



Public Service Commission

State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

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Fax 701-328-2410
Phone 701-328-2400

June 10, 2009

Mr. Darell Herman
Personal Representative
Marguerite Herman Estate
1605 59th Ave SW
Beulah, ND 58523

Dear Mr. Herman:

Enclosed is a copy of the Notice of Informal Conference on Dakota Westmoreland's application for Revision No. 25 to Permit No. KRSB-8802 for the Beulah Mine, PSC Case No. RC-08-612. You requested the informal conference on behalf of the Marguerite Herman Estate due to concerns with post-mining topography as proposed by this revision and with drainage issues in the W $\frac{1}{2}$ of Section 19, T143N, R87W, Oliver County. The informal conference is scheduled for 1:30 p.m., CDT on July 16, 2009 in the Public Service Commission's Hearing Room on the 12th Floor of the State Capitol.

If you have any questions, please contact our office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

Enclosure

m\Beulah\8802\Revisions\No. 25\Infcon_ntc_ltrs_6-10-09



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June 10, 2009

Mr. Jesse Noel
Manager, Engineering & Environment
Dakota Westmoreland Corporation
Beulah Mine
PO Box 39
Beulah, ND 58523-0039

Dear Mr. Noel:

Enclosed is a copy of the Notice of Informal Conference on Dakota Westmoreland's application for Revision No. 25 to Permit No. KRSB-8802 for the Beulah Mine, PSC Case No. RC-08-612. As you know, Darell Herman requested the informal conference as Personal Representative of the Marguerite Herman Estate. Mr. Herman is concerned on the about the post-mining topography as proposed by this revision and with drainage issues in the W $\frac{1}{2}$ of Section 19, T143N, R87W, Oliver County. The informal conference is scheduled for 1:30 p.m., CDT on July 16, 2009 in the Public Service Commission's Hearing Room on the 12th Floor of the State Capitol.

If you have any questions, please contact our office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

Enclosure

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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

Case No. RC-08-612

NOTICE OF INFORMAL CONFERENCE

June 3, 2009

Preliminary Statement

On July 25, 2008, the Public Service Commission received the application for Revision No. 25 to Surface Coal Mining Permit KRSB-8802 from Dakota Westmoreland Corporation for the Beulah Mine. This revision proposes to cease mining activities in the mine area just east of State Highway 49 and adds final pit reclamation plans to the permit. The revision application was deemed complete on March 13, 2009 and notices were then published and sent to the affected landowners.

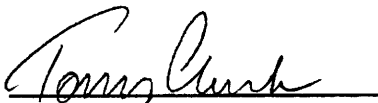
On May 8, 2009, the Commission received a request for an Informal Conference from with a landowner with concerns about the post-mining topography proposed by this revision.

Notice of Informal Conference

Notice is hereby given that the captioned matter is set for an Informal Conference, commencing at 1:30 p.m. CDT, on July 16, 2009, in the Public Service Commission's Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.

If you require any auxiliary aids, such as readers, signers, or Braille materials, please notify Darrell Nitschke, Executive Secretary, Public Service Commission, at (701) 328-2400, or Relay North Dakota TTY: 1-800-366-6888 at least 24 hours prior to the hearing.

PUBLIC SERVICE COMMISSION


Tony Clark
Commissioner


Kevin Cramer
President


Brian P. Kalk
Commissioner