



**NOTICE TO PROCEED**  
**PUBLIC SERVICE COMMISSION**  
**ABANDONED MINE LANDS DIVISION**  
 SFN 51731 (Rev. 05-2000)

TO

Name <i>Kern &amp; Tabery Ltd</i>			
Address <i>222 SE 1st Street Ste. 3</i>	City <i>Wadena</i>	State <i>MN</i>	Zip Code <i>56482</i>

Project Description <i>Hazen - West Phase 2 Project</i>

You are hereby notified to commence WORK in accordance with the CONTRACT dated May 5, 2009, on or after May 21, 2009, and you are to complete the WORK within 120 consecutive calendar days thereafter. The date of completion of all WORK is therefore Sept. 17, 2009.

You are required to return an acknowledged copy of this NOTICE TO PROCEED to the OWNER.

Date <i>May 21, 2009</i>
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OWNER  
 ND PUBLIC SERVICE COMMISSION

By <i>Mark E. Knell</i>
Title <i>Project Manager</i>

**ACKNOWLEDGEMENT OF NOTICE**

Receipt of the above NOTICE TO PROCEED is hereby acknowledged by: <i>Mark Knell</i>
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Date <i>5-21-09</i>
By <i>Kern Tabery</i>
Title <i>SUPT.</i>

Witness to Signature <i>Mark Knell</i>
Witness to Signature