

**AFFIDAVIT OF PUBLICATION**

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State of Florida, County of Orange, ss:

Will Lamb, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC and duly authorized agent of The Bismarck Tribune, and that the publication(s) were made through The Bismarck Tribune on the following dates:

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**NOTICE NAME:** Coteau Permit NACT-0201 Revision 29

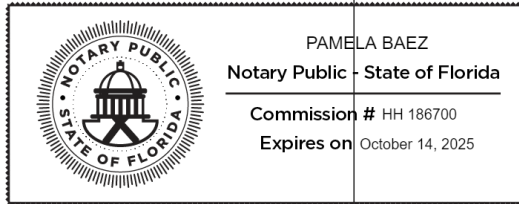
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*Will Lamb*

(Signed) \_\_\_\_\_

**VERIFICATION**

State of Florida  
County of Orange



Subscribed in my presence and sworn to before me on this: 06/05/2024

*Pamela Baez*

Notary Public

Notarized remotely online using communication technology via Proof.

**NOTICE OF FILING A PERMIT REVISION TO CONDUCT SURFACE COAL MINING AND RECLAMATION OPERATIONS**

The Coteau Properties Company, 204 County Road 15, Beulah, ND 58523, as applicant, has filed an application for Revision 29 to Permit NACT-0201 with the North Dakota Public Service Commission. This revision proposes changes to the post-mining topography in the area shown on the publication map, updates the post-mining surface water probable hydrologic consequences, and adjusts the post-mining land use. Updates include revisions to the post-mining ephemeral drainageways map, ephemeral drainage profiles map, summary and calculations, extended mine plan map, post-mining area slope map, post-mining cross sections map, post-mining topographic development map, and reclamation procedures and schedule.

The current permit area covers portions of Sections 2, 3, 4, 5, 6, 7, 8, and 9 of T144N, R88W; Sections 1 and 12 of T144N, R89W; Sections 30, 31, and 32 of T145N, R87W; and Sections 3, 4, 9, 10, 11, 14, 15, 16, 21, 22, 23, 25, 26, 27, 28, 33, 34, 35, and 36 of T145N, R88W, of the Fifth Principal Meridian, Mercer County, North Dakota. The total acreage within the permit area is approximately 17,170.7 acres.

The permit area is approximately three miles north of Beulah, and approximately two miles north of Zap, North Dakota. The newspaper publication notice map shows the distance to the cities of Beulah and Zap, North Dakota, and the outline of the permit area.

The owners of the surface and coal in the permit area are as follows:

**TRACT 41**

Township 145 North, Range 88 West  
Section 3: Lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$

SURFACE OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: The Coteau Properties Company

**TRACT 42**

Township 145 North, Range 88 West  
Section 3: E $\frac{1}{2}$  of Lot 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$

SURFACE OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: The Coteau Properties Company

**TRACT 43**

Township 145 North, Range 88 West  
Section 3: W $\frac{1}{2}$  of Lot 4, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$

SURFACE OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: The Coteau Properties Company

**TRACT 44**

Township 145 North, Range 88 West  
Section 3: N $\frac{1}{2}$ SW $\frac{1}{4}$

SURFACE OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: The Coteau Properties Company

**TRACT 45**

Township 145 North, Range 88 West  
Section 3: S $\frac{1}{2}$ SW $\frac{1}{4}$

SURFACE OWNERSHIP: North American Coal Royalty Company  
COAL OWNERSHIP: The Coteau Properties Company

**TRACT 46**

Township 145 North, Range 88 West  
Section 3: S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

SURFACE OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: Lyle Eisenbeis and Kathy Eisenbeis; LaDawn R. Eisenbeis; Janice Gunsch; Leann Schafer; Todd Erickson; Scott Erickson; Donlyn J. Erickson; LeRoy Bauer; Sandra Navratil; Donald S. Krenzle; Jodi L. Gilbert; Ryan J. Krenzle; Marvin L. Bauer and Joyce M. Bauer, Life Estate, Remaindermen: Jessica Smith, Brent Bauer; Shelley Giese; Clyde T. Eisenbeis; Jodn D. Crabtree and Joann K. Crabtree, Trustees of the Crabtree Revocable Living Trust; Allen J. Eisenbeis

