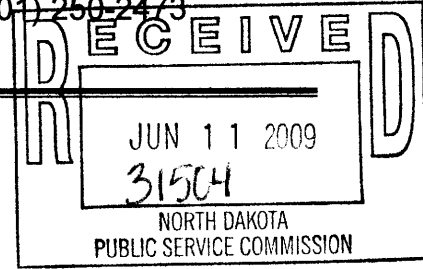


**NORTH AMERICAN**  
**COAL**  
CORPORATION  
**FALKIRK MINE**

**THE FALKIRK MINING COMPANY**  
2801 1st St. SW  
P.O. Box 1087  
Underwood, ND 58576-1087  
(701) 442-5751 • Fax (701) 250-2473



June 9, 2009

Mr. James R. Deutsch  
Reclamation Director  
ND State Public Service Commission  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505

FROM DIRECTOR - RECLAMATION DIV.

Date: \_\_\_\_\_

Action: \_\_\_\_\_

**RE: Affidavit of Publication for Revision 32, Renewal #4 to NAFK-8705** Only: \_\_\_\_\_

Dear Mr. Deutsch: Info & File: \_\_\_\_\_

Please find enclosed copies of the Affidavit of Publication for Revision 32, Renewal #4 to Permit NAFK-8705. The Legal Ad was published on April 23<sup>rd</sup>, April 30<sup>th</sup>, May 7<sup>th</sup> and May 14<sup>th</sup> in The Bismarck Tribune, The Underwood News, The McLean County Independent and The Washburn Leader News.

If you have any questions or comments, please contact me at 250-2424 or e-mail me at [diana.edinger@falkirk.com](mailto:diana.edinger@falkirk.com).

Sincerely,

**THE FALKIRK MINING COMPANY**

A handwritten signature in cursive script that reads "Diana G. Edinger".

Diana G. Edinger  
Executive Assistant

DGE  
Attachments



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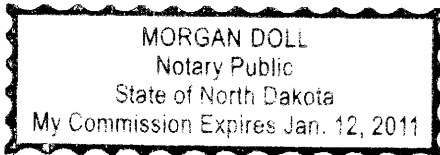
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**Affidavit of Publication**  
 State of North Dakota ) SS County of Burleigh  
 Before me, a Notary Public for the State of North Dakota personally appeared JD who being duly sworn, deposes and says that he (she) is the Clerk of Bismarck Tribune Co., and that the publication(s) were made through the Bismarck Tribune on the following dates: 4/23, 30 & 3/7, 14. Signed [Signature] sworn and subscribed to before me this 22nd day of May 2009.  
[Signature]  
 Notary Public in and for the State of North Dakota



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**NOTICE OF FILING A PERMIT RENEWAL AND REVISION  
TO CONDUCT SURFACE COAL MINING OPERATIONS**

The Falkirk Mining Company, P.O. Box 1087, Underwood, North Dakota 58576-1087, as applicant, has filed an application for Renewal of Surface Coal Mining Permit NAFK-8705 covering Sections 3, 4, 5, 6, 8, and 9, Township 145 North, Range 82 West; Sections 19, 20, 27, 28, 29, 30, 31, 32, 33, and 34, Township 146 North, Range 82 West; Section 1, Township 145 North, Range 83 West; and Sections 22, 23, 24, 25, 26, 27, 35, and 36, Township 146 North, Range 83 West in McLean County, North Dakota, which contains 10,880.9 acres. Revision 32 to NAFK-8705 updates information for the 4th Renewal allowing The Falkirk Mining Company (Falkirk) to continue to engage in surface coal mining and reclamation operations in the permit during the period from July 6th, 2009 to July 6th, 2014. Updated information in response to the Public Service Commission's Reclamation Division pre-renewal review letter dated January 9, 2009 includes introductory, legal and business entity/compliance information; rights of entry; and post-mining land use, reclamation, surface water, transportation, and operations plans. Falkirk updated the operation and surface water management plans to include designs for a water supply pond and expansion of the existing washbay pond to meet the water related requirements of the washbay associated with the recent shop addition. The transportation plans were updated to reflect the relocation of haulroads in Section 5, T145N, R82W to accommodate the expansion of the existing washbay pond. The transportation plans were also updated to reflect the replacement of County Road 19 to its original location along the section lines between Sections 22, 23, 26 and 27, T146N, R83. The surface water management plans were updated to reflect the current sedimentation pond construction and reclamation schedule. The reclamation plans were updated to reflect the true boundaries of the industrial land use footprints comprising the ash disposal facilities in Section 26, T146N, R83W and Section 32, T162N, R82W. The reclamation plans were also updated to reflect an increase in size of fish and wildlife buffer zones surrounding the ash disposal facilities in Sections 31 and 32, T146N, R82W, due to proposed land use changes from cropland to fish and wildlife habitat (grassland). The environmental resource information (soils resources) was updated to reflect the current approved spoil sampling methodology being used by Falkirk.

The permit area is located southwest of Underwood, North Dakota. The map shows the location of the City of Underwood, North Dakota, and the boundaries of the permit area. The names of the United States Geological Survey Quadrangle Maps (which contain the area described and shown on the map) are "Washburn Northeast" and "Underwood".

**The owners of the surface and coal in the permit area are as follows: TRACT 1**

**T146N-R82W-Section 20: NE1/4NW1/4, S1/2NW1/4NW1/4, S1/2NW1/4**  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: United States of America

**TRACT 2**

**T146N-R82W-Section 19: NE1/4**  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: LeRoy T. Parker and Virginia J. Parker, as Trustees of the L. T. and V. J. Parker Family Trust Dated July 26, 1995

**TRACT 3**

**T146N-R82W-Section 19: Lots 1 and 2, E1/2NW1/4**  
Surface Ownership: Duane Mautz  
Coal Ownership: Marvin Schuh and Frances Schuh  
Doreen D. Speaks  
Shirley Schuh  
Faith Evangelical Church  
Raeann Rich  
Richard Schuh  
Roger Schuh

**TRACT 4**

**T146N-R83W-Section 24: NE1/4**  
Surface Ownership: KBW Land Company  
Coal Ownership: KBW Land Company

**TRACT 5**

**T146N-R83W-Section 24: NW1/4**  
Surface Ownership: Duane Mautz  
Coal Ownership: State of North Dakota  
Donna K. Snyder  
Ralph Neal Snyder  
Dennis Frank Snyder  
Edith Jacks and the Cecil A. and Edith L. Jacks Family Revocable Trust  
Velma L. Karns Sargent, Individually and as Executrix of the Estate of Worth Karns, deceased  
Nadine S. Smith and Bill C. Smith  
Lowell L. Snyder and Leona Snyder  
Della Mae Nathe  
David A. Snyder and Nancy Snyder  
Marliss D. Jenrich  
Bruce Albers and Jane Albers

**TRACT 6**

**T146N-R83W-Section 23: NI/2**  
Surface Ownership: Duane Mautz  
Coal Ownership: AgriBank, FCB

**TRACT 7**

**T146N-R83W-Section 22: E1/2NE1/4 less and except a 1.43 acre tract of land described as follows: Beginning at the north-east corner of said Section 22, thence West 250 feet, thence South 250 feet; thence East 250 feet to the east section line of said Section 22; thence North 250 feet to the point of beginning.**  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Judith Hepper

**TRACT 8**

**T146N-R83W-Section 22: Outlot "B" in the SE1/4, described as follows: Commencing at the southeast corner of said section; thence North 89°03'49" West 235.00 feet, along the south line of said section, to the true point of beginning; thence North 89°03'49" West 1248.09 feet, along the south line of said section; thence North 0°07'13" East 738.86 feet; thence South 89°59'32" West 148.74 feet; thence North 0°12'46" East 140.06 feet; thence North 88°46'53" West 397.76 feet; thence South 0°01'13" West 878.46 feet to the south line of said section; thence North 89°03'49" West 599.57 feet, along the south line of said section; thence North 0°32'04" East 2649.25 feet, along the north-south quarter line of said section to the center of said section; thence South 88°54'35" East 2625.31 feet, along the east-west quarter line of said section to the east 1/4 corner of said section; thence South 0°29'17" West 2139.46 feet, along the east line of said section; thence North 89°22'53" West 235.00 feet, along the north line of Alexander Cemetery; thence South 0°29'17" West 501.44 feet, along the West line of Alexander Cemetery and Alexander Presbyterian Church, to the true point of beginning, containing 146.293 acres, more or less.**

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: The Falkirk Mining Company

**TRACT 9**

**T146N-R83W-Section 23: N1/2S1/2, N1/2S1/2S1/2**  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Wilmer J. Ehrichs  
Rosemary Stamm  
Linda Sue Wietfeld  
Stephen K. Meggers

**TRACT 9A**

**T146N-R83W-Section 23: S1/2S1/2S1/2 LESS AND EXCEPT the following tract: Beginning at the southwest corner of said Section 23, running thence North along the west line of said section 330 feet; thence East and parallel with the south line of said section 264 feet; thence South to a point on the south line of said section which is 264 feet East of the southwest corner of said section; thence West along the south line of said section to the point of beginning, containing 2.00 acres.**

Surface Ownership: Great River Energy  
Coal Ownership: Wilmer J. Ehrichs  
Rosemary Stamm  
Linda Sue Wietfeld  
Stephen K. Meggers

**TRACT 10**

**T46N-R83W-Section 23: A two acre tract in the SW1/4SW1/4 of said section, which is described as follows: Beginning at the southwest corner of said Section 23; running thence North along the west line of said section 330 feet; thence East and parallel with the south line of said section 264 feet; thence South to a point on the south line of said section which is 264 feet East of the southwest corner of said section; thence West along the south line of said section to the point of beginning, containing 2.00 acres.**

Surface Ownership: Great River Energy  
Coal Ownership: Doyle W. Johannes and Patsy Johannes

**TRACT 11**

**T146N-R83W-Section 24: SW1/4**  
Surface Ownership: Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm

**TRACT 12**

**T146N-R83W-Section 24: SE1/4**  
Surface Ownership: Marilyn L. Seidler and Kristie L. Seidler  
Coal Ownership: United States of America

**TRACT 13**

**T146N-R82W-Section 19: Lots 3 and 4, E1/2SW1/4, SE1/4**  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Cleome Hennessy, Trustee of the Hennessy Trust dated March 9, 1999  
Harlan P. Feuk and Cleora G. Feuk  
Lynn H. Stewart, Trustee under Agreement  
Dated June 13, 1977

**TRACT 14**

**T146N-R82W-Section 20: SW1/4**  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Frank J. Bavendick  
W. L. Braun Oil Properties Revocable Trust  
Dated October 22, 1998

**TRACT 15**

**T146N-R82W-Section 20: SE1/4, less and except the following tract: Beginning at the northeast corner of the SE1/4 of said Section 20; thence South 0°28'31" West, along the east section line, a distance of 2226.01 feet; thence North 89°37'29" West, parallel with the south line of Section 20, a distance of 1531.93 feet; thence North 26°05'55" West a distance of 2488.83 feet to the center 1/4 corner of Section 20; thence South 89°35'7" East to the point of beginning.**  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Roland P. Sigurdson

**TRACT 16**

**T146N-R82W-Section 28: NW1/4, less a 2.475 acre tract and a 2.59 acre tract in the NW1/4 owned by the City of Underwood, NE1/4 west of the Soo Line Railroad Right-of-Way**  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Robert R. Stadick  
Anona Lundstrom and Bruce Lundstrom

**TRACT 17**

**T146N-R82W-Section 29: NE1/4**  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Duane F. Mautz

**TRACT 18**

**T146N-R82W-Section 29:** A 9.41 acre tract in the NE1/4NW1/4 of said section which is described as follows: Beginning at the northeast corner of said NW1/4; thence due West a distance of 497 feet; thence due South a distance of 825 feet; thence due East a distance of 497 feet; thence due North 825 feet to the point of beginning, less a 5.625 acre tract described as Tract 18A.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Myron L. Miller and Mary Jane Miller  
Lee M. Benson  
Tammi R. Benson  
Nancy D. Miller  
Thomas Mac Miller

**TRACT 18A**

**T146N-R82W-Section 29:** A tract in the NW1/4 described as follows: Beginning at the northeast corner of said quarter; go 30 rods West following the quarter line; thence at right angles go 30 rods South; thence at right angles go 30 rods East; thence at right angles along the East line of the quarter, go 30 rods North to the point of beginning, containing 5.625 acres, more or less.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Myron L. Miller and Mary Jane Miller  
Lee M. Benson  
Tammi R. Benson  
Nancy D. Miller  
Thomas Mac Miller

**TRACT 19**

**T146N-R82W-Section 29:** NW1/4, less and except a 9.41 acre tract in the NE1/4NW1/4 described as follows: Beginning at the northeast corner of the said NW1/4; thence due West a distance of 497 feet; thence due South a distance of 825 feet; thence due East a distance of 497 feet; thence due North 825 feet to the point of beginning.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Myron L. Miller and Mary Jane Miller  
Lee M. Benson  
Tammi R. Benson  
Nancy D. Miller  
Thomas Mac Miller

**TRACT 20**

**T146N-R82W-Section 29:** S1/2  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust dated July 10, 1990

Duane Mautz  
Kaye Joanne Jessen  
Joyce L. Bruns

**TRACT 21**

**T146N-R82W-Section 30:** SE1/4, less and except a 2.00 acre tract described as follows: Beginning at a point 33 feet west of the northeast corner of the SE1/4 of said Section 30; thence westward 295-1/12 feet; thence by right angle southward 295-1/12 feet; thence by right angle eastward 295-1/12 feet; thence by right angle northward 295-1/12 feet to the point of beginning.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust  
Dated July 10, 1990

**TRACT 22**

**T146N-R82W-Section 30:** NE1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Lynn H. Stewart, Trustee under Agreement Dated June 13, 1977  
Harlan P. Feuk and Cleora G. Feuk  
Cleome Hennessy, Trustee of the Hennessy Trust dated March 9, 1999

**TRACT 23**

**T146N-R82W-Section 30:** Lots 1, 2, 3, 4, E1/2W1/2  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: AgriBank, FCB

Wallace A. Swanson  
Melvin W. Swanson  
Arthur W. Swanson  
Wanda J. Mehrer  
Michael W. Swanson  
Debra M. Beilke  
Steven W. Swanson  
Connie Aitken  
Linda L. Allen  
Nicki Grammer  
Larry Swanson  
Jay Swanson  
Cynthia A. Vossler

**TRACT 24**

**T146N-R83W-Section 25:** E1/2  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Weston Johannes and Rowena Johannes  
AgriBank, FCB

**TRACT 25**

**T146N-R83W-Section 25:** NW1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Weston Johannes and Rowena Johannes  
AgriBank, FCB

**TRACT 26**

**T146N-R83W-Section 25:** SW1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Arnold J. Schafer and Gretchen Schafer

**TRACT 27**

**T146N-R83W-Section 26:** SE1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm  
Frank J. Bavendick  
Donna D. Geck  
Vernon L. Pepple

**TRACT 28**

**T146N-R83W-Section 26:** NE1/4  
Surface Ownership: Great River Energy  
Coal Ownership: Clyde A. Saylor  
Ruth Saylor  
Karon Hacanson  
Donald D. Saylor

**TRACT 29**

**T146N-R83W-Section 26:** SW1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm

**TRACT 29A**

**T146N-R83W-Section 26:** NW1/4  
Surface Ownership: Great River Energy  
Coal Ownership: Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm

**TRACT 30**

**T146N-R83W-Section 27:** E1/2NE1/4, less and except a 2.31 acre tract described as follows: Beginning at the southwest corner of the SE1/4NE1/4 of said Section 27; thence North a distance of 300 feet; thence East a distance of 336 feet; thence South a distance of 300 feet to the south quarter line of the NE1/4 of said Section 27; thence West, along the said quarter line, a distance of 336 feet to the point of beginning.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: State of North Dakota  
Ernest F. Saylor and Rita Saylor

**TRACT 31**

**T146N-R83W-Section 35:** NW1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: The Lloyd G. Schafer Revocable Trust

**TRACT 32**

**T146N-R83W-Section 35:** SW1/4, less and except a one acre tract of land described as follows: Beginning at a point 33 feet East and 33 feet North of the southwest corner of said SW1/4; thence East 20 rods; thence North 8 rods; thence West 20 rods; thence South 8 rods to point of beginning.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: The Lloyd G. Schafer Revocable Trust

**TRACT 33**

**T146N-R83W-Section 35:** SE1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Prudence Landenberger  
John Landenberger  
Judy Smith  
Jay Landenberger

**TRACT 34**

**T146N-R83W-Section 35:** NE1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Casey Land Agency Corporation

**TRACT 35**

**T146N-R83W-Section 36:** NW1/4  
Surface Ownership: State of North Dakota  
Coal Ownership: State of North Dakota

**TRACT 36**

**T146N-R83W-Section 36:** SW1/4  
Surface Ownership: State of North Dakota  
Coal Ownership: State of North Dakota

**TRACT 37**

**T146N-R83W-Section 36:** SE1/4  
Surface Ownership: State of North Dakota  
Coal Ownership: State of North Dakota

**TRACT 38**

**T146N-R83W-Section 36:** NE1/4  
Surface Ownership: State of North Dakota  
Coal Ownership: State of North Dakota

**TRACT 39**

**T146N-R82W-Section 31:** Lots 1, 2, 3, 4, E1/2W1/2, less a tract of 38.15 acres, more or less, lying in the E1/2W1/2, conveyed to the USA.  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Wallace A. Swanson  
Melvin W. Swanson  
Arthur W. Swanson  
Wanda J. Mehrer  
Michael W. Swanson  
Cynthia A. Vossler  
Debra M. Beilke  
Steven W. Swanson  
Connie Aitken  
Linda L. Allen  
Nicki Grammer  
Larry Swanson  
Jay Swanson

**TRACT 40****T146N-R82W-Section 31: E1/2, less Lot 1, Block 1 of the NE1/4 and less Lot 2, Block 2 of the SE1/4, and less tracts lying in the E1/2 conveyed to the USA**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: Elsie V. Clark, Individually and as Personal Representative of the Estate of Clements E. Clark  
 Clements Roger Clark  
 Shirley Seher  
 Velma Cleveland  
 Flaminia Specht  
 Donald Specht  
 Martha Specht  
 Darralu S. Lindblom  
 Warren Potter  
 Lois Woodall  
 Phyllis Ann Hermanson  
 Lorine Potter

**TRACT 40A****T146N-R82W-Section 31: Lot 1, Block 1 of the NE1/4, Lot 2, Block 2 of the SE1/4**

Surface Ownership: Great River Energy  
 Coal Ownership: Elsie V. Clark, Individually and Personal Representative of the Estate of Clements E. Clark  
 Clements Roger Clark  
 Shirley Seher  
 Velma Cleveland  
 Flaminia Specht  
 Donald Specht  
 Martha Specht  
 Darralu S. Lindblom  
 Warren Potter  
 Lois Woodall  
 Phyllis Ann Hermanson  
 Lorine Potter

**TRACT 42****T146N-R82W-Section 32: W1/2W1/2, less Lot 1, Block 2 of the SW1/4, and less Lot 2, Block 2 of the NW1/4, and less that portion of Lot 3, Block 2 lying in the W1/2SW1/4**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: The Estate of Edna Dean McGray  
 David P. Kjelstrup  
 Eleanor L. Kjelstrup

**TRACT 42A****T146N-R82W-Section 32: Lot 1, Block 2 of the SW1/4; Lot 2, Block 2 of the NW1/4; and that portion of Lot 3, Block 2 lying in the W1/2SW1/4**

Surface Ownership: Great River Energy  
 Coal Ownership: The Estate of Edna Dean McGray  
 David P. Kjelstrup  
 Eleanor L. Kjelstrup

