

Civil Case No. 08-2024-CV-00694

Supplemental CR Exhibit 32 - Exhibit 15 - COY-037 Grade Approval Request (Color)

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

Case No. RC-23-348

COY-037 Grade Approval Request

Voigt Exhibit 15

Hamre, John G.

From: Emmer, Jonathan W.
Sent: Wednesday, April 12, 2023 7:47 AM
To: Myran, Brandon S.; Welch, Guy A.; Johnson, Monty L.; Roerick, Jeffrey A.
Cc: Brinkman, Zanna A.; Hamre, John G.
Subject: FW: Grade Approval Request COY-037
Attachments: COY-037 PSC.pdf; COY-037 PSC.dwg

John,

Please attached this email to the pdf and then corelog and save the attachments in Mine Data.

[\\coal\Mine](#) Data\Coyote Creek Mine\Permits\NACC - 1302\Grade Approvals\2023\COY-037\GA-COY-037_4-11-23

Jonathan Emmer
Assistant Director

Reclamation Division
North Dakota Public Service Commission
600 E Boulevard Ave Dept 408
Bismarck, ND 58505

jemmer@nd.gov 701.328.4094

From: Becker, Samantha M <Samantha.Becker@NACOAL.COM>
Sent: Tuesday, April 11, 2023 3:29 PM
To: PSC Reclamation Filings <pscreefilings@nd.gov>
Cc: Brinkman, Zanna A. <zbrinkman@nd.gov>; Emmer, Jonathan W. <jemmer@nd.gov>; Barth, Tyler L <Tyler.Barth@nacoal.com>; Steffen, Donn R <donn.steffen@nacoal.com>; Becker, Lee A <lee.becker@nacoal.com>; Eckroth, Jeremy J <jeremy.eckroth@nacoal.com>; Sailer, Jason R <jason.sailer@nacoal.com>
Subject: Grade Approval Request COY-037

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This email is to request grade approval on an area of mining disturbance in the SE4 Section 25, T143N, R89W. Ownership is Voigt. The postmine landuse is native grassland. Coal mining took place in this area from July 2019 through September 2021.

Attached is a contour map with slope area hatch and the proposed soil respread depths, respread depths table, and lab analysis of overburden samples.

Feel free to contact me with any questions you may have.

Samantha Becker
Surveyor
Coyote Creek Mine

North American Coal

6502 17th St SW

Zap, ND 58580

P. 701.873.7860

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COYOTE CREEK MINE

April 11, 2023

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

Dear Ms. Brinkman:

Coyote Creek Mining Company, L.L.C. is requesting grade approval on 9.9892 acres located in Section 25, T143N, R89W Permit NACC-1302. The area is coded COY-037.

Thank you for your consideration. If you have any questions or need further information or assistance, please contact me.

Attached are:

1. A contour map of COY-037 with soil respreads depths and area slopes
2. Site history, acres by slope class, and respreads depth table
3. Lab analysis of overburden samples

In all correspondence, please reference area COY-037.

