## PUBLIC NOTICE

# **Township Meeting** Rock Hill Township will hold it's annual Tax Equalization meeting on Monday, April 20th, 2015 at 1:00 p.m. at the Hanson Residence, 28700 223rd St NE, Wing, ND 58494.

Rosemary Hanson - Clerk 4/9 & 16 - 20781067

### **Fire Protection District**

Notice is hereby given that the Board of Directors will hold their monthly meeting Thursday, April 16, 2015, at 7:30 PM at the Bismarck Rural Fire Hall, located at 5800 E. Main Ave, Bismarck, ND 58504, during which the regular business of the board will be conducted. 4/9 - 20780846

#### **PUBLIC NOTICE** Tax Equalization Notice

The taxpayers of Haycreek Township are hereby notified that the Annual Tax Equalization meeting will be held at the Bismarck Public Library in the lower level starting at 6:00 PM on Monday, April 13, 2015 and any other business which may come before the board.

4/9 - 20781039

NOTICE OF FORECLOSURE SALE NOTICE IS HEREBY GIVEN that a self-storage facility lien will be foreclosed by private sale and the personal property held for Kelli Bercier, 100 3rd Street SE -Lot E100, Mandan ND 58554. By Rocky Gordon & Company will be sold to the highest bidder, for cash, at the front door of unit #34, 2930 E Broadway Avenue, Bismarck ND 58501. On April 16th, 2015 at 10:00 AM.
Dated this 30th day of March, 2015.
4/2 & 9 - 20779906

**NOTICE OF FORECLOSURE SALE** NOTICE IS HEREBY GIVEN that a self-storage facility lien will be foreclosed by private sale and the personal property held for William Pauli, PO Box 123, Bismarck ND 58502. By Rocky Gordon & Company will be sold to the highest bidder, for cash, at the front door of unit #40, 2930 for cash, at the front door of unit #40, 2930 E Broadway Avenue, Bismarck ND 58501. On April 16th, 2015 at 10:15 AM. Dated this 30th day of March, 2015. 4/2 & 9 - 20779905

OF BURLEIGH COUNTY. STATE OF NORTH DAKOTA
In the Matter of the Estate of Todd Fraser, Deceased NOTICE IS HEREBY GIVEN that the

IN THE DISTRICT COURT

undersigned has been appointed personal representative of the above estate. All persons having claims against the said deceased are required to present their claims within three (3) months after the date of the first publication or mailing of this notice or said claims will be forever barred. Claims must either be presented to Brandon Fraser, personal representative of the estate at 1108 Sorrento Place, Bismarck, ND 58501 or filed with the Court. Dated this 9th day of April, 2015.

/s/ Brandon Fraser BRANDON FRASER 4/9, 16 & 23 - 20781022 STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH IN DISTRICT COURT SOUTH CENTRAL JUDICIAL DISTRICT IN THE MATTER OF THE ESTATE OF ARLENE JANE NELSON, DECEASED. NOTICE IS HEREBY GIVEN that the

undersigned has been appointed personal representative of the above-named estate. All persons having claims against the said deceased are required to present their claims within three (3) months after the date of the first publication of this notice or said claims will be forever barred Claims must either be presented to Dennis Nelson, personal representative of the estate, 30751 Hwy 10, Sterling, ND 58572, or % Jack McDonald, Wheeler Wolf Law Firm, Attorneys for the Estate, P.O. Box 1776, Bismarck, North Dakota, or filed with the Court. Dated this 23rd day of March, 2015.

/s/ Dennis Nelson DENNIS NELSON /s/Jack McDonald

Jack McDonald ID #02972 WHEELER WOLF Attorneys for Personal Representative 220 North Fourth Street

P.O. Box 1776 Bismarck, ND 58502-1776 Phone: 701-223-5300 3/26, 4/2 & 9 - 20778626

Florence Lake Township will hold its Annual Tax Equalization Meeting on Monday, April 13, 2015 at 8:00 PM at the Doug Hertz Farm. 4/9 - 20781197

**Annual Township Meetings** 

The Ghylin Township Annual Tax Equalization Meeting will be held on Thursday, April 16, 2015 at 6:00 PM at the County Line Cafe in Wilton. The annual meeting will follow to elect such Township Officers as is required by law and to do any other business needed. Stacey Hakanson, Clerk 4/9 - 20781094

Hardrives, Inc. - 14475 Quiram Dr. Rogers, MN 55374, is requesting from qualified DBE and non DBE contractors and suppliers for the April 10th, 2015 NDDOT bid opening. We will submit our bid electronically for job number: Twenty-Two (22). Quotes are to include insidential and not the preparate source. incidentals and are to be received according to the time schedule posted in the DBE Special Provisions. Quotes can be faxed to 763-428-8868 or emailed to estimating@hardrivesinc. Any assistance we can offer preparing your proposal, interpreting plans, bonding, insurance or scheduling should be directed to Hardrives, Inc. Estimating at 763-428-8886 for Job number: 22. Hardrives, Inc. is an Equal Concertuity Employer.

