

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

**Coteau Properties Company**  
**Bond Release 2, Permit NACT-1801**  
**Application**

**Case No. RC-24-296**

**RELEASE OF BOND**  
**FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS**

**June 18, 2025**

Based on the application for **Bond Release Number 2 for Surface Coal Mining Permit NACT-1801**, dated July 11, 2024, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. Attached to the application for release of bond were copies of all letters sent by the Permittee as required by NDCC §38.14.1-17(1)(b). Affidavits of publication for the advertisement required by NDCC §38.14.1-17(1)(a) have been filed and have been made part of the application for release of bond. The last date of publication was November 21, 2024.
2. On October 29, 2024, the Commission conducted an inspection and evaluation of the reclamation work involved in this bond release as required by NDCC §38.14.1-17(3). The surface owners, agents, or lessees were given notice of the bond release inspection and had the opportunity to participate with the Commission in conducting the inspection of the bond release areas at the Freedom Mine.

In accordance with NDCC §38.14.1-17, Bond Release 2 for Surface Coal Mining Permit NACT-1801 is hereby granted to the Coteau Properties Company effective July 18, 2025, unless a formal hearing is requested. No monetary release is being requested since the current bond amount is based on the worst-case reclamation condition in a consolidated bond area that includes this permit and others at the Freedom Mine. The area is described by metes and bounds descriptions and is generally as follows:

**A portion of Section 29, T145N, R87W, Mercer County, releasing all reclamation liabilities on 377.6206 acres.**

The decision to release all of the bond on this acreage is made for the following reasons:

The Coteau Properties Company has met the requirements of the reclamation laws and rules administered by the Commission for successfully reclaiming 199.3 acres of tame pastureland, which includes a 2.2-acre conservation tree planting, three stock ponds totaling 4.6 acres, and 1 acre of reclaimed county section line road. The bond release application contains approximately 172.7 acres of land that was not

disturbed by mining and reclamation activities. The vegetation success standards and all other applicable performance standards have been met to the satisfaction of the Commission. The acreage included in this bond release is subject to the 1979 reclamation law.

**IMPORTANT – PLEASE READ**

1. If bond release has been approved, actual release of bond shall not occur until the effective date of this decision. If a formal hearing is requested on this bond release decision by a person with a valid legal interest or by the head of any state or local government agency with appropriate jurisdiction, the actual release of bond may not occur until after a final decision is issued following the formal hearing. A request for formal hearing by any such person must be filed with the Public Service Commission within 30 days of this bond release decision.
2. If bond release has been disapproved or if you are unsatisfied with the amount of bond approved for release, you have the right to request a formal hearing regarding this decision by filing an application for a hearing with the Public Service Commission within 30 days of the date of this decision.

**PUBLIC SERVICE COMMISSION**

  
Sheri Haugen-Hoffart      Randy Christmann      Jill Kringstad  
Sheri Haugen-Hoffart      Randy Christmann      Jill Kringstad  
Commissioner                      Chair                      Commissioner

Freedom Mine\Permits\NACT - 1801\Bond Release\No. 2\BR2\_apprvl\_award\_6-18-25

Attachment II – Metes and Bounds Description

Two tracts of land for final bond release in Section 29, T145N, R87W, of the 5<sup>th</sup> P.M., Mercer County, North Dakota, described as follows:

**Tract 1**

Beginning at the southwest corner of Section 29, T145N, R87W;  
thence N 00°40'53" E a distance of 2634.42' to the west ¼ of said section;  
thence S 88°59'58" E a distance of 2632.10' to the center of said section;  
thence N 00°45'19" E a distance of 1063.41';  
thence S 89°49'35" E a distance of 1000.05';  
thence S 00°00'00" E a distance of 165.64';  
thence N 90°00'00" E a distance of 1630.70';  
thence S 00°45'58" W a distance of 940.71' to the east ¼ of said section;  
thence N 88°59'58" W a distance of 2632.58' to the center of said section;  
thence S 00°45'19" W a distance of 2632.96' to the south ¼ of said section;  
thence N 89°01'50" W a distance of 2628.70' to the point of beginning;

Said tract having an area of 218.3420 acres of land as shown on this plat.

**Tract 2**

Described as follows:

Beginning at the southeast corner of Section 29, T145N, R87W;  
thence N 88°52'43" W a distance of 2632.18' to the south ¼ corner of said section;  
thence N 00°45'19" E a distance of 2632.96' to the center corner of said section;  
thence S 88°59'58" E a distance of 2632.58' to the east ¼ corner of said section;  
thence S 00°45'53" W a distance of 2638.52' to the point of beginning;

Said tract having an area of 159.2786 acres of land as shown on this plat.

All tracts together having an area of 377.6206 acres.

All bearings and distances are based on the North Dakota State Plane Coordinate System, South Zone, NAD 27. All bound calls supersede any metes within this description.