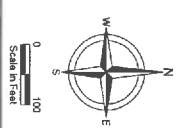


END CAPED REBAR  
WEST QUARTER  
CORNER OF SECTION  
32  
S89.24°51'E 11



Curve Data					
Curve #	Length	Radius	Delta	Chord	Ch Bearing
C1	83.17'	80.00'	79.25.16"	76.6.7"	N75.38.49°E
C2	70.38'	80.00'	8.77.2.41"	66.42"	S33.01.11°E
C3	153.55'	80.00'	146.97.31"	114.95'	N75.54.09°E
C4	307.11'	80.00'	293.15.98"	66.00'	S20.55.03°W

**NOTES:**

THE BASIS OF BEARINGS AND COORDINATE VALUES SHOWN ARE BASED ON THE NORTH DAKOTA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83(2011), US SURVEY FOOT.

DISTANCES SHOWN HEREON ARE GROUND DISTANCES. A CORRECTION FACTOR OF 1.000101215 WAS USED TO CONVERT GRID DISTANCES TO GROUND DISTANCES.



**moore**  
engineering, inc.

SHEET 1 OF 1  
PROJ. NO. 22841

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# MC LEAN COUNTY PERMIT APPLICATION

CONDITIONAL USE ☐ ZONING CHANGE ☐ SUBDIVISION PLAT ☐ TEMP. USE ☐

Name of applicant: Douglas & Lori Naze

Mailing address: 35 Berkeley St  
Surrey, ND 58785

Telephone Number \_\_\_\_\_ (ofc) (701) 721-6001 (res)

Property is located in the SE (Quarter), Section 30, Township 149,

Range 84, or more specifically identified as:

Outlot "B"

Purpose of requested change:

Proposed construction of residential dwelling within Outlot "B"

Describe proposed construction:

Single family, one story with basement & attached 3 stall garage house in NW corner of Outlot "B" following Setback requirements. Approved access from organized McGinnis township board, for township road - 41st Ave NW Garrison. Construction start planned for September 2024 and planned completion by August 2025

Present land use: Agricultural

Proposed land use: Residential

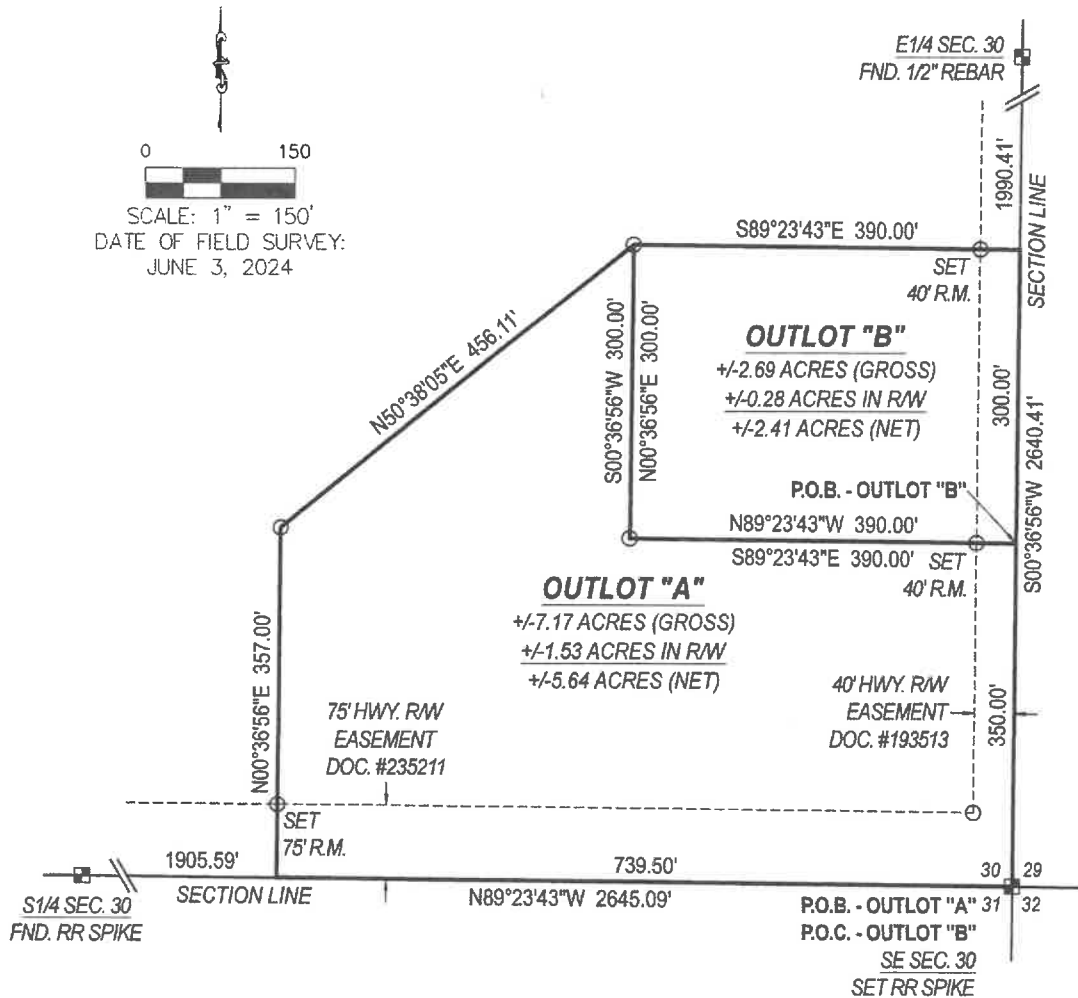
Additional items required to be attached:

- ☐ Map of area
- ☐ Boundary line survey of site
- ☐ Preliminary map showing location of structures.
- ☐ Timing schedule indicating the starting and completion dates.
- ☐ Written approval of highway authority for new access roads.
- ☐ Permit application fee in the amount of \$\_\_\_\_\_

(MAKE CHECK PAYABLE TO McLEAN COUNTY TREASURER)

# PLAT OF OUTLOTS "A" & "B"

LOCATED IN THE SE1/4SE1/4 OF SECTION 30, T149N, R84W, 5th P.M.,  
MCLEAN COUNTY, NORTH DAKOTA  
OWNERS: KENNETH A. SAYLER & PATRICIA SAYLER



## LEGEND:

- - PLSS CORNER (AS NOTED)
- - SET REBAR W/ CAP, LS-7512

## SURVEYOR'S NOTE:

The basis of bearing is based on the North Dakota State Plane Coordinate System, North Zone - NAD83. The distances reported hereon are in reference to the international foot definition and are at ground per the NDDOT combination factor for McLean County (1/CF=1.0001075116). The measurements have been determined by RTK methods using the "Trimble VRSNow" system.

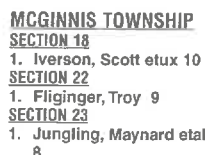
DRAWN BY: AH  
CHECKED BY: AH  
PROJECT #: 2024-40  
DATE: 6/3/2024

**HUMMERT LAND SURVEYING, LLC**  
1901 31st STREET NW  
MANDAN, ND 58554  
OFFICE: (701) 426-8624  
EMAIL: hummertsurveying@gmail.com

SHEET 1 OF 3



- Find hunting and fishing areas owned by U.S. Wildlife or Game & Fish Depts.
- Identifies names of rural residents and landowners to obtain permission to hunt and fish.
- Find the best and shortest routes and identifies the type of roads, like paved, gravel, etc.
- Two page county map.
- Yearly updated Township maps



**SECTION 27**  
1. Birkholz, Melvin etux 5  
**SECTION 30**  
1. Majeres, Andrew etux 10



McGinnis Township

Garrison, ND

Applicant:

Doug & Lori Naze

35 Berkeley St

Surrey, ND 58785

McGinnis Township Board approves the construction of an approach on the west side of 41<sup>st</sup> Ave NW (SE ¼ Sec. 30, T149N - R84W) approximately 350 feet north of the intersection with McLean County Road 6. Installation of culvert with no restrictions or minimums is required.



