of Formal Hearing**

Notice is hereby given that the captioned matter is set for a Formal Hearing, commencing at 9:00 a.m., CST, on December 22, 2023, Public Service Commission Hearing Room, 12<sup>th</sup> Floor, State Capitol, Bismarck, North Dakota.

If you require any auxiliary aids, such as readers, signers, or Braille materials, please notify the Commission, at (701) 328-2400, or Relay North Dakota TTY: 1-800-366-6888 at least 24 hours prior to the hearing.

**PUBLIC SERVICE COMMISSION**



**Steve Kahl  
Executive Director**

Coyote Creek Mine\Landowner Complaints\2023\Ntc\_Formal\_Hearing\_11-30-23



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

Randy Christmann  
Sheri Haugen-Hoffart  
Julie Fedorchak

600 East Boulevard, Dept. 408  
Bismarck, North Dakota 58505-0480  
Web: [www.psc.nd.gov](http://www.psc.nd.gov)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

*sent via email and certified mail*

November 30, 2023

Mr. Jeremy Eckroth  
Environmental Manager  
Coyote Creek Mining Company, LLC  
6502 17th St. SW  
Zap, ND 58523  
[Jeremy.Eckroth@nacoal.com](mailto:Jeremy.Eckroth@nacoal.com)

RE: Notice of Formal Hearing, Voigt Complaint, Case No. RC-23-348

Dear Mr. Eckroth:

Enclosed is the Notice of Formal Hearing regarding the Formal Complaint submitted on November 22, 2023 by Casey and Julie Voigt. The hearing will be held December 22, 2023 in the Commission Hearing Room on the 12<sup>th</sup> floor of the State Capitol beginning at 9:00 a.m. CST.

Please contact me if you have any questions.

Sincerely,

Jonathan Emmer  
Director  
Reclamation Division

Enclosure

Coyote Creek Mine\Landowner Complaints\2023\Ltrs\_hearing\_notice\_11-30-23



# Public Service Commission

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Julie Fedorchak

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Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

*sent via email and certified mail*

November 30, 2023

Casey and Julie Voigt  
PO Box 454  
Beulah, ND 58523  
[vvranch4@westriv.com](mailto:vvranch4@westriv.com)

RE: Notice of Formal Hearing, Voigt Complaint, Case No. RC-23-348

Dear Casey and Julie:

Enclosed is the Notice of Formal Hearing regarding the Formal Complaint submitted on November 22, 2023 by Casey and Julie Voigt. The hearing will be held December 22, 2023 in the Commission Hearing Room on the 12<sup>th</sup> floor of the State Capitol beginning at 9:00 a.m. CST.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Emmer".

Jonathan Emmer  
Director  
Reclamation Division

Enclosure

Coyote Creek Mine\Landowner Complaints\2023\Ltrs\_hearing\_notice\_11-30-23



# Public Service Commission

## State of North Dakota

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Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

*sent via email and certified mail*

November 30, 2023

Derrick Braaten  
Attorney-at-Law  
109 North Fourth Street Suite 100  
Bismarck, ND 58501  
[derrick@braatenlawfirm.com](mailto:derrick@braatenlawfirm.com)

RE: Notice of Formal Hearing, Voigt Complaint, Case No. RC-23-348

Dear Mr. Braaten:

Enclosed is the Notice of Formal Hearing regarding the Formal Complaint submitted on November 22, 2023 by Casey and Julie Voigt. The hearing will be held December 22, 2023 in the Commission Hearing Room on the 12<sup>th</sup> floor of the State Capitol beginning at 9:00 a.m. CST.

Please contact me if you have any questions.

Sincerely,

Jonathan Emmer  
Director  
Reclamation Division

Enclosure

cc via email only: Desirae Zaste ([desirae@braatenlawfirm.com](mailto:desirae@braatenlawfirm.com))

Coyote Creek Mine\Landowner Complaints\2023\Ltrs\_hearing\_notice\_11-30-23



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

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Sheri Haugen-Hoffart  
Julie Fedorchak

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Phone: 701-328-2400  
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Fax: 701-328-2410  
TDD: 800-366-6888 or 711

*sent via email and certified mail*

November 30, 2023

Mr. Wade Mann  
Attorney-at-Law  
100 West Broadway Suite 250  
Bismarck, ND 58501  
[wmann@crowleyfleck.com](mailto:wmann@crowleyfleck.com)

RE: Notice of Formal Hearing, Voigt Complaint, Case No. RC-23-348

Dear Mr. Mann:

Enclosed is the Notice of Formal Hearing regarding the Formal Complaint submitted on November 22, 2023 by Casey and Julie Voigt. The hearing will be held December 22, 2023 in the Commission Hearing Room on the 12<sup>th</sup> floor of the State Capitol beginning at 9:00 a.m. CST.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Emmer".

Jonathan Emmer  
Director  
Reclamation Division

Enclosure



# Public Service Commission

## State of North Dakota

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Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

*sent via email and certified mail*

November 30, 2023

Ms. Hope Hogan  
Administrative Law Judge  
2911 North 14<sup>th</sup> Street  
Suite 303  
Bismarck, ND 58503  
[hlhogan@nd.gov](mailto:hlhogan@nd.gov)

RE: Notice of Formal Hearing, Voigt Complaint, Case No. RC-23-348

Dear Ms. Hogan:

Enclosed is the Notice of Formal Hearing regarding the Formal Complaint submitted on November 22, 2023 by Casey and Julie Voigt. The hearing will be held December 22, 2023 in the Commission Hearing Room on the 12<sup>th</sup> floor of the State Capitol beginning at 9:00 a.m. CST.

Please contact me if you have any questions.

Sincerely,

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Jonathan Emmer  
Director  
Reclamation Division

Enclosure