**TRACT 43****T146N-R82W-Section 32: E1/2NW1/4**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: John C. Samuelson and Helen K. Samuelson  
 Roberta Coughlin

**TRACT 44****T146N-R82W-Section 32: E1/2SW1/4, less that portion of Lot 3, Block 2 lying within the E1/2SW1/4**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: John C. Samuelson and Helen K. Samuelson  
 Mercy Ann Dennis  
 John M. Samuelson

**TRACT 44A****T146N-R82W-Section 32: That portion of Lot 3, Block 2 lying within the E1/2SW1/4**

Surface Ownership: Great River Energy  
 Coal Ownership: John C. Samuelson and Helen K. Samuelson  
 Mercy Ann Dennis  
 John M. Samuelson

**TRACT 45****T146N-R82W-Section 32: W1/2SE1/4, less Lot 4, Block 2 of the SE1/4**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: Mercy Ann Dennis  
 John M. Samuelson  
 Lois Samuelson, as Trustee of the Lois Samuelson Revocable Trust  
 Harry W. Samuelson, Jr., as Trustee of the Harry W. Samuelson, Jr. Revocable Trust

**TRACT 45A****T146N-R82W-Section 32: Lot 4, Block 2 of the SE1/4**

Surface Ownership: Great River Energy  
 Coal Ownership: Mercy Ann Dennis  
 John M. Samuelson  
 Lois Samuelson, as Trustee of the Lois Samuelson Revocable Trust  
 Harry W. Samuelson, Jr., as Trustee of the Harry W. Samuelson, Jr. Revocable Trust

**TRACT 46****T146N-R82W-Section 32: W1/2NE1/4**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: Roberta Coughlin  
 Lois Samuelson, as Trustee of the Lois Samuelson Revocable Trust  
 Harry W. Samuelson, Jr., as Trustee of the Harry W. Samuelson, Jr. Revocable Trust

**TRACT 47****T146N-R82W-Section 32: E1/2E1/2**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust dated July 10, 1990  
 Duane Mautz  
 Kaye Joanne Jessen  
 Joyce L. Brunts

**TRACT 48****T146N-R82W-Section 33: SW1/4**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: Kerr-McGee Oil & Gas Onshore LP  
 Carla Rae Jordan  
 The Falkirk Mining Company

**TRACT 49****T146N-R82W-Section 33: SE1/4**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: Elaine Turner-Faulk  
 Kerr-McGee Oil & Gas Onshore LP  
 The Falkirk Mining Company

**TRACT 50****T146N-R82W-Section 34: SW1/4SW1/4, SE1/4SW1/4, less Soo Line Railroad and U.S. Hwy. 83 Rights-of-Way**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: United States of America

**TRACT 50A****T146N-R82W-Section 34: NW1/4SW1/4, less Soo Line Railroad and U.S. Hwy. 83 Rights-of-Way**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: United States of America

**TRACT 51****T146N-R82W-Section 34: A strip of land 100 feet wide, running west of, adjacent to, and parallel with U.S. Highway No. 83****T145N-R82W-Section 3: A strip of land 100 feet wide, running west of, adjacent to, and parallel with U.S. Highway No. 83 in the N1/2**

Surface Ownership: Soo Line Railroad  
 Coal Ownership: Soo Line Railroad

**TRACT 52****T145N-R82W-Section 3: Lots 1, 2, S1/2NE1/4, less Soo Line Railroad and U. S. Highway 83 Rights-of-Way**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: Larry Schulz, Trustee of the Larry Schulz Revocable Trust  
 Dated November 20, 1997  
 Patricia A. Schulz, Trustee of the Patricia A. Schulz Revocable Trust  
 Dated November 20, 1997  
 Martha C. Click, Independent Executrix of the Estate of Mary Elizabeth Bass  
 William F. Murray  
 Clyde M. Guild and Grace I. Guild  
 W. L. Braun Oil Properties Revocable Trust Dated October 22, 1998  
 C. James Luther, Trustee of Trust B (non-marital trust) pursuant to the Last Will and Testament of James H. Luther  
 Dated November 1, 1974

**TRACT 53****T145N-R82W-Section 3: SE1/4, less the Soo Line Railroad and U.S. Highway 83 rights-of-way and less a tract of land described as follows: Beginning at the southeast corner of Section 3, thence North 0°26'26" East, 2,640.33 feet; thence South 89°58'42" West 1,436.70 feet; thence South 0°25'51" West 1,630.17 feet; thence South 14°39'45" East 1,028.82 feet; thence South 89°18'01" East 1,168.33 feet to a point of beginning.**

Surface Ownership: The Falkirk Mining Company  
 Coal Ownership: Andrew Anderson and Karen Anderson  
 Frieda Akan  
 Kenneth Fjeldahl  
 Lila Akan  
 Henry S. Anderson and Katherine Anderson  
 Marilyn I. Beyer and James G. Beyer  
 Elizabeth D. Klabunde  
 Robert J. Petz  
 Stanley J. Petz  
 Larry A. Schulz, Trustee of the Larry A. Schulz Revocable Trust Dated November 20, 1997  
 Patricia A. Schulz, Trustee of the Patricia A. Schulz Revocable Trust Dated November 20, 1997  
 Evelyn P. Valley  
 Fern Tosh  
 Gordon W. Valley  
 Melba M. Valley  
 Barrett W. Valley  
 Leanne K. Day  
 The Denver G. Rosberg Credit Trust c/o Pauline M. Schmaltz, Trustee  
 Elaine G. Mann  
 Winifred A. Marvin  
 Margaret Glanville and Robert Glanville  
 Lilas Dangerfield and Arthur Dangerfield  
 Winifred H. Marvin and James W. Marvin  
 Lloyd E. Anderson Marital Trust A  
 Wallace Anderson

**TRACT 54****T145N-R82W-Section 3:**

Surface Ownership: SW1/4  
The Falkirk Mining Company  
Coal Ownership: The Estate of Rachel Eichhorst

**TRACT 55****T145N-R82W-Section 3:**

Highway 83 Rights-of-Way  
Surface Ownership: Lots 3, 4, S1/2NW1/4, less Soo Line Railroad and U.S.  
Coal Ownership: The Falkirk Mining Company  
Lorraine Mehhouse

**TRACT 56****T145N-R82W-Section 4:**

Surface Ownership: Lots 1, 2, S1/2NE1/4, SE1/4  
The Falkirk Mining Company  
Coal Ownership: Paul B. Brown and Marthella Brown

**TRACT 57****T145N-R82W-Section 4:**

Surface Ownership: Lots 3, 4, S1/2NW1/4, SW1/4  
Coal Ownership: Great River Energy  
The State of North Dakota  
Paul Anthony Peltier  
Gene Thomas Peltier  
Jacob William Reuter  
Thomas Joseph Reuter  
Michael Anthony Reuter  
Tina Marie Evanchuck  
Sheryl Ann Trotter  
Debbie Marie Seyer  
Steve Charles Johnson  
Barbara Ann Morris  
David Scott Johnson  
Eric Kevin Johnson  
Francis Reuter  
Clarence J. Reuter  
Steven John Reuter  
Lowell Thomas Vizenor  
Tara Marie Vizenor  
Patricia Lee Fowler  
Anne Reuter Kerzel  
Robert David Reuter  
Patrick Michael Reuter  
The Nokota Company  
Three Forks Oil Corporation  
Patricia Borden Mossier  
Theresa Borden Sloane  
James M. Borden  
Francis P. Borden, III  
Arkansas Minerals, Inc.  
John C. Bradford  
Candice Robinson and George H. Robinson, Jr.  
Pamela Owens and David Owens  
Clayton Douglas Rivenbark, Sr.  
Mary Josephine McKnight Runge  
Robert R. Aillet  
Cynthia Aillet Murry  
Ralph H. Baker, Jr. and  
Diane B. Rowland, Trustees  
of the Baker Mineral Trust created June 10, 1982  
Daniel Dean Reuter

**TRACT 58****T145N-R82W-Section 5:**

Surface Ownership: Lots 1, 2, S1/2NE1/4  
Coal Ownership: Eileen Gutknecht  
Eileen Gutknecht

**TRACT 59**

**T145N-R82W-Section 5:** A two acre tract located in the SE1/4SE1/4 and being more fully described as follows: Beginning at a point which is 33 feet North and 33 feet West of the southeast corner of said Section 5; thence North 300 feet; thence West 290.4 feet; thence South 300 feet; thence East 290.4 feet to the point of beginning.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: John C. Samuelson and Helen K. Samuelson

**TRACT 60****T145N-R82W-Section 5:**

SE1/4, less and except a two acre tract described as follows: Beginning at a point which is 33 feet North and 33 feet West of the southeast corner of said Section 5; thence North 300 feet; thence West 290.4 feet; thence South 300 feet; thence East 290.4 feet to the point of beginning.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: John C. Samuelson and Helen K. Samuelson  
AgriBank, FCB

**TRACT 61****T145N-R82W-Section 5:**

SW1/4, less Outlot D  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Harry W. Samuelson, Jr. and Lois A. Samuelson  
AgriBank, FCB

**TRACT 61A****T145N-R82W-Section 5:**

Outlot D of the SW1/4  
Surface Ownership: Great River Energy  
Coal Ownership: Harry W. Samuelson, Jr. and Lois A. Samuelson  
AgriBank, FCB

**TRACT 62****T145N-R82W-Section 5:**

NW1/4  
Surface Ownership: Lots 3, 4, S1/2NW1/4, less Outlots A, B, and C of the NW1/4  
Coal Ownership: The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson  
Elmer H. Schafer and Clara Schafer  
Harry W. Samuelson and Lois A. Samuelson

**TRACT 62A****T145N-R82W-Section 5:**

Outlots A, B and C of NW1/4  
Surface Ownership: Great River Energy  
Coal Ownership: John C. Samuelson and Helen K. Samuelson  
Elmer H. Schafer and Clara Schafer  
Harry W. Samuelson and Lois A. Samuelson

**TRACT 63****T145N-R82W-Section 6:**

Surface Ownership: Lots 1, 2, S1/2NE1/4  
Coal Ownership: The Falkirk Mining Company  
Wilfred M. Baska and Alida B. Baska,  
Trustees, the Baska Family Trust

**TRACT 64****T145N-R82W-Section 6:**

Surface Ownership: Lots 6, 7, E1/2SW1/4, SE1/4  
Coal Ownership: The Falkirk Mining Company  
The Ervin R. Schafer Revocable Trust  
AgriBank, FCB

**TRACT 65****T145N-R82W-Section 6:**

Surface Ownership: Lot 5, SE1/4NW1/4  
Coal Ownership: The Falkirk Mining Company  
The Ervin R. Schafer Revocable Trust

**TRACT 66****T145N-R82W-Section 6:**

Surface Ownership: Lots 3, 4  
Coal Ownership: The Falkirk Mining Company  
The Lloyd G. Schafer Revocable Trust

**TRACT 67****T145N-R83W-Section 1:**

Surface Ownership: Lots 1, 2, S1/2NE1/4  
Coal Ownership: Kenneth H. Pfaff and Wanda L. Pfaff  
Kenneth H. Pfaff and Wanda L. Pfaff  
Loretta E. Saylor

**TRACT 68****T145N-R82W-Section 8:**

Surface Ownership: NI/2, NI/2S1/2  
Coal Ownership: Great River Energy  
Great River Energy

**TRACT 69****T145N-R82W-Section 8:**

Surface Ownership: WI/2NW1/4, SE1/4NW1/4  
Coal Ownership: Great River Energy  
Great River Energy  
Patricia Borden Mosier  
Theresa Borden Sloane  
James M. Borden  
Francis P. Borden, III  
Arkansas Minerals, Inc.  
John C. Bradford  
Candice S. Robinson and George H. Robinson, Jr.  
Pamela Owens and David Owens  
Clayton Douglas Rivenbark, Jr.  
Mary Keely Runge, as Trustee of the Mary Josephine Runge  
Revocable Trust dated February 23, 2005  
Robert R. Aillet  
Cynthia Aillet Murry  
Ralph H. Baker, Jr. and Diane B. Rowland,  
Trustees of the Baker Mineral Trust  
Created June 10, 1982

**TRACT 70****T145N-R82W-Section 9:**

Surface Ownership: NE1/4NW1/4  
Coal Ownership: Great River Energy  
Great River Energy  
AgriBank, FCB

**TRACT 71****T145N-R82W-Section 9:**

Surface Ownership: NE1/4NE1/4  
Coal Ownership: Great River Energy  
Great River Energy  
AgriBank, FCB

**TRACT 72****T146N-R82W-Section 28:**

Surface Ownership: SW1/4  
Coal Ownership: The Falkirk Mining Company  
Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust  
dated July 10, 1990  
Duane Mautz  
Kaye Joanne Jessen  
Joyce L. Bruns

**TRACT 73****T146N-R82W-Section 28:**

Surface Ownership: SE1/4, west of Soo Line Railroad Right-of-Way  
Coal Ownership: The Falkirk Mining Company  
State of North Dakota  
Robert Stadick  
Anona and Bruce Lundstrom

**TRACT 74****T146N-R82W-Section 33:**

Surface Ownership: E1/2NE1/4  
Coal Ownership: The Falkirk Mining Company  
Elaine Turner-Faulk  
Verdije A. Emineth  
State of North Dakota

**TRACT 75****T146N-R82W-Section 33:**

Surface Ownership: WI/2NE1/4  
Coal Ownership: The Falkirk Mining Company  
Elaine Turner-Faulk  
Terry R. Peterson and Norma C. Peterson  
State of North Dakota

**TRACT 76****T146N-R82W-Section 33:**

Surface Ownership: NW1/4  
Coal Ownership: The Falkirk Mining Company  
Carla Rae Jordan  
Estate of Jack Louis Steinle  
John Henry Steinle, III

**TRACT 77****T146N-R82W-Section 34:**

Surface Ownership: NI/2NW1/4, west of Soo Line Railroad Right-of-Way  
Coal Ownership: The Falkirk Mining Company  
Bertha Anderson

**TRACT 78**

**T146N-R82W-Section 34: S1/2NW1/4, west of Soo Line Railroad Right-of-Way**

Surface Ownership:  
Coal Ownership:  
The Falkirk Mining Company  
Bertha Anderson  
Thomas D. Anderson and Diane L. Anderson  
Charles D. Anderson  
Mary J. Anderson  
Martha C. Click, Independent Executrix of the Estate of  
Mary Elizabeth Bass  
Margaret A. Anderson  
Janelle L. Bruesch  
C. James Luther, Trustee of Trust B (non-marital trust)  
Pursuant to the Last Will and Testament of James H.  
Luther, Dated November 1, 1974  
Earl Schwartz Company  
Mary C. Wilday  
Jean Taylor Clark, as Independent Executrix of the  
Estate of Charles Clark  
Judith P. Hoffman Trust  
U/A/D/ November 22, 1994

**TRACT 79**

**T146N-R82W-Section 34: NE1/4SW1/4, west of Soo Line Railroad Right-of-Way**

Surface Ownership:  
Coal Ownership:  
The Falkirk Mining Company  
Bertha Anderson  
Thomas D. Anderson and Diane L. Anderson  
Charles D. Anderson  
Mary J. Anderson  
Margaret A. Anderson  
Janelle L. Bruesch  
C. James Luther, Trustee of Trust B  
(non-marital trust) Pursuant to the Last Will and  
Testament of James H. Luther Dated November 1, 1974  
Earl Schwartz Company  
Mary C. Wilday  
Jean Taylor Clark, as Independent Executrix of the  
Estate of Charles Clark  
Judith P. Hoffman Trust  
U/A/D 11-22-94  
Harris Hutcheson Bass  
Harris Hutcheson Bass and First National Bank of  
Fort Worth, Trustees U/W/O Mary Elizabeth Harris Bass

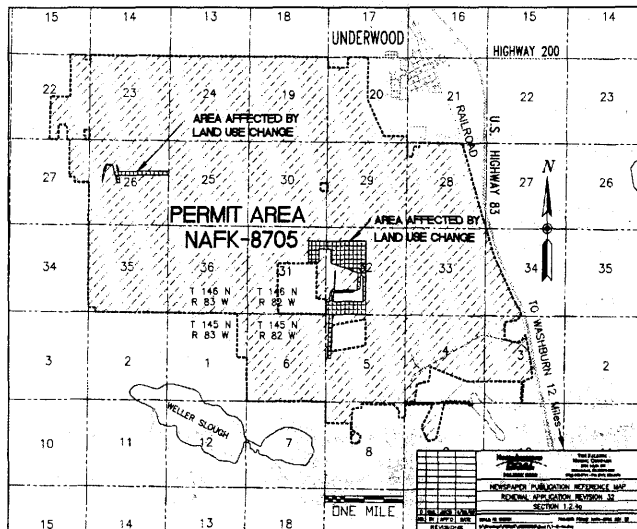
**TRACT 80**

**T146N-R82W-Section 27: That part of the SW1/4 lying west of the Soo Line Railroad Right-of-Way**

Surface Ownership:  
Coal Ownership:  
The Falkirk Mining Company  
Three Forks Oil Corporation  
The Nokota Company  
Lucille Neary  
Bertha Anderson  
Janelle L. Bruesch  
Margaret A. Anderson  
Thomas D. Anderson  
Charles D. Anderson  
Mary J. Anderson

A copy of the application for renewal and revision of a surface coal mining permit is available for public inspection at the offices of the North Dakota Public Service Commission, Capitol Building, Bismarck, North Dakota, and at the offices of the County Auditor, McLean County Courthouse, Washburn, North Dakota.

Written comments, objections, or requests for informal conferences on the application may be submitted by any person with an interest which is or may be adversely affected to the North Dakota Public Service Commission, Capitol Building, Bismarck, North Dakota, within 30 days after the last publication of this notice. The written request should state the issues or objections regarding the renewal and revision.



AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA )  
 )  
COUNTY OF McLean )

I SHELLEY CHASE, being first duly sworn, on my own oath, say, that I am the bookkeeper of the McLean County Independent, a weekly newspaper of general circulation, published in the city of Garrison, that the advertisement headed:

FALKIRK MINING CO GR-PERMIT RENEWAL AND REVISION/LEGAL

a printed copy of which is here annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the notice was published in the newspaper proper, and not in a supplement,

for 4 consecutive week 05/14/2009 to wit:

|                   |        |            |            |
|-------------------|--------|------------|------------|
| Column Inches 443 | \$5.25 | \$2,325.75 | 04/23/2009 |
| Column Inches 443 | \$5.25 | \$2,325.75 | 04/30/2009 |
| Column Inches 443 | \$5.25 | \$2,325.75 | 05/07/2009 |
| Column Inches 443 | \$5.25 | \$2,325.75 | 05/14/2009 |

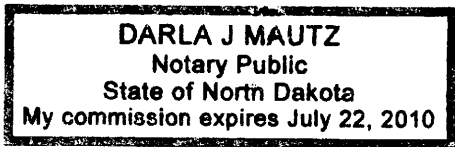
Notary Fee \$1.00 Total Cost of Legal \$9,304.00

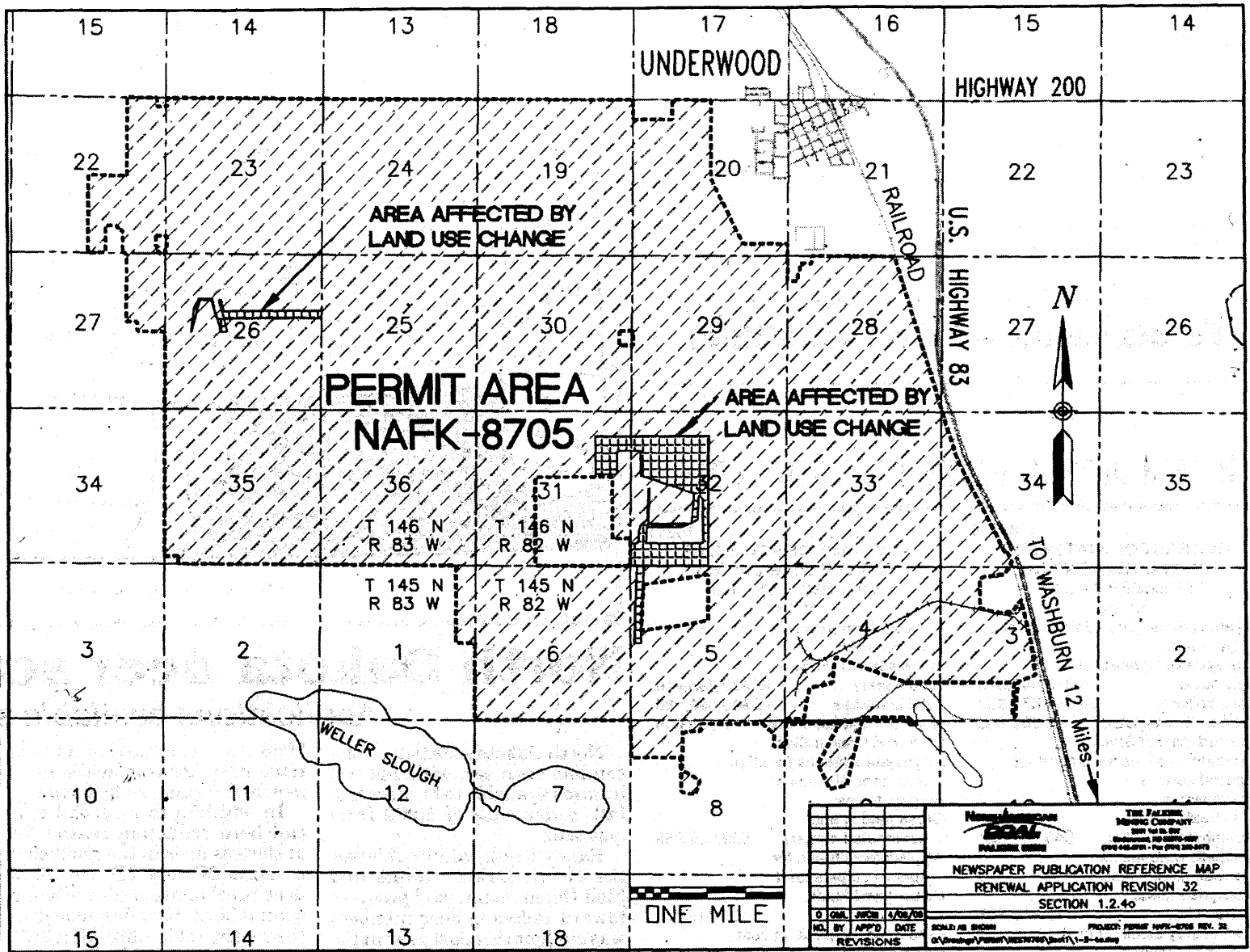
Shelley Chase

Subscribed and sworn to before me this 14th day of May A.D. 2009

(Seal) Darla J. Mautz  
Notary Public, State of North Dakota

My Commission Expires





# NOTICE OF FILING A PERMIT RENEWAL AND REVISION TO CONDUCT SURFACE COAL MINING OPERATIONS

The Falkirk Mining Company, P.O. Box 1087, Underwood, North Dakota 58576-1087, as applicant, has filed an application for Renewal of Surface Coal Mining Permit NAFK-8705 covering Sections 3, 4, 5, 6, 8, and 9; Township 145 North, Range 82 West; Sections 19, 20, 27, 28, 29, 30, 31, 32, 33, and 34; Township 146 North, Range 82 West; Section 1, Township 145 North, Range 83 West; and Sections 22, 23, 24, 25, 26, 27, 35, and 36, Township 146 North, Range 83 West, in McLean County, North Dakota, which contains 10,880.9 acres. Revision 32 to NAFK-8705 updates information for the 4th Renewal allowing The Falkirk Mining Company (Falkirk) to continue to engage in surface coal mining and reclamation operations in the permit during the period from July 6th, 2009 to July 6th, 2014. Updated information in response to the Public Service Commission's Reclamation Division pre-renewal review letter dated January 9, 2009 includes introductory, legal and business entity/compliance information; rights of entry; and post-mining land use, reclamation, surface water, transportation, and operations plans. Falkirk updated the operation and surface water management plans to include designs for a water supply pond and expansion of the existing washbay pond to meet the water related requirements of the washbay associated with the recent shop addition. The transportation plans were updated to reflect the relocation of haulroads in Section 5, T145N, R82W to accommodate the expansion of the existing washbay pond. The transportation plans were also updated to reflect the replacement of County Road 19 to its original location along the section lines between Sections 22, 23, 26 and 27, T146N, R83. The surface water management plans were updated to reflect the current sedimentation pond construction and reclamation schedule. The reclamation plans were updated to reflect the true boundaries of the industrial land use footprints comprising the ash disposal facilities in Section 26, T146N, R83W and Section 32, T162N, R82W. The reclamation plans were also updated to reflect an increase in size of fish and wildlife buffer zones surrounding the ash disposal facilities in Sections 31 and 32, T146N, R82W, due to proposed land use changes from cropland to fish and wildlife habitat (grassland). The environmental resource information (soils resources) was updated to reflect the current approved spoil sampling methodology being used by Falkirk.

The permit area is located southwest of Underwood, North Dakota. The map shows the location of the City of Underwood, North Dakota, and the boundaries of the permit area. The names of the United States Geological Survey Quadrangle Maps (which contain the area described and shown on the map) are "Washburn Northeast" and "Underwood".

The owners of the surface and coal in the permit area are as follows:

TRACT 1  
T146N-R82W-Section 20:  
Surface Ownership:  
Coal Ownership:

NE1/4NW1/4, S1/2NW1/4NW1/4, S1/2NW1/4  
The Falkirk Mining Company  
United States of America

TRACT 2

T146N-R82W-Section 19:  
Surface Ownership:  
Coal Ownership:

NE1/4

The Falkirk Mining Company  
LeRoy T. Parker and Virginia J. Parker,  
as Trustees of the L. T. and V. J. Parker  
Family Trust Dated July 26, 1995

TRACT 3

T146N-R82W-Section 19:  
Surface Ownership:  
Coal Ownership:

Lots 1 and 2, E1/2NW1/4

Duane Mautz  
Marvin Schuh and Frances Schuh  
Doreen D. Speaks  
Shirley Schuh  
Faith Evangelical Church  
Raeann Rich  
Richard Schuh  
Roger Schuh

TRACT 4

T146N-R83W-Section 24:  
Surface Ownership:  
Coal Ownership:

NE1/4

KBW Land Company  
KBW Land Company

TRACT 5

T146N-R83W-Section 24:  
Surface Ownership:  
Coal Ownership:

NW1/4

Duane Mautz  
State of North Dakota  
Donna K. Snyder  
Ralph Neal Snyder  
Dennis Frank Snyder  
Edith Jacks and the  
Cecil A. and Edith L. Jacks Family Revocable Trust  
Velma L. Karns Sargent, Individually and as Executrix of the  
Estate of Worth Karns, deceased  
Nadine S. Smith and Bill C. Smith  
Lowell L. Snyder and Leona Snyder  
Della Mae Nathe  
David A. Snyder and Nancy Snyder  
Marliss D. Jenrich  
Bruce Albers and Jane Albers

TRACT 6

T146N-R83W-Section 23:  
Surface Ownership:  
Coal Ownership:

N1/2

Duane Mautz  
AgriBank, FCB

TRACT 7

T146N-R83W-Section 22:

E1/2NE1/4 less and except a 1.43 acre tract of land described as follows: Beginning at the north-east corner of said Section 22, thence West 250 feet, thence South 250 feet; thence East 250 feet to the east section line of said Section 22; thence North 250 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
Judith Hepper

TRACT 8

T146N-R83W-Section 22: Outlot "B" in the SE1/4, described as follows: Commencing at the southeast corner of said section; thence North 89°03'49" West 235.00 feet, along the south line of said section, to the true point of beginning; thence North 89°03'49" West 1248.09 feet, along the south line of said section; thence North 0°07'13" East 738.86 feet; thence South 89°59'32" West 148.74 feet; thence North 0°12'46" East 140.06 feet; thence North 88°46'53" West 397.76 feet; thence South 0°01'13" West 878.46 feet to the south line of said section; thence North 89°03'49" West 599.57 feet, along the south line of said section; thence North 0°32'04" East 2649.25 feet, along the north-south quarter line of said section to the center of said section; thence South 88°54'35" East 2625.31 feet, along the east-west quarter line of said section to the east 1/4 corner of said section; thence South 0°29'17" West 2139.46 feet, along the east line of said section; thence North 89°22'53" West 235.00 feet, along the north line of Alexander Cemetery; thence South 0°29'17" West 501.44 feet, along the West line of Alexander Cemetery and Alexander Presbyterian Church, to the true point of beginning, containing 146.293 acres, more or less.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
The Falkirk Mining Company

TRACT 9

T146N-R83W-Section 23:  
Surface Ownership:  
Coal Ownership:

N1/2S1/2, N1/2S1/2S1/2

The Falkirk Mining Company  
Wilmer J. Ehrichs  
Rosemary Stamm  
Linda Sue Wietfeld  
Stephen K. Meggers

TRACT 9A

T146N-R83W-Section 23: S½S½S½ LESS AND EXCEPT the following tract: Beginning at the southwest corner of said Section 23 running thence North along the west line of said section 330 feet; thence East and parallel with the south line of said section 264 feet; thence South to a point on the south line of said section which is 264 feet East of the southwest corner of said section; thence West along the south line of said section to the point of beginning, containing 2.00 acres.

Surface Ownership: Great River Energy  
Coal Ownership: Wilmer J. Ehrichs  
Rosemary Stamm  
Linda Sue Wietfeld  
Stephen K. Meggers

TRACT 10

T46N-R83W-Section 23: A two acre tract in the SW1/4SW1/4 of said section, which is described as follows: Beginning at the southwest corner of said Section 23 running thence North along the west line of said section 330 feet; thence East and parallel with the south line of said section 264 feet; thence South to a point on the south line of said section which is 264 feet East of the southwest corner of said section; thence West along the south line of said section to the point of beginning, containing 2.00 acres.

Surface Ownership: Great River Energy  
Coal Ownership: Doyle W. Johannes and Patsy Johannes

TRACT 11

T146N-R83W-Section 24:

Surface Ownership:

SW1/4

Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm

Coal Ownership:

TRACT 12

T146N-R83W-Section 24:

Surface Ownership:

Coal Ownership:

SE1/4

Marlyn L. Seidler and Kristie L. Seidler  
United States of America

TRACT 13

T146N-R82W-Section 19:

Surface Ownership:

Coal Ownership:

Lots 3 and 4, E1/2SW1/4, SE1/4

The Falkirk Mining Company  
Cleome Hennessy, Trustee of the Hennessy Trust dated March 9, 1999  
Harlan P. Feuk and Cleora G. Feuk  
Lynn H. Stewart, Trustee under Agreement Dated June 13, 1977

TRACT 14

T146N-R82W-Section 20:

Surface Ownership:

Coal Ownership:

SW1/4

The Falkirk Mining Company  
Frank J. Bavendick  
W. L. Braun Oil Properties Revocable Trust Dated October 22, 1998

TRACT 15

T146N-R82W-Section 20: SE1/4, less and except the following tract: Beginning at the northeast corner of the SE1/4 of said Section 20; thence South 0°28'31" West along the east section line, a distance of 2226.01 feet; thence North 89°37'29" West, parallel with the south line of Section 20, a distance of 1531.93 feet; thence North 26°05'55" West a distance of 2488.83 feet to the center 1/4 corner of Section 20; thence South 89°35'7" East to the point of beginning.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Roland P. Sigurdson

TRACT 16

T146N-R82W-Section 28: NW1/4, less a 2.475 acre tract and a 2.59 acre tract in the NW¼ owned by the City of Underwood, NE1/4 west of the Soo Line Railroad Right-of-Way

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Robert R. Stadick  
Anona Lundstrom and Bruce Lundstrom

TRACT 17

T146N-R82W-Section 29:

Surface Ownership:

Coal Ownership:

NE1/4

The Falkirk Mining Company  
Duane F. Mautz

TRACT 18

T146N-R82W-Section 29: A 9.41 acre tract in the NE1/4NW1/4 of said section which is described as follows: Beginning at the northeast corner of said NW1/4; thence due West a distance of 497 feet; thence due South a distance of 825 feet; thence due East a distance of 497 feet; thence due North 825 feet to the point of beginning less a 5.625 acre tract described as Tract 18A.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Myron L. Miller and Mary Jane Miller  
Lee M. Benson

Tammi R. Benson  
Nancy D. Miller  
Thomas Mac Miller

TRACT 18A

T146N-R82W-Section 29: A tract in the NW1/4 described as follows: Beginning at the northeast corner of said quarter; go 30 rods West following the quarter line; thence at right angles go 30 rods South; thence at right angles go 30 rods East; thence at right angles and along the East line of the quarter, go 30 rods North to the point of beginning, containing 5.625 acres, more or less.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Myron L. Miller and Mary Jane Miller  
Lee M. Benson  
Tammi R. Benson  
Nancy D. Miller  
Thomas Mac Miller

TRACT 19

T146N-R82W-Section 29: NW1/4, less and except a 9.41 acre tract in the NE1/4NW1/4 described as follows: Beginning at the northeast corner of the said NW1/4; thence due West a distance of 497 feet; thence due South a distance of 825 feet; thence due East a distance of 497 feet; thence due North 825 feet to the point of beginning.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Myron L. Miller and Mary Jane Miller  
Lee M. Benson  
Tammi R. Benson  
Nancy D. Miller  
Thomas Mac Miller

TRACT 20

T146N-R82W-Section 29:

Surface Ownership: S1/2  
Coal Ownership: The Falkirk Mining Company  
Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust dated July 10, 1990  
Duane Mautz  
Kaye Joanne Jessen  
Joyce L. Bruns

TRACT 21

T146N-R82W-Section 30: SE1/4, less and except a 2.00 acre tract described as follows: Beginning at a point 33 feet west of the northeast corner of the SE1/4 of said Section 30; thence westward 295-1/12 feet; thence by right angle southward 295-1/12 feet; thence by right angle eastward 295-1/12 feet; thence by right angle northward 295-1/12 feet to the point of beginning.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust Dated July 10, 1990

TRACT 22

T146N-R82W-Section 30:

Surface Ownership: NE1/4  
Coal Ownership: The Falkirk Mining Company  
Lynn H. Stewart, Trustee under Agreement Dated June 13, 1977  
Harlan P. Feuk and Cleora G. Feuk  
Cleome Hennessy, Trustee of the Hennessy Trust dated March 9, 1999.

TRACT 23

T146N-R82W-Section 30:

Surface Ownership: Lots 1, 2, 3, 4, E1/2W1/2  
Coal Ownership: The Falkirk Mining Company  
AgriBank, FCB  
Wallace A. Swanson  
Melvin W. Swanson  
Arthur W. Swanson  
Wanda J. Mehrer  
Michael W. Swanson  
Debra M. Beilke  
Steven W. Swanson  
Connie Aitken  
Linda L. Allen  
Nicki Grammer  
Larry Swanson  
Jay Swanson  
Cynthia A. Vossler

TRACT 24

T146N-R83W-Section 25:

Surface Ownership: E1/2  
Coal Ownership: The Falkirk Mining Company  
Weston Johannes and Rowena Johannes  
AgriBank, FCB

TRACT 25

T146N-R83W-Section 25:

Surface Ownership: NW1/4  
Coal Ownership: The Falkirk Mining Company  
Weston Johannes and Rowena Johannes  
AgriBank, FCB

TRACT 26  
T146N-R83W-Section 25:  
Surface Ownership:  
Coal Ownership:

SW1/4  
The Falkirk Mining Company  
Arnold J. Schafer and Gretchen Schafer

TRACT 27  
T146N-R83W-Section 26:  
Surface Ownership:  
Coal Ownership:

SE1/4  
The Falkirk Mining Company  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm  
Frank J. Bavendick  
Donna D. Geck  
Vernon L. Pepple

TRACT 28  
T146N-R83W-Section 26:  
Surface Ownership:  
Coal Ownership:

NE1/4  
Great River Energy  
Clyde A. Saylor  
Ruth Saylor  
Karon Hacanson  
Donald D. Saylor

TRACT 29  
T146N-R83W-Section 26:  
Surface Ownership:  
Coal Ownership:

SW1/4  
The Falkirk Mining Company  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm

TRACT 29A  
T146N-R83W-Section 26:  
Surface Ownership:  
Coal Ownership:

NW1/4  
Great River Energy  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm

TRACT 30  
T146N-R83W-Section 27: E1/2NE1/4, less and except a 2.31 acre tract described as follows: Beginning at the southwest corner of the SE1/4NE1/4 of said Section 27; thence North a distance of 300 feet; thence East a distance of 336 feet; thence South a distance of 300 feet to the south quarter line of the NE1/4 of said Section 27; thence West, along the said quarter line, a distance of 336 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
State of North Dakota  
Ernest F. Saylor and Rita Saylor

TRACT 31  
T146N-R83W-Section 35:  
Surface Ownership:  
Coal Ownership:

NW1/4  
The Falkirk Mining Company  
The Lloyd G. Schafer Revocable Trust

TRACT 32  
T146N-R83W-Section 35: SW1/4, less and except a one acre tract of land described as follows: Beginning at a point 33 feet East and 33 feet North of the southwest corner of said SW1/4; thence East 20 rods; thence North 8 rods; thence West 20 rods; thence South 8 rods to point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
The Lloyd G. Schafer Revocable Trust

TRACT 33  
T146N-R83W-Section 35:  
Surface Ownership:  
Coal Ownership:

SE1/4  
The Falkirk Mining Company  
Prudence Landenberger  
John Landenberger  
Judy Smith  
Jay Landenberger

TRACT 34  
T146N-R83W-Section 35:  
Surface Ownership:  
Coal Ownership:

NE1/4  
The Falkirk Mining Company  
Casey Land Agency Corporation

TRACT 35  
T146N-R83W-Section 36:  
Surface Ownership:  
Coal Ownership:

NW1/4  
State of North Dakota  
State of North Dakota

TRACT 36  
T146N-R83W-Section 36:  
Surface Ownership: SW1/4  
Coal Ownership: State of North Dakota  
State of North Dakota

TRACT 37  
T146N-R83W-Section 36:  
Surface Ownership: SE1/4  
Coal Ownership: State of North Dakota  
State of North Dakota

TRACT 38  
T146N-R83W-Section 36:  
Surface Ownership: NE1/4  
Coal Ownership: State of North Dakota  
State of North Dakota

TRACT 39  
T146N-R82W-Section 31: Lots 1, 2, 3, 4, E1/2W1/2, less a tract of 38.15 acres, more or less, lying in the E1/2W1/2, conveyed to the USA.  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Wallace A. Swanson  
Melvin W. Swanson  
Arthur W. Swanson  
Wanda J. Mehrer  
Michael W. Swanson  
Cynthia A. Vossler  
Debra M. Beilke  
Steven W. Swanson  
Connie Aitken  
Linda L. Allen  
Nicki Grammer  
Larry Swanson  
Jay Swanson