Roger Bendickson

McGinnis Township Board Chairman

**MCLEAN COUNTY VARIANCE APPLICATION**

Name of Applicant: Patrick Brunelle

Name of Owner (if different): \_\_\_\_\_

Mailing Address: 7500 Moonstone Lane Bismarck, ND 58503

Daytime phone number: 701-400-1015

Location of property:

Lot(s) 21 Block \_\_\_\_\_ Subdivision Crooked Lake Subdivision  
OR \_\_\_\_\_ in \_\_\_\_\_ (Quarter) Parcel # 33402400022000

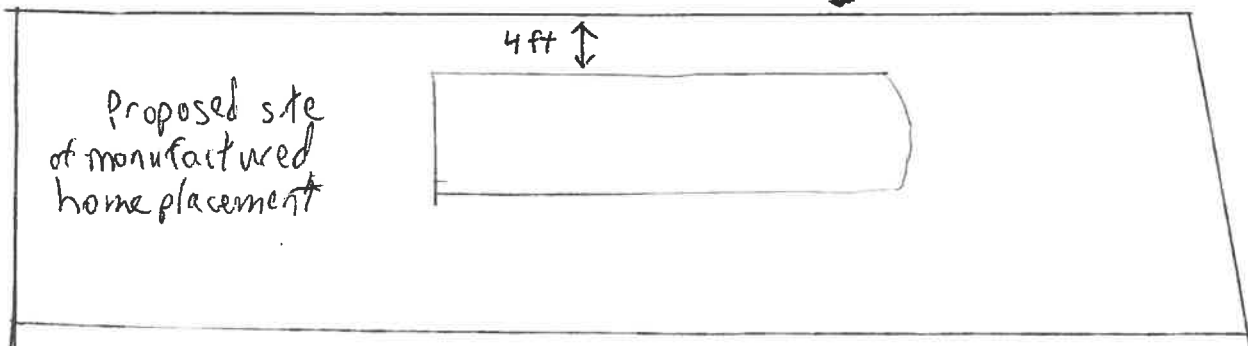
Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Address: 1655 15<sup>N</sup> St NW Turtle Lake, ND

The above-named applicants seek a variance for the following purpose:

Variance on the required 15 ft setback on side lot line -  
- requesting 4 feet from west side lot line

Describe proposed construction of buildings constructed on site: S W  
E N



The applicant is required to:

- submit a site plan showing the lot and the requested distances to the lot lines; 4 ft
- attend the Planning and Zoning Meeting for the variance request and County Commission Meeting, if requested (see schedule for dates);
- pay all costs associated with the newspaper publication(s); and,
- obtain authorizing signatures from all affected property owners (see back of application).

**PROPERTY OWNER AUTHORIZATION:**

**Property Owner I**

I (property owner) Paul Brucker authorize (applicant's name) Pat Brunelle to file this application on all matters relating to this request with McLean County. By signing this form as the property owner, I hereby agree to abide by any and all conditions that may be assigned by the McLean County Board of Commission and McLean County Planning and Zoning Commission as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

Paul Brucker  
Printed Name of Property Owner

701-226-3762  
Phone Number

[Signature]  
Signature of Property Owner

7-6-21  
Date

**Property Owner II**

I (property owner) \_\_\_\_\_ authorize (applicant's name) \_\_\_\_\_ to file this application on all matters relating to this request with McLean County. By signing this form as the property owner, I hereby agree to abide by any and all conditions that may be assigned by the McLean County Board of Commission and McLean County Planning and Zoning Commission as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

**Property Owner III**

I (property owner) \_\_\_\_\_ authorize (applicant's name) \_\_\_\_\_ to file this application on all matters relating to this request with McLean County. By signing this form as the property owner, I hereby agree to abide by any and all conditions that may be assigned by the McLean County Board of Commission and McLean County Planning and Zoning Commission as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

**Property Owner IV**

I (property owner) \_\_\_\_\_ authorize (applicant's name) \_\_\_\_\_ to file this application on all matters relating to this request with McLean County. By signing this form as the property owner, I hereby agree to abide by any and all conditions that may be assigned by the McLean County Board of Commission and McLean County Planning and Zoning Commission as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

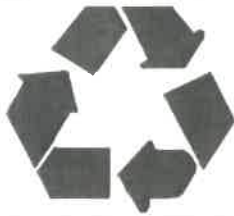
\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date





## RECYCLING:

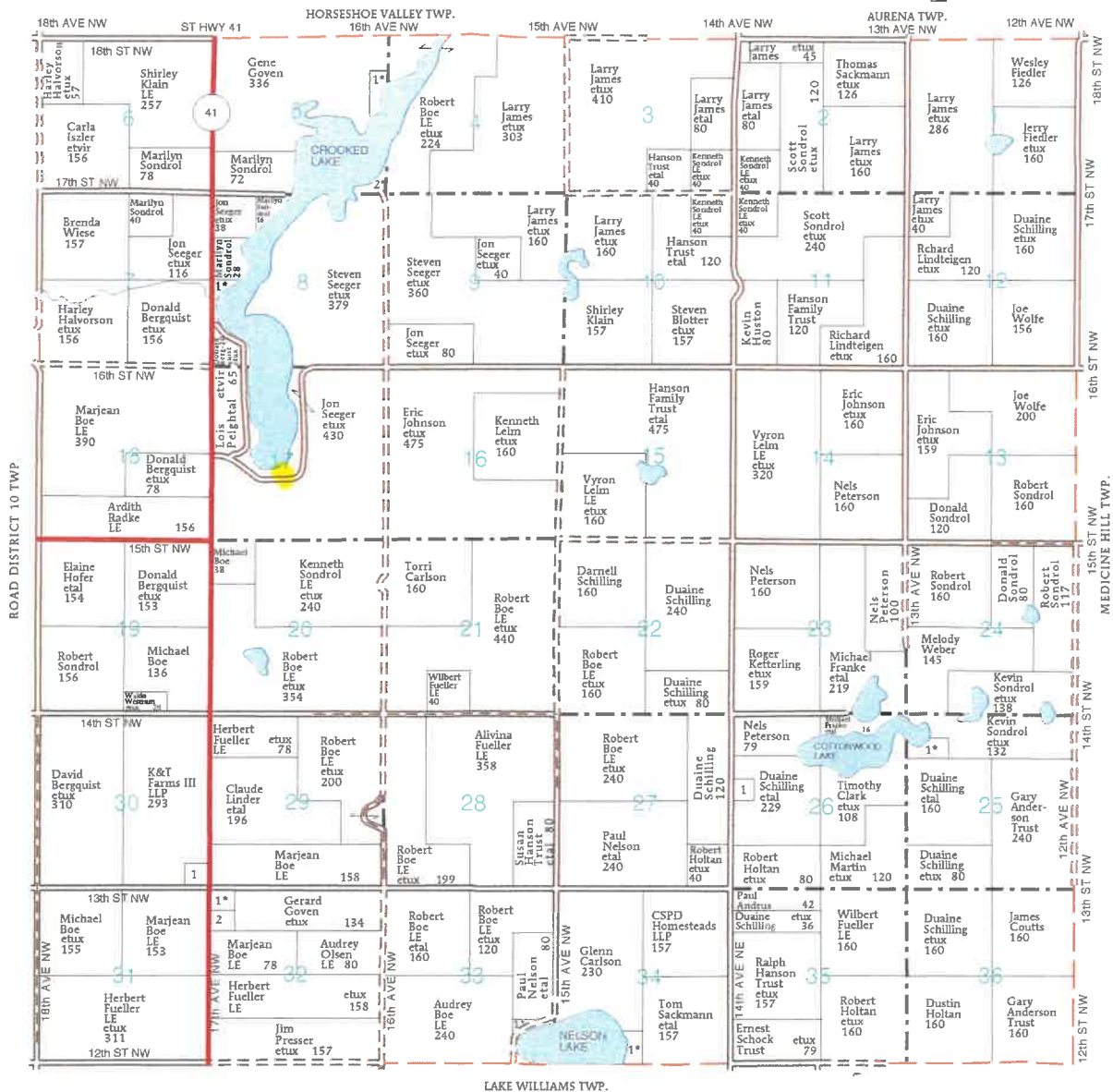
- SAVES PRECIOUS LANDFILL SPACE
- REDUCES DISPOSAL COSTS
- CONSERVES RESOURCES
- SAVES ENERGY
- EMPLOYS PEOPLE

T-148-N

## ROAD DISTRICT 9 PLAT

(Landowners)