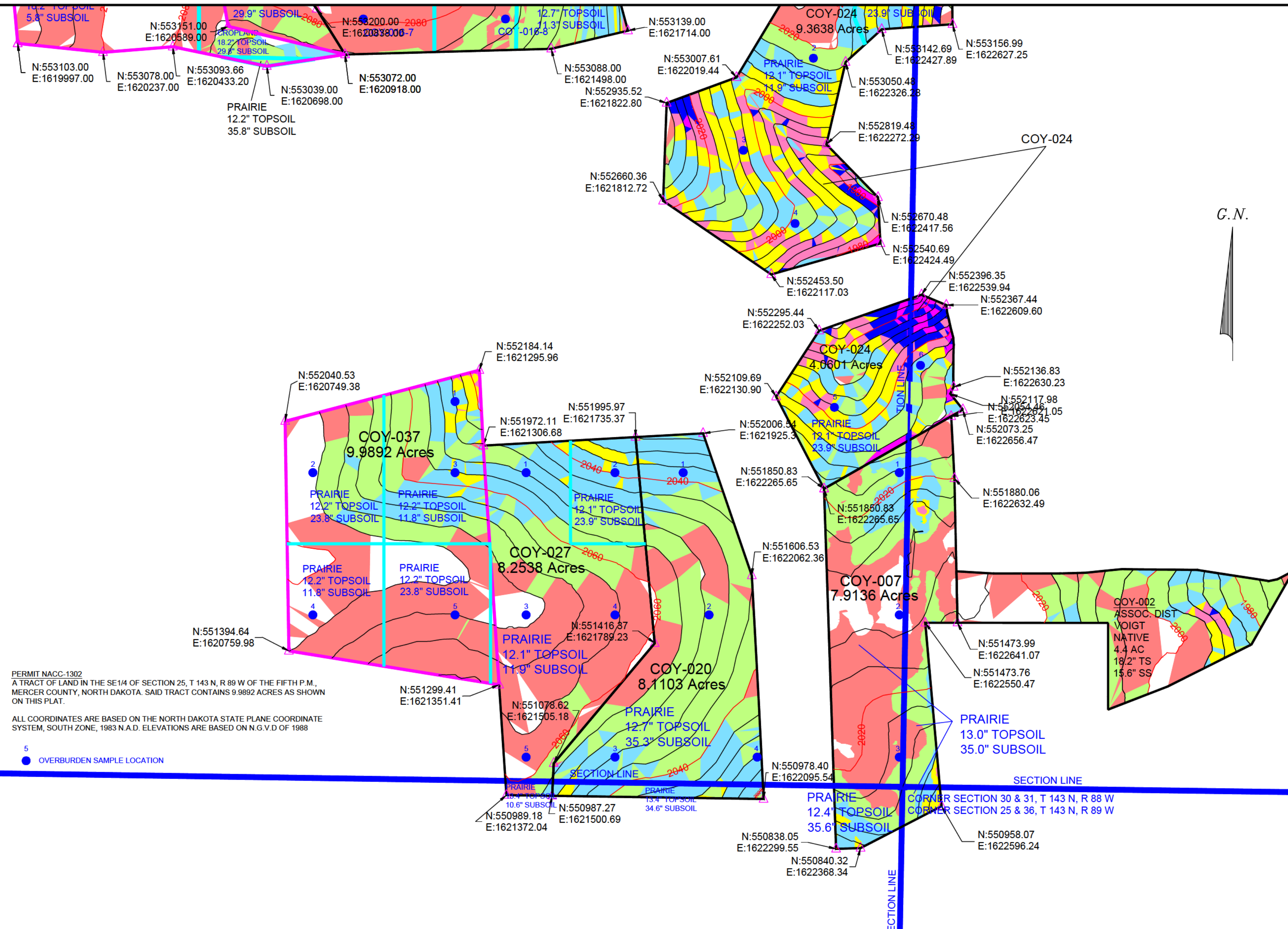
Sincerely,

COYOTE CREEK MINING COMPANY, L.L.C.



Samantha Becker
Surveyor

SMB
Attach.

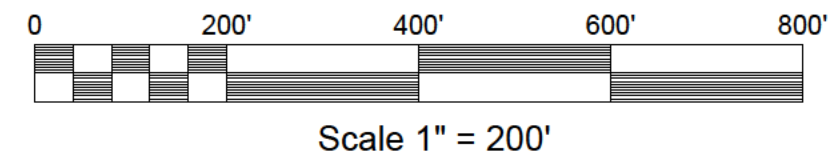


PERMIT NACC-1302
 A TRACT OF LAND IN THE SE1/4 OF SECTION 25, T 143 N, R 89 W OF THE FIFTH P.M.,
 MERCER COUNTY, NORTH DAKOTA. SAID TRACT CONTAINS 9.9892 ACRES AS SHOWN
 ON THIS PLAT.

ALL COORDINATES ARE BASED ON THE NORTH DAKOTA STATE PLANE COORDINATE
 SYSTEM, SOUTH ZONE, 1983 N.A.D. ELEVATIONS ARE BASED ON N.G.V.D OF 1988

5
 ● OVERBURDEN SAMPLE LOCATION

	0-3 % SLOPE
	3-6 % SLOPE
	6-9 % SLOPE
	9-12 % SLOPE
	12-15 % SLOPE
	15-18 % SLOPE
	18-21 % SLOPE
	21-100 % SLOPE



9			
8			
7			
6			
5			
4			
3			
2			
1			
0	SMB	LAB	04/11/23
NO.	BY	APP'D	DATE
REVISIONS			

 COYOTE CREEK MINE	COYOTE CREEK MINING COMPANY, L.L.C 6502 17th Street SW Zap, ND 58580 (701) 873-7800 - Fax (701) 873-7810
POST-MINING CONTOUR MAP	
COY-037	
NACC-1302	
SCALE: 1" = 200' (Paper size 18"x24") PROJECT: GRADING APPROVAL	