TRACT 40  
T146N-R82W-Section 31: E1/2, less Lot 1, Block 1 of the NE1/4 and less Lot 2, Block 2 of the SE1/4, and less tracts lying in the E1/2 conveyed to the USA  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Elsie V. Clark, Individually and as Personal Representative of the Estate of Clements E. Clark  
Clements Roger Clark  
Shirley Seher  
Velma Cleveland  
Flaminia Specht  
Donald Specht  
Martha Specht  
Darralu S. Lindblom  
Warren Potter  
Lois Woodall  
Phyllis Ann Hermanson  
Lorine Potter

TRACT 40A  
T146N-R82W-Section 31:  
Surface Ownership: Lot 1, Block 1 of the NE1/4, Lot 2, Block 2 of the SE1/4  
Coal Ownership: Great River Energy  
Elsie V. Clark, Individually and Personal Representative of the Estate of Clements E. Clark  
Clements Roger Clark  
Shirley Seher  
Velma Cleveland  
Flaminia Specht  
Donald Specht  
Martha Specht  
Darralu S. Lindblom  
Warren Potter  
Lois Woodall  
Phyllis Ann Hermanson  
Lorine Potter

TRACT 42  
T146N-R82W-Section 32: W1/2W1/2, less Lot 1, Block 2 of the SW1/4, and less Lot 2, Block 2 of the NW1/4, and less that portion of Lot 3, Block 2 lying in the W1/2SW1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: The Estate of Edna Dean McGray  
David P. Kjelstrup  
Eleanor L. Kjelstrup

TRACT 42A  
T146N-R82W-Section 32: Lot 1, Block 2 of the SW1/4; Lot 2, Block 2 of the NW1/4; and that portion of Lot 3, Block 2 lying in the W1/2SW1/4  
Surface Ownership: Great River Energy  
Coal Ownership: The Estate of Edna Dean McGray  
David P. Kjelstrup  
Eleanor L. Kjelstrup

TRACT 43  
T146N-R82W-Section 32:  
Surface Ownership: E1/2NW1/4  
Coal Ownership: The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson  
Roberta Coughlin

TRACT 44  
T146N-R82W-Section 32: E1/2SW1/4, less that portion of Lot 3, Block 2 lying within the E1/2SW1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: John C. Samuelson and Helen K. Samuelson  
Mercy Ann Dennis  
John M. Samuelson

TRACT 44A  
T146N-R82W-Section 32: That portion of Lot 3, Block 2 lying within the E1/2SW1/4  
Surface Ownership: Great River Energy  
Coal Ownership: John C. Samuelson and Helen K. Samuelson  
Mercy Ann Dennis  
John M. Samuelson

TRACT 45  
T146N-R82W-Section 32: W1/2SE1/4, less Lot 4, Block 2 of the SE1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Mercy Ann Dennis  
John M. Samuelson  
Lois Samuelson, as Trustee of the Lois Samuelson Revocable Trust  
Harry W. Samuelson, Jr., as Trustee of the Harry W. Samuelson, Jr. Revocable Trust

TRACT 45A  
T146N-R82W-Section 32: Lot 4, Block 2 of the SE1/4  
Surface Ownership: Great River Energy  
Coal Ownership: Mercy Ann Dennis  
John M. Samuelson  
Lois Samuelson, as Trustee of the Lois Samuelson Revocable Trust  
Harry W. Samuelson, Jr., as Trustee of the Harry W. Samuelson, Jr. Revocable Trust

TRACT 46  
T146N-R82W-Section 32: W1/2NE1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Roberta Coughlin  
Lois Samuelson, as Trustee of the Lois Samuelson Revocable Trust  
Harry W. Samuelson, Jr., as Trustee of the Harry W. Samuelson, Jr. Revocable Trust

TRACT 47  
T146N-R82W-Section 32: E1/2E1/2  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust dated July 10, 1990  
Duane Mautz  
Kaye Joanne Jessen  
Joyce L. Bruns

TRACT 48  
T146N-R82W-Section 33: SW1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Kerr-McGee Oil & Gas Onshore LP  
Carla Rae Jordan  
The Falkirk Mining Company

TRACT 49  
T146N-R82W-Section 33: SE1/4  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Elaine Turner-Faulk  
Kerr-McGee Oil & Gas Onshore LP  
The Falkirk Mining Company

TRACT 50  
T146N-R82W-Section 34: SW1/4SW1/4, SE1/4SW1/4, less Soo Line Railroad and U.S. Hwy. 83 Rights-of-Way  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: United States of America

TRACT 50A  
T146N-R82W-Section 34: NW1/4SW1/4, less Soo Line Railroad and U.S. Hwy. 83 Rights-of-Way  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: United States of America

TRACT 51  
T146N-R82W-Section 34: A strip of land 100 feet wide, running west of, adjacent to, and parallel with U.S. Highway No. 83  
T145N-R82W-Section 3: A strip of land 100 feet wide, running west of, adjacent to, and parallel with U.S. Highway No. 83 in the N1/2  
Surface Ownership: Soo Line Railroad  
Coal Ownership: Soo Line Railroad

TRACT 52  
T145N-R82W-Section 3: Lots 1, 2, S1/2NE1/4, less Soo Line Railroad and U. S. Highway 83 Rights-of-Way  
Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Larry Schulz, Trustee of the Larry Schulz Revocable Trust Dated November 20, 1997  
Patricia A. Schulz, Trustee of the Patricia A. Schulz Revocable Trust Dated November 20, 1997  
Martha C. Click, Independent Executrix of the Estate of Mary Elizabeth Bass  
William F. Murray  
Clyde M. Guild and Grace I. Guild  
W. L. Braun Oil Properties Revocable Trust Dated October 22, 1998  
C. James Luther, Trustee of Trust B (non-marital trust) pursuant to the Last Will and Testament of James H. Luther Dated November 1, 1974

TRACT 53

T145N-R82W-Section 3: SE1/4, less the Soo Line Railroad and U.S. Highway 83 rights-of-way and less a tract of land described as follow:

Beginning at the southeast corner of Section 3, thence North 0°26'26" East, 2,640.33 feet; thence South 89°58'42" West 1,436.70 feet; thence South 0°25'51" West 1,630.17 feet; thence South 14°39'45" East 1,028.82 feet; thence South 89°18'01" East 1,168.33 feet to a point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
Andrew Anderson and Karen Anderson  
Frieda Akan  
Kenneth Fjeldahl  
Lila Akan  
Henry S. Anderson and Katherine Anderson  
Marilyn I. Beyer and James G. Beyer  
Elizabeth D. Klabunde  
Robert J. Petz  
Stanley J. Petz  
Larry A. Schulz, Trustee of the Larry A. Schulz Revocable Trust Dated November 20, 1997  
Patricia A. Schulz, Trustee of the Patricia A. Schulz Revocable Trust Dated November 20, 1997  
  
Evelyn P. Valley  
Fern Tosh  
Gordon W. Valley  
Melba M. Valley  
Barrett W. Valley  
Leanne K. Day  
The Denver G. Rosberg Credit Trust c/o Pauline M. Schmaltz, Trustee  
Elaine G. Mann  
Winifred A. Marvin  
Margaret Glanville and Robert Glanville  
Lilas Dangerfield and Arthur Dangerfield  
Winifred H. Marvin and James W. Marvin  
Lloyd E. Anderson Marital Trust A  
Wallace Anderson

TRACT 54

T145N-R82W-Section 3:

Surface Ownership:  
Coal Ownership:

SW1/4  
The Falkirk Mining Company  
The Estate of Rachel Eichhorst

TRACT 55

T145N-R82W-Section 3: Lots 3, 4, S1/2NW1/4, less Soo Line Railroad and U.S. Highway 83 Rights-of-Way

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
Lorraine Mehlhouse

TRACT 56

T145N-R82W-Section 4:

Surface Ownership:  
Coal Ownership:

Lots 1, 2, S1/2NE1/4, SE1/4  
The Falkirk Mining Company  
Paul B. Brown and Marthella Brown

TRACT 57

T145N-R82W-Section 4:

Surface Ownership:  
Coal Ownership:

Lots 3, 4, S1/2NW1/4, SW1/4  
Great River Energy  
The State of North Dakota  
Paul Anthony Peltier  
Gene Thomas Peltier  
Jacob William Reuter  
Thomas Joseph Reuter  
Michael Anthony Reuter  
Tina Marie Evanchuck  
Sheryl Ann Trottier  
Debbie Marie Seyer  
Steve Charles Johnson  
Barbara Ann Morris  
David Scott Johnson  
Eric Kevin Johnson  
Francis Reuter  
Clarence J. Reuter  
Steven John Reuter  
Lowell Thomas Vizenor  
Tara Marie Vizenor  
Patricia Lee Fowler  
Anne Reuter Kerzel  
Robert David Reuter  
Patrick Michael Reuter  
The Nokota Company  
Three Forks Oil Corporation  
Patricia Borden Mossier  
Theresa Borden Sloane  
James M. Borden  
Francis P. Borden, III  
Arkansas Minerals, Inc.  
John C. Bradford  
Candice Robinson and George H. Robinson, Jr.

Pamela Owens and David Owens  
Clayton Douglas Rivenbark, Sr.  
Mary Josephine McKnight Runge  
Robert R. Aillet  
Cynthia Aillet Murry  
Ralph H. Baker, Jr. and Diane B. Rowland, Trustees of the Baker Mineral Trust created June 10, 1982  
Daniel Dean Reuter

TRACT 58  
T145N-R82W-Section 5:  
Surface Ownership:  
Coal Ownership:

Lots 1, 2, S1/2NE1/4  
Eileen Gutknecht  
Eileen Gutknecht

TRACT 59

T145N-R82W-Section 5: A two acre tract located in the SE1/4SE1/4 and being more fully described as follows: Beginning at a point which is 33 feet North and 33 feet West of the southeast corner of said Section 5; thence North 300 feet; thence West 290.4 feet; thence South 300 feet; thence East 290.4 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson

TRACT 60

T145N-R82W-Section 5: SE1/4, less and except a two acre tract described as follows: Beginning at a point which is 33 feet North and 33 feet West of the southeast corner of said Section 5; thence North 300 feet; thence West 290.4 feet; thence South 300 feet; thence East 290.4 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson  
AgriBank, FCB

TRACT 61

T145N-R82W-Section 5:  
Surface Ownership:  
Coal Ownership:

SW1/4, less Outlot D  
The Falkirk Mining Company  
Harry W. Samuelson, Jr. and Lois A. Samuelson  
AgriBank, FCB

TRACT 61A

T145N-R82W-Section 5:  
Surface Ownership:  
Coal Ownership:

Outlot D of the SW1/4  
Great River Energy  
Harry W. Samuelson, Jr. and Lois A. Samuelson  
AgriBank, FCB

TRACT 62

T145N-R82W-Section 5:  
Surface Ownership:  
Coal Ownership:

Lots 3, 4, S1/2NW1/4, less Outlots A, B, and C of the NW1/4  
The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson  
Elmer H. Schafer and Clara Schafer  
Harry W. Samuelson and Lois A. Samuelson

TRACT 62A

T145N-R82W-Section 5:  
Surface Ownership:  
Coal Ownership:

Outlots A, B and C of NW1/4  
Great River Energy  
John C. Samuelson and Helen K. Samuelson  
Elmer H. Schafer and Clara Schafer  
Harry W. Samuelson and Lois A. Samuelson

TRACT 63

T145N-R82W-Section 6:  
Surface Ownership:  
Coal Ownership:

Lots 1, 2, S1/2NE1/4  
The Falkirk Mining Company  
Wilfred M. Baska and Alida B. Baska, Trustees, the Baska Family Trust

TRACT 64

T145N-R82W-Section 6:  
Surface Ownership:  
Coal Ownership:

Lots 6, 7, E1/2SW1/4, SE1/4  
The Falkirk Mining Company  
The Ervin R. Schafer Revocable Trust  
AgriBank, FCB

TRACT 65

T145N-R82W-Section 6:  
Surface Ownership:  
Coal Ownership:

Lot 5, SE1/4NW1/4  
The Falkirk Mining Company  
The Ervin R. Schafer Revocable Trust

TRACT 66

T145N-R82W-Section 6:  
Surface Ownership:  
Coal Ownership:

Lots 3, 4  
The Falkirk Mining Company  
The Lloyd G. Schafer Revocable Trust

TRACT 67

T145N-R83W-Section 1:  
Surface Ownership:  
Coal Ownership:

Lots 1, 2, S1/2NE1/4  
Kenneth H. Pfaff and Wanda L. Pfaff  
Kenneth H. Pfaff and Wanda L. Pfaff  
Loretta E. Saylor

TRACT 68

T145N-R82W-Section 8:  
Surface Ownership:  
Coal Ownership:

N1/2, N1/2S1/2  
Great River Energy  
Great River Energy

TRACT 69  
T145N-R82W-Section 8:  
Surface Ownership:  
Coal Ownership:

W1/2NW1/4, SE1/4NW1/4  
Great River Energy  
Great River Energy  
Patricia Borden Mosier  
Theresa Borden Sloane  
James M. Borden  
Francis P. Borden, III  
Arkansas Minerals, Inc.  
John C. Bradford  
Candice S. Robinson and George H. Robinson, Jr.  
Pamela Owens and David Owens  
Clayton Douglas Rivenbark, Jr.  
Mary Keely Runge, as Trustee of the Mary Josephine Runge Revocable Trust dated February 23, 2005  
Robert R. Aillet  
Cynthia Aillet Murry  
Ralph H. Baker, Jr. and Diane B. Rowland, Trustees of the Baker Mineral Trust Created June 10, 1982

TRACT 70  
T145N-R82W-Section 9:  
Surface Ownership:  
Coal Ownership:

NE1/4NW1/4  
Great River Energy  
Great River Energy  
AgriBank, FCB

TRACT 71  
T145N-R82W-Section 9:  
Surface Ownership:  
Coal Ownership:

NE1/4NE1/4  
Great River Energy  
Great River Energy  
AgriBank, FCB

TRACT 72  
T146N-R82W-Section 28:  
Surface Ownership:  
Coal Ownership:

SW1/4  
The Falkirk Mining Company  
Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust dated July 10, 1990  
Duane Mautz  
Kaye Joanne Jessen  
Joyce L. Bruns

TRACT 73  
T146N-R82W-Section 28:  
Surface Ownership:  
Coal Ownership:

SE1/4, west of Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
State of North Dakota  
Robert Stadick  
Anona and Bruce Lundstrom

TRACT 74  
T146N-R82W-Section 33:  
Surface Ownership:  
Coal Ownership:

E1/2NE1/4  
The Falkirk Mining Company  
Elaine Turner-Faulk  
Verdjie A. Emineth  
State of North Dakota

TRACT 75  
T146N-R82W-Section 33:  
Surface Ownership:  
Coal Ownership:

W1/2NE1/4  
The Falkirk Mining Company  
Elaine Turner-Faulk  
Terry R. Peterson and Norma C. Peterson  
State of North Dakota

TRACT 76  
T146N-R82W-Section 33:  
Surface Ownership:  
Coal Ownership:

NW1/4  
The Falkirk Mining Company  
Carla Rae Jordan  
Estate of Jack Louis Steinte  
John Henry Steinte, III

TRACT 77  
T146N-R82W-Section 34:  
Surface Ownership:  
Coal Ownership:

N1/2NW1/4, west of Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
Bertha Anderson

TRACT 78  
T146N-R82W-Section 34:  
Surface Ownership:  
Coal Ownership:

S1/2NW1/4, west of Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
Bertha Anderson  
Thomas D. Anderson and Diane L. Anderson  
Charles D. Anderson  
Mary J. Anderson  
Martha C. Click, Independent Executrix of the Estate of Mary Elizabeth Bass  
Margaret A. Anderson  
Janelle L. Bruesch  
C. James Luther, Trustee of Trust B (non-marital trust) Pursuant to the Last Will and Testament of James H. Luther, Dated November 1, 1974

Earl Schwartz Company  
Mary C. Wilday  
Jean Taylor Clark, as Independent Executrix of the Estate of Charles Clark  
Judith P. Hoffman Trust U/A/D/ November 22, 1994

TRACT 79  
T146N-R82W-Section 34:  
Surface Ownership:  
Coal Ownership:

NE1/4SW1/4, west of Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
Bertha Anderson  
Thomas D. Anderson and Diane L. Anderson  
Charles D. Anderson  
Mary J. Anderson  
Margaret A. Anderson  
Janelle L. Bruesch  
C. James Luther, Trustee of Trust B (non-marital trust) Pursuant to the Last Will and Testament of James H. Luther Dated November 1, 1974  
Earl Schwartz Company  
Mary C. Wilday  
Jean Taylor Clark, as Independent Executrix of the Estate of Charles Clark  
Judith P. Hoffman Trust U/A/D 11-22-94  
Harris Hutcheson Bass  
Harris Hutcheson Bass and First National Bank of Fort Worth, Trustees U/W/O  
Mary Elizabeth Harris Bass

TRACT 80  
T146N-R82W-Section 27:  
Surface Ownership:  
Coal Ownership:

That part of the SW1/4 lying west of the Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
Three Forks Oil Corporation  
The Nokota Company  
Lucille Neary  
Bertha Anderson  
Janelle L. Bruesch  
Margaret A. Anderson  
Thomas D. Anderson  
Charles D. Anderson  
Mary J. Anderson

A copy of the application for renewal and revision of a surface coal mining permit is available for public inspection at the offices of the North Dakota Public Service Commission, Capitol Building, Bismarck, North Dakota, and at the offices of the County Auditor, McLean County Courthouse, Washburn, North Dakota.

Written comments, objections, or requests for informal conferences on the application may be submitted by any person with an interest which is or may be adversely affected to the North Dakota Public Service Commission, Capitol Building, Bismarck, North Dakota, within 30 days after the last publication of this notice. The written request should state the issues or objections regarding the renewal and revision.