Opportunity Employer. 4/9 - 20781199

TURTLE MOUNTAIN TRIBAL COURT CIVIL DIVISION - BELCOURT, ND TURTLE MOUNTAIN JURISDICTION LINUS WALLETTE, JR., Plaintiff, vs.
TYRELL POITRA,
Respondent.

File No. CV-15-7032

SUMMONS

TO THE ABOVE NAMED RESPONDENT:
You are hereby summoned and required to appear and defend against the Petitioner in this action, which is on file with the Turtle Mountain Tribal Court in Belcourt, North Dakota and herewith served upon you, by serving upon the undersigned an Answer of other proper response within forty (40) days of the service of this Summons upon u, exclusive of this date of service. you fail to do so, judgement by default will be taken against you for the relief demanded in this Complaint. Dated: April 2, 2015. /s/Linus Wallette Jr. LINUS WALLETTE JR.

4/9, 16 & 23 - 20781064

Michael Ward, #02830 EATON & WARD

201 South Main St., Suite 200 Minot, ND 58702 Telephone: (701) 852-4837

Mike.9273@yahoo.com

Attorney for Personal Representative IN THE DISTRICT COURT
OF BURLEIGH COUNTY,

STATE OF NORTH DAKOTA In the Matter of the

Estate of Betty Hoiby, Deceased Probate No. 08-2015-PR-00071 NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above estate. All persons having claims against the said persons having claims against the said deceased are required to present their claims within three (3) months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to Brett Hoiby, personal representative of the in care of Michael Ward, Eaton & Ward, 201 South Main St., Suite 200, Minot, ND

58701, or filed with the Court Dated this 2nd day of April, 2015. /s/ Michael Ward

MICHAEL WARD EATON & WARD Law Firm 4/9, 16 & 23 - 20781284 **Deadlines** 

## **RECEIVE BY**

**PUBLISH BY** Mon. . . . . . . Thurs, I2 Noon Tues..... Fri. 12 Noon Wed....... Mon. Noon Thurs. . . . . . . . . . . . Mon. 5PM

Friday ..... Tues. 5PM Sat. . . . . . . . . . Wed. I 2 Noon

## REQUEST FOR PUBLIC COMMENT ON THE CITY OF BISMARCK'S CONSOLIDATED PLAN & RELATED PLANS Bismarck is developing a five year Consolidated Plan (2015-2019).

Consolidated Plan identifies housing and community development needs in the City and proposes prioritizes how the City will use HUD funds. The City receives only Community Development Block Grant (CDBG) funds directly from HUD, so a CDBG application (or Annual Action Plan) will also be done in each of the five years. CDBG funds must be used for projects that benefit low and moderate income (LMI) persons, alleviate slum and blight, or address an urgent community need.
The following is a summary of the major goals included in the draft <u>Consolidated Plan</u>

Housing Goals: Assist with the development & renovation of affordable rental housing & special needs

housing Support efforts to increase homeownership opportunities for LMI households Homeless Goals:

Support the renovation or expansion of facilities serving people who are homeless Assist in the development of housing, including emergency shelter & transitional

housing
• Provide support for service providers that promote self-sufficiency

Allocate funds for emergency assistance activities to prevent homelessness Community Development Goals:

Support public service activities that provide essential services to households that are LMI, homeless, or have special needs Improve the quality of public facilities in LMI areas or that primarily serve LMI persons

· Fund infrastructure projects to improve accessibility or ease financial burdens on

The City is also developing a five year <u>Analysis of Impediments to Fair Housing</u>. This plan identifies Fair Housing concerns in the community and proposes recommendations to address those needs.