**TRACT 48**

Township 145 North, Range 88 West  
Section 4: Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , less 4.427 acres in the NE $\frac{1}{4}$

SURFACE OWNER: The Coteau Properties Company  
SHIP:  
COAL OWNERSHIP: **United States of America – Bureau of Land Management**

**TRACT 48-A**

Township 145 North, Range 88 West  
Section 4: 4.427 acres in the NE $\frac{1}{4}$

SURFACE OWNER: The Coteau Properties Company  
SHIP:  
COAL OWNERSHIP: **United States of America – Bureau of Land Management**

**TRACT 49**

Township 145 North, Range 88 West  
Section 4: Lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$

SURFACE Karen A. Walz, Life Estate, Remaindermen: Denise Leighty,  
OWNERSHIP: Corey Walz, Craig Walz, Brian Walz  
COAL OWNER- United States of America – Bureau of Land Management  
SHIP:

**TRACT 51**

Township 145 North, Range 88 West  
Section 4: S $\frac{1}{2}$ SW $\frac{1}{4}$

SURFACE Karen A. Walz, Life Estate, Remaindermen: Denise Leighty,  
OWNERSHIP: Corey Walz, Craig Walz, Brian Walz  
COAL OWNER- United States of America – Bureau of Land Management  
SHIP:

**TRACT 52**

Township 145 North, Range 88 West  
Section 4: S $\frac{1}{2}$ SE $\frac{1}{4}$

SURFACE OWNERSHIP: North American Coal Royalty Company  
COAL OWNERSHIP: United States of America

**TRACT 53**

Township 145 North, Range 88 West  
Section 9: NE $\frac{1}{4}$

SURFACE OWN- The Coteau Properties Company  
ERSHIP  
COAL OWNER- Susan Elaine Mckig, Successor Trustee of the Eloise McKig  
SHIP: Trust dated 05-30-80

**TRACT 54**

Township 145 North, Range 88 West  
Section 9: W $\frac{1}{2}$

SURFACE OWNERSHIP: Darnell Boeckel  
COAL OWNERSHIP: Darnell Boeckel; Estate of Joanne Virginia Trinkle; Karen Olivvia Van Amburg, aka Karen Van Amburg; Inez Arman, Life Estate, Remainderman: Brian Francis Arman; Janis S. Ritter; Harold I. Stuart, Jr.; Estate of Gotthilf Kruckenber, Deceased; North American Coal Royalty Company

**TRACT 55**

Township 145 North, Range 88 West  
Section 9: SE $\frac{1}{4}$

SUR- The Coteau Properties Company  
FACE  
OWNER-  
SHIP:  
COAL Perry P. Walker; Danny L. Walker; Albert L. Boeckel; Doris Beckman;  
OWNER- Bruce Winkler; Randy Winkler; Milton Curtis; Merlon Curtis; Mark Curtis;  
SHIP: Loretta R. Campio; Loren Neubauer; Kathy Neubauer

**TRACT 56**

Township 145 North, Range 88 West  
Section 10: N $\frac{1}{2}$

SURFACE OWNER- The Coteau Properties Company  
SHIP:  
COAL OWNERSHIP: United States of America – Bureau of Land Management

**TRACT 57**

Township 145 North, Range 88 West  
Section 10: S $\frac{1}{2}$

SURFACE OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: Jacqueline M. Baglivio; Debra Morast and Dean K. Morast, Trustees, or their Successors in Trust, under the Debra Morast Living Trust dated 03-24-14; Lori Clark; Violet D. Schnaidt, Life Estate, Remaindermen: Susan L. Hoepfner and Gregory R. Hoepfner; Larry Keller; Wilbur Elder

**TRACT 58**

Township 145 North, Range 88 West  
Section 11: W $\frac{1}{2}$ NE $\frac{1}{4}$

SURFACE OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: Milton Ost

**TRACT 59**

Township 145 North, Range 88 West  
Section 11: NW $\frac{1}{4}$

SURFACE OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: Walter Ricker, as Trustee UTD dated 06-04-91 of the Walter Ricker Trust; Estate of Ellie Dassinger; Hanna Link; Clyde Eisenbeis; JoAnn Crabtree; Allen Eisenbeis; North Dakota Department of Trust Lands

