

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision No. 32, Permit NAFK-8705
Renewal No. 4, Permit NAFKk-8705
Application

Case No. RC-09-106
Case No. RC-09-107

AFFIDAVIT OF SERVICE BY
FIRST CLASS MAIL

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

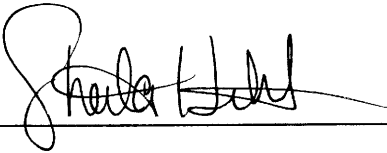
Sheila Hibl deposes and says that she is over the age of 18 years and not a party to this action and on, the 28th day of April, 2009, she deposited in the United States Mail, Bismarck, North Dakota, 23 envelopes by standard first-class mail, postage prepaid, 13 certified mail envelopes, postage prepaid, and 7 inside mail envelopes, all securely sealed and each containing:

NOTICE OF RECEIPT OF PERMIT REVISION AND RENEWAL APPLICATIONS
FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS

The envelopes were addressed as follows.

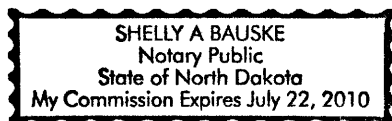
See Attached Lists


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



Subscribed and sworn to before me
this 28th day of April, 2009

SEAL





Notary Public

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision No. 32 to Permit NAFK-8705
Renewal No. 4 to Permit NAFK-8705
Application

Case No. RC-09-106
Case No. RC-09-107

NOTICE OF RECEIPT OF RENEWAL AND REVISION APPLICATIONS

April 22, 2009

The Falkirk Mining Company has applied to renew Surface Coal Mining Permit NAFK-8705 and to update legal, financial, and ownership information and operations and reclamation plans to continue surface coal mining and reclamation operations in the existing permit area located in:

All or portions of Sections 3, 4, 5, 6, 8, and 9, T145N, R82W; Sections 19, 20, 27, 28, 29, 30, 31, 32, 33, and 34, T146N, R82W; Section 1, T145N, R83W; and, Sections 22, 23, 24, 25, 26, 27, 35, and 36, T146N, R83W, all in McLean County, containing 10,880.9 acres.

The five-year permit renewal will allow Falkirk to continue mining and reclamation operations in Permit No. NAFK-8705 until July 6, 2014. Revision No. 32 updates the mining and reclamation plans and other information in the permit and identifies areas that will be mined during the next permit term.

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

Public Service Commission
State Capitol
Bismarck, North Dakota 58505-0480

McLean County Auditor
County Courthouse
Washburn, North Dakota 58577

You may submit written comments or objections on the proposed permit renewal and revision application and its effects on the environment and on surface owners of the land in the permit area. You may request an informal conference with the Commission and the applicant on the renewal and revision application. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, or requests for informal conference must be made by June 15, 2009.

5 RC-09-107 Filed: 4/22/2009 Pages: 3
Notice of Receipt of Renewal & Revision Applications

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Notice of Receipt of Renewal & Revision Applications

Public Service Commission

If there is an informal conference, you may request a formal administrative hearing on the Commission ruling on the application. Your written request for a formal hearing must be made within thirty days of the Commission ruling on the application.

Written comments, objections, or requests for informal conferences should be addressed to the Public Service Commission, 600 East Boulevard Ave. Dept. 408, Bismarck, North Dakota 58505-0480.

For more information you may contact the Public Service Commission at 701-328-2400.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
President



Brian P. Kalk
Commissioner

Mailing lists for Notice of Renewal No. 4 and Revision No. 32 Applications – local, state, and federal agencies and Advisory Committee members

Use standard lists

Regular first class mail, mailing affidavit

Surface owners to be notified by CERTIFIED MAIL:

Duane Mautz - 7008 1830 0004 1758 0169
348 32nd Ave. NW
Underwood, ND 58576-9610

Kenneth H. Pfaff and Wanda L. Pfaff - 7008 1830 0004 1758 0677
3226 Impala Ln.
Bismarck, ND 58503-0150

KBW Land Company - 7008 1830 0004 1758 0152
Box 412
West Fargo, ND 58078

Eileen Gutknecht - 7008 1830 0004 1758 0660
705 Bridgeport Dr., Unit 1
Bismarck, ND 58504

Great River Energy - 7008 1830 0004 1758 0745
12300 Elm Creek Blvd
Maple Grove, MN 55369-4718

State of North Dakota - 7008 1830 0004 1758 0653
State Land Department
P.O. Box 5523
Bismarck, ND 58502-5523

Daniel J. Leidholm - 7008 1830 0004 1758 0138
3633 Wolf Creek Rd.
Coleharbor, ND 58531-9500

Soo Line Railroad Company - 7008 1830 0004 1758 0646
Box 530
Minneapolis, MN 55440

Timothy J. Leidholm - 7008 1830 0004 1758 0721
1215 Bluegrass Lane
Hazen, ND 58545

Vicki L. Leidholm - 7008 1830 0004 1758 0714
2421 14th Ave, Apt. A
Lewiston, ID 83501-3523

Dale G. Leidholm - 7008 1830 0004 1758 0707
17005 Proffits Pt.
Peyton, CO 80831

Mikel R. Leidholm - 7008 1830 0004 1758 0691
204 Wheaton
Chippewa Falls, WI 54729-2139

Marlyn L. Seidler and Kristie L. Seidler - 7008 1830 0004 1758 0684
464A 23rd Ave. NW
Underwood, ND 58576