The City is also proposing that the following activities receive CDBG funding in its

Normal Action Plan:
 Aid, Inc.: \$10,000 for emergency housing services in Bismarck
 Burleigh County Housing Authority: \$25,000 for accessibility improvements at the

Charles Hall Youth Services: \$22,5000 for improvements at Case Home & Hall Home City-Public Health: \$5,000 for garden boxes and other nutritional activities City-Public Library: \$3,000 for assisting LMI persons with job searching Community Action Program: \$65,000 to improve accessibility in housing (citywide)

Lewis & Clark Regional Dev. Council: \$27,000 for emergency housing repairs (citywide) Pride, Inc.: \$15,000 for roof replacement at Bozeman housing

Salvation Army: \$10,000 for homelessness prevention
West Central Service Center: \$4,000 for emergency housing assistance

Dacotah Foundation: \$17,000 for kitchen remodeling at Discovery House and \$3,000 for improvements at Dacotah Recovery Center

Contingencies: \$25,318 may be awarded later as follows:

Cost overruns in approved activities

Youthworks: \$18,000 for window replacement at its youth facility

Housing accessibility or emergency housing rehab as needed Any uncommitted funding may be used to meet the needs of LMI households in the event of a disaster

Missouri Valley Coalition for Homeless Persons for emergency services if project capacity is demonstrated

Heartview Foundation for an elevator in new facility if project capacity is demonstrated

For accommodation/assistance: 355-1847

Administration: \$56,795
Total Budget =+ \$287,795 in 2015 CDBG funds and \$18,818 from prior years The public is invited to a meeting to receive more information about the above plans and to

make comments as follows: Public hearing: Tuesday, April 14, 2015 at 4 p.m. Send comments or requests to: City of Bismarck - Community Develop. Dept. David Blackstead Room - 2nd floor PO Box 5503 City-County Building 221 North 5th Street

4/9 - 20781016

Bismarck, ND 58506-5503 Fax: (701) 222-6450 E-mail: <a href="mailto:sredman@nd.gov">sredman@nd.gov</a> TDD: 711 ND relay Spanish: 800-435-8590 The draft plan will be available for review at the above office on April 8th for a 30 day comment period. All comments on the Plan are due by 5:00 p.m. on Friday, May 8th. The City Commission will review all comments before making a final decision on the Plan at their regularly scheduled meeting on Tuesday, May 12, 2015. The Plan will then be submitted to HUD for review. REQUEST FOR BIDS ON 2015 HIGH SCHOOL CAREER AND TECHNICAL EDUCATION HOUSE

Bismarck Public School District #1 offers for public sale to the highest bidder a twenty-eight by forty-six foot (1,288 square feet) one story, three-bedroom and two-bath. This house has been built by high school students at the Bismarck Career and Technical Education Center under the supervision of members of the faculty and is situated on the Bismarck State College campus east of the Technical Center. The house is built on an elevated foundation for

easy moving.

Anyone interested in bidding on the house is encouraged to contact Dave Peterson, Carpentry Instructor, at 323-4340, Ext 3054, for further information about the house and details on the bidding procedure. The house will be open for inspection anytime from 10:00 a.m. to 2:00 p.m., Monday through Friday, or by appointment with Mr. Peterson. The students will have completed their work by June 5, 2015. Bids are due at the Business and Operations Managers Office at 806 N Washington Street, Bismarck, North Dakota, \$8501 and will be opened at 2:00 p.m. on Tuesday, May 5, 2015. The house must be moved off campus no later than August 17, 2015. Minimum bid for the house is \$66,000 and must be accompanied by a certified check

or money order in the amount of \$1,000 made payable to Bismarck Public School District. The purchaser is responsible for applicable state and local sales tax.
Bismarck Public School District #I reserves the right to accept or reject any

or all bids, to waive any irregularities, to accept the bid best suited to the needs of the school district, and/or to hold all bids for a period of thirty (30) days after the date fixed for the bid opening. Dated this 7th day of April 2015 /s/ Darin Scherr Darin Scherr,

Business and Operations Manager Bismarck Public School District #1 806 North Washington Street Bismarck, North Dakota 58501 4/9 - 20781021

For

**Airport Security Services** 

Notice is hereby given to bid on Armed Security Services as required under a multi-year basis for the Bismarck Airport. The successful Bidder will begin operations on February 1, 2016. The Bid Documents and Specifications may be examined and copies obtained at the Airport Administration Office, 2301 University Drive, Building #17, Suite 225B, (701) 355-1808, Bismarck, North Dakota, 58504 or by email at tthorsen@bismarcknd.gov. The City of Bismarck will receive sealed Bids, in duplicate, until Monday May 18,