**TRACT 60**

Township 145 North, Range 88 West  
Section 11: SW $\frac{1}{4}$

SURFACE OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: Jacqueline M. Baglivio; Debra Morast and Dean K. Morast, Trustees, or their Successors in Trust, under the Debra Morast Living Trust dated 03-24-14; Lori Clark; Robert M. Clement, Jr. and Jonah David Clement; Mark Mead; Robin Zadzora

**TRACT 61**

Township 145 North, Range 88 West  
Section 11: SE $\frac{1}{4}$

SURFACE OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: Gilbert C. Ost and Violet V. Ost; Wendy Feeney; Tracy L. Mill

er; Orville M. Erickson; The Walke Limited Partnership; Sailor K. Skipper Trust; M. W. Rambo Family Trust; Faye Gibbons Landham; Katie Gibbons Nielsen; Rex Farrall; Leila Claire Parnell Summerville; William Reagin Parnell; Jennifer P. Tidmore; Estate of Jack Skipper; Caroline Skipper Hollins; Legrande Kelly Skipper; Evelyn June Florey; A. E. Besch Legacy, L.P.; MKCDM Minerals, LLC; Judgment Cable Enterprises, LLC; Michael Charles Dunn; Skippdunn, L.P.; Estate of Mary Hughes Davidson; Fortin Enterprises, Inc.; Hancock Enterprises; The Sater Family Partnership, L.P.; Michael E. Rudman, Trustee of the MR Trust; Phoenix Capital Group Holdings, LLC; Williams Properties, Inc.

**TRACT 62**  
 Township 145 North, Range 88 West  
 Section 14: Sublot 1 in the NE $\frac{1}{4}$ , containing 16.07 acres  
 SURFACE OWNER- The Coteau Properties Company  
 SHIP:  
 COAL OWNERSHIP: United States of America – Bureau of Land Management

**TRACT 63**  
 Township 145 North, Range 88 West  
 Section 14: N $\frac{1}{2}$ , less Sublot 1 in the NE $\frac{1}{4}$   
 SURFACE OWNER- The Coteau Properties Company  
 SHIP:  
 COAL OWNERSHIP: United States of America – Bureau of Land Management

**TRACT 64**  
 Township 145 North, Range 88 West  
 Section 14: SW $\frac{1}{4}$   
 SURFACE OWNER- The Coteau Properties Company  
 SHIP:  
 COAL OWNERSHIP: United States of America – Bureau of Land Management

**TRACT 65**  
 Township 145 North, Range 88 West  
 Section 14: S $\frac{1}{2}$ SE $\frac{1}{4}$   
 SURFACE OWNER- Basin Electric Power Cooperative  
 SHIP:  
 COAL OWNERSHIP: United States of America – Bureau of Land Management

**TRACT 65-A**  
 Township 145 North, Range 88 West  
 Section 14: N $\frac{1}{2}$ SE $\frac{1}{4}$   
 SURFACE OWNER- The Coteau Properties Company  
 SHIP:  
 COAL OWNERSHIP: United States of America – Bureau of Land Management

**TRACT 66**  
 Township 145 North, Range 88 West  
 Section 15: NE $\frac{1}{4}$   
 SURFACE OWNERSHIP: The Coteau Properties Company  
 COAL OWNERSHIP: Jacqueline M. Baglivio; Debra Morast and Dean K. Morast, Trustees, or their Successors in Trust, under the Debra Morast Living Trust dated 03-24-14; Lori Clark; Violet D. Schnaidt, Life Estate, Remaindermen: Susan L. Hoepfner and Gregory R. Hoepfner; Larry Keller; Wilbur Elder

**TRACT 67**  
 Township 145 North, Range 88 West  
 Section 15: W $\frac{1}{2}$   
 SURFACE OWNERSHIP: The Coteau Properties Company  
 COAL OWNERSHIP: Jacqueline M. Baglivio; Debra Morast and Dean K. Morast, Trustees, or their Successors in Trust, under the Debra Morast Living Trust dated 03-24-14; Lori Clark; Violet D. Schnaidt, Life Estate, Remaindermen: Susan L. Hoepfner and Gregory R. Hoepfner; Larry Keller; Wilbur Elder; Robert M. Clement, Jr. and Jonah David Clement; Mark Mead; Robin Zadzora