R-80-W



### ROAD DISTRICT 9 TOWNSHIP

#### SECTION 5

1. Goven Trust, Donald etal 17
2. Seeger, Steven etux 10

#### SECTION 8

1. Boe, Audrey etal 8

#### SECTION 25

1. Clark, Timothy etux 12

#### SECTION 26

1. Schilling, Duaine 8

#### SECTION 30

1. St Olaf Lutheran Church 15

#### SECTION 32

1. James, Rodney etux 12
2. James, Tyler 11

#### SECTION 33

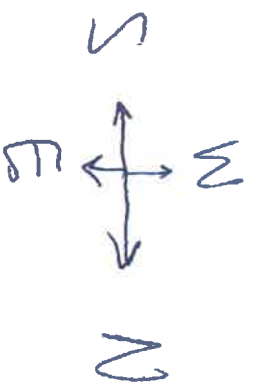
1. Holtan, Robert etux 10

#### SECTION 34

1. Holtan, Robert etux 11







## MCLEAN COUNTY VARIANCE APPLICATION

33-4023-7  
148-80Name of Applicant: Jami DeCent

Name of Owner (if different): \_\_\_\_\_

Mailing Address: 6700 4th St SW Minot ND 58701Daytime phone number: (701) 833-9235

Location of property:

Lot(s) 7 Block \_\_\_\_\_ Subdivision Berget Subdivision

OR \_\_\_\_\_ in \_\_\_\_\_ (Quarter)

Section \_\_\_\_\_ Township 148 Range 80

The above-named applicants seek a variance for the following purpose: To decrease side  
limit to 5' instead of ~~20~~ 15' there is an existing 4'  
Wall between properties

Describe proposed construction of buildings constructed on site: Cold Storage garage  
18" Thick edge with 2' rebar

The applicant is required to:

- Submit a site plan showing the lot and the requested distances to the lot lines
- Attend the planning and zoning meeting for the variance request and County Commission meeting if requested:  
See Schedule for dates
- Pay all costs associated with the newspaper publication
- Get authorizing signatures from all affected property owners (see back)

**PROPERTY OWNER AUTHORIZATION:**

Property Owner I.

I (property owner) David Lagge authorize (applicant's name) Jan, Decet to file this application on all matters relating to this request with McLean County. By signing this form as the property owner, I hereby agree to abide by any and all conditions that may be assigned by the McLean County Board of Commission and McLean County Planning and Zoning as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

David Lagge  
Printed of Property Owner

701-330-3405  
Phone Number

David Lagge  
Signature of Property Owner

7-28-24  
Date

Property Owner II.

I (property owner) \_\_\_\_\_ authorize (applicant's name) \_\_\_\_\_ to file this application on all matters relating to this request with McLean County. By signing this form as the property owner, I hereby agree to abide by any and all conditions that may be assigned by the McLean County Board of Commission and McLean County Planning and Zoning as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

Jimmy A. Olson  
Printed of Property Owner

701-693-6106  
Phone Number

Jimmy A. Olson  
Signature of Property Owner

7-29-24  
Date

Property Owner III.

I (property owner) \_\_\_\_\_ authorize (applicant's name) \_\_\_\_\_ to file this application on all matters relating to this request with McLean County. By signing this form as the property owner, I hereby agree to abide by any and all conditions that may be assigned by the McLean County Board of Commission and McLean County Planning and Zoning as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

\_\_\_\_\_  
Printed of Property Owner

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

Property Owner IV.

I (property owner) \_\_\_\_\_ authorize (applicant's name) \_\_\_\_\_ to file this application on all matters relating to this request with McLean County. By signing this form as the property owner, I hereby agree to abide by any and all conditions that may be assigned by the McLean County Board of Commission and McLean County Planning and Zoning as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

\_\_\_\_\_  
Printed of Property Owner

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date



## RECYCLING:

- SAVES PRECIOUS LANDFILL SPACE
- REDUCES DISPOSAL COSTS
- CONSERVES RESOURCES
- REDUCES LITTER
- SAVES ENERGY
- EMPLOYS PEOPLE

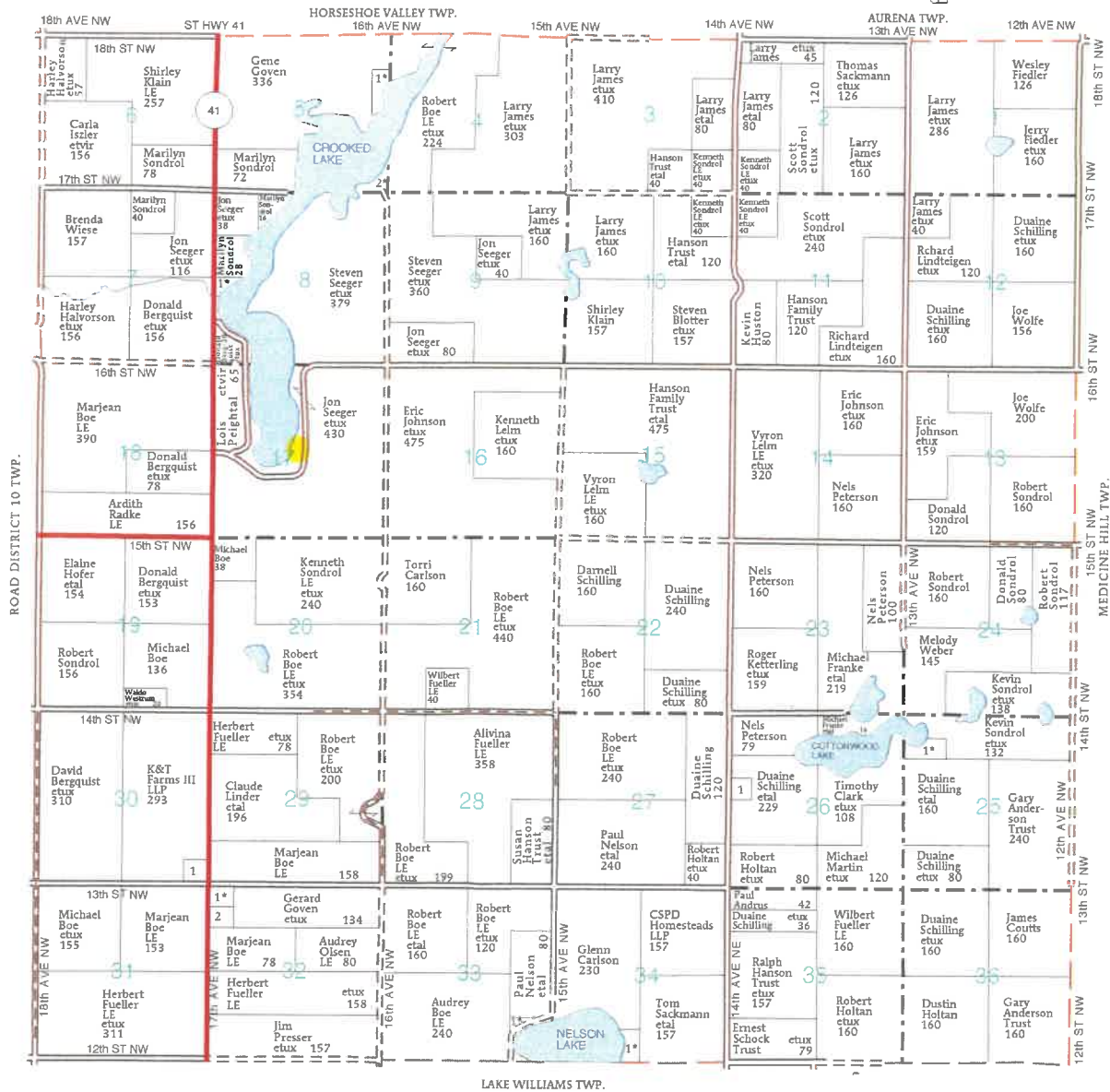
T-148-N

## ROAD DISTRICT 9 PLAT

(Landowners)



R-80-W



### ROAD DISTRICT 9

#### TOWNSHIP

#### SECTION 5

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2. Seeger, Steven etux 10

#### SECTION 8

1. Boe, Audrey etal 8

#### SECTION 25

1. Clark, Timothy etux 12

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1. Schilling, Duaine 8

#### SECTION 30

1. St Olaf Lutheran Church 15

#### SECTION 32

1. James, Rodney etux 12

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#### SECTION 33

1. Holtan, Robert etux 10

#### SECTION 34

1. Holtan, Robert etux 11





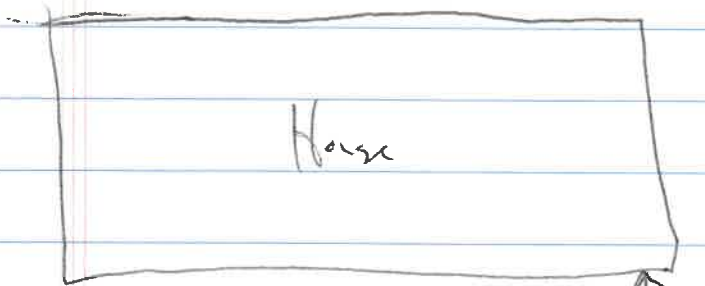
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Web Print: 07/30/2024

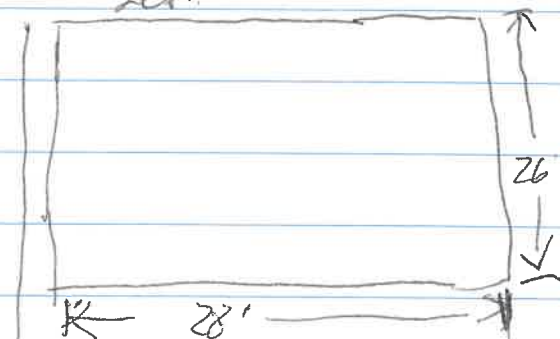
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

0 94 188 Feet

©2024 Sidwell. All rights reserved.