2015 at 3:00 PM CST, at the Fourth Floor Administration Department at the City/County Building, 221 North 5th Street, Bismarck, North Dakota, 58501. Bids received after that time will not be accepted. Bids will be opened and publicly read aloud in the Administration Conference Room, Fourth Floor, City/County Building on Monday May 18, 2015, at 4:00 PM CST. No Bidder may withdraw his Bid after May 18, 2015 at 3:00 PM CST contract

reimbursement funds as well as grant funds from the Transportation Security Administration (TSA) and will be subject to reimbursement and grant approval. The City will make a grant application to the TSA. The security firm selected will be required to comply with all applicable Equal Employment Opportunity laws and regulations and the Aircroft's regulations and the Airpor Disadvantaged Business Enterprise Plan. The City reserves the right to hold all bids for a period of sixty (60) days, to accept or reject all bids, to waive technicalities or to accept such as may be in the best interest of the Bismarck Airport. BISMARCK AIRPORT BISMARCK, NORTH DAKOTA

/s/ Timothy J. Thorsen Timothy J. Thorsen Airport Operations Manager
Dated this 27th Day of March 2015.
4/2 & 9 - 20779903

BISMARCK PUBLIC SCHOOLS 806 N. WASHINGTON STREET BISMARCK, ND 58501 PROJECT IDENTIFICATION: Sealed proposals will be received for:

Bismarck Public Schools Athletic Fields

3400 Calgary Avenue

Bismarck, ND 58503 in accordance with Construction Documents prepared by J2 Studio, 405 East Sweet Avenue,

Bismarck, ND 58504. PROJECT DESCRIPTION: Bid package scope includes Earthwork, Site Utilities, grand stands, press box, East Entrance building, fencing, landscaping, and irrigation.

Work Scopes:

03-A – Concrete 03-B - Precast Material 03-C – Precast Erection 04-A – Masonry 05-A – Steel Material 05-B - Steel Erection

06-A – Carpentry/GC Package 07-C – Roofing package 08-A – Doors/Frames/Hardware Package 08-B - Aluminum and Glazing Package 08-C – Coiling door Package 09-F – Painting Package 10-A – Specialties Package

12-B - Architectural wood work 12-E – Bleachers / Press box Package 22-A – Mechanical Package 26-A – Electrical Package 27-A – Communications Package 31-A – Earthwork and Grading Package 32-A – Concrete & Asphalt Paving Package

32-C – Irrigation Package 32-D – Landscape Package 33-A - Site Utilities Package

32-B - Fencing Package

BASIS OF BIDS: Bids will be received for labor and materials as outlined in the Work Scope Descriptions as described in Section 01 1210.

BID DATE AND LOCATION: Bids will be received at the office of Northwest Contracting 3420 E. Century Ave., Bismarck ND and privately opened. Bids will be received until 2:00 p.m. local time, on April 23, 2015.
All Bidders must be licensed for the highest amount of their Bids, as provided by Section 43,07.05 of the ND Century Code.

43-07-05 of the ND Century Code.

EXAMINATION OF DOCUMENTS: Drawings, Project Manual, and other Contract

Documents may be examined at Offices of Construction Manager, Architect and at following locations: Fargo Builders Exchange 1010 Page Drive Fargo, ND 58107 Telephone: 701-237-6772

Minot Builders Exchange 2424 Burdick Expy East Minot, ND 58701 Telephone: 701-839-0638 Grand Forks Builders & Traders 523 Demers Avenue Grand Forks, ND 58201 Telephone: 701-772-7798 Construction Plans Exchange 215 Airport Road Bismarck, ND 58504 Telephone: 701-258-4215 Minneapolis Builders Exchange I 123 Glenwood Avenue Minneapolis, MN 55405 Telephone: 612-381-2620

<u>Dodge-SCAN</u> 1401 Glenwood Avenue North Minneapolis, MN 55405 Telephone: 612-381-2290 Sioux Falls Builders Exchai 1418 C Avenue Sioux Falls, SD 57104 Telephone: 605-357-8687