(April 23, 30, May 7, 14, 2009)

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA )  
 )  
 ) SS  
COUNTY OF McLean )

I SHELLEY CHASE, being first duly sworn, on my own oath, say, that I am the bookkeeper of the Leader News, a weekly newspaper of general circulation, published in the city of Washburn, that the advertisement headed:

FALKIRK MINING CO LN-NOTICE OF FILING A PERMIT RENEWAL/LEGAL

-----  
a printed copy of which is here annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the notice was published in the newspaper proper, and not in a supplement,

for 4 consecutive week 05/14/2009 to wit:

|                   |        |            |            |
|-------------------|--------|------------|------------|
| Column Inches 443 | \$5.25 | \$2,325.75 | 04/23/2009 |
| Column Inches 443 | \$5.25 | \$2,325.75 | 04/30/2009 |
| Column Inches 443 | \$5.25 | \$2,325.75 | 05/07/2009 |
| Column Inches 443 | \$5.25 | \$2,325.75 | 05/14/2009 |

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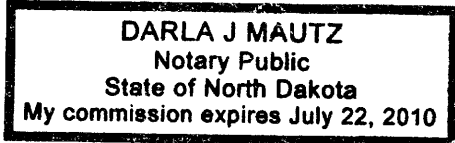
Notary Fee \$1.00 Total Cost of Legal \$9,304.00

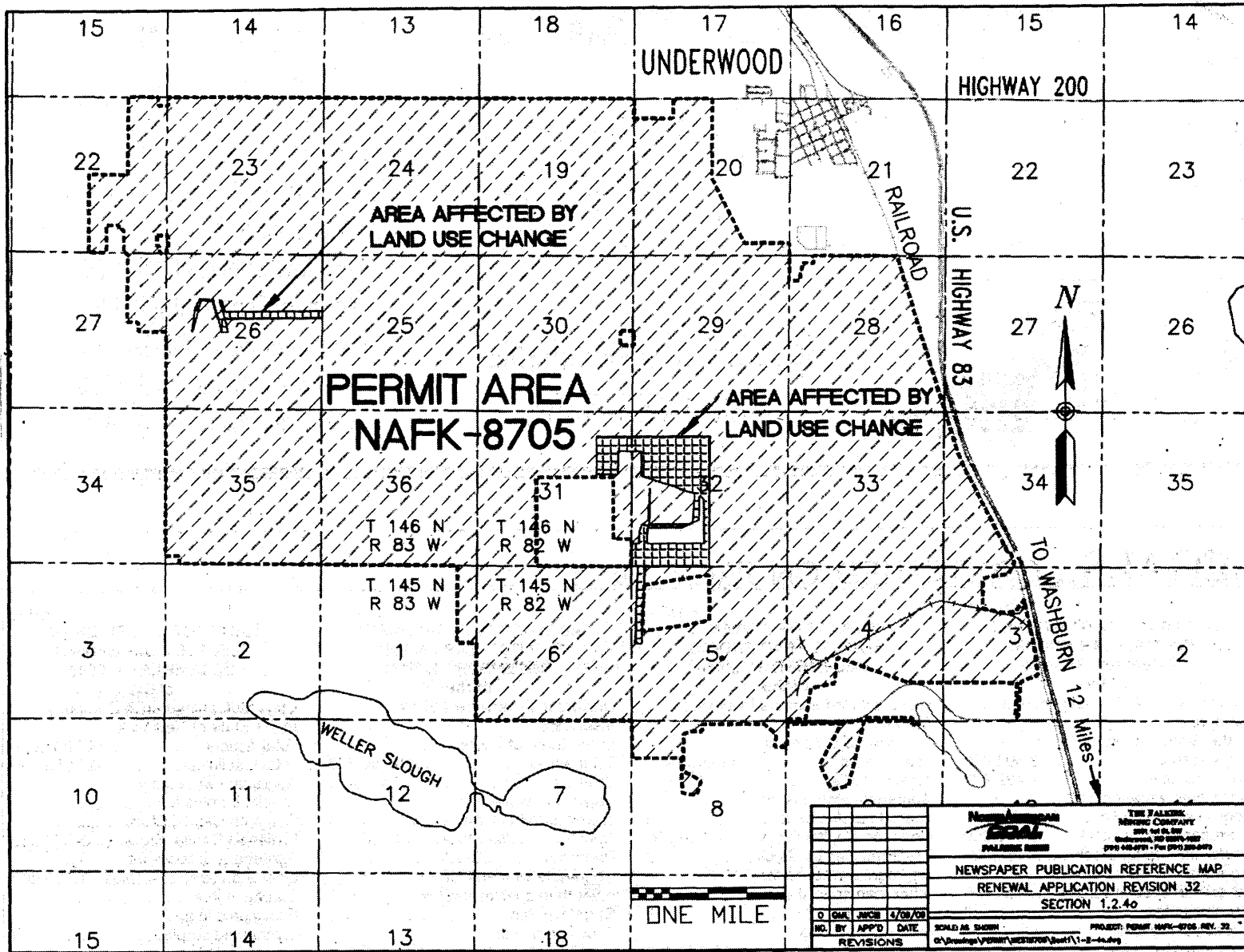
Shelley Chase  
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Subscribed and sworn to before me this 19th day of May A.D. 2009

(Seal) Darla J. Mautz  
-----  
Notary Public, State of North Dakota

My Commission Expires





## Notice of filing a permit renewal and revision to conduct surface coal mining operations

The Falkirk Mining Company, P.O. Box 1087, Underwood, North Dakota 58576-1087, as applicant, has filed an application for Renewal of Surface Coal Mining Permit NAFK-8705 covering Sections 3, 4, 5, 6, 8, and 9, Township 145 North, Range 82 West; Sections 19, 20, 27, 28, 29, 30, 31, 32, 33, and 34, Township 146 North, Range 82 West; Section 1, Township 145 North, Range 83 West; and Sections 22, 23, 24, 25, 26, 27, 35, and 36, Township 146 North, Range 83 West in McLean County, North Dakota, which contains 10,880.9 acres. Revision 32 to NAFK-8705 updates information for the 4th Renewal allowing The Falkirk Mining Company (Falkirk) to continue to engage in surface coal mining and reclamation operations in the permit during the period from July 6th, 2009 to July 6th, 2014. Updated information in response to the Public Service Commission's Reclamation Division pre-renewal review letter dated January 9, 2009 includes introductory, legal and business entity/compliance information; rights of entry; and post-mining land use, reclamation, surface water, transportation, and operations plans. Falkirk updated the operation and surface water management plans to include designs for a water supply pond and expansion of the existing washbay pond to meet the water related requirements of the washbay associated with the recent shop addition. The transportation plans were updated to reflect the relocation of haulroads in Section 5, T145N, R82W to accommodate the expansion of the existing washbay pond. The transportation plans were also updated to reflect the replacement of County Road 19 to its original location along the section lines between Sections 22, 23, 26 and 27, T146N, R83. The surface water management plans were updated to reflect the current sedimentation pond construction and reclamation schedule. The reclamation plans were updated to reflect the true boundaries of the industrial land use footprints comprising the ash disposal facilities in Section 26, T146N, R83W and Section 32, T162N, R82W. The reclamation plans were also updated to reflect an increase in size of fish and wildlife buffer zones surrounding the ash disposal facilities in Sections 31 and 32, T146N, R82W, due to proposed land use changes from cropland to fish and wildlife habitat (grassland). The environmental resource information (soils resources) was updated to reflect the current approved spoil sampling methodology being used by Falkirk.

The permit area is located southwest of Underwood, North Dakota. The map shows the location of the City of Underwood, North Dakota, and the boundaries of the permit area. The names of the United States Geological Survey Quadrangle Maps (which contain the area described and shown on the map) are "Washburn Northeast" and "Underwood".

The owners of the surface and coal in the permit area are as follows:

### TRACT 1

T146N-R82W-Section 20:  
 Surface Ownership:  
 Coal Ownership:

NE1/4NW1/4, S1/2NW1/4NW1/4, S1/2NW1/4  
 The Falkirk Mining Company  
 United States of America

### TRACT 2

T146N-R82W-Section 19:  
 Surface Ownership:  
 Coal Ownership:

NE1/4  
 The Falkirk Mining Company  
 LeRoy T. Parker and Virginia J. Parker,  
 as Trustees of the L. T. and V. J. Parker  
 Family Trust Dated July 26, 1995

**TRACT 3**

T146N-R82W-Section 19:  
Surface Ownership:  
Coal Ownership:

Lots 1 and 2, E1/2NW1/4  
Duane Mautz  
Marvin Schuh and Frances Schuh  
Doreen D. Speaks  
Shirley Schuh  
Faith Evangelical Church  
Raeann Rich  
Richard Schuh  
Roger Schuh

**TRACT 4**

T146N-R83W-Section 24:  
Surface Ownership:  
Coal Ownership:

NE1/4  
KBW Land Company  
KBW Land Company

**TRACT 5**

T146N-R83W-Section 24:  
Surface Ownership:  
Coal Ownership:

NW1/4  
Duane Mautz  
State of North Dakota  
Donna K. Snyder  
Ralph Neal Snyder  
Dennis Frank Snyder  
Edith Jacks and the  
Cecil A. and Edith L. Jacks Family Revocable Trust  
Velma L. Karns Sargent, Individually and as Executrix of the  
Estate of Worth Karns, deceased  
Nadine S. Smith and Bill C. Smith  
Lowell L. Snyder and Leona Snyder  
Della Mae Nathe  
David A. Snyder and Nancy Snyder  
Marliss D. Jenrich  
Bruce Albers and Jane Albers

**TRACT 6**

T146N-R83W-Section 23:  
Surface Ownership:  
Coal Ownership:

N1/2  
Duane Mautz  
AgriBank, FCB

**TRACT 7**

T146N-R83W-Section 22:

E1/2NE1/4 less and except a 1.43 acre tract of land described as follows: Beginning at the north-east corner of said Section 22, thence West 250 feet, thence South 250 feet; thence East 250 feet to the east section line of said Section 22; thence North 250 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
Judith Hepper

**TRACT 8**

T146N-R83W-Section 22: Outlot "B" in the SE1/4, described as follows: Commencing at the southeast corner of said section; thence North 89°03'49" West 235.00 feet, along the south line of said section, to the true point of beginning; thence North 89°03'49" West 1248.09 feet, along the south line of said section; thence North 0°07'13" East 738.86 feet; thence South 89°59'32" West 148.74 feet; thence North 0°12'46" East 140.06 feet; thence North 88°46'53" West 397.76 feet; thence South 0°01'13" West 878.46 feet to the south line of said section; thence North 89°03'49" West 599.57 feet, along the south line of said section; thence North 0°32'04" East 2649.25 feet, along the north-south quarter line of said section to the center of said section; thence South 88°54'35" East 2625.31 feet, along the east-west quarter line of said section to the east 1/4 corner of said section; thence South 0°29'17" West 2139.46 feet, along the east line of said section; thence North 89°22'53" West 235.00 feet, along the north line of Alexander Cemetery; thence South 0°29'17" West 501.44 feet, along the West line of Alexander Cemetery and Alexander Presbyterian Church, to the true point of beginning, containing 146.293 acres, more or less.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
The Falkirk Mining Company

**TRACT 9**

T146N-R83W-Section 23:  
Surface Ownership:  
Coal Ownership:

N1/2S1/2, N1/2S1/2S1/2  
The Falkirk Mining Company  
Wilmer J. Ehrichs  
Rosemary Stamm  
Linda Sue Wietfeld  
Stephen K. Meggers

**TRACT 9A**

T146N-R83W-Section 23: S½S½S½ LESS AND EXCEPT the following tract: Beginning at the southwest corner of said Section 23, running thence North along the west line of said section 330 feet; thence East and parallel with the south line of said section 264 feet; thence South to a point on the south line of said section which is 264 feet East of the southwest corner of said section; thence West along the south line of said section to the point of beginning, containing, 2.00 acres.

Surface Ownership:  
Coal Ownership:

Great River Energy  
Wilmer J. Ehrichs  
Rosemary Stamm  
Linda Sue Wietfeld  
Stephen K. Meggers

TRACT 10

T46N-R83W-Section 23: A two acre tract in the SW1/4SW1/4 of said section, which is described as follows: Beginning at the southwest corner of said Section 23; running thence North along the west line of said section 330 feet; thence East and parallel with the south line of said section 264 feet; thence South to a point on the south line of said section which is 264 feet East of the southwest corner of said section; thence West along the south line of said section to the point of beginning containing 2.00 acres.

Surface Ownership: Great River Energy  
Coal Ownership: Doyle W. Johannes and Patsy Johannes

TRACT 11

T146N-R83W-Section 24:

Surface Ownership: SW1/4  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm  
Coal Ownership: Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm

TRACT 12

T146N-R83W-Section 24:

Surface Ownership: SE1/4  
Marlyn L. Seidler and Kristie L. Seidler  
Coal Ownership: United States of America

TRACT 13

T146N-R82W-Section 19:

Surface Ownership: Lots 3 and 4, E1/2SW1/4, SE1/4  
The Falkirk Mining Company  
Coal Ownership: Cleome Hennessy, Trustee of the Hennessy Trust dated March 9, 1999  
Harlan P. Feuk and Cleora G. Feuk  
Lynn H. Stewart, Trustee under Agreement Dated June 13, 1977

TRACT 14

T146N-R82W-Section 20:

Surface Ownership: SW1/4  
The Falkirk Mining Company  
Coal Ownership: Frank J. Bavendick  
W. L. Braun Oil Properties Revocable Trust Dated October 22, 1998

TRACT 15

T146N-R82W-Section 20: SE1/4, less and except the following tract: Beginning at the northeast corner of the SE1/4 of said Section 20; thence South 0°28'31" West, along the east section line, a distance of 2226.01 feet; thence North 89°37'29" West, parallel with the south line of Section 20, a distance of 1531.93 feet; thence North 26°05'55" West a distance of 2488.83 feet to the center 1/4 corner of Section 20; thence South 89°35'7" East to the point of beginning.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Roland P. Sigurdson

TRACT 16

T146N-R82W-Section 28: NW1/4, less a 2.475 acre tract and a 2.59 acre tract in the NW1/4 owned by the City of Underwood, NE1/4 west of the Soo Line Railroad Right-of-Way

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Robert R. Stadick  
Anona Lundstrom and Bruce Lundstrom

TRACT 17

T146N-R82W-Section 29:

Surface Ownership: NE1/4  
The Falkirk Mining Company  
Coal Ownership: Duane F. Mautz

TRACT 18

T146N-R82W-Section 29: A 9.41 acre tract in the NE1/4NW1/4 of said section which is described as follows: Beginning at the northeast corner of said NW1/4; thence due West a distance of 497 feet; thence due South a distance of 825 feet; thence due East a distance of 497 feet; thence due North 825 feet to the point of beginning, less a 5.625 acre tract described as Tract 18A.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Myron L. Miller and Mary Jane Miller  
Lee M. Benson  
Tammi R. Benson  
Nancy D. Miller  
Thomas Mac Miller

TRACT 18A

T146N-R82W-Section 29: A tract in the NW1/4 described as follows: Beginning at the northeast corner of said quarter; go 30 rods West following the quarter line; thence at right angles go 30 rods South; thence at right angles go 30 rods East; thence at right angles and along the East line of the quarter, go 30 rods North to the point of beginning, containing 5.625 acres, more or less.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Myron L. Miller and Mary Jane Miller  
Lee M. Benson  
Tammi R. Benson  
Nancy D. Miller  
Thomas Mac Miller

TRACT 19

T146N-R82W-Section 29: NW1/4, less and except a 9.41 acre tract in the NE1/4NW1/4 described as follows: Beginning at the northeast corner of the said NW1/4; thence due West a distance of 497 feet; thence due South a distance of 825 feet; thence due East a distance of 497 feet; thence due North 825 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
Myron L. Miller and Mary Jane Miller  
Lee M. Benson  
Tammi R. Benson  
Nancy D. Miller  
Thomas Mac Miller

TRACT 20

T146N-R82W-Section 29:  
Surface Ownership:  
Coal Ownership:

S1/2  
The Falkirk Mining Company  
Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust dated July 10, 1990  
Duane Mautz  
Kaye Joanne Jessen  
Joyce L. Bruns

TRACT 21

T146N-R82W-Section 30: SE1/4, less and except a 2.00 acre tract described as follows: Beginning at a point 33 feet west of the northeast corner of the SE1/4 of said Section 30; thence westward 295-1/12 feet; thence by right angle southward 295-1/12 feet; thence by right angle eastward 295-1/12 feet; thence by right angle northward 295-1/12 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust Dated July 10, 1990

TRACT 22

T146N-R82W-Section 30:  
Surface Ownership:  
Coal Ownership:

NE1/4  
The Falkirk Mining Company  
Lynn H. Stewart, Trustee under Agreement Dated June 13, 1977  
Harlan P. Feuk and Cleora G. Feuk  
Cleome Hennessy, Trustee of the Hennessy Trust dated March 9, 1999

TRACT 23

T146N-R82W-Section 30:  
Surface Ownership:  
Coal Ownership:

Lots 1, 2, 3, 4, E1/2W1/2  
The Falkirk Mining Company  
AgriBank, FCB  
Wallace A. Swanson  
Melvin W. Swanson  
Arthur W. Swanson  
Wanda J. Mehrer  
Michael W. Swanson  
Debra M. Beilke  
Steven W. Swanson  
Connie Aitken  
Linda L. Allen  
Nicki Grammer  
Larry Swanson  
Jay Swanson  
Cynthia A. Vossler

TRACT 24

T146N-R83W-Section 25:  
Surface Ownership:  
Coal Ownership:

E1/2  
The Falkirk Mining Company  
Weston Johannes and Rowena Johannes  
AgriBank, FCB

TRACT 25

T146N-R83W-Section 25:  
Surface Ownership:  
Coal Ownership:

NW1/4  
The Falkirk Mining Company  
Weston Johannes and Rowena Johannes  
AgriBank, FCB

TRACT 26

T146N-R83W-Section 25:  
Surface Ownership:  
Coal Ownership:

SW1/4  
The Falkirk Mining Company  
Arnold J. Schafer and Gretchen Schafer

TRACT 27

T146N-R83W-Section 26:  
Surface Ownership:  
Coal Ownership:

SE1/4  
The Falkirk Mining Company  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm  
Frank J. Bavendick  
Donna D. Geck  
Vernon L. Pepple

TRACT 28  
T146N-R83W-Section 26:  
Surface Ownership:  
Coal Ownership:

NE1/4  
Great River Energy  
Clyde A. Saylor  
Ruth Saylor  
Karon Hacanson  
Donald D. Saylor

TRACT 29  
T146N-R83W-Section 26:  
Surface Ownership:  
Coal Ownership:

SW1/4  
The Falkirk Mining Company  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm

TRACT 29A  
T146N-R83W-Section 26:  
Surface Ownership:  
Coal Ownership:

NW1/4  
Great River Energy  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm

TRACT 30  
T146N-R83W-Section 27: E1/2NE1/4, less and except a 2.31 acre tract described as follows: Beginning at the southwest corner of the SE1/4NE1/4 of said Section 27; thence North a distance of 300 feet; thence East a distance of 336 feet; thence South a distance of 300 feet to the south quarter line of the NE1/4 of said Section 27; thence West, along the said quarter line, a distance of 336 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
State of North Dakota  
Ernest F. Saylor and Rita Saylor

TRACT 31  
T146N-R83W-Section 35:  
Surface Ownership:  
Coal Ownership:

NW1/4  
The Falkirk Mining Company  
The Lloyd G. Schafer Revocable Trust

TRACT 32  
T146N-R83W-Section 35: SW1/4, less and except a one acre tract of land described as follows: Beginning at a point 33 feet East and 33 feet North of the southwest corner of said SW1/4; thence East 20 rods; thence North 8 rods; thence West 20 rods; thence South 8 rods to point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
The Lloyd G. Schafer Revocable Trust

TRACT 33  
T146N-R83W-Section 35:  
Surface Ownership:  
Coal Ownership:

SE1/4  
The Falkirk Mining Company  
Prudence Landenberger  
John Landenberger  
Judy Smith  
Jay Landenberger

TRACT 34  
T146N-R83W-Section 35:  
Surface Ownership:  
Coal Ownership:

NE1/4  
The Falkirk Mining Company  
Casey Land Agency Corporation

TRACT 35  
T146N-R83W-Section 36:  
Surface Ownership:  
Coal Ownership:

NW1/4  
State of North Dakota  
State of North Dakota

TRACT 36  
T146N-R83W-Section 36:  
Surface Ownership:  
Coal Ownership:

SW1/4  
State of North Dakota  
State of North Dakota

TRACT 37  
T146N-R83W-Section 36:  
Surface Ownership:  
Coal Ownership:

SE1/4  
State of North Dakota  
State of North Dakota

TRACT 38  
T146N-R83W-Section 36:  
Surface Ownership:  
Coal Ownership:

NE1/4  
State of North Dakota  
State of North Dakota

TRACT 39

T146N-R82W-Section 31: Lots 1, 2, 3, 4, E1/2W1/2, less a tract of 38.15 acres, more or less, lying in the E1/2W1/2, conveyed to the USA.

