

# Affidavit of Publication

STATE OF NORTH DAKOTA,  
COUNTY OF MERCER, ss.

I, Lori Cox, being first duly sworn, on oath says, that she is the bookkeeper of the THE HAZEN STAR, a weekly newspaper published in Hazen, County of Mercer, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies weekly, and has been published within said county for fifty-two successive weeks next prior to the publication of the notice herein mentioned; that the

NACT-201 Revision 29

Coteau Properties

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once each week for 4 successive week, on the day of each week on which said newspaper was regularly published to-wit:

3 - Hazen Star: 5/16/2024, 5/23/2024, 5/30/2024,  
6/6/2024

That the full amount of the fees for  
the publication of the annexed notice is: \$ 2066.00

*Lori Cox*

Subscribed and sworn to before me this 6/6/2024

*Arden Pahl*

Arden Pahl, Notary Public  
State of South Dakota

My commission expires August 1, 2025



# 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 OWNERSHIP: The Coteau Properties Company  
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 OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: United States of America - Bureau of Land Management

**TRACT 51**  
Township 145 North, Range 88 West Section 4: S $\frac{1}{2}$ SW $\frac{1}{4}$

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

**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 OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: Susan Elaine Mckig, Successor Trustee of the Eloise McKig 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 Olivia 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 $\frac{1}{4}$   
SURFACE OWNERSHIP: The Coteau Properties Company  
COAL OWNERSHIP: Perry P. Walker; Danny L. Walker; Albert L. Boeckel; Doris Beckman; Bruce Winkler; Randy Winkler; Milton Curtis; Merlon Curtis; Mark Curtis; Loretta R. Campio; Loren Neubauer; Kathy Neubauer

**TRACT 56**  
Township 145 North, Range 88 West Section 10: N $\frac{1}{2}$   
SURFACE OWNERSHIP: The Coteau Properties Company  
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. Miller; 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; Skipdunn, 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 OWNERSHIP: The Coteau Properties Company  
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 OWNERSHIP: The Coteau Properties Company  
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 OWNERSHIP: The Coteau Properties Company  
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 OWNERSHIP: Basin Electric Power Cooperative  
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 OWNERSHIP: The Coteau Properties Company  
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 OWNERSHIP: Mark Herrmann and Carol Herrmann  
COAL OWNERSHIP: Mark Herrmann and Carol Herrmann; North Dakota Department of Trust Lands

**TRACT 72**  
Township 145 North, Range 88 West Section 16: S $\frac{1}{2}$ SW $\frac{1}{4}$   
SURFACE OWNERSHIP: Tanner D. Reinhardt and Nancy M. Reinhardt  
COAL OWNERSHIP: Joyce E. Larson, Rhonda Marie Reinhardt, Life Estate,

Remainderman: 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  
(05-16-2024)(05-23-2024)  
(05-30-2024)(06-06-2024)

