

Affidavit of Publication

STATE OF NORTH DAKOTA,
COUNTY OF MERCER, ss.

I, Jenna Cowan 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

APPLICATION FOR REVISION 3 TO PERMIT
NACT-1801

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: 9/11/2025, 9/18/2025, 9/25/2025,
10/2/2025

That the full amount of the fees for
the publication of the annexed notice is: \$ 4224.80

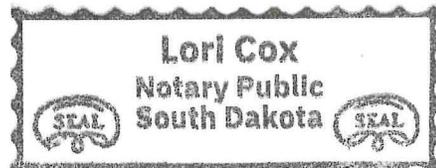
Jenna Cowan

Subscribed and sworn to before me this 10/3/2025

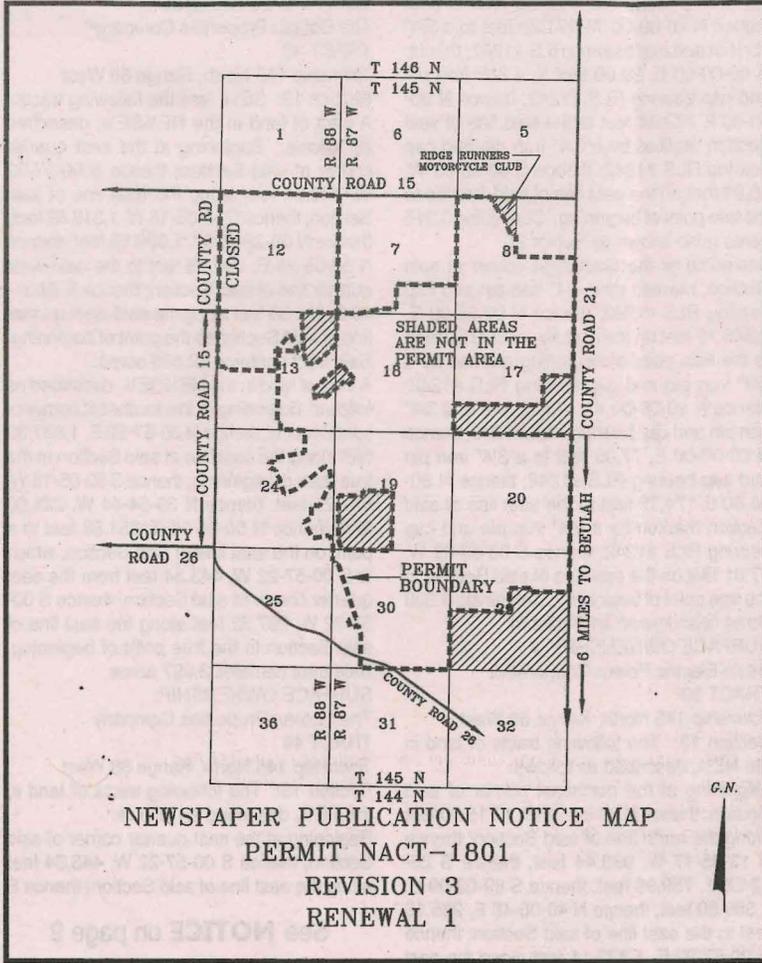
Lori Cox

Lori Cox, Notary Public
State of South Dakota

My commission expires January 2, 2031



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



The Coteau Properties Company, 204 County Road 15, Beulah, ND 58523, as applicant, has filed a complete application for Renewal of Surface Coal Mining Permit NACT-1801 with the North Dakota Public Service Commission. The current permit area covers all or portions of Sections 12, 13, and 24 of T145N, R88W; Sections 7, 8, 17, 18, 19, 20, 29, and 30 of T145N, R87W, of the Fifth Principal Meridian, Mercer County, North Dakota. The total acreage within the permit area is approximately 4,696.58 acres. The permit term will be from February 17, 2026 to February 16, 2031.

The Coteau Properties Company has also filed an application for Revision 3 to Permit NACT-1801 with the North Dakota Public Service Commission. This revision updates the following information for the next five-year permit term; legal information, the certificate of liability insurance, business entity/compliance information, identification of interests and rights of entry, updated equipment list, and updated permit boundary to account for bond released acres in the Pit Layout and Facilities Map, Extended Mining Plan Map, Surface Water Management Plan Map, Post-Mining Topography and Land Use Map, and the Pre- and Post-Mining Land Use Comparison Table. Coal removal is complete within the permit area and any remaining unmined tracts are permitted for surface disturbance only.

The permit area is approximately six miles north of Beulah. The newspaper publication notice map shows the distance to Beulah, North Dakota, and the outline of the proposed permit area.