20' 4"



4' wall



5'

Across Row



MCLEAN COUNTY VARIANCE APPLICATION

57-4041-3  
149-90

Name of Applicant: Mike Estvold

Name of Owner (if different): Estvold Properties LLLP

Mailing Address: 3710 71 st Ave Nw Parshall, nd 58770

Daytime phone number: 701 898 4133

Location of property:

Lot(s) 3 Block \_\_\_\_\_ Subdivision Deepwater Cabin Site

OR \_\_\_\_\_ in \_\_\_\_\_ (Quarter)

Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

The above-named applicants seek a variance for the following purpose:

Requesting a variance from the north side and the west end

Describe proposed construction of buildings constructed on site:

Replacing existing cabin with a larger modular home. The overhead power lines cross the lot at about the center. Placing the home in the normal configuration would result in the location being under the power lines. The home will be placed at an angle to the southwest as was the old cabin and most of the other cabins in this location. In order to fit in the front of the lot, the house would need about a 2ft setback from the front and a 5ft setback from the north side.



The applicant is required to:

- submit a site plan showing the lot and the requested distances to the lot lines;
- attend the Planning and Zoning Meeting for the variance request and County Commission Meeting, if requested (see schedule for dates);
- pay all costs associated with the newspaper publication(s); and,
- **obtain authorizing signatures from all affected property owners (see back of application).**

**PROPERTY OWNER AUTHORIZATION:**

**Property Owner I**

I (property owner) Marlyn P. Matzke authorize (applicant's name) MIKE ESTUOL to file this application on all matters relating to this request with McLean County. By signing this form as the property owner, I hereby agree to abide by any and all conditions that may be assigned by the McLean County Board of Commission and McLean County Planning and Zoning Commission as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

Marlyn P. Matzke  
Printed Name of Property Owner

701-821-1263  
Phone Number

Marlyn P. Matzke  
Signature of Property Owner

7-25-2024  
Date

**Property Owner II**

I (property owner) William G. Liebel authorize (applicant's name) MIKE ESTUOL to file this application on all matters relating to this request with McLean County. By signing this form as the property owner, I hereby agree to abide by any and all conditions that may be assigned by the McLean County Board of Commission and McLean County Planning and Zoning Commission as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

William G. Liebel  
Printed Name of Property Owner

701-609-2518  
Phone Number

William G. Liebel  
Signature of Property Owner

7/26/24  
Date

**Property Owner III**

I (property owner) \_\_\_\_\_ authorize (applicant's name) \_\_\_\_\_ to file this application on all matters relating to this request with McLean County. By signing this form as the property owner, I hereby agree to abide by any and all conditions that may be assigned by the McLean County Board of Commission and McLean County Planning and Zoning Commission as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

**Property Owner IV**

I (property owner) \_\_\_\_\_ authorize (applicant's name) \_\_\_\_\_ to file this application on all matters relating to this request with McLean County. By signing this form as the property owner, I hereby agree to abide by any and all conditions that may be assigned by the McLean County Board of Commission and McLean County Planning and Zoning Commission as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Phone Number

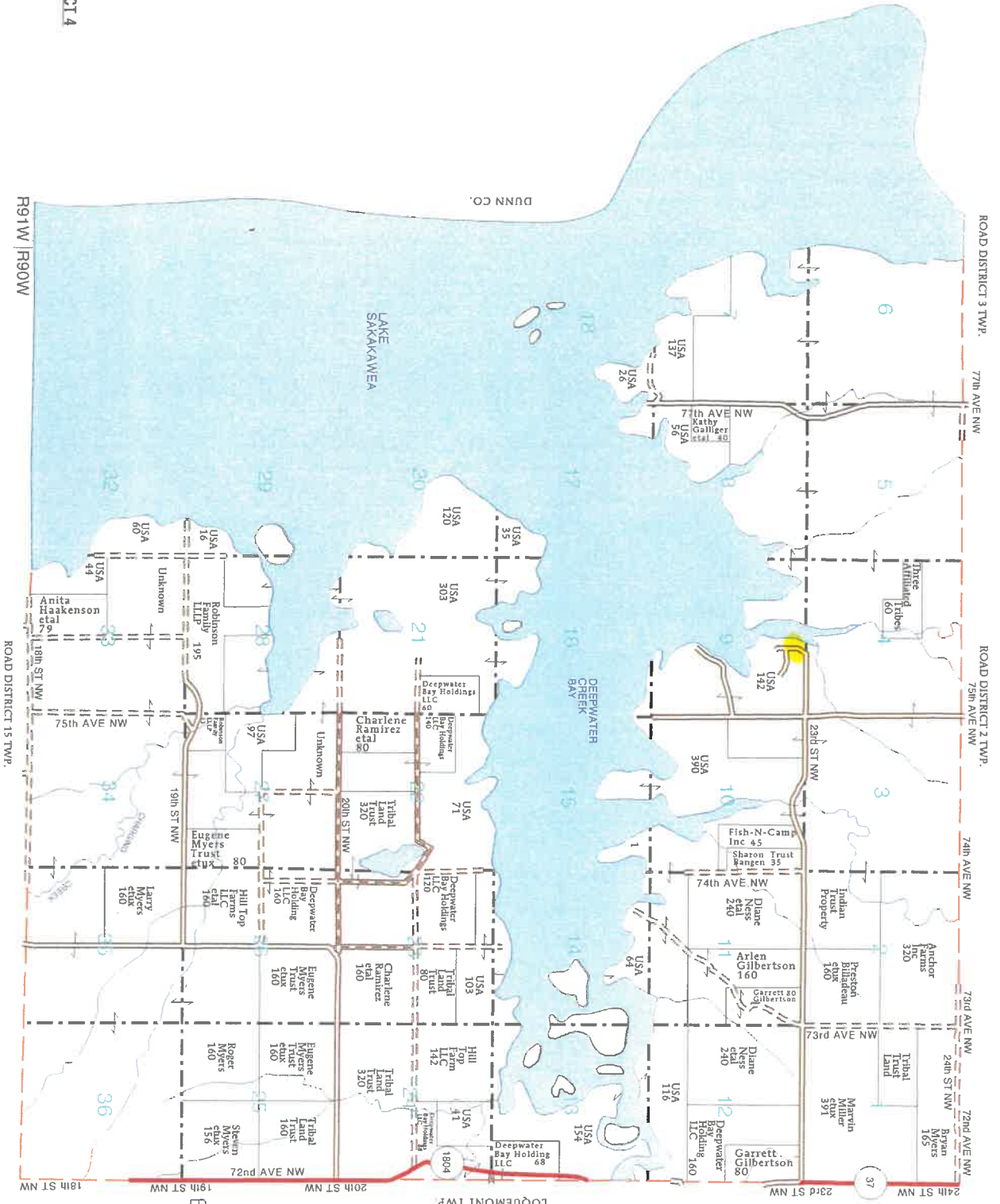
\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

Please turn to the  
DISTRICT MANAGER Page in this  
book to see how you can receive  
your FREE DIGITAL FLIP BOOKS