**TRACT 68**  
 Township 145 North, Range 88 West  
 Section 15: SE $\frac{1}{4}$   
 SURFACE OWNERSHIP: The Coteau Properties Company  
 COAL OWNERSHIP: Linda Carrie Dietrich

**TRACT 69**  
 Township 145 North, Range 88 West  
 Section 16: NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$   
 SURFACE OWNERSHIP: The Coteau Properties Company  
 COAL OWNERSHIP: North Dakota Department of Trust Lands

**TRACT 70**  
 Township 145 North, Range 88 West  
 Section 16: NW $\frac{1}{4}$   
 SURFACE OWNERSHIP: North Dakota Department of Trust Lands  
 COAL OWNERSHIP: North Dakota Department of Trust Lands

**TRACT 71**  
 Township 145 North, Range 88 West  
 Section 16: N $\frac{1}{2}$ SW $\frac{1}{4}$   
 SURFACE OWNER- Mark Herrmann and Carol Herrmann  
 ERSHIP:  
 COAL OWNER- Mark Herrmann and Carol Herrmann; North Dakota Department of Trust Lands  
 SHIP:

**TRACT 72**

Township 145 North, Range 88 West  
 Section 16: S $\frac{1}{2}$ SW $\frac{1}{4}$   
 SURFACE Tanner D. Reinhardt and Nancy M. Reinhardt  
 OWNER-  
 SHIP:  
 COAL OWN- Joyce E. Larson, Rhonda Marie Reinhardt, Life Estate, Remainder-  
 SHIP: man; Tanner D. Reinhardt; North Dakota Department of Trust Lands

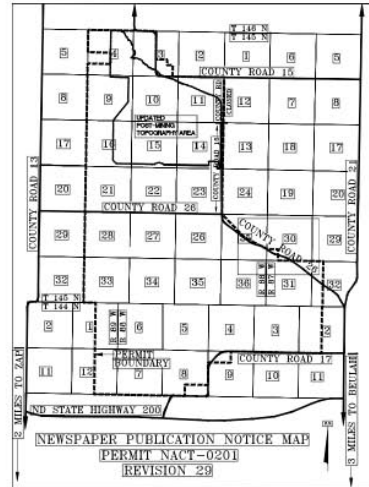
**TRACT 73**  
 Township 145 North, Range 88 West  
 Section 16: S $\frac{1}{2}$ SE $\frac{1}{4}$   
 SURFACE OWNERSHIP: Betty Scott; Dallas Crabtree; Denzel Crabtree  
 COAL OWNERSHIP: North Dakota Department of Trust Lands

**TRACT 109**  
 Township 145 North, Range 88 West  
 Section 11: E $\frac{1}{2}$ NE $\frac{1}{4}$   
 SURFACE OWNERSHIP: The Coteau Properties Company  
 COAL OWNERSHIP: The Coteau Properties Company; XTO Energy, Inc.; Michael E. Rudman, Trustee of the MR Trust; Tara Rudman Revocable Trust; Peter M. Young and Tachina Rudman-Young Revocable Trust; The Sater Family Partnership, L.P.; Hancock Enterprises, Inc.; Fortin Enterprises, Inc.

A copy of Revision 29 to Permit NACT-0201 is available for public inspection at the office of the North Dakota Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480, and at the office of the County Auditor, Mercer County Courthouse, Stanton, North Dakota 58571.

Written comments, objections, or requests for an informal conference on the revision may be submitted by any person with an interest that is or may be adversely affected, to the North Dakota Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480, within 30 days after the last publication of this notice. Any request for informal conference must be in writing to the Commission. The request must also state specifically the issues or objections that an affected party has regarding the revision.

The Coteau Properties Company  
 204 County Road 15  
 Beulah, North Dakota 58523



5/10, 5/17, 5/24, 5/31 - COL-ND-0090