

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Dakota Westmoreland Corporation  
Revision No. 22, Permit KRSB-8603  
Application

Case No. RC-08-904

AFFIDAVIT OF SERVICE BY  
FIRST CLASS MAIL

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

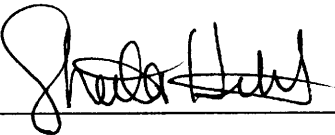
Sheila Hibl deposes and says that she is over the age of 18 years and not a party to this action and on, the 11<sup>th</sup> day of March, 2009, she deposited in the United States Mail, Bismarck, North Dakota, 22 envelopes by standard first-class mail, postage prepaid, 10 certified mail envelopes, postage 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

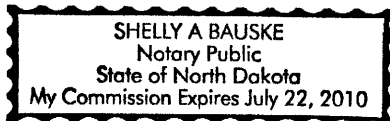
To the best of affiant's knowledge each address shown is the respective addressee's last reasonably ascertainable post office address.

  
\_\_\_\_\_

Subscribed and sworn to before me  
this 11<sup>th</sup> day of March, 2009

  
\_\_\_\_\_  
Notary Public

SEAL



**Mailing list for Notice of Revision Application for Revision 22 to Permit KRSB-8603 - Local, state and federal agencies**

**Use standard list for DWC - regular First Class mail, mailing affidavit**

**List of Surface owners - CERTIFIED MAIL, mailing affidavit**

Martha Gunsch - 7008 2810 0000 4606 2707  
101 3<sup>rd</sup> Ave. NW  
Beulah, ND 58523

Faye L. Keogh Revocable Trust - 7800 2810 0000 4606 2691  
c/o Faye Keogh, Trustee  
2916 Garber Road  
Berkeley, CA 94705

Tammy Schmidt - 7008 2810 0000 4606 2684  
PO Box 258  
Zap, ND 58580

Terence Schmidt - 7008 2810 0000 4606 2677  
312 10<sup>th</sup> St. NW  
Beulah, ND 58523

Casey Voigt - 7008 2810 0000 4606 2660  
PO Box 454  
Beulah, ND 58523

Three Affiliated Tribes - 7008 2810 0000 4606 2653

Spirit Lake Tribal Council - 7008 2810 0000 4606 2646

Standing Rock Tribes - 7008 2810 0000 4606 2639

Turtle Mountain Band of Chippewa - 7008 2810 0000 4606 2622

Fort Peck Tribes - 7008 2810 0000 4606 2615

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**PUBLIC SERVICE COMMISSION**

**Dakota Westmoreland Corporation**  
**Revision No. 22, Permit KRSB-8603**  
**Application**

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**NOTICE OF RECEIPT OF PERMIT REVISION APPLICATION**

**March 11, 2009**

Dakota Westmoreland Corporation (DWC) has applied for a permit revision application to add approximately 890.4 acres of land located in Sections 15, 19, 20, and 22, T143N, R88W, to Surface Coal Mining Permit No. KRSB-8603. This additional area is located south of the existing permit area. This revision will allow DWC to expand the permit area for additional coal mining. The revision application updates all environmental resource information and operations and reclamation plans to incorporate the additional area being added to Permit KRSB-8603.

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

Public Service Commission  
State Capitol  
Bismarck, ND 58505-0480


Mercer County Auditor  
County Courthouse  
Stanton, ND 58571

You may submit written comments or objections on the proposed permit 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 application. The reasons for requesting an informal conference must be stated in the request. In addition, you may also file a petition to designate lands being added to the permit as unsuitable for mining. Written comments, objections, petitions, or requests for an informal conference must be filed with the Commission by **May 4, 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, petitions, or requests for informal conferences should be addressed to the Public Service Commission, 600 E. Boulevard Ave. Dept. 408, Bismarck, North Dakota 58505-0480. You may contact the Commission at 701-328-2400 or TDD 800-366-6888.

**Public Service Commission**

  
\_\_\_\_\_  
**Tony Clark**  
**Commissioner**

  
\_\_\_\_\_  
**Kevin Cramer**  
**President**

  
\_\_\_\_\_  
**Brian P. Kalk**  
**Commissioner**