

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Dakota Resource Council,

Civil No. 08-10-C-02329

Appellant,

Agency Case No. RC-08-640

vs.

OAH File No. 2010-0122

North Dakota Public Service Commission,

McLean County, North Dakota

Department of Transportation, and North

Dakota Game and Fish Department and

Falkirk Mining Company,

Appellees.

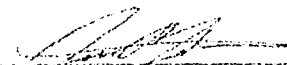
STIPULATION TO EXTEND BRIEFING DEADLINES

WHEREAS, the parties to the above-captioned appeal desire and intend to engage in settlement negotiations with respect to the present appeal; and

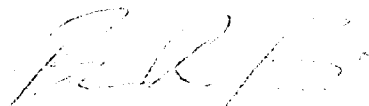
WHEREAS, the parties are in agreement that it will conserve resources and be more efficient to delay the briefing in the present appeal while settlement negotiations are ongoing;

NOW, THEREFORE, the parties hereby stipulate that Appellant's Brief in the above-captioned matter will be submitted on or before February 20, 2011, and the Appellees' briefs will be served and filed within 20 days after service of Appellant's brief.

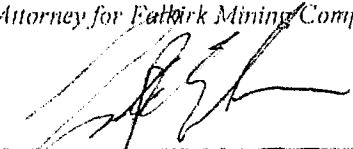
Dated this 8th day of December, 2010.


By: Derjek Braaten (ID 06394)
222 North 4th Street
Bismarck, ND 58501-4004
Telephone: 701-221-2911
Fax: 701-221-5842
Attorneys for Dakota Resource Council

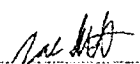
Dated this 9th day of December, 2010.


By: Brian R. Bjella (ID 03549)
Crowley Fleck
400 East Broadway, Suite 600
Bismarck, ND 58501
Attorney for Fathark Mining Company

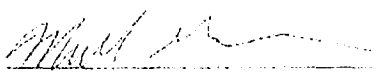
Dated this 10 day of December, 2010.


By: Ladd Erickson (ID 05220)
McLean County State's Attorney
P.O. Box 1108
Washburn, ND 58577-1108
Attorney for McLean County

Dated this 9th day of December, 2010.


Attorney General Wayne Stenehjem
By: Zachary Smith (ID 06305)
State Capitol
600 E. Boulevard Ave.
Dept. 125
Bismarck, ND 58505
*Attorney for North Dakota Game and Fish
Department and North Dakota Department of
Transportation*

Dated this 9th day of December, 2010.


ND Public Service Commission
By: Mark Gruman (ID 06019)
600 East Boulevard, Department 408
Bismarck, ND 58505-0480
Attorney for ND Public Service Commission

STATE OF NORTH DAKOTA

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COUNTY OF BURLEIGH

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Dakota Resource Council,)

Civil No. 08-10-C-02329

Appellant,)

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vs.)

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North Dakota Public Service Commission,)

McLean County, North Dakota)

Department of Transportation, and North)

Dakota Game and Fish Department and)

Falkirk Mining Company,)

Appellees.)

**[PROPOSED] ORDER EXTENDING
BRIEFING DEADLINES**

Having received the Stipulation to Extend Briefing Deadlines filed by all parties to the above-captioned appeal,

THIS COURT HEREBY ORDERS that Appellant’s Brief in the above-captioned matter will be submitted on or before February 20, 2011, and the Appellees’ briefs will be served and filed within 20 days after service of Appellant’s brief.

Dated this ___ day of December.

Judge of District Court

CERTIFICATE OF SERVICE

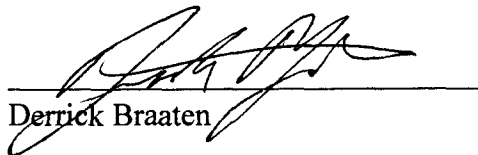
I hereby certify that a true and correct copy of the foregoing **STIPULATION TO EXTEND BRIEFING DEADLINES and PROPOSED ORDER EXTENDING BRIEFING DEADLINES** were on December 10, 2010, mailed to the following:

ND Public Service Commission ✓
Mark Gruman
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*Attorney for ND Public Service
Commission*

Brian R. Bjella (ID 03549)
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