



October 3, 2014

Monte Mason, Bureau Chief  
Department of Natural Resources Conservation  
Minerals Management Bureau  
1625 Eleventh Avenue  
Helena, MT 59620

*Via E-mail to mmason@mt.gov and First Class Mail*

RE: Otter Creek Coal Leases

Dear Mr. Mason:

I am writing on behalf of Montana Environmental Information Center, Northern Plains Resource Council, and Sierra Club pursuant to Montana Constitution, Art. II, § 9 and Montana Code Annotated § 2-6-102 to request public records pertaining to the Otter Creek coal leases (Lease Nos. C-1103-10 through C-1116-10).

The “Diligence” provision in paragraph 28.A of the leases provides that the Lessee, Ark Land Co., must spend at least \$2.0 million per lease year for the first five years of the lease on a work program to develop the Otter Creek coal tracts. The lessee must document such expenditures by providing the Land Board with an accounting of the work performed within 120 days following the end of each lease year. As the leases were executed on April 20, 2010, such accounting is due not later than August 18 of each year.

Please provide us with the following documents: (1) each accounting submitted by the Lessee since April 20, 2010; (2) internal or external correspondence involving Land Board members or their staff and/or the Department of Natural Resources Conservation, including correspondence to and from the Lessee, pertaining to the requisite accounting(s); and (3) all evaluations or memorandums prepared by Land Board members or their staff and/or the Department of Natural Resources Conservation pertaining to the requisite accounting(s). Please provide the documents in electronic format where available.

Should you have any questions about this request, please call me at (406) 586-9699.

Sincerely,

Jenny Harbine