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**NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

Jason Sauer

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January 10, 2026

VIA ELECTRONIC MAIL AND CERTIFIED MAIL

North Dakota Public Service Commission

Reclamation Division

600 East Boulevard Ave, Dept 408

Bismarck, ND 58505-0480

Email: ndpsc@nd.gov

RE: PROTEST AND REQUEST FOR HEARING

Applicant: Falkirk Mining Company

Application: Permit Revision No. 39

Affected Land: Section 1, T144N, R84W (McLean County)

Dear Commissioners,

I, Jason Sauer, am a legal surface owner of the land legally described as the Southeast Quarter (SE1/4) of Section 1, Township 144 North, Range 84 West, McLean County, North Dakota, which is directly included in or affected by the proposed surface coal mining operations described in Revision No. 39 submitted by the Falkirk Mining Company.

Pursuant to North Dakota Century Code (NDCC) § 38-14.1-17, I hereby formally protest the approval of Revision 39 and request an informal conference on the matter.

My specific objections to the proposed mining permit revision include, but are not limited to, the following:

1. Reclamation Concerns: The application fails to demonstrate that reclamation can be accomplished as required by state law to restore the land to equal or better productivity.
2. Soil Reconstruction: The proposed soil removal, storage, and reconstruction plans are inadequate to protect the topsoil resource on my agricultural property.
3. Hydrologic Balance: The mining plan may adversely affect the hydrologic balance and water quality on and adjacent to my property.
4. Property Rights: The proposed operations will unduly interfere with my surface ownership rights and land use.

I reserve the right to amend and supplement these objections as more information becomes available and upon retaining legal counsel.

I respectfully request that the Commission:

1. Accept this letter as a timely filed formal objection;
2. Schedule a Formal Hearing or Informal Conference on this application; and
3. Deny Revision 39 until such time as the Applicant proves full compliance with NDCC 38-14.1.

Sincerely,



Jason Sauer

Joint Surface Owner / Life Tenant

Section 1, SE1/4

CERTIFICATE OF SERVICE


I hereby certify that on January 10, 2026, I served a true and correct copy of the foregoing PROTEST AND REQUEST FOR HEARING upon the Applicant by placing the same in the United States Mail, postage prepaid, via Certified Mail, addressed to:

The Falkirk Mining Company

Attn: Land Department / Regulatory Affairs

P.O. Box 1087

Underwood, ND 58576



Jason Sauer