

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Dakota Westmoreland Corporation
Revision No. 25, Permit KRSB-8802
Application

Case No. RC-08-612

AFFIDAVIT OF SERVICE BY
FIRST CLASS MAIL

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

Sheila Hibl deposes and says that she is over the age of 18 years and not a party to this action and on, the 26th day of March, 2009, she deposited in the United States Mail, Bismarck, North Dakota, 28 envelopes by standard first-class mail, postage prepaid, 26 certified mail envelopes, postage prepaid, and 7 inside mail envelopes, all securely sealed and each containing:

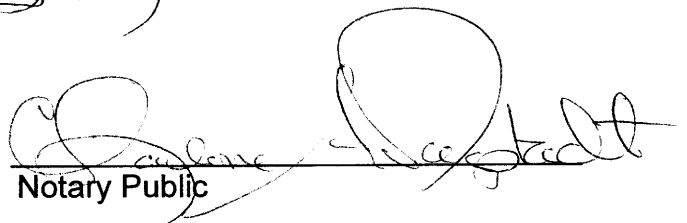
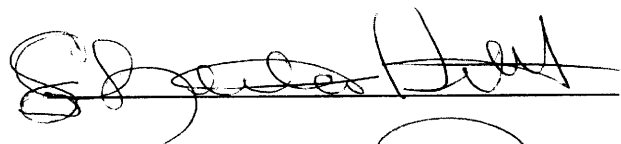
NOTICE OF RECEIPT OF PERMIT REVISION APPLICATION FOR
SURFACE COAL MINING AND RECLAMATION OPERATIONS

The envelopes were addressed as follows.

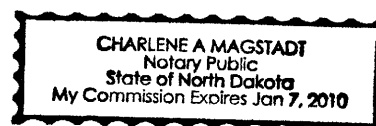
See Attached Lists

To the best of affiant's knowledge each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this 26th day of March, 2009


Notary Public

SEAL



STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Dakota Westmoreland Corporation
Revision No. 25, Permit KRSB-8802
Application

Case No. RC-08-612

NOTICE OF RECEIPT OF REVISION APPLICATION

March 25, 2009

Dakota Westmoreland Corporation has filed a revision application to Surface Coal Mining Permit KRSB-8802 at the Beulah Mine. This revision proposes to discontinue mining activities east of State Highway 49 and adds a final pit closure plan that includes significant changes to the proposed post-mine topography in portions of Sections 19, T143N, R87W, Oliver County and 24, T143N, R88W, Mercer County. The revision also updates the other information and operations and reclamation plans in response to the recent midterm review of this permit.

The revision application and surface coal mining and reclamation permit may be inspected at:

Public Service Commission
State Capitol
Bismarck, North Dakota 58505-0480

Oliver County Auditor
County Courthouse
Center, North Dakota 58530

Mercer County Auditor
County Courthouse
Stanton, ND 58571

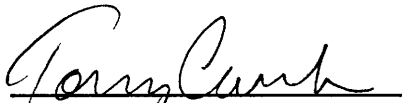
You may submit written comments or objections on the proposed permit revision application and its effects on the environment and on surface owners of the land in the permit area. You may request an informal conference with the Commission and the applicant on the revision application. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, or requests for informal conference must be made by May 11, 2009.

If there is an informal conference, you may request a formal administrative hearing on the Commission ruling on the application. Your request for a formal hearing must be made within thirty days of the Commission ruling on the application.

Written comments, objections, or requests for informal conferences should be addressed to the Public Service Commission, 600 East Boulevard Ave., Dept. 408, Bismarck, North Dakota 58505-0480.

For more information you may contact the Public Service Commission at 701-328-2400.

PUBLIC SERVICE COMMISSION


Tony Clark
Commissioner


Kevin Cramer
President


Brian P. Kalk
Commissioner

Mailing lists for Notice of Revision Application - local (Oliver and Mercer Counties), state and federal agencies plus advisory committee members

**Use Standard Lists
Regular First Class, mailing affidavit**

Certified mailings to the following surface owners:

Abbey Family Partnership 206 9 th St. NW Beulah, ND 58523 7008 2810 0000 4606 2912	Marguerite Herman Estate 1605 59 th Ave SW Beulah, ND 58523 7008 2810 0000 4606 2820
Gerald Bergquist PO Box 1476 Jamestown, ND 58401 7008 2810 0000 4606 2905	Miles Heth 4087 111F Ave SW Dickinson, ND 58601 2813 7008 2810 0000 4606 [REDACTED]
Michael Bergquist 242 16 th Ave NE Jamestown, ND 58401 7008 2810 0000 4606 2899	Rose Heth 218 Riviera Drive Beulah, ND 58523 7008 2810 0000 4606 2806
Bertha, Faith, & Faye LLC 17636 Fieldfare Way Farmington, MN 55024 7008 2810 0000 4606 2882	William C. Heth 940 Northridge Dr., #106 Dickinson, ND 58601 7008 2810 0000 4606 2790
Allegra & Leroy Boeckel 611 Highway 200 Hazen, ND 58545-9313 7008 2810 0000 4606 2875	Stephanie A. Keltner PO Box 897 Terry, MT 59349 7008 2810 0000 4606 2783
E. Wayne Boland PO Box 849 Beulah, ND 58523 7008 2810 0000 4606 2868	Esther Koehler 501 2 nd Ave NW Beulah, ND 58523 7008 2810 0000 4606 2776
Leland Erickson Route 1, Box 158 Beulah, ND 58523 7008 2810 0000 4606 2851	Jonathan Liebelt Estate PO Box 168 Aberdeen, SD 57402-0168 7008 2810 0000 4606 2769
Montana-Dakota Utilities Co. 400 North Fourth Bismarck, ND 58501 7008 2810 0000 4606 2844	Joseph E. Reich c/o First Trust Co. Box 5515 Bismarck, ND 58502-5515 7008 2810 0000 4606 2752
Dennis Neuberger 2044 59 th Ave SW Beulah, ND 58523-9643 7008 2810 0000 4606 2837	Patricia Umsted 144 Sapphire Drive Lewiston, MT 59457 7008 2810 0000 4606 2745

Elmer Neuberger PO Box 5 Beulah, ND 58523 7008 2810 0000 4606 2998	JoAnn Wiest 1502 Northview Lane Aberdeen, SD 57401 7008 2810 0000 4606 2943
Ken Neuberger 304 3rd Avenue SW Beulah, ND 58523 7008 2810 0000 4606 2981	Mary Margaret Wolf 816 8th Ave West Dickinson, ND 58601 7008 2810 0000 4606 2936
Northern Municipal Power Agency PO Box 485 Thief River Falls, MN 56701 7008 2810 0000 4606 2974	Northwestern Energy PO Box 1318 Huron, SD 57350 7008 2810 0000 4606 2929
Otter Tail Power Co. 215 South Cascade Street Fergus Falls, MN 56537 7008 2810 0000 4606 2967	
Jack P. Reich c/o First Trust Co. Box 5515 Bismarck, ND 58502-5515 7008 2810 0000 4606 2950	