**LOOK**  
What's Available

T-149-N ROAD DISTRICT 4 PLAT R-90-91-W



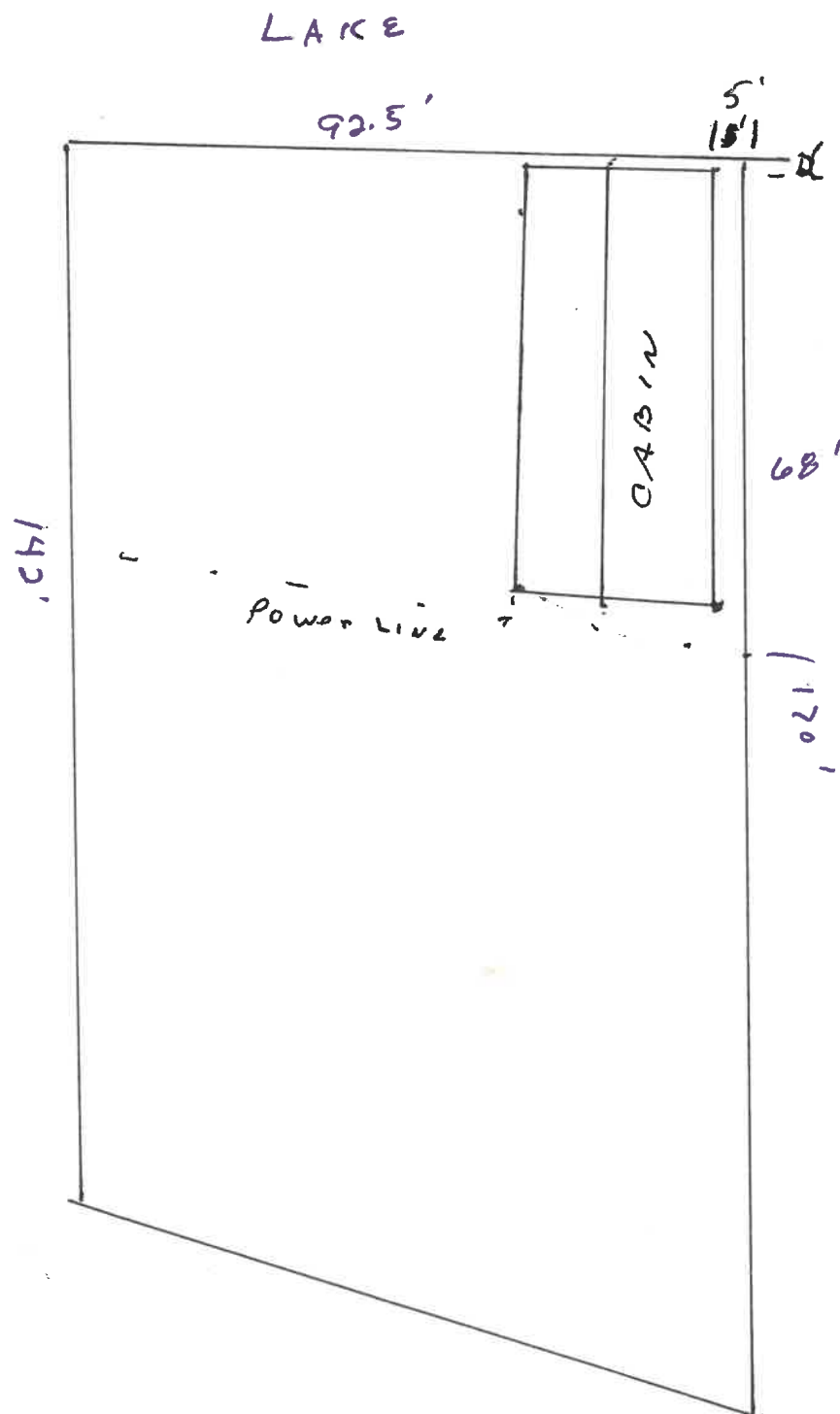
ROAD DISTRICT 4  
TOWNSHIP  
SECTION 15  
T. USA 13  
McLEAN CO., ND





Lot 3 Deepwater Cabin Site McLean County Site Map

Estvold Properties LLLP



8-14-913  
8-14-916  
145-79

# MC LEAN COUNTY PERMIT APPLICATION

CONDITIONAL USE ☒ ZONING CHANGE ☐ SUBDIVISION PLAT ☐ TEMP. USE ☐

Name of applicant: Strata Corporation (Jesse Johansen)

Mailing address: PO Box 13500

Grand Forks, ND 58208-3500

Telephone Number (701) 741-5003 (ofc) \_\_\_\_\_ (res) \_\_\_\_\_

Property is located in the NE & SW (Quarter), Section 14, Township 145,

Range 79, or more specifically identified as:

S1/2 NE1/4 Less Outlots A&B & N1/2 SW1/4 14-145-79

## Purpose of requested change:

Strata Corporation is requesting a Conditional Use Permit to allow for the mining, extraction, hauling and stockpiling of sand and gravel.

## Describe proposed construction:

Portable Scale, Portable Aggregate Plant, Portable Restrooms, Stockpiles, Haul Road.

Present land use: Cropland, Rangeland

Proposed land use: Sand and Gravel Extraction. Cropland and Rangeland upon final reclamation.

## Additional items required to be attached:

- ☐ Map of area
- ☐ Boundary line survey of site
- ☐ Preliminary map showing location of structures.
- ☐ Timing schedule indicating the starting and completion dates.
- ☐ Written approval of highway authority for new access roads.
- ☐ Permit application fee in the amount of \$ 1,975

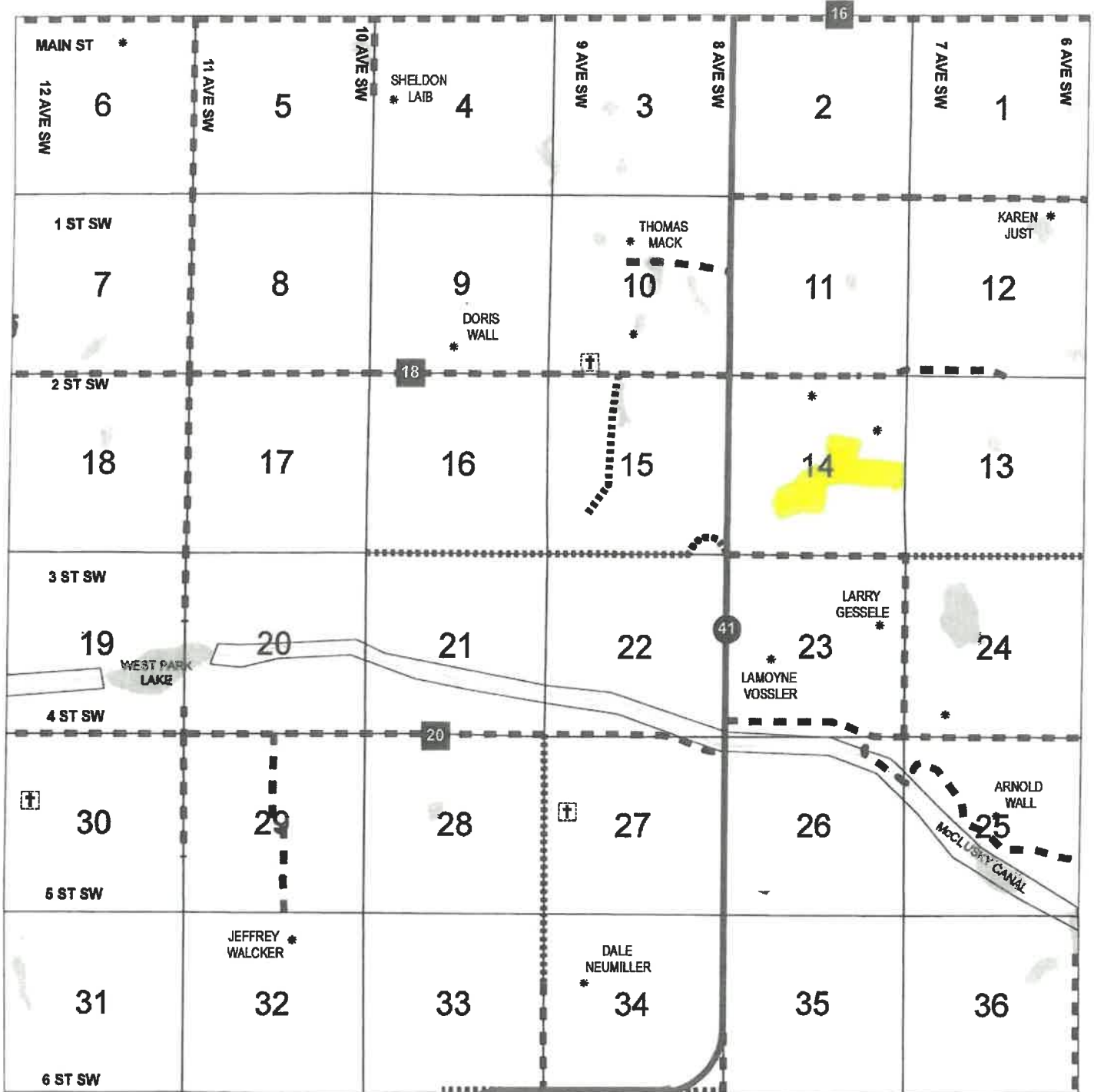
(MAKE CHECK PAYABLE TO McLEAN COUNTY TREASURER)