The owners of the surface in the permit area are as follows:
TRACT 1

Township 145 North, Range 87 West
Section 7: Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ less a tract of land in the S $\frac{1}{2}$ SW $\frac{1}{4}$, described as follows: Beginning at the southwest corner of said section; thence N 00-58-09 E, 1,302.14 feet on the west line to the northwest corner of Government Lot 4 of said section; thence S 89-23-59 E, 2,629.77 feet on the east-west 1/16 line to the center south 1/16 corner of said section; thence S 00-55-01 W, 1,074.14 feet on the north-south 1/4 line of said section; thence N 90-00-00 W, 608.23 feet; thence S 77-57-20 W, 1,022.51 feet to the south line of said section; thence N 89-16-34 W, 1,026.31 feet on the south line to the southwest corner of said section being the point of beginning. Said tract contains 73.008 acres of land.

SURFACE OWNERSHIP:
Basin Electric Power Cooperative
TRACT 2

Township 145 North, Range 87 West
Section 7: SW $\frac{1}{4}$ SE $\frac{1}{4}$
SURFACE OWNERSHIP:

The Coteau Properties Company
TRACT 3

Township 145 North, Range 87 West
Section 7: SE $\frac{1}{4}$ SE $\frac{1}{4}$
SURFACE OWNERSHIP:

The Coteau Properties Company
TRACT 4

Township 145 North, Range 87 West
Section 8: N $\frac{1}{2}$ NW $\frac{1}{4}$ less that portion of Sublot One in the NW $\frac{1}{4}$, described as follows: Beginning at the N $\frac{1}{4}$ corner of said Section, marked by an iron pin and cap bearing RLS# 1243; thence N 88-55-31 W, 1,123.43 feet on the north line of said Section to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 00-52-49 W, 110.71 feet to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 31-42-34 E, 764.24 feet, to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 44-23-40 E, 118.61 feet, to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 37-42-53 E, 161.20 feet, to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 20-58-38 E, 370.05 feet, to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S

31-42-34 E, 764.24 feet, to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 44-23-40 E, 118.61 feet, to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 37-42-53 E, 161.20 feet, to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 20-58-38 E, 370.05 feet, to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 21-48-48 E, 416.80 feet, to a set $\frac{3}{4}$ " iron pin bearing RLS# 1242; thence S 89-46-05 E, 228.40 feet, to a set $\frac{3}{4}$ " iron pin bearing RLS# 1242 on the north-south $\frac{1}{4}$ line of said Section; thence N 00-52-49 E, 1,685.65 feet, on the north-south $\frac{1}{4}$ line of said Section to the point of beginning, containing 25.6536 acres of land, insofar as that part of lying within the N $\frac{1}{2}$ NW $\frac{1}{4}$.

SURFACE OWNERSHIP:
The Coteau Properties Company
TRACT 5

Township 145 North, Range 87 West
Section 8: SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ less that portion of Sublot One in the NW $\frac{1}{4}$, described as follows: Beginning at the N $\frac{1}{4}$ corner of said Section, marked by an iron pin and cap bearing RLS# 1243; thence N 88-55-31 W, 1,123.43 feet on the north line of said Section to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 00-52-49 W, 110.71 feet to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 31-42-34 E, 764.24 feet, to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 44-23-40 E, 118.61 feet, to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 37-42-53 E, 161.20 feet, to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S 20-58-38 E, 370.05 feet, to a set $\frac{3}{4}$ " iron pin and cap bearing RLS# 1242; thence S

See **NOTICE** on page 8

50-05-16 W, 1,316.89 feet; thence N 09-28-29 W, 1,068.60 feet; thence N 50-05-16 E, 399.28 feet to the east-west quarter line of said Section; thence S 88-34-46 E, 887.39 feet along the east-west quarter line of said Section to the point of beginning. Said tract contains 22.665 acres.

Beginning at the southeast corner of said Section; thence N 00-57-22 E, 1,887.33 feet along the east line of said Section to the true point of beginning; thence S 50-05-16 W, 657.20 feet; thence N 39-54-44 W, 225.00 feet; thence N 50-05-16 E, 851.88 feet to a point on the east line of said Section, which is S 00-57-22 W, 443.34 feet from the east quarter corner of said Section; thence S 00-57-22 W, 297.52 feet along the east line of said Section to the true point of beginning. Said tract contains 3.897 acres.

