

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

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

**Case No. RC-08-904**

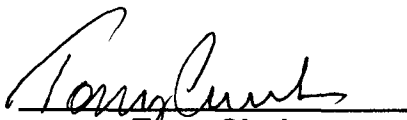
**SURFACE COAL MINING AND RECLAMATION PERMIT CONDITIONS**

**October 28, 2009**

**Revision No. 22 to Surface Coal Mining Permit Number KRSB-8603** has been issued to **Dakota Westmoreland Corporation** subject to Chapter 38-14.1 of the North Dakota Century Code, all the rules promulgated thereunder, and the following conditions:

1. No overburden or coal removal may occur on any of the tracts added to the permit with Revision No. 22 where the coal interest is owned by the United States of America until the U.S. Department of the Interior approves the mining plan for these tracts as required by 30 CFR 746.11. Until that mining plan is approved, surface disturbances on the federal coal tracts must be limited to those activities that are needed for carrying out mining on the adjoining tracts where the coal interests are privately owned.

**PUBLIC SERVICE COMMISSION**

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

  
\_\_\_\_\_  
**Kevin Cramer**  
**Chairman**

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