# TWP 145N - R79W DIRECTORY

T-145-N

CODE: CJ

R-79-W



	R81W	R80W	R89W	R88W	R87W	R86W	R85W	R84W	R83W	R82W	R81W	R80W	R79W	R78W
T145N	AA	AB	AC	AD	AE	AF	AG	AH	AI	AJ	AK	AL	AM	AN
T146N	AO	AP	AQ	AR	AS	AT	AU	AV	AW	AX	AY	AZ	BA	
T147N	BB	BC	BD	BE	BF	BG	BH	BI	BJ	BK	BL	BM	BN	
T148N	BO	BP	BQ	BR	BS	BT	BU	BV	BW	BX				
T149N	BY	BZ	CA	CB	CC	CD								
T146N	CE	CF	CG	CH	CI	CJ								
T147N	CK	CL	CM	CN	CO									
T148N	CP	CQ												



# Exhibit 2 Leim Pit Site Map





## LICENSE OR PERMIT BOND

Bond Number: 30221520

KNOW ALL PERSONS BY THESE PRESENTS, That we Glacier Resources, Ltd.

P.O. Box 1676, Grand Forks, ND 58206

of

Western Surety Company, 151 N. Franklin Street, Chicago, IL 60606, hereinafter

as Surety, are held and firmly bound unto McLean County

of North Dakota

, hereinafter

referred to as the Obligee, in the sum of One Hundred Thousand

Dollars (\$ 100,000.00 ), for the payment of which we bind ourselves, our legal representatives, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas, the Principal has made application for a license or permit to the Obligee for the purpose of, or to exercise the vocation of \_\_\_\_\_

Exercise Reclamation of Property located at: McLean County, ND

NOW, THEREFORE, if Principal shall faithfully comply with all ordinances, rules and regulations which have been or may hereafter be in force concerning said License or Permit, and shall save and keep harmless the Obligee from all loss or damage which it may sustain or for which it may become liable on account of the issuance of said license or permit to the Principal, then this obligation shall be void; otherwise, to remain in full force and effect.

THIS BOND WILL EXPIRE the 24th day of June, 2025, but may be continued by continuation certificate signed by the Principal and Surety. The Surety may at any time terminate its liability by giving thirty (30) days written notice to the Obligee, and the Surety shall not be liable for any default after such thirty day notice period, except for defaults occurring prior thereto.

SIGNED, SEALED AND DATED this 24th day of June, 2024.

Glacier Resources, Ltd.

(Principal)

By

James R. Bradshaw, President

(Seal)

Western Surety Company, 151 N. Franklin Street, Chicago

(Surety)

By

Lauren Bruns

(Seal)

Attorney-in-Fact

# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Carl Godziek, Sean McBride, Samantha Boddicker, Lauren Bruns, Emili Cain, Jordan Marie Edwards, Individually**

of Bloomington, MN, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

### - In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the Authorizing By-Laws and Resolutions printed at the bottom of this page, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 23rd day of May, 2024.



WESTERN SURETY COMPANY

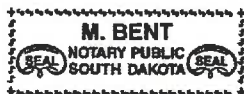
Larry Kasten, Vice President

State of South Dakota } ss  
County of Minnehaha

On this 23rd day of May, 2024, before me personally came Larry Kasten, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



M. Bent, Notary Public

### CERTIFICATE

I, Paula Kolsrud, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law and Resolutions of the corporation printed below this certificate are still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 24th day of June, 2024.



WESTERN SURETY COMPANY

Paula Kolsrud, Assistant Secretary

### Authorizing By-Laws and Resolutions

#### ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

This Power of Attorney is signed by Larry Kasten, Vice President, who has been authorized pursuant to the above Bylaw to execute power of attorneys on behalf of Western Surety Company.

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

"RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company."

Go to [www.westernsurety.com](http://www.westernsurety.com) > Owner / Obligor Services > Validate Bond Coverage, if you want to verify bond authenticity.



# Beaver Creek

## ARCHAEOLOGY

July 1, 2024

To: Greg Wermers

NDDOT ETS

BCA Project #: 2024-61

NDDOT Project #: Unknown

Client: Strata Corporation

State: North Dakota

County: McLean

Quad: Mercer & Mercer SW

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Legal Description</u>
145N	79W	14	S½ NE¼ & N½ NW¼ SE¼ & N½ SW¼

Dear Greg,

On June 27, 2024, BCA archaeologists Melody Abbott (Principal Investigator) and Veronica Kilanowski-Doroh (Staff Archaeologist) performed a Class III cultural resource inventory at the above referenced legal location. Wade Burns served as the Project Director. This inventory was performed for Strata Corporation.

The survey area in section 14 is approximately 84 acres. The survey area is located directly adjacent to an existing road (8th Avenue SW), and the pedestrian survey was performed up to this road. The survey area is privately owned.

Vegetation consisted of canola, soybean, and native and non-native grasses, plants, and forbs including canary reedgrass, brome, prairie rose, meadowgrass, alfalfa, blanket-flower, and sage. The ground surface visibility was approximately 30-50% within the canola field, 80% within the soybean field, and 30% within the rangeland. Weather conditions consisted of overcast skies and the temperature was approximately 61-70°F. The elevation of the project area was approximately 1,872-1,901' AMSL. Disturbances noted during the current inventory include plowing activities, a previous gravel pit, fencelines, two-track roads, and rodent burrows.

The file search revealed no sites, no site leads, and no isolated finds within the one-mile radius of the survey area. One cultural resource was found adjacent to the survey area during the course of the inventory, BCA24-61-SL1.

BCA24-61-SL1 consists of a pre-1957 farmstead site lead located outside but adjacent to the northeast survey block. According to available aerial imagery, the farmstead consisted of approximately seven structures in 1957. Currently, the farmstead consists of seven structures and two visible foundations. The site lead is recommended as unevaluated for nomination to the NRHP pending further work.

As long as all activities remain within the survey area, *No Historic Properties Affected* is recommended; therefore, no further archaeological investigation of the survey area is needed.

**WHERE PROGRESS MEETS PRESERVATION**

1632 Capitol Way, Bismarck, ND 58501-2100 PH [701] 663-5521 FX [701] 663-5589 Toll Free: 1.866.603.9250

[www.bcarch.org](http://www.bcarch.org) e-mail: [info@bcarch.org](mailto:info@bcarch.org)





# Beaver Creek ARCHAEOLOGY

61- Lelm MSA  
Strata Corporation  
T145N R79W Sec. 14  
Mercer & Mercer SW Quad. Maps  
Painted Woods Creek Drainage  
McLean County, North Dakota



## Legend

- Inventory Area (84 acres)
- Access Road (3,679' x 100')