SURFACE OWNERSHIP:

Dakota Gasification Company

TRACT 45

Township 145 North, Range 88 West
Section 24: A tract of land located within the E $\frac{1}{2}$ NE $\frac{1}{4}$, more fully described as follows: Beginning at a point known as the Northeast corner of Section 24, Township 145 North, Range 88 West; thence Westerly along the North section line approximately 1320 feet; thence Southerly approximately 1760 feet; thence Easterly approximately 1320 feet;

thence Northerly along the East section line approximately 1760 feet to the point of beginning, containing 53.33 acres, more or less, less and except the following tracts: Beginning at the northwest corner of said E $\frac{1}{2}$ NE $\frac{1}{4}$, thence N 88-43-02 W along the north section line of said E $\frac{1}{2}$ NE $\frac{1}{4}$ a distance of 158.86 feet; thence S 00-58-01 W a distance of 1,250.93 feet; thence N 88-45-45 W a distance of 158.42 feet; thence N 00-56-49 E along the west line of said E $\frac{1}{2}$ NE $\frac{1}{4}$ a distance of 1,251.06 feet to the point of beginning, containing 4.56 acres more or less. Sublot 1 insofar as it lies within this tract, being more described as beginning at the northeast corner of said Section, having North Dakota state plane coordinate 624,481.58 North, 1,672,385.84 East, 1927 N.A.D., South zone, thence S 00-58-04 W 1,564.16 feet along the east line of said Section to a point having coordinate 622,917.64 North, 1,672,359.42 East and being the true point of beginning; thence N 89-01-49 W 549.94 feet, having coordinate 622,926.95 North, 1,671,809.56 East; thence S 48-15-35 W 884.46 feet to the north property line of Dakota Gasification Company property, having coordinate 622,338.11 North, 1,671,149.60 East; thence S 89-01-49 E 1,199.86 feet along the north property line of Dakota Gasification Company Property to the east line of

said Section, having coordinate 622,317.80 North, 1,672,349.29 East; thence N 00-58-04 E 599.93 feet along the east section line to the true point of beginning. Said tract contains 12.0495 acres.

SURFACE OWNERSHIP:

The Coteau Properties Company

TRACT 46

Township 145 North, Range 88 West
Section 24: A tract of land located within the E $\frac{1}{2}$ NE $\frac{1}{4}$, more fully described as follows: Beginning at the northwest corner of said E $\frac{1}{2}$ NE $\frac{1}{4}$, thence N 88-43-02 W along the north section line of said E $\frac{1}{2}$ NE $\frac{1}{4}$ a distance of 158.86 feet; thence S 00-58-01 W a distance of 1,250.93 feet; thence N 88-45-45 W a distance of 158.42 feet; thence N 00-56-49 E along the west line of said E $\frac{1}{2}$ NE $\frac{1}{4}$ a distance of 1,251.06 feet to the point of beginning, containing 4.56 acres more or less. **SURFACE OWNERSHIP:** Basin Electric Power Cooperative

TRACT 47

Township 145 North, Range 88 West
Section 24: A tract of land located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, more fully described as follows: Commencing at the northwest corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, thence S 88-43-02 E along the north line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1,320.07 feet; thence S 00-56-49 W along the east line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1,251.06 feet; thence N 88-45-49 W a distance of 1,319.65 feet to a point on the west line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$; thence N 00-55-41 E along the west line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1,252.14 feet to the point of beginning, containing 37.90 acres, more or less.

SURFACE OWNERSHIP:

Basin Electric Power Cooperative

TRACT 48

Township 145 North, Range 88 West
Section 24: A tract of land located within the W $\frac{1}{2}$ NE $\frac{1}{4}$, more fully described as follows: Commencing at the northwest corner of the NE $\frac{1}{4}$, thence S 00-55-41 W along the west line of said NE $\frac{1}{4}$ a distance of 1,252.14 feet to the point of beginning; thence S 88-45-49 E a distance of 1,319.65 feet to a point on the east line of said W $\frac{1}{2}$ NE $\frac{1}{4}$; thence S 00-56-49 W along the east line of said W $\frac{1}{2}$ NE $\frac{1}{4}$ a distance of 921.54 feet; thence N 90-00-00 W a distance of 1,099.57 feet; thence N 36-38-31 W a distance of 301.60 feet; thence N 00-00-00 E a distance of 158.00 feet; thence N 90-00-00 W a distance of 41.43 feet to a point on the west line of said W $\frac{1}{2}$ NE $\frac{1}{4}$; thence N 00-55-41 E along the west line of said W $\frac{1}{2}$ NE $\frac{1}{4}$ a distance of 528.68 feet to the point of beginning, containing 27.10 acres, more or less.

