

Dakota Westmoreland Corporation

Beulah Mine - P.O. Box 39 • Beulah, North Dakota 58523-0039
Phone: (701) 873-4333 • Fax: (701) 873-7784

RECEIVED

APR 15 2008
30794

April 11, 2008

PUBLIC SERVICE COMMISSION

Mr. James R. Deutsch
Director, Reclamation Division
Public Service Commission
600 E Boulevard Ave, Dept 408
Bismarck, ND 58505-0480

FROM DIRECTOR - RECLAMATION I

Date: _____

Action: _____

Info. Only: _____

Info & File: _____

Dear Mr. Deutsch:

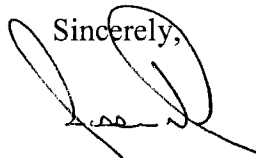
Re: Revision No. 24, KRSB-8802
Significant revision to add to Permit Area for Dragline Walkway

Enclosed is an Application For Revision Of Permit To Engage in Surface Coal Mining And Reclamation Operations, a revision summary, public notice (with accompanying map), revised exhibits including any additional information, and a check for \$545 for the additional acreage. Four copies of the revised information is included in this package.

As was discussed in our informal meeting with your staff on February 7, 2008; Dakota Westmoreland Corporation intends to move the 1570 dragline from the east permit area to the west permit area. In preparation for this, 54.5 acres will need to be added to permit KRSB-8802 for a dragline walkway that will join the area to permit KRSB-8603.

Please contact me at extension 229 if you have any questions.

Sincerely,



Jesse Noel, P.E.
Engineering and Environmental Manager

plg
Enclosures



SCANNED
Date 4-15-08 (30794)
File SB-4-11-08-submittal-Hr

1 **RC-08-162** Filed: 4/15/2008 Pages: 3
Revision Application File to Add 54.5 Acres to the Permit

Dakota Westmoreland Corporation
Jesse Noel



**APPLICATION FOR REVISION OF PERMIT TO ENGAGE IN
 SURFACE COAL MINING AND RECLAMATION OPERATIONS**
 PUBLIC SERVICE COMMISSION
 RECLAMATION DIVISION
 SFN 10562 (Rev. 12-99)

Date
 April 10, 2008

Name of Company, Corporation, Partnership, or Individual Dakota Westmoreland Corporation	Permit Number KRSB-8802	Revision Number 24	
Address PO Box 39	City Beulah	State ND	Zip Code 58523

The above named hereby makes application for the above Revision Number to: (include a brief description of the surface coal mining and reclamation operation being revised.)

construct a dragline walkway, including the appropriate infrastructure, from permit KRSB-8802 to permit KRSB-8603 in Section 14, T.143N., R.88W., Mercer County, ND.

Attached to this Permit Revision Application are a narrative describing the proposed permit revision, reasons for requesting the revision, and appropriate maps, cross-sections, graphs, construction details, revised reclamation plans and other data which demonstrate compliance with Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and the permit conditions of the approved permit. If an incidental boundary revision involving an acreage adjustment is being requested as part of the permit revision application, the following information shall be included (attach a copy of a metes and bounds description):

NAME OF MINE	ACRES	LOCATION			
		SEC.	TWP.	RANGE	COUNTY
Beulah	54.5	14	T143N.	R88W.	Mercer
ADDRESS					
TOTAL ACRES	54.5				

Based upon the proposed changes and any incidental boundary revisions to the permit as stated herein, a new or adjusted bond, or its equivalent, duly executed in accordance with Section 38-14.1-16 of the North Dakota Century Code and Chapter 69-05.2-12 of the North Dakota Administrative Code will be delivered to the Public Service Commission prior to issuance of the surface coal mining and reclamation operations permit herein requested. A check for filing fees, pursuant to Section 38-14.1-13 of the North Dakota Century Code, in the amount of \$ 545.00, is included with the revision application.

Name of Official Authorized to Represent the Applicant
 William W. Weaver

- I, the above named, certify that:
- All information and documents required by Sections 38-14.1-13, 38-14.1-14, and 38-14.1-15 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, are submitted as part of this permit application;
 - Information and documentation contained in the permit application affirmatively demonstrate that:
 - The permit revision application is accurate and complete and all the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code have been complied with;
 - Reclamation as required by Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code can be accomplished under the reclamation plan contained in this permit revision application;

- c. An assessment of the probable cumulative impact of all anticipated mining in the general area on the hydrologic balance as specified in subdivision o of subsection 1 of Section 38-14.1-14 has been made and the proposed operation has been designed to prevent material damage to the hydrologic balance both on and off the mine site;
 - d. The area proposed to be affected is not included within an area designated unsuitable for all or certain types of surface coal mining and is not within an area under study for such designation in an administrative proceeding;
 - e. The proposed surface coal mining operation will not interrupt, discontinue or preclude farming on alluvial valley floors that are irrigated or naturally subirrigated and will not materially damage the quantity or quality of water in surface or underground water systems that supply these alluvial valley floors; and
 - f. The permit revision applicant has the legal right to surface mine the land for which this permit revision application is made and all of the requirements of Chapter 38-18 of the North Dakota Century Code have been complied with.
3. The area proposed to be affected is not included within an area where mining is prohibited pursuant to Section 38-14.1-07 of the North Dakota Century Code; unless specifically allowed in accordance with the provisions of Section 69-05.2-04-01 of the North Dakota Administrative Code; and
 4. The surface coal mining and reclamation operations contained in this permit revision application will be carried out at all times in a manner which ensures that all of the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and any permit conditions attached thereto are complied with.

William W. Weaver

Signature of Official

President and General Manager

Title

VERIFICATION

I, William W. Weaver, being first and duly sworn, verify that the information contained in this Permit Revision Application is true and correct to the best of my knowledge and belief.

William W. Weaver

Signature of Official

President and General Manager

Title

Subscribed and sworn to before me this 10 day of April, 2008. My commission expires: 10-30-2013.

Linda Flemmer

Notary Public