## Cultural Resources

- Unevaluated Site Lead



Base Map: USGS 7.5'  
Scale: 1:24,000  
UTM NAD83 Zone 14

# NDDOT Material Source Certificate of

## ML-1179

Pit Name:  
Lelm

S1/2NE1/4, N1/2NW1/4SE1/4, N1/2NW1/4 S. 14

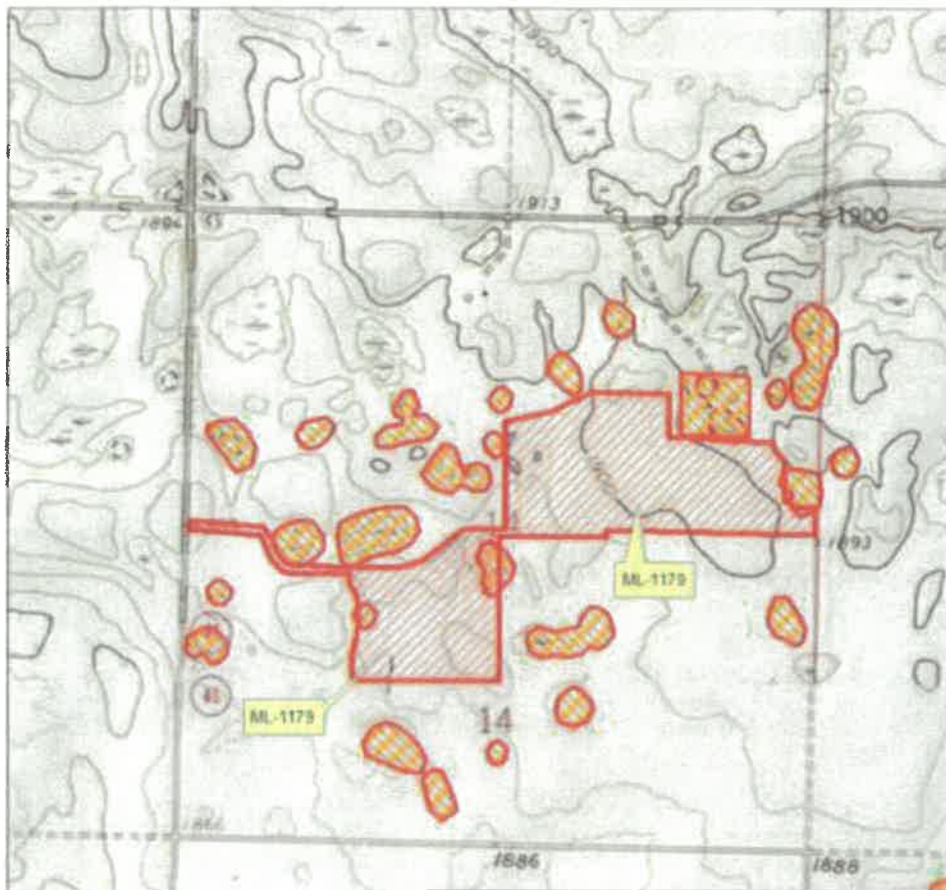
County: McLean

**Conditions:** The source is located in an area encumbered by wetlands. The source is located by coordinate with Wetland Manifestation (5474) and land use conditions before source.

This location is approved for use, provided all avoidance and Conditions listed above and below are complied with.

NDDOT advises that all applicants (contractors or their representatives) shall be responsible for obtaining all necessary legal responsibilities pursuant to one or more of the following: Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703 et seq.); Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.); and Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668 et seq.). The responsibility of the applicants and/or any individual conducting the project shall be to ensure compliance with the requirements of these Acts. The contractor will be responsible for obtaining all necessary permits and approvals. Section 107 of the Standard Specifications for Road and Bridge Construction requires that the contractor be responsible for any impacts to wetlands, including the loss of the wetlands. As with all projects, if cultural artifacts, hearths, stone circles, burials) are encountered, provisions shall be followed.

This approval does not imply landowner permission to acquire the landowner is still necessary. If you have any questions regarding this approval, please contact [materialsource@nd.gov](mailto:materialsource@nd.gov).







# United States Department of the Interior



## FISH AND WILDLIFE SERVICE Mountain-Prairie Region

Audubon Wetland Management District  
3275 11<sup>th</sup> St. NW  
Coleharbor, N.D. 58531  
Phone: (701) 442-5474

June 25<sup>th</sup>, 2024

Jesse Johansen  
Strata Corporation  
PO Box 13500  
Grand Forks, ND 58208

Dear Mr. Jesse Johansen:

Thank you for reaching out to our office regarding the proposed Lelm Gravel Pit and Haul Road located in T. 154N.-R.79W.-Sec. 14-N1/2SW1/4 and NE1/4 as shown on the maps provided. The proposed Mine Area's 1 & 2 along with the haul road are located on a U.S. Fish and Wildlife Service wetland easement.

As we discussed on June 25<sup>th</sup> 2024, wetland basins within this tract of land cannot be filled, drained, leveled, or burned per the easement contract stipulations. After reviewing the proposed project areas there are some avoidance areas we agreed upon. I have highlighted those areas on the easement wetland map provided. The following was also discussed:

**Lelm Haul Road:** The proposed haul road will avoid the 1.5-acre wetland and the 1.9-acre wetland as shown on the wetland map. We agreed that no fill from the Haul Road construction will enter the wetland basins and no equipment shall be parked within the wetland basins. I marked those two wetland boundaries with pink wooden lath and requested you stay south of those designated areas.

**Lelm Mine Area 1:** The proposed area will not affect any easement wetlands. I highlighted a wetland just outside of the proposed mining area to avoid.

**Lelm Mine Area 2:** There are 4 different wetland basins highlighted to avoid. As we discussed, this area will be mined at a later date. The farmer had the field seeded to crop and so I did not mark those areas with wooden lath. I asked that you contact our office once you move to Mine Area 2 so I can meet you in the field to show you the wetland avoidance areas.

Assuming all the conditions as described above are met, your proposal as shown on the maps you sent will avoid all our easement interests, and therefore I have no objections to this proposal.

Thank you for working with our office to avoid USFWS easement interests. If the plans for this project change or if you have questions, please call me at 701-442-5474 ext. 116.

Sincerely,

Kelly Madsen  
Wildlife Refuge Specialist

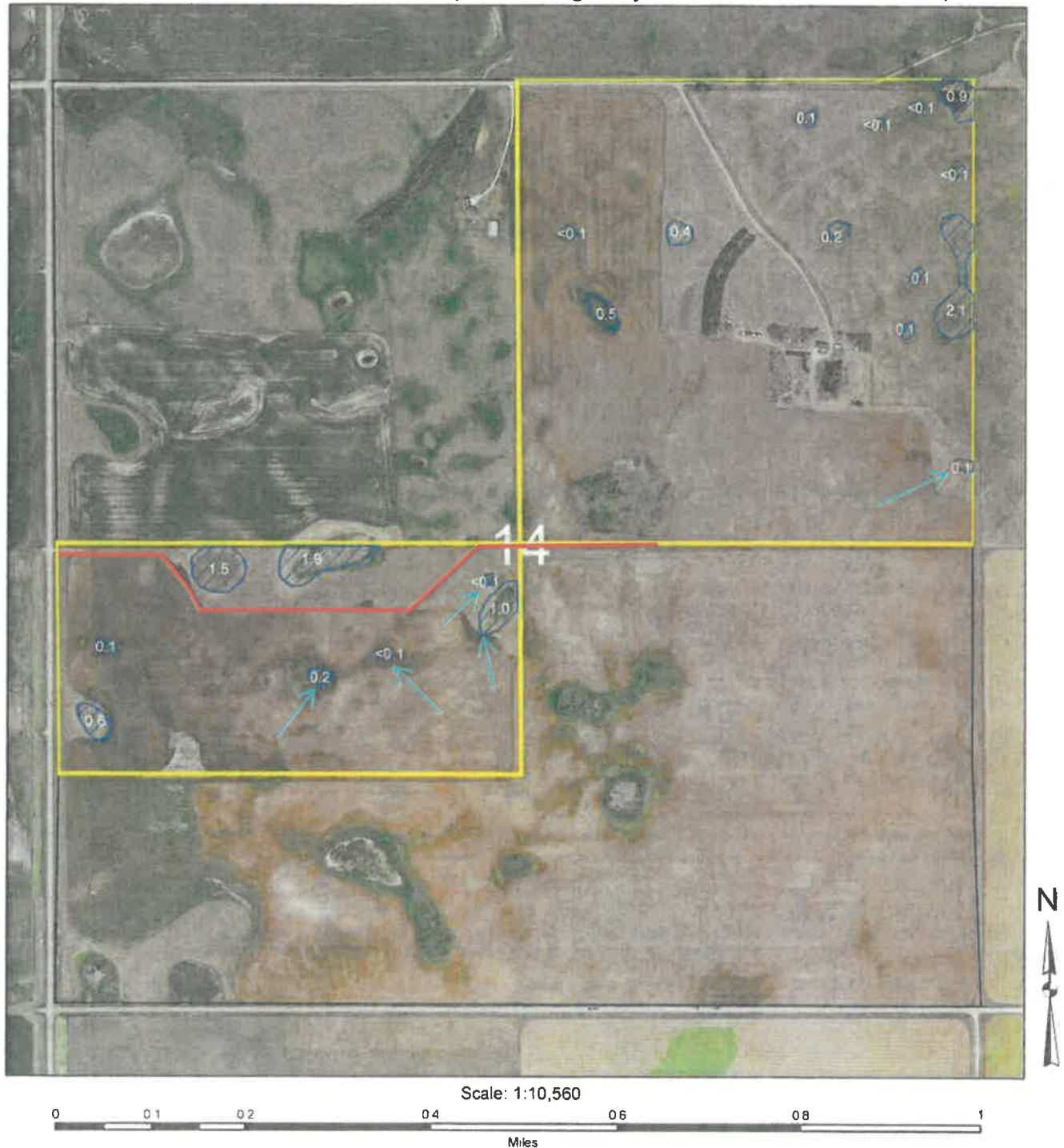
CC: Mclean 76X,1,2

76X,1,2

McL... i County, North Dakota

T 145 N. R 79 W.