SURFACE OWNERSHIP: The Coteau Properties Company

TRACT 49

Township 145 North, Range 88 West
Section 24: That portion of Sublot 1 in the E $\frac{1}{2}$ NE $\frac{1}{4}$, more particularly described as follows: Beginning at the northeast corner of said Section, having North Dakota state plane coordinate 624,481.58 North, 1,672,385.84 East, 1927 N.A.D., South zone, thence S 00-58-04 W 1,564.16 feet along the east line of said Section to a point having coordinate 622,917.64 North, 1,672,359.42 East and being the true point of beginning; thence N 89-01-49 W 549.94 feet, having coordinate 622,926.95 North, 1,671,809.56 East; thence S 48-15-35 W 884.46 feet to the north property line of Dakota Gasification Company property, having coordinate 622,338.11 North, 1,671,149.60 East; thence S 89-01-49 E 1,199.86 feet along the north property line of Dakota Gasification Company Property to the east line of said Section, having coordinate 622,317.80 North, 1,672,349.29 East; thence N 00-58-04 E 599.93 feet along the east section line to the true point of beginning containing 12.0495 acres, less a tract of land more particularly described as follows: Beginning at a point known as the Northeast corner of Section 24, Township 145 North, Range 88 West; thence Southerly along the East section line approximately 1760 feet to the true point of beginning; thence Westerly approximately 1320 feet; thence Southerly approximately 440 feet; thence Easterly approximately 1320 feet; thence Northerly along the East section line approximately 440 feet to the point of beginning.

SURFACE OWNERSHIP:

Dakota Gasification Company

TRACT 50

Township 145 North, Range 88 West
Section 24: The following tracts of lands in the E $\frac{1}{2}$, described as follows: Beginning at the northeast corner of said Section, having North Dakota state plane coordinate 624,481.58 North, 1,672,385.84 East, 1927 N.A.D., South zone, thence S

00-58-04 W 1,564.16 feet along the east line of said Section to a point having coordinate 622,917.64 North, 1,672,359.42 East and being the true point of beginning; thence N 89-01-49 W 549.94 feet, having coordinate 622,926.95 North, 1,671,809.56 East; thence S 48-15-35 W 884.46 feet to the north property line of Dakota Gasification Company property, having coordinate 622,338.11 North, 1,671,149.60 East; thence S 89-01-49 E 1,199.86 feet along the north property line of Dakota Gasification Company Property to the east line of said Section, having coordinate 622,317.80 North, 1,672,349.29 East; thence N 00-58-04 E 599.93 feet along the east section line to the true point of beginning, containing 12.0495 acres, insofar as it lies within a tract of land more particularly described as follows: Beginning at a point known as the Northeast corner of Section 24, Township 145 North, Range 88 West; thence Southerly along the East section line approximately 1760 feet to the true point of beginning; thence Westerly approximately 1320 feet; thence Southerly approximately 440 feet; thence Easterly approximately 1320 feet; thence Northerly along the East section line approximately 440 feet to the point of beginning.

Beginning at a point which lies on the east line of said section, said point being located 2,164.39 feet south of the northeast corner; thence N 90-00-00 W a distance of 1,320.82 feet; thence S 00-56-49 W a distance of 470.32 feet to a point on the south line of said E $\frac{1}{2}$ NE $\frac{1}{4}$; thence N 90-00-00 E along the south line of said E $\frac{1}{2}$ NE $\frac{1}{4}$ a distance of 1,320.82 feet to a point on the east section line; thence N 00-00-00 E along the east section line a distance of 470.32 feet to the point of beginning, containing 14.21 acres, more or less.

Beginning at the northeast corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence S 00-57-57 W along the east line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 859.68 feet; thence N 89-02-03 W a distance of 1,318.89 feet to a point on the west line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence N 00-56-49 E along the west line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 868.68 feet to a point on the north line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence S 88-38-35 W along the north line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 1,319.21 feet to the point of beginning, containing 26.17 acres, more or less.

SURFACE OWNERSHIP:

Dakota Gasification Company

TRACT 51

Township 145 North, Range 88 West
Section 24: A tract of land in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, being more particularly described as follows: Beginning at a point known as the Northeast corner of Section 24, Township 145 North, Range 88 West; thence Southerly along the East section line approximately 1760 feet to the true point of beginning; thence Westerly approximately 1320 feet; thence Southerly approximately 440 feet; thence Easterly approximately 1320 feet; thence Northerly along the East section line approximately 440 feet to the point of beginning, less that portion of Sublot 1 insofar as it lies within, more particularly described as follows: Beginning at the northeast corner of said Section, having North Dakota state plane coordinate 624,481.58 North, 1,672,385.84 East, 1927 N.A.D., South zone, thence S 00-58-04 W 1,564.16 feet along the east line of said Section to a point having coordinate 622,917.64 North, 1,672,359.42 East and being the true point of beginning; thence N 89-01-49 W 549.94 feet, having coordinate 622,926.95 North, 1,671,809.56 East; thence S 48-15-35 W 884.46 feet to the north property line of Dakota Gasification Company property, having coordinate 622,338.11 North, 1,671,149.60 East; thence S 89-01-49 E 1,199.86 feet along the north property line of Dakota Gasification Company Property to the east line of said Section, having coordinate 622,317.80 North, 1,672,349.29 East; thence N 00-58-04 E 599.93 feet along the east section line to the true point of beginning, containing 12.0495 acres.