Acres by Slope Class								
9.9892 Acres	Weighted Average Slope	0-3%	3-6%	6-9%	9-12%	12-15%	15-21%	Over 21%
Premining	4.4%	2.7881	4.5719	2.5245	0.0464	0.0083	0.0500	0.0000
As-Surveyed Post Mining	5.6%	2.0318	3.9794	2.3966	1.2878	0.2658	0.02736	0.0004
Approved Post Mining	6.0%	1.3567	4.5185	2.4023	1.3014	0.3299	0.0803	0.0000

Coal mining took place in this area from July 2019 through September 2021. The area was regraded using dozers, scrapers, overburden trucks and motor graders. Steep overburden slopes will be scarified prior to subsoil respread.

SPGM respread operations will be conducted during dry conditions. Whenever possible, roadways and scraper trails will not be built on top of respread subsoil. If this is unavoidable, these areas will be scarified prior to topsoil respread. Subsoil will be scarified where necessary before topsoil respread to ensure a good rooting interface and at steep slopes. Topsoil will be worked after respread before it is seeded to the post-mine land use.

Soil will be respread according to the table of approved soil depths in the 2022 Soils Handling Plan. Ownership is Voigt. Respread depths for this package are summarized in the following tables:

Surface Ownership	Respread Thickness	Cropland Areas	Prairie Areas
			<i>9.9892</i>
Voigt	24" Respread Area		<i>5.0421</i>
	Topsoil		12.2"
	Subsoil		11.8"
Voigt	36" Respread Area		<i>4.9471</i>
	Topsoil		12.2"
	Subsoil		23.8"



MINNESOTA VALLEY TESTING LABORATORIES, INC.

1126 North Front St. ~ New Ulm, MN 56073 ~ 800-782-3557 ~ Fax 507-359-2890
2616 East Broadway Ave. ~ Bismarck, ND 58501 ~ 800-279-6885 ~ Fax 701-258-9724
1201 Lincoln Hwy. ~ Nevada, IA 50201 ~ 800-362-0855 ~ Fax 515-382-3885
www.MVTL.com



Tyler Barth
Coyote Creek Mining Company LLC
6502 17th St SW
Zap, ND 58580

Work Order Number: 11002
Project Name: Overburden

Date Received: 04/03/2023
Purchase Order: 31945

Laboratory Number	Sample Description	Depth	EC @ 25C mmhos/cm	Cat/EC Ratio	Ca meq/L	Mg meq/L	Na meq/L	SAR	CCE wt%	pH	OM wt%	Texture	Sand %	Silt %	Clay %	Sat Percent
11002001	COY-037-1	12"	1.68	14.4	2.3	3.3	18.7	11.2		8.1		c	0.00	27.5	72.5	
11002002	COY-037-2	12"	2.48	15.1	3.6	4.6	29.2	14.4		8.2		c	12.5	40.0	47.5	
11002003	COY-037-3	12"	2.22	15.6	5.0	6.9	22.7	9.31		7.9		c	0.00	27.5	72.5	
11002004	COY-037-4	12"	1.62	14.7	2.5	3.7	17.5	9.94		8.0		c	7.50	27.5	65.0	
11002005	COY-037-5	12"	1.84	14.9	1.5	1.9	23.9	18.3		8.3		sic	2.50	50.0	47.5	

All data reported has been reviewed and approved by:

Stacy Zander, Bismarck Assistant Lab Manager Bismarck, ND

Texture Abbreviations: sic = silty clay sc = sandy clay cl = clay loam l = loam sil = silty loam ls = loamy sand c = clay sicl = silty clay loam scl = sandy clay loam si = silt s = sand sl = sandy loam

MVTL guarantees the accuracy of the analysis done on the sample submitted for testing. It is not possible for MVTL to guarantee that a test result obtained on a particular sample will be the same on any other sample unless all conditions affecting the sample are the same, including sampling by MVTL. As a mutual protection to clients, the public and ourselves, all reports are submitted as the confidential property of clients, and authorization for publication of statements, conclusions or extracts from or regarding our reports is reserved pending our written approval.

Report Date: Thursday, April 6, 2023 12:59:43 PM

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Voigt-007