SECTION 14, NE1/4, N1/2SW1/4 except State highway r-o-w as recorded in B. 84, P. 283



The U.S. Fish & Wildlife Service (Service) has purchased and owns a perpetual easement which restricts the rights to drain, burn, fill or level any wetland areas depicted on this map. This map represents the Service's effort to depict the approximate sizes, shapes, and locations of all protected wetland areas and is not intended to depict water levels in wetland areas for any given year. Wetland area estimates are provided to demonstrate that mapped wetland areas are consistent with the acres for which the Service paid. Any other interpretation of the estimated wetland area acreages may lead to a mischaracterization of the easement conveyance. A permit is required from the Service before conducting activities that result in the draining, burning, filling or leveling of wetland areas identified on this map.

- Section Boundary
- Boundary of Easement Description
- Wetland Areas Covered by Provisions of the Easement
- Wetlands to avoid in Mine Areas
- Lelm Pit Haul Road

## Schreiner, Todd A.

---

**From:** Grey, James A.  
**Sent:** Tuesday, July 23, 2024 8:07 AM  
**To:** Schreiner, Todd A.  
**Subject:** RE: Lelm Pit Conditional Use Permit Request

Todd, I had visited with Jesse about this pit, and being it does not have any impact on any of our county roads it should not be a problem, however I did mention to him that they may want to use chloride on this road to the pit when it is built. Jim

**From:** Schreiner, Todd A. <[tschreiner@nd.gov](mailto:tschreiner@nd.gov)>  
**Sent:** Monday, July 22, 2024 11:43 AM  
**To:** Grey, James A. <[jagrey@nd.gov](mailto:jagrey@nd.gov)>  
**Subject:** FW: Lelm Pit Conditional Use Permit Request

Please send me an email confirming this please.

Thanks James

**Todd A. Schreiner**  
*McLean County*  
*Equalization / Land Use / Veteran Service / E-911 Mapping / GIS*  
[tschreiner@nd.gov](mailto:tschreiner@nd.gov)

**From:** Jesse Johansen <[Jesse.Johansen@stratacorporation.com](mailto:Jesse.Johansen@stratacorporation.com)>  
**Sent:** Monday, July 22, 2024 9:47 AM  
**To:** Schreiner, Todd A. <[tschreiner@nd.gov](mailto:tschreiner@nd.gov)>  
**Subject:** RE: Lelm Pit Conditional Use Permit Request

\*\*\*\*\* **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. \*\*\*\*\*

Todd,

I reached out to Jim Grey to discuss an approved haul agreement but due to the fact that we will be building our own new private road and that the road will not be traveling along any portion of a McLean County road, an agreement was not needed. Jim was going to reach out to you to discuss so please let me know if this was not the case. I reached out to the State Highway Department at the Bismarck District and filed for a Driveway Application & Permit where the haul road enters the approach adjoining State Highway 41. The application has been signed by the landowners and am awaiting a certificate of liability insurance from them to complete the approach permit process. I expect to submit all the necessary documents to the State this week.

Sincerely,

**Jesse Johansen | Mine Planning / Prospecting Manager**  
**STRATA CORPORATION**



**DRIVEWAY APPLICATION & PERMIT**North Dakota Department of Transportation, Maintenance  
SFN 5918 (3-2016)

Permit Number

165

District Number

61

Applicant  
Gerald & Charlene LeimAddress  
2343 Hoover AveCity  
BismarckState  
NDZIP Code  
58501**Driveway Information on State Highway Right of Way**Number of Driveways  
1☐ Private☒ CommercialDirection ☒ N ☐ S ☐ E ☐ W

side of Route East

Location  
7.5 miles south of MercerTown  
MercerHighway  
41

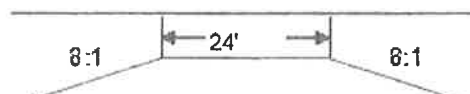
Junction

Mile Marker Number  
17.430

Description of proposed work on state right of way and type of business served.

Land Owner would like to change existing field approach and make into a haul road for future gravel pit on his land. There is no pipe at this driveway and will not be needed for widening. Approach will be built to current standard D-203-08 and traffic control will follow MUTCD standards.

Applicant agrees that any permit issued and any entrance built or work done shall be in accordance with plans attached hereto and made a part hereof, and Permit Specifications, printed on the reverse side of this sheet. If the applicant fails to construct the drive to the specified dimensions, including the proper culvert length and inslopes, the Department of Transportation, hereinafter referred to as NDDOT, will either cancel this permit and remove the drive or make the necessary corrections and the Applicant will reimburse NDDOT for such work.

**APPLICANT**Charlene Leim Gerald Leim  
Name (Type or Print)x Charlene Leim Gerald Leim  
SignatureLand owners  
Title7-19-2024  
Date**NORTH DAKOTA DEPARTMENT OF TRANSPORTATION**Dawn Saker  
District Engineer (Type or Print)X  
Signature7-30-24  
Date**Permit granted**7/30/2024  
Date**Construction shall be completed by**11/1/2024  
Date**Sketch**

Original to District File, copy to Applicant

Please send completed form to Pavement Management Engineer

SCANNED

JUL 19 2024

John & Ann Mittleider  
750 2<sup>nd</sup> St SW  
Mercer, ND 58559  
mittleiderjohn@yahoo.com  
701-426-2428  
July 22<sup>nd</sup>, 2024

Planning & Zoning Commission  
712 5<sup>th</sup> Avenue  
Washburn, ND 58577

Dear Planning & Zoning Commission,

We are writing to express our strong opposition to the proposed Lelm Gravel Pit. While we understand the necessity for resources such as gravel, we believe that the addition of another gravel pit in our area is both unreasonable and detrimental for several reasons.

Firstly, there are already numerous gravel pits within a few square miles of the proposed. Opening yet another pit before the current ones are depleted seems unnecessary and excessive. This raises the question of whether it is justified for absentee landowners who live outside McLean County to further exploit our local resources when the existing pits have not yet been fully utilized.

Secondly, the increase in truck traffic on Highway 41 is a significant concern. Over the past year, we have had gravel chips damage our windshield twice, which is both costly and frustrating. More gravel trucks on the road would inevitably lead to more such incidents, not to mention the increased wear and tear on the highway, raising safety concerns for all residents.

Additionally, the proposed location of the Lelm Gravel Pit is a mere 0.25 miles from our home. This proximity is alarming, especially considering the noise and dust pollution that will arise from the mining operations. We moved to this area in 2018 to enjoy its peaceful environment, and we have three young children who are particularly vulnerable to these disturbances. They suffer from allergies, and the dust generated by the gravel pit would severely restrict their ability to play outside and enjoy a healthy lifestyle.

As avid hunters, we are also deeply concerned about the impact on the local wetlands and wildlife. The introduction of a gravel pit could disrupt the habitats of various species, potentially leading to a decline in biodiversity and negatively affecting the natural balance of the area. Protecting our wetlands is crucial not only for wildlife but also for the overall environmental health of our community.

In conclusion, we urge the Planning & Zoning Committee to reconsider the approval of the Lelm Gravel Pit. The existing gravel pits should be fully utilized before opening new ones, and the potential negative impacts on traffic, safety, noise, dust pollution, and local wildlife must be taken into account. Our community's well-being and the preservation of our natural surroundings should be prioritized over the development of another gravel pit.

Thank you for considering our concerns. We hope that you will take them into serious consideration and make a decision that reflects the best interests of our community.

Sincerely,

John & Ann Mittlieder