

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

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

**Case No. RC-08-612**

**SURFACE COAL MINING AND RECLAMATION PERMIT CONDITIONS**

**January 26, 2011**

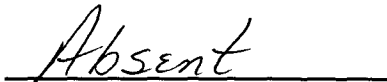
**Revision No. 25 to Surface Coal Mining Permit Number KRSB-8802** has been issued to **Dakota Westmoreland Corporation** subject to Chapter 38-14.1 of the North Dakota Century Code, all the rules promulgated there under, and the following conditions:

1. Dakota Westmoreland Corporation must submit quarterly reports to the Reclamation Division with the approximate volume of spoil and overburden that has been moved for backfilling the final pit areas and the approximate quantities of topsoil and subsoil that are respread in the area east of State Highway 49 during each 3-month period beginning January 1, 2011. The quarterly reports must be submitted within 30 days of the end of each quarter.
  
2. If any mining and reclamation related disturbances are proposed within 100 feet of the outside right-of-way of 16<sup>th</sup> Street SW located along the south side of Sections 19 and 24, Dakota Westmoreland Corporation must provide copies to the Commission of the road authority's approval documents to allow surface coal mining activities within one hundred feet of the outside right-of-way of these public roads as required by NDAC 69-05.2-04-01.3(4). These documents must be submitted to the Commission prior to any mine related disturbances within 100 feet of the road right-of-way and include the written findings made by the road authority and any evidence showing that public notice was given prior to the approval.

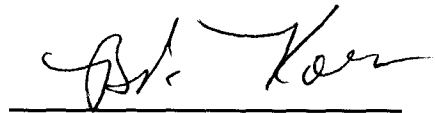
**PUBLIC SERVICE COMMISSION**



**Kevin Cramer**  
**Commissioner**



**Tony Clark**  
**Chairman**



**Brian P. Kalk**  
**Commissioner**