

Civil Case No. 08-2024-CV-00694

Supplemental CR Exhibit 42 - Exhibit 25 - COY-039 Grade Approval Request (Color)

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

Case No. RC-23-348

COY-039 Grade Approval Request

Voigt Exhibit 25

Emmer, Jonathan W.

From: Friedt, Jason M <jason.friedt@nacoal.com>
Sent: Thursday, September 14, 2023 9:08 AM
To: PSC Reclamation Filings
Cc: Brinkman, Zanna A.; Emmer, Jonathan W.; Eckroth, Jeremy J; Barth, Tyler L; Steffen, Donn R
Subject: Grade Approval Request COY-039
Attachments: COY-039 PSC.pdf

Follow Up Flag: Follow up
Flag Status: Completed

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Good Afternoon,

This email is to request grade approval on an area of mining disturbance in the NW 1/4 Section 6, T142N, R88W. Ownership is State of ND. The postmine landuse is native. Coal mining took place in this area from August 2019 through February 2020.

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.

Thank you,

Jason Friedt

Engineer

Coyote Creek Mining Company, LLC

Coyote Creek Mine | North American Coal

6502 17th Street SW

Zap, ND 58580

P. 701.873.7845 | **M.** 701.400.4031

[@nacoal.com](mailto:jason.friedt@nacoal.com)

**North American
COAL**

COYOTE CREEK MINE

A NACCO Company

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COYOTE CREEK MINING COMPANY, L.L.C.

6502 17th Street SW
Zap, ND 58580
(701) 873-7800 • Fax (701) 873-7810

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION

September 13, 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 7.10 acres located in Section 6, T142N, R88W in Permit NACC-1302. The area is coded COY-039.

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

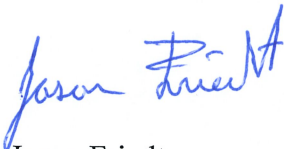
Attached are:

1. A contour map of COY-039 with soil respread depths and area slopes
2. Site history, acres by slope class, and respread depths table
3. Lab analysis of overburden samples

In all correspondence, please reference area COY-039.

Sincerely,

COYOTE CREEK MINING COMPANY, L.L.C.



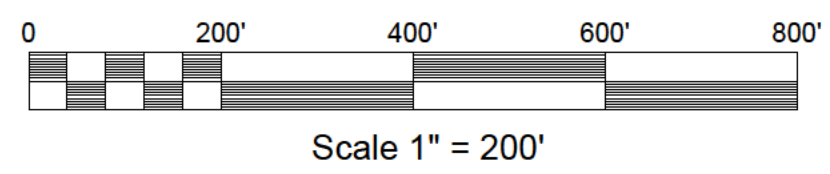
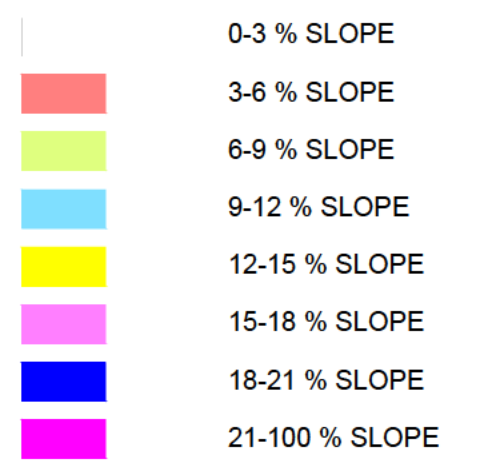
Jason Friedt
Engineer

Voigt-003



7
● OVERBURDEN SAMPLE LOCATIONS

PERMIT NACC-1302
A TRACT OF LAND IN THE NW¼ OF SECTION 6, T 142 N, R 88 W OF THE FIFTH P.M., MERCER COUNTY, NORTH DAKOTA. SAID TRACT CONTAINS 7.10 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



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NO.	BY	APP'D	DATE
DRAWING UPDATES			

NORTH AMERICAN COAL CORPORATION
COYOTE CREEK MINING COMPANY, L.L.C.
COYOTE CREEK MINE
6502 17th Street SW
Zap, ND 58580
(701) 873-7800 - Fax (701) 873-7810

POST-MINING CONTOUR MAP
COY-039
NACC-1302
SCALE: AS SHOWN ON MAP (paper size 18" x 24")
PROJECT: GRADING APPROVAL REVISION:

Acres by Slope Class								
7.10 Acres	Weighted Average Slope	0-3%	3-6%	6-9%	9-12%	12-15%	15-21%	Over 21%
Premining	6.7%	2.830	1.087	1.461	0.564	0.447	0.292	0.419
As-Surveyed Post Mining	12.7%	0.898	0.011	0.361	0.935	2.048	2.657	0.189
Approved Post Mining	12.2%	0.175	0.276	1.633	0.542	2.223	2.190	0.061

Coal mining took place in this area from August 2019 through February 2020. 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 2023 Soils Handling Plan. Ownership is State of North Dakota. Respread depths for this package are summarized in the following table:

Surface Ownership	Respread Thickness	Potential Cropland Areas	Prairie Areas
			<i>7.10</i>
State	24" Respread Area		
	Topsoil	13.2"	13.2"
	Subsoil	10.8"	10.8"
Voigt	24" Respread Area		
	Topsoil	12.0"	
	Subsoil	12.0"	
State	48" Respread Area		<i>7.10</i>
	Topsoil	13.2"	13.2"
	Subsoil	22.8"	34.8"
Voigt	48" Respread Area		
	Topsoil	12.0"	
	Subsoil	36.0"	



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: 26135
Project Name: Overburden

Date Received: 08/29/2023
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
26135001	COY-038-1	12"	1.20	13.7	1.6	1.4	13.4	10.9		7.7		c	15.0	27.5	57.5	
26135002	COY-038-2	12"	2.57	15.5	9.1	8.1	22.5	7.67		7.3		c	15.0	35.0	50.0	
26135003	COY-038-3	12"	1.61	14.1	2.2	1.8	18.8	13.3		8.2		c	10.0	35.0	55.0	
26135004	COY-038-4	12"	1.14	14.1	1.4	1.2	13.5	11.8		8.2		c	12.5	32.5	55.0	
26135005	COY-038-5	12"	1.41	13.9	2.1	2.0	15.6	10.9		8.2		c	12.5	32.5	55.0	
26135006	COY-038-6	12"	1.18	14.2	1.9	1.7	13.2	9.84		7.6		sil	17.5	55.0	27.5	
26135007	COY-038-7	12"	1.48	14.0	2.4	2.1	16.1	10.7		8.1		c	5.00	35.0	60.0	
26135008	COY-038-8	12"	2.21	15.1	6.5	5.8	21.2	8.55		7.9		c	12.5	30.0	57.5	
26135009	COY-039-1	12"	2.88	15.5	3.9	4.9	35.9	17.1		8.2		scl	47.5	20.0	32.5	
26135010	COY-039-2	12"	4.56	16.4	6.6	7.4	60.6	22.9		8.3		cl	45.0	25.0	30.0	
26135011	COY-039-3	12"	3.70	15.5	3.8	4.2	49.3	24.6		8.2		c	27.5	32.5	40.0	

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, September 7, 2023 11:44:29 AM
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1201 Lincoln Hwy. ~ Nevada, IA 50201 ~ 800-362-0855 ~ Fax 515-382-3885
www.MVTL.com



All data reported has been reviewed and approved by:

Stacy Zander

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

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