Surface Ownership:

Coal Ownership:

The Falkirk Mining Company  
Wallace A. Swanson  
Melvin W. Swanson  
Arthur W. Swanson  
Wanda J. Mehrer  
Michael W. Swanson  
Cynthia A. Vossler  
Debra M. Beilke  
Steven W. Swanson  
Connie Aitken  
Linda L. Allen  
Nicki Grammer  
Larry Swanson  
Jay Swanson

TRACT 40

T146N-R82W-Section 31: E1/2, less Lot 1, Block 1 of the NE1/4 and less Lot 2, Block 2 of the SE1/4, and less tracts lying in the E1/2 conveyed to the USA

Surface Ownership:

Coal Ownership:

The Falkirk Mining Company  
Elsie V. Clark, Individually and as Personal Representative of the Estate of Clements E. Clark  
Clements Roger Clark  
Shirley Seher  
Velma Cleveland  
Flaminia Specht  
Donald Specht  
Martha Specht  
Darralu S. Lindblom  
Warren Potter  
Lois Woodall  
Phyllis Ann Hermanson  
Lorine Potter

TRACT 40A

T146N-R82W-Section 31:

Surface Ownership:

Coal Ownership:

Lot 1, Block 1 of the NE1/4, Lot 2, Block 2 of the SE1/4  
Great River Energy  
Elsie V. Clark, Individually and Personal Representative of the Estate of Clements E. Clark  
Clements Roger Clark  
Shirley Seher  
Velma Cleveland  
Flaminia Specht  
Donald Specht  
Martha Specht  
Darralu S. Lindblom  
Warren Potter  
Lois Woodall  
Phyllis Ann Hermanson  
Lorine Potter

TRACT 42

T146N-R82W-Section 32: W1/2W1/2, less Lot 1, Block 2 of the SW1/4, and less Lot 2, Block 2 of the NW1/4, and less that portion of Lot 3, Block 2 lying in the W1/2SW1/4

Surface Ownership:

Coal Ownership:

The Falkirk Mining Company  
The Estate of Edna Dean McGray  
David P. Kjelstrup  
Eleanor L. Kjelstrup

TRACT 42A

T146N-R82W-Section 32: Lot 1, Block 2 of the SW1/4; Lot 2, Block 2 of the NW1/4; and that portion of Lot 3, Block 2 lying in the W1/2SW1/4.

Surface Ownership:

Coal Ownership:

Great River Energy  
The Estate of Edna Dean McGray  
David P. Kjelstrup  
Eleanor L. Kjelstrup

TRACT 43

T146N-R82W-Section 32:

Surface Ownership:

Coal Ownership:

E1/2NW1/4  
The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson  
Roberta Coughlin

TRACT 44

T146N-R82W-Section 32: E1/2SW1/4, less that portion of Lot 3, Block 2 lying within the E1/2SW1/4

Surface Ownership:

Coal Ownership:

The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson  
Mercy Ann Dennis  
John M. Samuelson

TRACT 44A

T146N-R82W-Section 32:

Surface Ownership:

Coal Ownership:

That portion of Lot 3, Block 2 lying within the E1/2SW1/4  
Great River Energy  
John C. Samuelson and Helen K. Samuelson  
Mercy Ann Dennis  
John M. Samuelson

TRACT 45

T146N-R82W-Section 32:

Surface Ownership:

Coal Ownership:

W1/2SE1/4, less Lot 4, Block 2 of the SE1/4

The Falkirk Mining Company

Mercy Ann Dennis

John M. Samuelson

Lois Samuelson, as Trustee of the Lois Samuelson Revocable Trust

Harry W. Samuelson, Jr., as Trustee of the Harry W. Samuelson, Jr. Revocable Trust

TRACT 45A

T146N-R82W-Section 32:

Surface Ownership:

Coal Ownership:

Lot 4, Block 2 of the SE1/4

Great River Energy

Mercy Ann Dennis

John M. Samuelson

Lois Samuelson, as Trustee of the Lois Samuelson Revocable Trust

Harry W. Samuelson, Jr., as Trustee of the Harry W. Samuelson, Jr. Revocable Trust

TRACT 46

T146N-R82W-Section 32:

Surface Ownership:

Coal Ownership:

W1/2NE1/4

The Falkirk Mining Company

Roberta Coughlin

Lois Samuelson, as Trustee of the Lois Samuelson Revocable Trust

Harry W. Samuelson, Jr., as Trustee of the Harry W. Samuelson, Jr. Revocable Trust

TRACT 47

T146N-R82W-Section 32:

Surface Ownership:

Coal Ownership:

E1/2E1/2

The Falkirk Mining Company

Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust dated July 10, 1990

Duane Mautz

Kaye Joanne Jessen

Joyce L. Bruns

TRACT 48

T146N-R82W-Section 33:

Surface Ownership:

Coal Ownership:

SW1/4

The Falkirk Mining Company

Kerr-McGee Oil & Gas Onshore LP

Carla Rae Jordan

The Falkirk Mining Company

TRACT 49

T146N-R82W-Section 33:

Surface Ownership:

Coal Ownership:

SE1/4

The Falkirk Mining Company

Elaine Turner-Faulk

Kerr-McGee Oil & Gas Onshore LP

The Falkirk Mining Company

TRACT 50

T146N-R82W-Section 34: SW1/4SW1/4, SE1/4SW1/4, less Soo Line Railroad and U.S. Hwy. 83 Rights-of-Way

Surface Ownership:

Coal Ownership:

The Falkirk Mining Company

United States of America

TRACT 50A

T146N-R82W-Section 34: NW1/4SW1/4, less Soo Line Railroad and U.S. Hwy. 83 Rights-of-Way

Surface Ownership:

Coal Ownership:

The Falkirk Mining Company

United States of America

TRACT 51

T146N-R82W-Section 34: A strip of land 100 feet wide, running west of, adjacent to, and parallel with U.S. Highway No. 83

T145N-R82W-Section 3: A strip of land 100 feet wide, running west of, adjacent to, and parallel with U.S. Highway No. 83 in the N1/2

Surface Ownership:

Coal Ownership:

Soo Line Railroad

Soo Line Railroad

TRACT 52

T145N-R82W-Section 3: Lots 1, 2, S1/2NE1/4, less Soo Line Railroad and U. S. Highway 83 Rights-of-Way

Surface Ownership:

Coal Ownership:

The Falkirk Mining Company

Larry Schulz, Trustee of the Larry Schulz Revocable Trust Dated November 20, 1997

Patricia A. Schulz, Trustee of the Patricia A. Schulz Revocable Trust Dated November 20, 1997

Martha C. Click, Independent Executrix of the Estate of Mary Elizabeth Bass

William F. Murray

Clyde M. Guild and Grace I. Guild

W. L. Braun Oil Properties Revocable Trust Dated October 22, 1998

C. James Luther, Trustee of Trust B (non-marital trust) pursuant to the Last Will and Testament of

James H. Luther Dated November 1, 1974

TRACT 53

T145N-R82W-Section 3: SE1/4, less the Soo Line Railroad and U.S. Highway 83 rights-of-way and less a tract of land described as follow:

Beginning at the southeast corner of Section 3, thence North 0°26'26" East, 2,640.33 feet; thence South 89°58'42" West 1,436.70 feet; thence South 0°25'51" West 1,630.17 feet; thence South 14°39'45" East 1,028.82 feet; thence South 89°18'01" East 1,168.33 feet to a point of beginning.

Surface Ownership:

Coal Ownership:

The Falkirk Mining Company

Andrew Anderson and Karen Anderson

Frieda Akan

Kenneth Fjeldahl

Lila Akan

Henry S. Anderson and Katherine Anderson  
Marilyn I. Beyer and James G. Beyer  
Elizabeth D. Klabunde  
Robert J. Petz  
Stanley J. Petz  
Larry A. Schulz, Trustee of the Larry A. Schulz Revocable Trust Dated November 20, 1997  
Patricia A. Schulz, Trustee of the Patricia A. Schulz Revocable Trust Dated November 20, 1997  
Evelyn P. Valley  
Fern Tosh  
Gordon W. Valley  
Melba M. Valley  
Barrett W. Valley  
Leanne K. Day  
The Denver G. Rosberg Credit Trust c/o Pauline M. Schmaltz, Trustee  
Elaine G. Mann  
Winifred A. Marvin  
Margaret Glanville and Robert Glanville  
Lilas Dangerfield and Arthur Dangerfield  
Winifred H. Marvin and James W. Marvin  
Lloyd E. Anderson Marital Trust A  
Wallace Anderson

TRACT 54

T145N-R82W-Section 3:

Surface Ownership:

Coal Ownership:

SW1/4

The Falkirk Mining Company

The Estate of Rachel Eichhorst

TRACT 55

T145N-R82W-Section 3: Lots 3, 4, S1/2NW1/4, less Soo Line Railroad and U.S. Highway 83 Rights-of-Way

Surface Ownership:

Coal Ownership:

The Falkirk Mining Company

Lorraine Mehlhouse

TRACT 56

T145N-R82W-Section 4:

Surface Ownership:

Coal Ownership:

Lots 1, 2, S1/2NE1/4, SE1/4

The Falkirk Mining Company

Paul B. Brown and Marthella Brown

TRACT 57

T145N-R82W-Section 4:

Surface Ownership:

Coal Ownership:

Lots 3, 4, S1/2NW1/4, SW1/4

Great River Energy

The State of North Dakota

Paul Anthony Peltier

Gene Thomas Peltier

Jacob William Reuter

Thomas Joseph Reuter

Michael Anthony Reuter

Tina Marie Evanchuck

Sheryl Ann Trottier

Debbie Marie Seyer

Steve Charles Johnson

Barbara Ann Morris

David Scott Johnson

Eric Kevin Johnson

Francis Reuter

Clarence J. Reuter

Steven John Reuter

Lowell Thomas Vizenor

Tara Marie Vizenor

Patricia Lee Fowler

Anne Reuter Kerzel

Robert David Reuter

Patrick Michael Reuter

The Nokota Company

Three Forks Oil Corporation

Patricia Borden Mossier

Theresa Borden Sloane

James M. Borden

Francis P. Borden, III

Arkansas Minerals, Inc.

John C. Bradford

Candice Robinson and George H. Robinson, Jr.

Pamela Owens and David Owens

Clayton Douglas Rivenbark, Sr.

Mary Josephine McKnight Runge

Robert R. Aillet

Cynthia Aillet Murry

Ralph H. Baker, Jr. and Diane B. Rowland, Trustees of the Baker Mineral Trust created June 10, 1982

Daniel Dean Reuter

TRACT 58

T145N-R82W-Section 5:

Surface Ownership:

Coal Ownership:

Lots 1, 2, S1/2NE1/4

Eileen Gutknecht

Eileen Gutknecht

TRACT 59

T145N-R82W-Section 5: A two acre tract located in the SE1/4SE1/4 and being more fully described as follows: Beginning at a point which is 33 feet North and 33 feet West of the southeast corner of said Section 5; thence North 300 feet; thence West 290.4 feet; thence South 300 feet; thence East 290.4 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson

TRACT 60

T145N-R82W-Section 5: SE1/4, less and except a two acre tract described as follows: Beginning at a point which is 33 feet North and 33 feet West of the southeast corner of said Section 5; thence North 300 feet; thence West 290.4 feet; thence South 300 feet; thence East 290.4 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson  
AgriBank, FCB

TRACT 61

T145N-R82W-Section 5:

Surface Ownership:  
Coal Ownership:

SW1/4, less Outlot D  
The Falkirk Mining Company  
Harry W. Samuelson, Jr. and Lois A. Samuelson  
AgriBank, FCB

TRACT 61A

T145N-R82W-Section 5:

Surface Ownership:  
Coal Ownership:

Outlot D of the SW1/4  
Great River Energy  
Harry W. Samuelson, Jr. and Lois A. Samuelson  
AgriBank, FCB

TRACT 62

T145N-R82W-Section 5:

Surface Ownership:  
Coal Ownership:

Lots 3, 4, S1/2NW1/4, less Outlots A, B, and C of the NW1/4  
The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson  
Elmer H. Schafer and Clara Schafer  
Harry W. Samuelson and Lois A. Samuelson

TRACT 62A

T145N-R82W-Section 5:

Surface Ownership:  
Coal Ownership:

Outlots A, B and C of NW1/4  
Great River Energy  
John C. Samuelson and Helen K. Samuelson  
Elmer H. Schafer and Clara Schafer  
Harry W. Samuelson and Lois A. Samuelson

TRACT 63

T145N-R82W-Section 6:

Surface Ownership:  
Coal Ownership:

Lots 1, 2, S1/2NE1/4  
The Falkirk Mining Company  
Wilfred M. Baska and Alida B. Baska, Trustees, the Baska Family Trust

TRACT 64

T145N-R82W-Section 6:

Surface Ownership:  
Coal Ownership:

Lots 6, 7, E1/2SW1/4, SE1/4  
The Falkirk Mining Company  
The Ervin R. Schafer Revocable Trust  
AgriBank, FCB

TRACT 65

T145N-R82W-Section 6:

Surface Ownership:  
Coal Ownership:

Lot 5, SE1/4NW1/4  
The Falkirk Mining Company  
The Ervin R. Schafer Revocable Trust

TRACT 66

T145N-R82W-Section 6:

Surface Ownership:  
Coal Ownership:

Lots 3, 4  
The Falkirk Mining Company  
The Lloyd G. Schafer Revocable Trust

TRACT 67

T145N-R83W-Section 1:

Surface Ownership:  
Coal Ownership:

Lots 1, 2, S1/2NE1/4  
Kenneth H. Pfaff and Wanda L. Pfaff  
Kenneth H. Pfaff and Wanda L. Pfaff  
Loretta E. Saylor

TRACT 68

T145N-R82W-Section 8:

Surface Ownership:  
Coal Ownership:

N1/2, N1/2S1/2  
Great River Energy  
Great River Energy

TRACT 69

T145N-R82W-Section 8:

Surface Ownership:  
Coal Ownership:

W1/2NW1/4, SE1/4NW1/4  
Great River Energy  
Great River Energy  
Patricia Borden Mosier  
Theresa Borden Sloane  
James M. Borden  
Francis P. Borden, III

Arkansas Minerals, Inc.  
John C. Bradford  
Candice S. Robinson and George H. Robinson, Jr.  
Pamela Owens and David Owens  
Clayton Douglas Rivenbark, Jr.  
Mary Keely Runge, as Trustee of the Mary Josephine Runge Revocable Trust dated February 23, 2005  
Robert R. Aillet  
Cynthia Aillet Murry  
Ralph H. Baker, Jr. and Diane B. Rowland, Trustees of the Baker Mineral Trust Created June 10, 1982

TRACT 70  
T145N-R82W-Section 9:  
Surface Ownership:  
Coal Ownership:

NE1/4NW1/4  
Great River Energy  
Great River Energy  
AgriBank, FCB

TRACT 71  
T145N-R82W-Section 9:  
Surface Ownership:  
Coal Ownership:

NE1/4NE1/4  
Great River Energy  
Great River Energy  
AgriBank, FCB

TRACT 72  
T146N-R82W-Section 28:  
Surface Ownership:  
Coal Ownership:

SW1/4  
The Falkirk Mining Company  
Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust dated July 10, 1990  
Duane Mautz  
Kaye Joanne Jessen  
Joyce L. Bruns

TRACT 73  
T146N-R82W-Section 28:  
Surface Ownership:  
Coal Ownership:

SE1/4, west of Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
State of North Dakota  
Robert Stadick  
Anona and Bruce Lundstrom

TRACT 74  
T146N-R82W-Section 33:  
Surface Ownership:  
Coal Ownership:

E1/2NE1/4  
The Falkirk Mining Company  
Elaine Turner-Faulk  
Verdije A. Emineth  
State of North Dakota

TRACT 75  
T146N-R82W-Section 33:  
Surface Ownership:  
Coal Ownership:

W1/2NE1/4  
The Falkirk Mining Company  
Elaine Turner-Faulk  
Terry R. Peterson and Norma C. Peterson  
State of North Dakota

TRACT 76  
T146N-R82W-Section 33:  
Surface Ownership:  
Coal Ownership:

NW1/4  
The Falkirk Mining Company  
Carla Rae Jordan  
Estate of Jack Louis Steinle  
John Henry Steinle, III

TRACT 77  
T146N-R82W-Section 34:  
Surface Ownership:  
Coal Ownership:

N1/2NW1/4, west of Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
Bertha Anderson

TRACT 78  
T146N-R82W-Section 34:  
Surface Ownership:  
Coal Ownership:

S1/2NW1/4, west of Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
Bertha Anderson  
Thomas D. Anderson and Diane L. Anderson  
Charles D. Anderson  
Mary-J. Anderson  
Martha C. Click, Independent Executrix of the Estate of Mary Elizabeth Bass  
Margaret A. Anderson  
Janelle L. Bruesch  
C. James Luther, Trustee of Trust B (non-marital trust) Pursuant to the Last Will and Testament of  
James H. Luther, Dated November 1, 1974  
Earl Schwartz Company  
Mary C. Wilday  
Jean Taylor Clark, as Independent Executrix of the Estate of Charles Clark  
Judith P. Hoffman Trust U/A/D/ November 22, 1994

**TRACT 79**

**T146N-R82W-Section 34:**

**Surface Ownership:**

**Coal Ownership:**

**NE1/4SW1/4, west of Soo Line Railroad Right-of-Way**

**The Falkirk Mining Company**

**Bertha Anderson**

**Thomas D. Anderson and Diane L. Anderson**

**Charles D. Anderson**

**Mary J. Anderson**

**Margaret A. Anderson**

**Janelle L. Bruesch**

**C. James Luther, Trustee of Trust B (non-marital trust) Pursuant to the Last Will and Testament of James H. Luther Dated November 1, 1974**

**Earl Schwartz Company**

**Mary C. Wilday**

**Jean Taylor Clark, as Independent Executrix of the Estate of Charles Clark**

**Judith P. Hoffman Trust U/A/D 11-22-94**

**Harris Hutcheson Bass**

**Harris Hutcheson Bass and First National Bank of Fort Worth, Trustees U/W/O**

**Mary Elizabeth Harris Bass**

**TRACT 80**

**T146N-R82W-Section 27:**

**Surface Ownership:**

**Coal Ownership:**

**That part of the SW1/4 lying west of the Soo Line Railroad Right-of-Way**

**The Falkirk Mining Company**

**Three Forks Oil Corporation**

**The Nokota Company**

**Lucille Neary**

**Bertha Anderson**

**Janelle L. Bruesch**

**Margaret A. Anderson**

**Thomas D. Anderson**

**Charles D. Anderson**

**Mary J. Anderson**

A copy of the application for renewal and revision of a surface coal mining permit is available for public inspection at the offices of the North Dakota Public Service Commission, Capitol Building, Bismarck, North Dakota, and at the offices of the County Auditor, McLean County Courthouse, Washburn, North Dakota.

Written comments, objections, or requests for informal conferences on the application may be submitted by any person with an interest which is or may be adversely affected to the North Dakota Public Service Commission, Capitol Building, Bismarck, North Dakota, within 30 days after the last publication of this notice. The written request should state the issues or objections regarding the renewal and revision.

