

APPROVED

DATE: 10-28-09
[Signature]

MOTION

October 28, 2009

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

Case No. RC-08-904

I move the Commission conditionally approve Revision No. 22 to Surface Coal Mining Permit KRSB-8603 held by Dakota Westmoreland Corporation to add 890.4 acres to this permit for the Beulah Mine and to update the appropriate sections of the permit to reflect mining in the added area.

BEB & JRD

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