Bismarck-Mandan Builders Exchange 805 Adobe Trail SE Mandan, ND 58554 Telephone: 701-667-1115 St. Paul Builders Exchange 445 Farrington Street St. Paul, MN 55103 Telephone: 651-224-7545 Reed Construction Data **Document Processing Center** 30 Technology Parkway South, #500 Norcross, GA 30092 Telephone: 800-424-3996
Construction Industry Center
2771 Plant Street Rapid City, SD 57702 Telephone: 605-343-5252 314 3rd Avenue West Dickinson, ND 58601 Telephone: 701-225-5115

PROCUREMENT OF DOCUMENTS: Contractors desiring to submit a bid may obtain a copy of the contract documents by one of the following:

| Link - http://www.ipdservices.com/clients/mathisons?northwest

Instructions to receive documents:

a. Document Sets are available with deposit of \$150.00 per set, and a non-refundable shipping and handling fee of \$25 per set (two separate checks, both made payable and mailed to Northwest Contracting prior to shipping from Mathison's). Deposit will be refunded if documents are returned to Northwest Contracting in good

condition, within 10 days after Bid Opening, and "Planholder" has submitted a Bid.
b. Follow the link to the plan room and click on the "Click Here to Register" link near the center of the page. You must register to order plans or receive an electronic download. After registration, sign into the plan room. You will find the project posted.

Bidders are welcome to receive both a hard copy with deposit and the iic download, but must order each separately. Bidders, Subcontractors and others may also obtain non-refundable additional Bidding Documents by ordering from and paying directly to Mathison's.

Follow the on screen instructions to order or the bidding documents. Contact Thomas Tweten at Mathison's with questions or for assistance relating to the plan room, ordering, or receiving plans. Thomas may be reached via

plan room, ordering, or receiving plans. Thomas may be reached via email (Thomas@Mathisons.com) or at 701-232-8971.

TIME OF COMPLETION: Owner requires Work to be substantially complete per Section 01 3210 of the contract documents. Bids shall reflect all costs necessary to meet

PERFORMANCE AND PAYMENT BONDS: Contractor shall provide Performance Bond and Labor and Material Payment Bond in the amount of 100 percent of the Contract Sum per the bid form. OWNER'S RIGHT TO REJECT BIDS: Owner reserves the right to reject a Bid which is in any way incomplete or irregular or to waive informalities or irregularities in a Bid received, and accept a Bid, which in the Owner's judgment is in the Owner's best interests.

EXAMINATION OF DOCUMENTS AND SITE: Examination of Documents: Bidders shall carefully examine entire contents of Contract Documents prepared for the Work to become thoroughly familiar with all requirements.

Additional Compensation: Contractors shall not receive extra payments for conditions which can be determined by examining the site and the Contract Documents. Bids requested by: Northwest Contracting Inc and Bismarck Public Schools 4/2 & 9 - 20779908

NOTICE OF FILING OF A REVISION TO AN APPROVED SURFACE COAL MINING PERMIT
The Coyote Creek Mining Company, L.L.C., 6502 17th Street SW, Za Zap, ND 58580, as

applicant, has filed an application for Revision I to Permit NACC-1302 with the North Dakota Public Service Commission. Revision I adds 352.105 acres to the permit in Sections 7, 8, 9, 10, and 18, T143N, R88W, and includes plans for new haulroad construction, a coal handling facility, and construction of two new sedimentation ponds. Introductory information, legal information, business entity/compliance information, surface owner protection act compliance information, identification of interests and rights of entry, geology, surface water hydrology, ground water hydrology, pre-mining land use and vegetation, soil resources, cultural resources, operations – general, transportation facilities, surface water management, and post-mining land use plans were all updated for this revision. The current permit area covers portions of Sections 6 and 7.T142N, R88W, Sections 1, 2, 3, 11 and 12, T142N, R89W, Sections 19, 30 and 31, T143N, R89W, and Sections 23, 24, 25, 26, 27, 34, 35, and 36, T143N, R89W, of the Fifth Principal Meridian, Mercer County, North Dakota. The total acreage within the proposed permit area is approximately 8,444 acres. The permit area is approximately ten miles southwest of Beulah and is found on the newspublication notice map. The map shows the distance to the city of Zap, North Dakota, and the outline of the proposed permit area.