SURFACE OWNERSHIP: The Coteau Properties Company

TRACT 52

Township 145 North, Range 88 West
Section 24: The following tracts of lands in the E $\frac{1}{2}$, described as follows: A tract of land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, being more particularly described as; Commencing at the northwest corner of the NE $\frac{1}{4}$, thence S 00-55-41 W along the west line of said NE $\frac{1}{4}$ a distance of 1,780.81 feet to the point of beginning; thence S 90-00-00 E a distance of 41.43 feet; thence S 00-00-00 W a distance of 158.00 feet; thence S 36-38-31 E a distance of 301.60 feet; thence S 90-00-00 E a distance of 1,099.57 feet to a point on the east line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence S 00-56-

49 W along the east line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 470.32 feet to a point on the south line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence N 90-00-00 W along the south line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1,319.21 feet; thence N 00-01-13 E along the west line of said NE $\frac{1}{4}$ a distance of 858.86 feet to the point of beginning, containing 15.00 acres, more or less.

SE $\frac{1}{4}$, less the following tracts of land: Beginning at a point 533.00 feet due west of the southeast corner; thence 260.00 feet due west; thence 503.00 feet due north; thence 260.00 feet due east; thence 503.00 feet due south to the point of beginning, containing 2.75 acres, more or less. Also less and except: Beginning at the southeast corner as the point of beginning; thence 533.00 feet due west; thence 1,760.00 feet due north; thence 533.00 feet due east; thence 1,760.00 feet due south to the point of beginning, containing 21.50 acres, more or less. Also less and except a tract of land in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ more particularly described as; beginning at the northeast corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence S 00-57-57 W along the east line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 859.68 feet; thence N 89-02-03 W a distance of 1,318.89 feet to a point on the west line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence N 00-56-49 E along the west line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 868.68 feet to a point on the north line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence S 88-38-35 W along the north line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 1,319.21 feet to the point of beginning, containing 26.17 acres, more or less.

SURFACE OWNERSHIP:

Dakota Gasification Company

TRACT 53

Township 145 North, Range 88 West
Section 24: A tract of land in the NW $\frac{1}{4}$, described as follows: Beginning at the NW $\frac{1}{4}$ corner of said Section; thence S 00-02-25.2 W, 1,250.00 feet to the true point of beginning; thence N 90-00-00 W, 48.33 feet; thence S 00-00-00 W, 193.69 feet; thence S 90-00-00 W, 188.79 feet; thence S 45-00-00 W, 30.00 feet; thence S 00-00-00 W, 203.79 feet; thence S 42-16-25.3 E, 100.01 feet; thence S 90-00-00 E, 124.73 feet; thence S 37-52-30 E, 45.60 feet; thence S 90-00-00 E, 38.57 feet; thence N 00-01-33.6 W, 528.69 feet to the true point of beginning, containing 1.971 acres.

SURFACE OWNERSHIP:

The Coteau Properties Company

TRACT 54

Township 145 North, Range 88 West
Section 24: The following tracts of lands in the SE $\frac{1}{4}$, described as follows: Beginning at a point 533.00 feet due west of the southeast corner; thence 260.00 feet due west; thence 503.00 feet due north; thence 260.00 feet due east; thence 503.00 feet due south to the point of beginning, containing 2.75 acres, more or less. Also: Beginning at the southeast corner as the point of beginning; thence 533.00 feet due west; thence 1,760.00 feet due north; thence 533.00 feet due east; thence 1,760.00 feet due south to the point of beginning, containing 21.50 acres, more or less.

SURFACE OWNERSHIP:

Dakota Gasification Company

During this term of the permit, The Coteau Properties Company does not anticipate any requests to Mercer County to temporarily close section lines to conduct surface coal mining and reclamation operations. Temporary section line and public road closures and relocations will occur over most of the permit area at intermittent times during the life of the permit.

A copy of Revision 3 to Permit NACT-1801 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 or renewal 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

(09-11-2025)(09-18-2025)

(09-25-2025)(10-02-2025)