



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email and regular mail

July 27, 2026

Mr. Jeremy Eckroth
Environmental Manager
Coyote Creek Mining Company, LLC
6502 17th St. SW
Zap, ND 58523
jeremy.eckroth@nacoal.com

Dear Mr. Eckroth:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

Revision 14 was considered a significant revision and was therefore subject to the public notice requirements. Any person with an interest that is or may be adversely affected by the approval of this revision has the right to request a formal hearing on the decision to approve this revision. Such a request must be filed within 30 days of publication of the Commission's approval notice. The current performance bond of \$25,219,975 has been determined sufficient for the proposed mining and reclamation operations in the bond area of Permit NACC-1302.

Enclosed is the original award form for this revision. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Emmer", is placed below the word "Sincerely,".

Jonathan Emmer
Director
Reclamation Division

Enclosure

Coyote Creek Mine\Permits\NACC - 1302\Revisions & Renewals\No. 14\Rev14_AL_7-27-26



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600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

Mr. Jeffrey Fleischman, Chief
Denver Field Division
Office of Surface Mining
P.O. Box 11018
150 East B Street
Casper, WY 82601
jfleischman@osmre.gov

Dear Mr. Fleischman:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

Revision 14 was considered a significant revision and was therefore subject to the public notice requirements. No bond adjustment was required for this revision. This permit contains federal coal and OSMRE has determined that Revision 14 does not constitute a mine plan modification as stated in a letter, received May 27, 2026, from Erica Trent of OSMRE.

A copy of the revision award form is enclosed. The approved permit will be shared with you via a Microsoft OneDrive link emailed with this letter. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, reading "Jonathan Emmer", is positioned above the printed name and title.

Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only: John Sieving (jsieving@osmre.gov)

Coyote Creek Mine\Permits\NACC - 1302\Revisions & Renewals\No. 14\Rev14_AL_7-27-26



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Sheri Haugen-Hoffart

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600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

Ms. Erica Trent
Natural Resources Specialist
Office of Surface Mining
PO Box 25065
Lakewood, CO 80215
etrent@osmre.gov

Dear Ms. Trent:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only: Marcelo Calle (mcalle@osmre.gov)

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Dept. 408
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ndpsc@nd.gov

sent via email only

July 27, 2026

Mr. Josh Alexander
Bureau of Land Management
Billings Field Office
5001 Southgate Dr.
Billings, MT 59101
jalexand@blm.gov

Dear Mr. Alexander:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Director
Reclamation Division

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600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

Mr. Edward Kraft
Field Office Manager
Bureau of Land Management
ND Field Office
99 23rd Ave West, Suite A
Dickinson, ND 58601
ekraft@blm.gov

Dear Mr. Kraft:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Director
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600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
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sent via email only

July 27, 2026

Dr. Clint Boyd
State Geologist
North Dakota Geological Survey
600 East Boulevard Avenue
Bismarck, ND 58505-0480
caboyd@nd.gov

Dear Dr. Boyd:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Director
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Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

Mr. Tom Claeys
State Forester
North Dakota Forest Service
916 E Interstate Ave #4
Bismarck, ND 58503
thomas.claeys@ndsu.edu

Dear Mr. Claeys:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Reclamation Division

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Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

Dr. Bill Peterson, Director
State Historical Society of North Dakota
612 East Boulevard Avenue
Bismarck, ND 58505
billpeterson@nd.gov

Dear Dr. Peterson:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Jonathan Emmer
Director
Reclamation Division

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600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

North Dakota Department of Water Resources
C/O Project Review
1200 Memorial Highway, Dept. 770
Bismarck, ND 58504
dwrprojectreview@nd.gov

Dear Project Review Team:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only: DWR Reg Permits (dwrregpermits@nd.gov)

Coyote Creek Mine\Permits\NACC - 1302\Revisions & Renewals\No. 14\Rev14_AL_7-27-26



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

Ms. Paula Comeau
ND State Soil Conservation Committee
Dept 7390, PO Box 6050
Fargo, ND 58108-6050
ndsu.sccc@ndsu.edu

Dear Ms. Comeau:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Director
Reclamation Division

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Randy Christmann

Jill Kringstad

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

Mr. Jeb Williams, Director
North Dakota Game and Fish Department
100 North Bismarck Expressway
Bismarck, ND 58501-5095
jwilliam@nd.gov

Dear Mr. Williams:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Jonathan Emmer
Director
Reclamation Division

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Sheri Haugen-Hoffart

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Jill Kringstad

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

Mr. David Glatt, P.E.
Director
North Dakota Department of Environmental Quality
4201 Normandy Street
Bismarck, ND 58503-1324
dglatt@nd.gov

Dear Mr. Glatt:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Sincerely,

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Jonathan Emmer
Director
Reclamation Division

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600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

Mr. Luke Toso
U.S. Fish and Wildlife Service
3425 Miriam Avenue
Bismarck, ND 58501-7926
luke_toso@fws.gov

Dear Mr. Toso:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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600 East Boulevard Ave
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sent via email only

July 27, 2026

Mr. Cody Schulz
North Dakota Parks and Recreation
604 E Boulevard Ave, Dept. 750
jcschulz@nd.gov

Dear Mr. Schulz:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Jonathan Emmer
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July 27, 2026

Ms. Olivia Akin, Mayor
Mayor of Beulah
P.O. Box 910
Beulah, ND 58523-0910
beulahmayor.akin@gmail.com

Dear Ms. Akin:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

Revision 14 was considered a significant revision and was therefore subject to the public notice requirements. Enclosed is a copy of the revision award form. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, reading "Jonathan Emmer", is positioned above the printed name and title.