The owners of the surface and coal in the revision area are as follows: TRACT 0067

Township 143 North, Range 88 West Section 18: A tract of land in the N½ and SW¼, described as follows:

Beginning at the south 1/4 corner of said Section; thence N 01° 8'29" E a distance of 2,633.78 feet, on the north-south 1/4 line to the center 1/4 corner of said Section; thence N 45°57'37" E a distance of 3,309.84 feet; thence S 89°22'10" E a distance of 302.33 feet, parallel with the north line of the northeast 1/4 to the east line of said Section; thence N  $00^{\circ}50'53"$  E a distance of 300.00 feet, on the east line to the northeast corner of said Section; thence N  $89^{\circ}22'10"$  W a distance of 625.87 feet, on the north line of said Section; thence S 45°57'37" W a distance of 2,846.09 feet, to the north-south 1/4 line of said Section;

thence S 45°57'37" W a distance of 806.77 feet; thence S 01°18'29" W a distance of 54.61 feet, parallel with the north-south 1/4 line to the east-west 1/4 line of said Section; thence S 01 818'29" W a distance of 2,634.42 feet, parallel with north-south 1/4 line to the south line of said Section; thence S 89°00'24" E a distance of 567.01 feet, on the south line of said Section to the point of beginning.

Ronald E. Gunsch and Janice J. Gunsch Surface Ownership:

line to the southeast corner of said Section, being the point of beginning.

U.S. Department of Interior - Bureau of Land Management Coal Ownership:

**TRACT 0068** 

Township 143 North, Range 88 West
Section 7: A tract of land in the SE/4, described as follows:
Beginning at the southeast corner of said Section; thence N 00°51'22" E a distance of 480.00 feet, on the east line of said Section; thence N 89°22'10" W a distance of 400.00 feet; thence S 00°51'22" W a distance of 255.85 feet; thence S 45°57'37" W a distance of 318.84 feet, to the south line of said Section; thence S 89°22'10" E a distance of 625.87 feet on the south

Surface Ownership Claire C. Schwalbe and Donald J. Schwalbe Coal Ownership: Claire C. Schwalbe Pricilla A. Keogh, as Trustee Under Trust Agreement dated 4-27-1997

Faye Keogh, Trustee Under the Faye Keogh Revocable Trust dated 2-16-2000

Robert A. Keogh, as Trustee of the Robert A. Keogh Revocable Mineral Trust

Robert A. Keogh, as Trustee of the Robert A. Keogh Family Revocable Mineral Trust

Township 143 North, Range 88 West

Section 8: The south 480.00 feet of said Section, described as follows:

Beginning at the southwest corner of said Section; thence N 00°51'22" E a distance of 480.00 feet, on the west line of said Section; thence S 88°51'49" E a distance of 2624.04 feet, parallel with the south line to the north-south ½ line of said Section; thence S 88°52'20" E a distance of 2621.89 feet, parallel with the south line to the east line of said Section; thence S 00°58'02" W a distance of 480.00 feet, on the east line to the southeast corner of said Section; thence N 88°52'20" W a distance of 2622.42 feet, on the south line to the south  $\frac{1}{2}$ 4. corner of said Section; thence N  $88^{\circ}51^{\circ}49^{\circ}W$  a distance of 2622.58 feet, on the south line to the southwest corner of said Section being the point of beginning. Said tract having an area of 57.801 acres of land. Surface Ownership: North Dakota Department of Trust Lands

Coal Ownership: North Dakota Department of Trust Lands **TRACT 0070** 

Township 143 North, Range 88 West
Section 9: The south 840.00 feet of said Section, described as follows: Beginning at the southwest corner of said Section; thence S 89°23'38" E a distance of 2632.99° on the south line to the south 1/4 corner of said Section; thence S 89°27'29" E a distance of 2634.10', on the south line to the southeast corner of said Section; thence N 00°53'59" E a distance of 840.00', on the east line of the southeast 1/4 of said Section; thence N 89°27'30' W a distance of 2632.67', to the north-south 1/4 line of said Section; thence N 89°23'38" W a distance of 2633.43', to the west line of the southwest 1/4 of said Section; thence S 00°58'02'

said Section being the point of beginning. Otter Tail Power Company Surface Ownership: Northern Municipal Power Agency Montana-Dakota Utilities Co. NorthWestern Corporation

Claire C. Schwalbe

W a distance of 840.00', on the west line of the southwest 1/4 to the southwest corner of

Pricilla A. Keogh, as Trustee Under Trust Agreement dated 4-27-1997 Faye Keogh, Trustee Under the Faye Keogh Revocable Trust dated 2-16-2000

Robert A. Keogh, as Trustee of the Robert A. Keogh Revocable Mineral Trust Robert A. Keogh, as Trustee of the Robert A. Keogh Family Revocable Mineral Trust