Falkirk Mining Company

LN April 23, 30, May 7, 14, 2009

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA )  
 )  
 ) SS  
COUNTY OF McLean )

I SHELLEY CHASE, being first duly sworn, on my own oath, say, that I am the bookkeeper of the Underwood News, a weekly newspaper of general circulation, published in the city of Underwood, that the advertisement headed:

FALKIRK MINING CO UN-NOTICE OF FILING A PERMIT RENEWAL/LEGAL

-----  
a printed copy of which is here annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the notice was published in the newspaper proper, and not in a supplement,

for 4 consecutive week 05/14/2009 to wit:

|                           |        |            |            |
|---------------------------|--------|------------|------------|
| Column Inches 443         | \$5.25 | \$2,325.75 | 04/23/2009 |
| Straight Matter Lines 443 | \$0.62 | \$2,325.75 | 04/30/2009 |
| Column Inches 443         | \$5.25 | \$2,325.75 | 05/07/2009 |
| Column Inches 443         | \$5.25 | \$2,325.75 | 05/14/2009 |

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Notary Fee \$1.00 Total Cost of Legal \$9,304.00

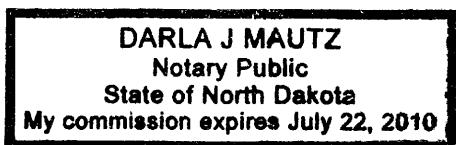
*Shelley Chase*  
-----

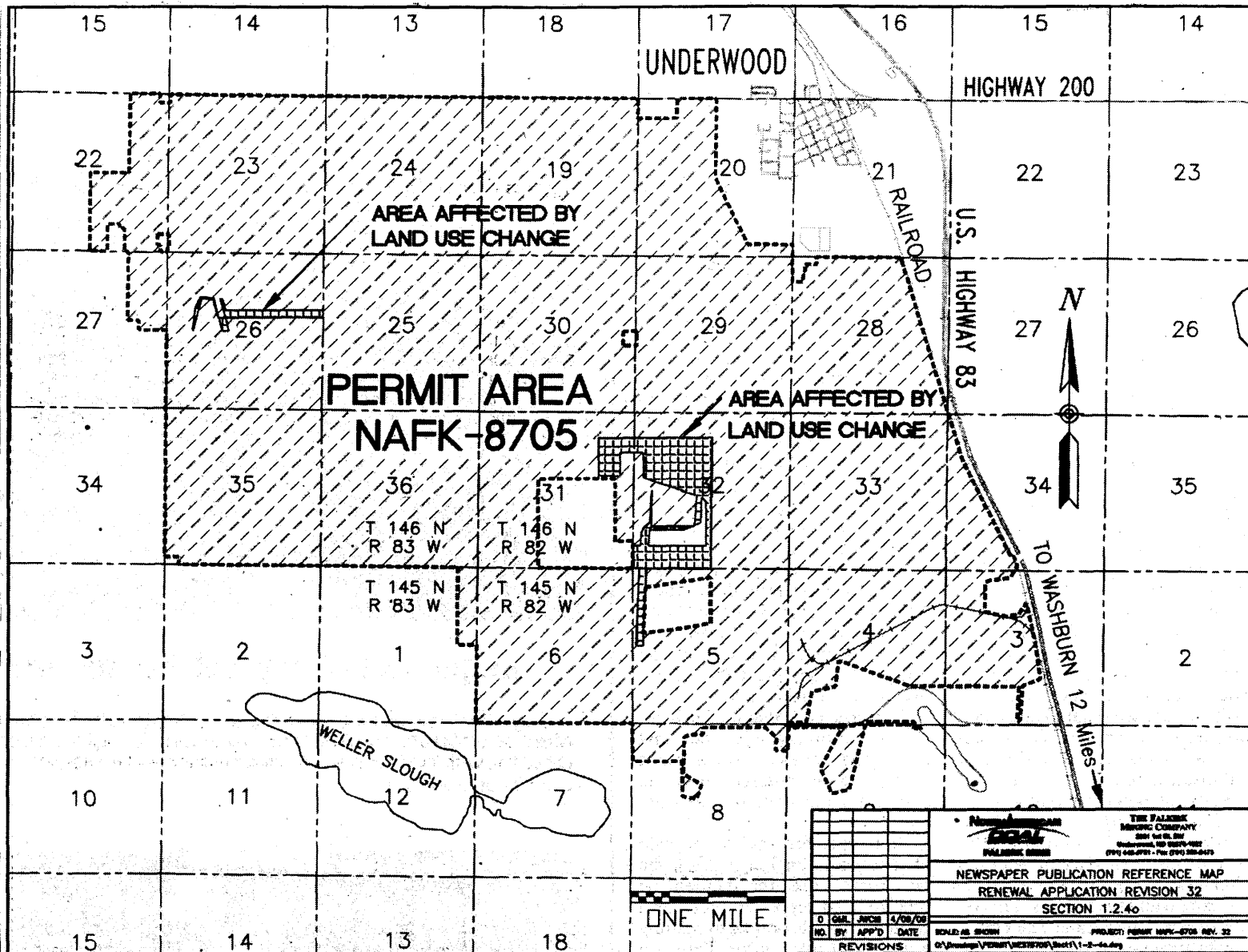
Subscribed and sworn to before me this 19<sup>th</sup> day of May A.D. 2009

(Seal) Darla J Mautz  
-----

Notary Public, State of North Dakota

My Commission Expires





## Notice of filing a permit renewal and revision to conduct surface coal mining operations

The Falkirk Mining Company, P.O. Box 1087, Underwood, North Dakota 58576-1087, as applicant, has filed an application for Renewal of Surface Coal Mining Permit NAFK-8705 covering Sections 3, 4, 5, 6, 8, and 9, Township 145 North, Range 82 West; Sections 19, 20, 27, 28, 29, 30, 31, 32, 33, and 34, Township 146 North, Range 82 West; Section 1, Township 145 North, Range 83 West; and Sections 22, 23, 24, 25, 26, 27, 35, and 36, Township 146 North, Range 83 West in McLean County, North Dakota, which contains 10,880.9 acres. Revision 32 to NAFK-8705 updates information for the 4th Renewal allowing The Falkirk Mining Company (Falkirk) to continue to engage in surface coal mining and reclamation operations in the permit during the period from July 6th, 2009 to July 6th, 2014. Updated information in response to the Public Service Commission's Reclamation Division pre-renewal review letter dated January 9, 2009 includes introductory, legal and business entity/compliance information; rights of entry; and post-mining land use, reclamation, surface water, transportation, and operations plans. Falkirk updated the operation and surface water management plans to include designs for a water supply pond and expansion of the existing washbay pond to meet the water related requirements of the washbay associated with the recent shop addition. The transportation plans were updated to reflect the relocation of haulroads in Section 5, T145N, R82W to accommodate the expansion of the existing washbay pond. The transportation plans were also updated to reflect the replacement of County Road 19 to its original location along the section lines between Sections 22, 23, 26 and 27, T146N, R83. The surface water management plans were updated to reflect the current sedimentation pond construction and reclamation schedule. The reclamation plans were updated to reflect the true boundaries of the industrial land use footprints comprising the ash disposal facilities in Section 26, T146N, R83W and Section 32, T162N, R82W. The reclamation plans were also updated to reflect an increase in size of fish and wildlife buffer zones surrounding the ash disposal facilities in Sections 31 and 32, T146N, R82W, due to proposed land use changes from cropland to fish and wildlife habitat (grassland). The environmental resource information (soils resources) was updated to reflect the current approved spoil sampling methodology being used by Falkirk.

The permit area is located southwest of Underwood, North Dakota. The map shows the location of the City of Underwood, North Dakota, and the boundaries of the permit area. The names of the United States Geological Survey Quadrangle Maps (which contain the area described and shown on the map) are "Washburn Northeast" and "Underwood".

The owners of the surface and coal in the permit area are as follows:

**TRACT 1**  
T146N-R82W-Section 20:  
Surface Ownership:  
Coal Ownership:

NE1/4NW1/4, S1/2NW1/4NW1/4, S1/2NW1/4  
The Falkirk Mining Company  
United States of America

**TRACT 2**  
T146N-R82W-Section 19:  
Surface Ownership:  
Coal Ownership:

NE1/4  
The Falkirk Mining Company  
LeRoy T. Parker and Virginia J. Parker,  
as Trustees of the L. T. and V. J. Parker  
Family Trust Dated July 26, 1995

TRACT 3  
T146N-R82W-Section 19:  
Surface Ownership:  
Coal Ownership:

Lots 1 and 2, E1/2NW1/4  
Duane Mautz  
Marvin Schuh and Frances Schuh  
Doreen D. Speaks  
Shirley Schuh  
Faith Evangelical Church  
Raeann Rich  
Richard Schuh  
Roger Schuh

TRACT 4  
T146N-R83W-Section 24:  
Surface Ownership:  
Coal Ownership:

NE1/4  
KBW Land Company  
KBW Land Company

TRACT 5  
T146N-R83W-Section 24:  
Surface Ownership:  
Coal Ownership:

NW1/4  
Duane Mautz  
State of North Dakota  
Donna K. Snyder  
Ralph Neal Snyder  
Dennis Frank Snyder  
Edith Jacks and the  
Cecil A. and Edith L. Jacks Family Revocable Trust  
Velma L. Karns Sargent, Individually and as Executrix of the  
Estate of Worth Karns, deceased  
Nadine S. Smith and Bill C. Smith  
Lowell L. Snyder and Leona Snyder  
Della Mae Nathe  
David A. Snyder and Nancy Snyder  
Marliss D. Jenrich  
Bruce Albers and Jane Albers

TRACT 6  
T146N-R83W-Section 23:  
Surface Ownership:  
Coal Ownership:

N1/2  
Duane Mautz  
AgriBank, FCB

TRACT 7  
T146N-R83W-Section 22:

E1/2NE1/4 less and except a 1.43 acre tract of land described as follows: Beginning at the north-east corner of said Section 22, thence West 250 feet, thence South 250 feet; thence East 250 feet to the east section line of said Section 22; thence North 250 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
Judith Hepper

TRACT 8  
T146N-R83W-Section 22: Outlot "B" in the SE1/4, described as follows: Commencing at the southeast corner of said section; thence North 89°03'49" West 235.00 feet, along the south line of said section, to the true point of beginning; thence North 89°03'49" West 1248.09 feet, along the south line of said section; thence North 0°07'13" East 738.86 feet; thence South 89°59'32" West 148.74 feet; thence North 0°12'46" East 140.06 feet; thence North 88°46'53" West 397.76 feet; thence South 0°01'13" West 878.46 feet to the south line of said section; thence North 89°03'49" West 599.57 feet, along the south line of said section; thence North 0°32'04" East 2649.25 feet, along the north-south quarter line of said section to the center of said section; thence South 88°54'35" East 2625.31 feet, along the east-west quarter line of said section to the east 1/4 corner of said section; thence South 0°29'17" West 2139.46 feet, along the east line of said section; thence North 89°22'53" West 235.00 feet, along the north line of Alexander Cemetery; thence South 0°29'17" West 501.44 feet, along the West line of Alexander Cemetery and Alexander Presbyterian Church, to the true point of beginning, containing 146.293 acres, more or less.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
The Falkirk Mining Company

TRACT 9  
T146N-R83W-Section 23:  
Surface Ownership:  
Coal Ownership:

N1/2S1/2, N1/2S1/2S1/2  
The Falkirk Mining Company  
Wilmer J. Ehrichs  
Rosemary Stamm  
Linda Sue Wietfeld  
Stephen K. Meggers

TRACT 9A  
T146N-R83W-Section 23: S½S½S½ LESS AND EXCEPT the following tract: Beginning at the southwest corner of said Section 23, running thence North along the west line of said section 330 feet; thence East and parallel with the south line of said section 264 feet; thence South to a point on the south line of said section which is 264 feet East of the southwest corner of said section; thence West along the south line of said section to the point of beginning, containing, 2.00 acres.

Surface Ownership:  
Coal Ownership:

Great River Energy  
Wilmer J. Ehrichs  
Rosemary Stamm  
Linda Sue Wietfeld  
Stephen K. Meggers

TRACT 10

T46N-R83W-Section 23: A two acre tract in the SW1/4SW1/4 of said section, which is described as follows: Beginning at the southwest corner of said Section 23; running thence North along the west line of said section 330 feet; thence East and parallel with the south line of said section 264 feet; thence South to a point on the south line of said section which is 264 feet East of the southwest corner of said section; thence West along the south line of said section to the point of beginning, containing 2.00 acres.

Surface Ownership: Great River Energy  
Coal Ownership: Doyle W. Johannes and Patsy Johannes

TRACT 11

T146N-R83W-Section 24:  
Surface Ownership:

SW1/4  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm

Coal Ownership:

TRACT 12

T146N-R83W-Section 24:  
Surface Ownership:

SE1/4  
Marlyn L. Seidler and Kristie L. Seidler  
United States of America

Coal Ownership:

TRACT 13

T146N-R82W-Section 19:  
Surface Ownership:

Lots 3 and 4, E1/2SW1/4, SE1/4  
The Falkirk Mining Company  
Cleome Hennessy, Trustee of the Hennessy Trust dated March 9, 1999

Coal Ownership:

TRACT 14

T146N-R82W-Section 20:  
Surface Ownership:

SW1/4  
The Falkirk Mining Company  
Frank J. Baverdick  
W. L. Braun Oil Properties Revocable Trust Dated October 22, 1998

Coal Ownership:

TRACT 15

T146N-R82W-Section 20: SE1/4, less and except the following tract: Beginning at the northeast corner of the SE1/4 of said Section 20; thence South 0°28'31" West, along the east section line, a distance of 2226.01 feet; thence North 89°37'29" West, parallel with the south line of Section 20, a distance of 1531.93 feet; thence North 26°05'55" West a distance of 2488.83 feet to the center 1/4 corner of Section 20; thence South 89°35'7" East to the point of beginning.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Roland P. Sigurdson

TRACT 16

T146N-R82W-Section 28: NW1/4, less a 2.475 acre tract and a 2.59 acre tract in the NW1/4 owned by the City of Underwood, NE1/4 west of the Soo Line Railroad Right-of-Way

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Robert R. Stadick  
Anona Lundstrom and Bruce Lundstrom

TRACT 17

T146N-R82W-Section 29:  
Surface Ownership:

NE1/4  
The Falkirk Mining Company  
Duane F. Mautz

Coal Ownership:

TRACT 18

T146N-R82W-Section 29: A 9.41 acre tract in the NE1/4NW1/4 of said section which is described as follows: Beginning at the northeast corner of said NW1/4; thence due West a distance of 497 feet; thence due South a distance of 825 feet; thence due East a distance of 497 feet; thence due North 825 feet to the point of beginning, less a 5.625 acre tract described as Tract 18A.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Myron L. Miller and Mary Jane Miller  
Lee M. Benson  
Tammi R. Benson  
Nancy D. Miller  
Thomas Mac Miller

TRACT 18A

T146N-R82W-Section 29: A tract in the NW1/4 described as follows: Beginning at the northeast corner of said quarter; go 30 rods West following the quarter line; thence at right angles go 30 rods South; thence at right angles go 30 rods East; thence at right angles and along the East line of the quarter, go 30 rods North to the point of beginning, containing 5.625 acres, more or less.

Surface Ownership: The Falkirk Mining Company  
Coal Ownership: Myron L. Miller and Mary Jane Miller  
Lee M. Benson  
Tammi R. Benson  
Nancy D. Miller  
Thomas Mac Miller

TRACT 19

T146N-R82W-Section 29: NW1/4, less and except a 9.41 acre tract in the NE1/4NW1/4 described as follows: Beginning at the northeast corner of the said NW1/4; thence due West a distance of 497 feet; thence due South a distance of 825 feet; thence due East a distance of 497 feet; thence due North 825 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
Myron L. Miller and Mary Jane Miller  
Lee M. Benson  
Tammi R. Benson  
Nancy D. Miller  
Thomas Mac Miller

TRACT 20

T146N-R82W-Section 29:  
Surface Ownership:  
Coal Ownership:

S1/2  
The Falkirk Mining Company  
Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust dated July 10, 1990  
Duane Mautz  
Kaye Joanne Jessen  
Joyce L. Bruns

TRACT 21

T146N-R82W-Section 30: SE1/4, less and except a 2.00 acre tract described as follows: Beginning at a point 33 feet west of the northeast corner of the SE1/4 of said Section 30; thence westward 295-1/12 feet; thence by right angle southward 295-1/12 feet; thence by right angle eastward 295-1/12 feet; thence by right angle northward 295-1/12 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust Dated July 10, 1990

TRACT 22

T146N-R82W-Section 30:  
Surface Ownership:  
Coal Ownership:

NE1/4  
The Falkirk Mining Company  
Lynn H. Stewart, Trustee under Agreement Dated June 13, 1977  
Harlan P. Feuk and Cleora G. Feuk  
Cleome Hennessy, Trustee of the Hennessy Trust dated March 9, 1999

TRACT 23

T146N-R82W-Section 30:  
Surface Ownership:  
Coal Ownership:

Lots 1, 2, 3, 4, E1/2W1/2  
The Falkirk Mining Company  
AgriBank, FCB  
Wallace A. Swanson  
Melvin W. Swanson  
Arthur W. Swanson  
Wanda J. Mehrer  
Michael W. Swanson  
Debra M. Beilke  
Steven W. Swanson  
Connie Aitken  
Linda L. Allen  
Nicki Grammer  
Larry Swanson  
Jay Swanson  
Cynthia A. Vossler

TRACT 24

T146N-R83W-Section 25:  
Surface Ownership:  
Coal Ownership:

E1/2  
The Falkirk Mining Company  
Weston Johannes and Rowena Johannes  
AgriBank, FCB

TRACT 25

T146N-R83W-Section 25:  
Surface Ownership:  
Coal Ownership:

NW1/4  
The Falkirk Mining Company  
Weston Johannes and Rowena Johannes  
AgriBank, FCB

TRACT 26

T146N-R83W-Section 25:  
Surface Ownership:  
Coal Ownership:

SW1/4  
The Falkirk Mining Company  
Arnold J. Schafer and Gretchen Schafer

TRACT 27

T146N-R83W-Section 26:  
Surface Ownership:  
Coal Ownership:

SE1/4  
The Falkirk Mining Company  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm  
Frank J. Bavendick  
Donna D. Geck  
Vernon L. Pepple

TRACT 28  
T146N-R83W-Section 26:  
Surface Ownership:  
Coal Ownership:

NE1/4  
Great River Energy  
Clyde A. Saylor  
Ruth Saylor  
Karon Hacanson  
Donald D. Saylor

TRACT 29  
T146N-R83W-Section 26:  
Surface Ownership:  
Coal Ownership:

SW1/4  
The Falkirk Mining Company  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm

TRACT 29A  
T146N-R83W-Section 26:  
Surface Ownership:  
Coal Ownership:

NW1/4  
Great River Energy  
Daniel J. Leidholm  
Timothy J. Leidholm  
Vicki L. Leidholm  
Dale G. Leidholm  
Mikel R. Leidholm

TRACT 30  
T146N-R83W-Section 27: E1/2NE1/4, less and except a 2.31 acre tract described as follows: Beginning at the southwest corner of the SE1/4NE1/4 of said Section 27; thence North a distance of 300 feet; thence East a distance of 336 feet; thence South a distance of 300 feet to the south quarter line of the NE1/4 of said Section 27; thence West, along the said quarter line, a distance of 336 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
State of North Dakota  
Ernest F. Saylor and Rita Saylor

TRACT 31  
T146N-R83W-Section 35:  
Surface Ownership:  
Coal Ownership:

NW1/4  
The Falkirk Mining Company  
The Lloyd G. Schafer Revocable Trust

TRACT 32  
T146N-R83W-Section 35: SW1/4, less and except a one acre tract of land described as follows: Beginning at a point 33 feet East and 33 feet North of the southwest corner of said SW1/4; thence East 20 rods; thence North 8 rods; thence West 20 rods; thence South 8 rods to point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
The Lloyd G. Schafer Revocable Trust

TRACT 33  
T146N-R83W-Section 35:  
Surface Ownership:  
Coal Ownership:

SE1/4  
The Falkirk Mining Company  
Prudence Landenberger  
John Landenberger  
Judy Smith  
Jay Landenberger

TRACT 34  
T146N-R83W-Section 35:  
Surface Ownership:  
Coal Ownership:

NE1/4  
The Falkirk Mining Company  
Casey Land Agency Corporation

TRACT 35  
T146N-R83W-Section 36:  
Surface Ownership:  
Coal Ownership:

NW1/4  
State of North Dakota  
State of North Dakota

TRACT 36  
T146N-R83W-Section 36:  
Surface Ownership:  
Coal Ownership:

SW1/4  
State of North Dakota  
State of North Dakota

TRACT 37  
T146N-R83W-Section 36:  
Surface Ownership:  
Coal Ownership:

SE1/4  
State of North Dakota  
State of North Dakota

TRACT 38  
T146N-R83W-Section 36:  
Surface Ownership:  
Coal Ownership:

NE1/4  
State of North Dakota  
State of North Dakota

TRACT 39

T146N-R82W-Section 31: Lots 1, 2, 3, 4, E1/2W1/2, less a tract of 38.15 acres, more or less, lying in the E1/2W1/2, conveyed to the USA.