Jonathan Emmer
Director
Reclamation Division

Enclosure

Coyote Creek Mine\Permits\NACC - 1302\Revisions & Renewals\No. 14\Rev14_AL_7-27-26



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via regular mail

July 27, 2026

Mr. Jesse Schiferl
Commission President of Hazen
146 Main Street East
P.O. Box 717
Hazen, ND 58545

Dear Mr. Schiferl:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Sincerely,

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Jonathan Emmer
Director
Reclamation Division

Enclosure

Coyote Creek Mine\Permits\NACC - 1302\Revisions & Renewals\No. 14\Rev14_AL_7-27-26



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

Ms. Carmen Reed
Mercer County Auditor
P.O. Box 39
Stanton, ND 58571
careed@nd.gov

Dear Ms. Reed:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Sincerely,

A handwritten signature in blue ink, reading "Jonathan Emmer", is positioned above the printed name and title.

Jonathan Emmer
Director
Reclamation Division

Enclosure

Coyote Creek Mine\Permits\NACC - 1302\Revisions & Renewals\No. 14\Rev14_AL_7-27-26



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

Mr. Derrick Braaten
Braaten Law Firm
109 N. 4th Street, Suite 100
Bismarck, ND 58501
derrick@braatenlawfirm.com

Dear Mr. Braaten:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

Enclosed is a copy of the revision award form. The approved permit will be shared with you via a Microsoft OneDrive link emailed with this letter. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, reading "Jonathan Emmer", is positioned above the printed name.

Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only: Desirae Zaste (desirae@braatenlawfirm.com)

Coyote Creek Mine\Permits\NACC - 1302\Revisions & Renewals\No. 14\Rev14_AL_7-27-26



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

July 27, 2026

Casey and Julie Voigt
P.O. Box 454
Beulah, ND 58523
vvranch4@gmail.com

Dear Mr. and Mrs. Voigt:

This letter is to inform you of the Commission's July 27, 2026, approval of Revision 14 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

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Sincerely,

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Jonathan Emmer
Director
Reclamation Division

Enclosure

Coyote Creek Mine\Permits\NACC - 1302\Revisions & Renewals\No. 14\Rev14_AL_7-27-26

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Coyote Creek Mining Company, L.L.C.
Revision 14, Permit NACC-1302
Application

Case No. RC-25-270

**REVISION OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS**

July 27, 2026

Based on the application for **Revision Number 14 to Permit Number NACC-1302** received **October 3, 2025**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application received on October 3, 2025, is complete and accurate and the applicant has complied with the requirements of Chapter 3814.1 of the North Dakota Century Code and Article 6905.2 of the North Dakota Administrative Code.
2. The Commission received a request for an Informal Conference on this application from Casey and Julie Voigt with concerns about the native grassland reference areas, the Section 36 farmer access road (18th Street SW), compaction testing, and the productivity of reclaimed land. The informal conference was held on May 12, 2026. The Hearing Officer issued the Informal Conference Findings and Recommended Order stating that the Commission may approve Revision 14 with conditions or it may approve Revision 14 outright, without conditions. Coyote Creek Mining Company, L.L.C. updated the Revision 14 application with language stating that the mine will work with Mr. Voigt to establish a clayey native grassland reference area. The Revision 14 application was updated with this information to the satisfaction of the Commission.
3. The current performance bond in the amount of \$25,219,975 is sufficient for the proposed mining and reclamation operations in the bond area of Permit NACC-1302.
4. The Commission's findings that were made when the permit was issued, and the findings made with subsequent revisions remain applicable to the revised operation and reclamation plans.

Revision Number 14 to Permit Number NACC-1302 is hereby granted to The Coyote Creek Mining Company, L.L.C. Revision 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. The revision also updates the introductory information; pre-mining land use information; general operations; surface water management; post-mining land use plans and topography; revegetation procedures, establishment and management; and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06; the addition of design plans for diversion D25-01; post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland; and modifications to the

native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of five ecological sites as native grassland reference areas.

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and any additional or revised permit conditions listed on attached PSC Reclamation Form - 3. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be a significant alteration to the previously approved permit.

PUBLIC SERVICE COMMISSION

 _____ Sheri Haugen-Hoffart Commissioner	 _____ Randy Christmann Chair	 _____ Jill Kringstad Commissioner
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Coyote Creek Mine\Permits\NACC - 1302\Revisions & Renewals\No. 14\Rev14_Apprvl_award_7-27-26