TRACT 0071

Surface Ownership:

Coal Ownership:

TRACT 0071
Township 143 North, Range 88 West
Section 10: A tract of land in the S½, described as follows: Beginning at the southwest corner of said Section; thence S 88°14'15" E a distance of 2553.55', on the south line to the south 1/4 corner of said Section; thence S 88°52'57" E a distance of 1817.57', on the south line of said Section; thence N 00°51'10" E a distance of 735.23', parallel with the east line of the southeast 1/4 of said Section; thence N 40°02'31" W a distance of 861.94'; thence N 57°12'18" W a distance of 777.19'; thence S 50°03'18" W a distance of 284.89'; thence N 70°20'19" W a distance of 284.89'; thence N 78°20'02" W a distance of 407.49', to the north-south 1/4 line of said Section; thence S 01°32'39" W a distance 340.64', to the center-south 1/16 corner of said Section; thence N  $88^\circ35'02"$  W a distance of 1284.06', to the southwest 1/16 corner of said Section; thence S 01°13'26" W a distance of 825.21', on the 1/16 line of said Section; thence N  $88^\circ14'15"$  W a distance of 639.74', parallel with the south line of the southwest 1/4 to the 1/64 line of said Section; thence N  $59^{\circ}04'44''$  W a distance of 738.79', to the west line of the southwest 1/4 of said Section; thence S  $00^{\circ}53'59''$  W a distance of 840.00', on the west line of the southwest 1/4 to the southwest corner of said Section being the point of beginning.

Otter Tail Power Company Northern Municipal Power Agency Montana-Dakota Utilities Co NorthWestern Corporation Coal Ownership: U. S. Department of Interior - Bureau of Land Management

During the first term of the permit, The Coyote Creek Mining Company, L.L.C., proposes to request Mercer County approval to conduct surface coal mining and reclamation operations

within 100 feet of the outside right-of-way for the following right-of ways:

1. The north and south outside right-of-ways and across the right-of-ways of the east-west portion of County Road 12 between the SE½SW½ Section 18 and the NE½NW½ Section 19,T143N, R88W with a mine haulage road until approximately 2045.

2. The west right-of-way of the north-south section line between the north 300 feet of Sections 17 and 18,T143N, R88W until approximately 2045.

 The north right-of-way of the east-west section line between Sections 8 and 17,T143N, R88W until approximately 2045. The north right-of-way of the east-west section line between Sections 9 and 16,T143N, R88W until approximately 2045.

5. The north right-of-way of the east-west section line between the SW¼ Section 10 and the NW¼ Section 15,T143N, R88W and the west 1,817 feet of the north right-of-way of the east-west section line between the SE¼ Section 10 and the NE¼ Section 15,T143N, R88W until approximately 2045.

During the first term of the permit, The Coyote Creek Mining Company, L.L.C., also proposes to request Mercer County approval to temporarily close the following section lines or roads to conduct surface coal mining and reclamation operations:

1. The east 626 feet of the east-west section line between Sections 7 and 18,T143N. R88W until approximately 2045.
The south 480 feet of the north-south section line between Sections 7 and 8,

T143N, R88W until approximately 2045.
The south 480 feet of the north-south section line between Sections 8 and 9,

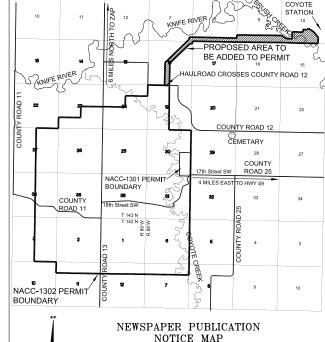
T143N, R88W until approximately 2045.
The south 840 feet of the north-south section line between Sections 9 and 10,

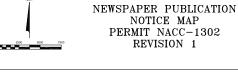
T143N, R88W until approximately 2045. A copy of Revision 1 to Permit NACC-1302 is available for public inspection at the office of

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.

A petition to designate an area as unsuitable for surface coal mining operations that is within the proposed permit revision area, or written comments, objections, or requests for within the proposed permit revision area, or written comments, objections, or requests for an informal conference on the revision, or to request a hearing on approval to conduct surface coal mining operations within 100 feet of the right-of-way of County Road 12, may be submitted by any person with an interest which 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

Coyote Creek Mining Company, L.L.C. 6502 17th Street SW Zap, ND 58580





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