Surface Ownership:

The Falkirk Mining Company

Coal Ownership:

Wallace A. Swanson

Melvin W. Swanson

Arthur W. Swanson

Wanda J. Mehrer

Michael W. Swanson

Cynthia A. Vossler

Debra M. Beilke

Steven W. Swanson

Connie Aitken

Linda L. Allen

Nicki Grammer

Larry Swanson

Jay Swanson

TRACT 40

T146N-R82W-Section 31: E1/2, less Lot 1, Block 1 of the NE1/4 and less Lot 2, Block 2 of the SE1/4, and less tracts lying in the E1/2 conveyed to the USA

Surface Ownership:

The Falkirk Mining Company

Coal Ownership:

Elsie V. Clark, Individually and as Personal Representative of the Estate of Clements E. Clark

Clements Roger Clark

Shirley Seher

Velma Cleveland

Flaminia Specht

Donald Specht

Martha Specht

Darralu S. Lindblom

Warren Potter

Lois Woodall

Phyllis Ann Hermanson

Lorine Potter

TRACT 40A

T146N-R82W-Section 31:

Lot 1, Block 1 of the NE1/4, Lot 2, Block 2 of the SE1/4

Surface Ownership:

Great River Energy

Coal Ownership:

Elsie V. Clark, Individually and Personal Representative of the Estate of Clements E. Clark

Clements Roger Clark

Shirley Seher

Velma Cleveland

Flaminia Specht

Donald Specht

Martha Specht

Darralu S. Lindblom

Warren Potter

Lois Woodall

Phyllis Ann Hermanson

Lorine Potter

TRACT 42

T146N-R82W-Section 32: W1/2W1/2, less Lot 1, Block 2 of the SW1/4, and less Lot 2, Block 2 of the NW1/4, and less that portion of Lot 3, Block 2 lying in the W1/2SW1/4

Surface Ownership:

The Falkirk Mining Company

Coal Ownership:

The Estate of Edna Dean McGray

David P. Kjelstrup

Eleanor L. Kjelstrup

TRACT 42A

T146N-R82W-Section 32: Lot 1, Block 2 of the SW1/4; Lot 2, Block 2 of the NW1/4; and that portion of Lot 3, Block 2 lying in the W1/2SW1/4

Surface Ownership:

Great River Energy

Coal Ownership:

The Estate of Edna Dean McGray

David P. Kjelstrup

Eleanor L. Kjelstrup

TRACT 43

T146N-R82W-Section 32:

E1/2NW1/4

Surface Ownership:

The Falkirk Mining Company

Coal Ownership:

John C. Samuelson and Helen K. Samuelson

Roberta Coughlin

TRACT 44

T146N-R82W-Section 32: E1/2SW1/4, less that portion of Lot 3, Block 2 lying within the E1/2SW1/4

Surface Ownership:

The Falkirk Mining Company

Coal Ownership:

John C. Samuelson and Helen K. Samuelson

Mercy Ann Dennis

John M. Samuelson

TRACT 44A

T146N-R82W-Section 32:

That portion of Lot 3, Block 2 lying within the E1/2SW1/4

Surface Ownership:

Great River Energy

Coal Ownership:

John C. Samuelson and Helen K. Samuelson

Mercy Ann Dennis

John M. Samuelson

TRACT 45

T146N-R82W-Section 32:  
Surface Ownership:  
Coal Ownership:

W1/2SE1/4, less Lot 4, Block 2 of the SE1/4  
The Falkirk Mining Company  
Mercy Ann Dennis  
John M. Samuelson  
Lois Samuelson, as Trustee of the Lois Samuelson Revocable Trust  
Harry W. Samuelson, Jr., as Trustee of the Harry W. Samuelson, Jr. Revocable Trust

TRACT 45A

T146N-R82W-Section 32:  
Surface Ownership:  
Coal Ownership:

Lot 4, Block 2 of the SE1/4  
Great River Energy  
Mercy Ann Dennis  
John M. Samuelson  
Lois Samuelson, as Trustee of the Lois Samuelson Revocable Trust  
Harry W. Samuelson, Jr., as Trustee of the Harry W. Samuelson, Jr. Revocable Trust

TRACT 46

T146N-R82W-Section 32:  
Surface Ownership:  
Coal Ownership:

W1/2NE1/4  
The Falkirk Mining Company  
Roberta Coughlin  
Lois Samuelson, as Trustee of the Lois Samuelson Revocable Trust  
Harry W. Samuelson, Jr., as Trustee of the Harry W. Samuelson, Jr. Revocable Trust

TRACT 47

T146N-R82W-Section 32:  
Surface Ownership:  
Coal Ownership:

E1/2E1/2  
The Falkirk Mining Company  
Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust dated July 10, 1990  
Duane Mautz  
Kaye Joanne Jessen  
Joyce L. Bruns

TRACT 48

T146N-R82W-Section 33:  
Surface Ownership:  
Coal Ownership:

SW1/4  
The Falkirk Mining Company  
Kerr-McGee Oil & Gas Onshore LP  
Carla Rae Jordan  
The Falkirk Mining Company

TRACT 49

T146N-R82W-Section 33:  
Surface Ownership:  
Coal Ownership:

SE1/4  
The Falkirk Mining Company  
Elaine Turner-Faulk  
Kerr-McGee Oil & Gas Onshore LP  
The Falkirk Mining Company

TRACT 50

T146N-R82W-Section 34: SW1/4SW1/4, SE1/4SW1/4, less Soo Line Railroad and U.S. Hwy. 83 Rights-of-Way  
Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
United States of America

TRACT 50A

T146N-R82W-Section 34: NW1/4SW1/4, less Soo Line Railroad and U.S. Hwy. 83 Rights-of-Way  
Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
United States of America

TRACT 51

T146N-R82W-Section 34: A strip of land 100 feet wide, running west of, adjacent to, and parallel with U.S. Highway No. 83  
T145N-R82W-Section 3: A strip of land 100 feet wide, running west of, adjacent to, and parallel with U.S. Highway No. 83 in the N1/2  
Surface Ownership:  
Coal Ownership:

Soo Line Railroad  
Soo Line Railroad

TRACT 52

T145N-R82W-Section 3: Lots 1, 2, S1/2NE1/4, less Soo Line Railroad and U. S. Highway 83 Rights-of-Way  
Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
Larry Schulz, Trustee of the Larry Schulz Revocable Trust Dated November 20, 1997  
Patricia A. Schulz, Trustee of the Patricia A. Schulz Revocable Trust Dated November 20, 1997  
Martha C. Click, Independent Executrix of the Estate of Mary Elizabeth Bass  
William F. Murray  
Clyde M. Guild and Grace I. Guild  
W. L. Braun Oil Properties Revocable Trust Dated October 22, 1998  
C. James Luther, Trustee of Trust B (non-marital trust) pursuant to the Last Will and Testament of James H. Luther Dated November 1, 1974

TRACT 53

T145N-R82W-Section 3: SE1/4, less the Soo Line Railroad and U.S. Highway 83 rights-of-way and less a tract of land described as follows: Beginning at the southeast corner of Section 3, thence North 0°26'26" East, 2,640.33 feet; thence South 89°58'42" West 1,436.70 feet; thence South 0°25'51" West 1,630.17 feet; thence South 14°39'45" East 1,028.82 feet; thence South 89°18'01" East 1,168.33 feet to a point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
Andrew Anderson and Karen Anderson  
Frieda Akan  
Kenneth Fjeldahl  
Lila Akan  
Henry S. Anderson and Katherine Anderson  
Marilyn I. Beyer and James G. Beyer  
Elizabeth D. Klabunde  
Robert J. Petz  
Stanley J. Petz  
Larry A. Schulz, Trustee of the Larry A. Schulz Revocable Trust Dated November 20, 1997  
Patricia A. Schulz, Trustee of the Patricia A. Schulz Revocable Trust Dated November 20, 1997  
Evelyn P. Valley  
Fern Tosh  
Gordon W. Valley  
Melba M. Valley  
Barrett W. Valley  
Leanne K. Day  
The Denver G. Rosberg Credit Trust c/o Pauline M. Schmaltz, Trustee  
Elaine G. Mann  
Winifred A. Marvin  
Margaret Glanville and Robert Glanville  
Lilas Dangerfield and Arthur Dangerfield  
Winifred H. Marvin and James W. Marvin  
Lloyd E. Anderson Marital Trust A  
Wallace Anderson

TRACT 54

T145N-R82W-Section 3:

Surface Ownership:  
Coal Ownership:

SW1/4  
The Falkirk Mining Company  
The Estate of Rachel Eichhorst

TRACT 55

T145N-R82W-Section 3: Lots 3, 4, S1/2NW1/4, less Soo Line Railroad and U.S. Highway 83 Rights-of-Way

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
Lorraine Mehlhouse

TRACT 56

T145N-R82W-Section 4:

Surface Ownership:  
Coal Ownership:

Lots 1, 2, S1/2NE1/4, SE1/4  
The Falkirk Mining Company  
Paul B. Brown and Marthella Brown

TRACT 57

T145N-R82W-Section 4:

Surface Ownership:  
Coal Ownership:

Lots 3, 4, S1/2NW1/4, SW1/4  
Great River Energy  
The State of North Dakota  
Paul Anthony Peltier  
Gene Thomas Peltier  
Jacob William Reuter  
Thomas Joseph Reuter  
Michael Anthony Reuter  
Tina Marie Evanchuck  
Sheryl Ann Trotter  
Debbie Marie Seyer  
Steve Charles Johnson  
Barbara Ann Morris  
David Scott Johnson  
Eric Kevin Johnson  
Francis Reuter  
Clarence J. Reuter  
Steven John Reuter  
Lowell Thomas Vizenor  
Tara Marie Vizenor  
Patricia Lee Fowler  
Anne Reuter Kerzel  
Robert David Reuter  
Patrick Michael Reuter  
The Nokota Company  
Three Forks Oil Corporation  
Patricia Borden Mossier  
Theresa Borden Sloane  
James M. Borden  
Francis P. Borden, III  
Arkansas Minerals, Inc.  
John C. Bradford  
Candice Robinson and George H. Robinson, Jr.  
Pamela Owens and David Owens

Clayton Douglas Rivenbark, Sr.  
Mary Josephine McKnight Runge  
Robert R. Aillet  
Cynthia Aillet Murry  
Ralph H. Baker, Jr. and Diane B. Rowland, Trustees of the Baker Mineral Trust created June 10, 1982  
Daniel Dean Reuter

TRACT 58  
T145N-R82W-Section 5:  
Surface Ownership:  
Coal Ownership:

Lots 1, 2, S1/2NE1/4  
Eileen Gutknecht  
Eileen Gutknecht

TRACT 59

T145N-R82W-Section 5: A two acre tract located in the SE1/4SE1/4 and being more fully described as follows: Beginning at a point which is 33 feet North and 33 feet West of the southeast corner of said Section 5; thence North 300 feet; thence West 290.4 feet; thence South 300 feet; thence East 290.4 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson

TRACT 60

T145N-R82W-Section 5: SE1/4, less and except a two acre tract described as follows: Beginning at a point which is 33 feet North and 33 feet West of the southeast corner of said Section 5; thence North 300 feet; thence West 290.4 feet; thence South 300 feet; thence East 290.4 feet to the point of beginning.

Surface Ownership:  
Coal Ownership:

The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson  
AgriBank, FCB

TRACT 61

T145N-R82W-Section 5:  
Surface Ownership:  
Coal Ownership:

SW1/4, less Outlot D  
The Falkirk Mining Company  
Harry W. Samuelson, Jr. and Lois A. Samuelson  
AgriBank, FCB

TRACT 61A

T145N-R82W-Section 5:  
Surface Ownership:  
Coal Ownership:

Outlot D of the SW1/4  
Great River Energy  
Harry W. Samuelson, Jr. and Lois A. Samuelson  
AgriBank, FCB

TRACT 62

T145N-R82W-Section 5:  
Surface Ownership:  
Coal Ownership:

Lots 3, 4, S1/2NW1/4, less Outlots A, B, and C of the NW1/4  
The Falkirk Mining Company  
John C. Samuelson and Helen K. Samuelson  
Elmer H. Schafer and Clara Schafer  
Harry W. Samuelson and Lois A. Samuelson

TRACT 62A

T145N-R82W-Section 5:  
Surface Ownership:  
Coal Ownership:

Outlots A, B and C of NW1/4  
Great River Energy  
John C. Samuelson and Helen K. Samuelson  
Elmer H. Schafer and Clara Schafer  
Harry W. Samuelson and Lois A. Samuelson

TRACT 63

T145N-R82W-Section 6:  
Surface Ownership:  
Coal Ownership:

Lots 1, 2, S1/2NE1/4  
The Falkirk Mining Company  
Wilfred M. Baska and Alida B. Baska, Trustees, the Baska Family Trust

TRACT 64

T145N-R82W-Section 6:  
Surface Ownership:  
Coal Ownership:

Lots 6, 7, E1/2SW1/4, SE1/4  
The Falkirk Mining Company  
The Ervin R. Schafer Revocable Trust  
AgriBank, FCB

TRACT 65

T145N-R82W-Section 6:  
Surface Ownership:  
Coal Ownership:

Lot 5, SE1/4NW1/4  
The Falkirk Mining Company  
The Ervin R. Schafer Revocable Trust

TRACT 66

T145N-R82W-Section 6:  
Surface Ownership:  
Coal Ownership:

Lots 3, 4  
The Falkirk Mining Company  
The Lloyd G. Schafer Revocable Trust

TRACT 67

T145N-R83W-Section 1:  
Surface Ownership:  
Coal Ownership:

Lots 1, 2, S1/2NE1/4  
Kenneth H. Pfaff and Wanda L. Pfaff  
Kenneth H. Pfaff and Wanda L. Pfaff  
Loretta E. Saylor

TRACT 68

T145N-R82W-Section 8:  
Surface Ownership:  
Coal Ownership:

N1/2, N1/2S1/2  
Great River Energy  
Great River Energy

TRACT 69  
T145N-R82W-Section 8:  
Surface Ownership:  
Coal Ownership:

W1/2NW1/4, SE1/4NW1/4  
Great River Energy  
Great River Energy  
Patricia Borden Mosier  
Theresa Borden Sloane  
James M. Borden  
Francis P. Borden, III  
Arkansas Minerals, Inc.  
John C. Bradford  
Candice S. Robinson and George H. Robinson, Jr.  
Pamela Owens and David Owens  
Clayton Douglas Rivenbark, Jr.  
Mary Keely Runge, as Trustee of the Mary Josephine Runge Revocable Trust dated February 23, 2005  
Robert R. Aillet  
Cynthia Aillet Murry  
Ralph H. Baker, Jr. and Diane B. Rowland, Trustees of the Baker Mineral Trust Created June 10, 1982

TRACT 70  
T145N-R82W-Section 9:  
Surface Ownership:  
Coal Ownership:

NE1/4NW1/4  
Great River Energy  
Great River Energy  
AgriBank, FCB

TRACT 71  
T145N-R82W-Section 9:  
Surface Ownership:  
Coal Ownership:

NE1/4NE1/4  
Great River Energy  
Great River Energy  
AgriBank, FCB

TRACT 72  
T146N-R82W-Section 28:  
Surface Ownership:  
Coal Ownership:

SW1/4  
The Falkirk Mining Company  
Clara Mautz, Trustee of the Fred J. and Clara Mautz Trust dated July 10, 1990  
Duane Mautz  
Kaye Joanne Jessen  
Joyce L. Bruns

TRACT 73  
T146N-R82W-Section 28:  
Surface Ownership:  
Coal Ownership:

SE1/4, west of Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
State of North Dakota  
Robert Stadick  
Anona and Bruce Lundstrom

TRACT 74  
T146N-R82W-Section 33:  
Surface Ownership:  
Coal Ownership:

E1/2NE1/4  
The Falkirk Mining Company  
Elaine Turner-Faulk  
Verdjie A. Emineth  
State of North Dakota

TRACT 75  
T146N-R82W-Section 33:  
Surface Ownership:  
Coal Ownership:

W1/2NE1/4  
The Falkirk Mining Company  
Elaine Turner-Faulk  
Terry R. Peterson and Norma C. Peterson  
State of North Dakota

TRACT 76  
T146N-R82W-Section 33:  
Surface Ownership:  
Coal Ownership:

NW1/4  
The Falkirk Mining Company  
Carla Rae Jordan  
Estate of Jack Louis Steinle  
John Henry Steinle, III

TRACT 77  
T146N-R82W-Section 34:  
Surface Ownership:  
Coal Ownership:

N1/2NW1/4, west of Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
Bertha Anderson

TRACT 78  
T146N-R82W-Section 34:  
Surface Ownership:  
Coal Ownership:

S1/2NW1/4, west of Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
Bertha Anderson  
Thomas D. Anderson and Diane L. Anderson  
Charles D. Anderson  
Mary J. Anderson  
Martha C. Click, Independent Executrix of the Estate of Mary Elizabeth Bass  
Margaret A. Anderson  
Janelle L. Bruesch  
C. James Luther, Trustee of Trust B (non-marital trust) Pursuant to the Last Will and Testament of James H. Luther, Dated November 1, 1974

Earl Schwartz Company  
Mary C. Wilday  
Jean Taylor Clark, as Independent Executrix of the Estate of Charles Clark  
Judith P. Hoffman Trust U/A/D/ November 22, 1994

TRACT 79  
T146N-R82W-Section 34:  
Surface Ownership:  
Coal Ownership:

NE1/4SW1/4, west of Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
Bertha Anderson  
Thomas D. Anderson and Diane L. Anderson  
Charles D. Anderson  
Mary J. Anderson  
Margaret A. Anderson  
Janelle L. Bruesch  
C. James Luther, Trustee of Trust B (non-marital trust) Pursuant to the Last Will and Testament of James H. Luther Dated November 1, 1974  
Earl Schwartz Company  
Mary C. Wilday

Jean-Taylor Clark, as Independent Executrix of the Estate of Charles Clark  
Judith P. Hoffman Trust U/A/D 11-22-94  
Harris Hutcheson Bass  
Harris Hutcheson Bass and First National Bank of Fort Worth, Trustees U/W/O  
Mary Elizabeth Harris Bass

TRACT 80  
T146N-R82W-Section 27:  
Surface Ownership:  
Coal Ownership:

That part of the SW1/4 lying west of the Soo Line Railroad Right-of-Way  
The Falkirk Mining Company  
Three Forks Oil Corporation  
The Nokota Company  
Lucille Neary  
Bertha Anderson  
Janelle L. Bruesch  
Margaret A. Anderson  
Thomas D. Anderson  
Charles D. Anderson  
Mary J. Anderson

A copy of the application for renewal and revision of a surface coal mining permit is available for public inspection at the offices of the North Dakota Public Service Commission, Capitol Building, Bismarck, North Dakota, and at the offices of the County Auditor, McLean County Courthouse, Washburn, North Dakota.

Written comments, objections, or requests for informal conferences on the application may be submitted by any person with an interest which is or may be adversely affected to the North Dakota Public Service Commission, Capitol Building, Bismarck, North Dakota, within 30 days after the last publication of this notice. The written request should state the issues or objections regarding the renewal and revision.

The Falkirk Mining Company  
UN April 23, 30, May 7, 14, 2009