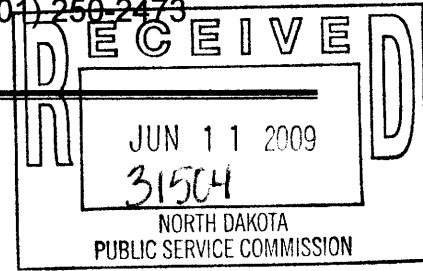


NORTH AMERICAN
COAL
CORPORATION
FALKIRK MINE

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 23rd, April 30th, May 7th and May 14th 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.

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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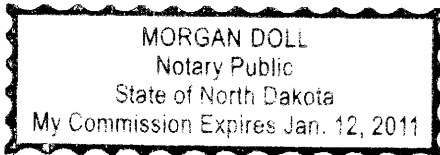
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 Before me, a Notary Public for the State of North Dakota
 personally appeared JD who being duly sworn, deposes
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 and that the publication(s) were made through the
Bismarck Tribune on the following 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 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:**

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

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

Surface Ownership: Outlot D of the SW1/4
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
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:**

Surface Ownership: Outlots A, B and C of NW1/4
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**T145N-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

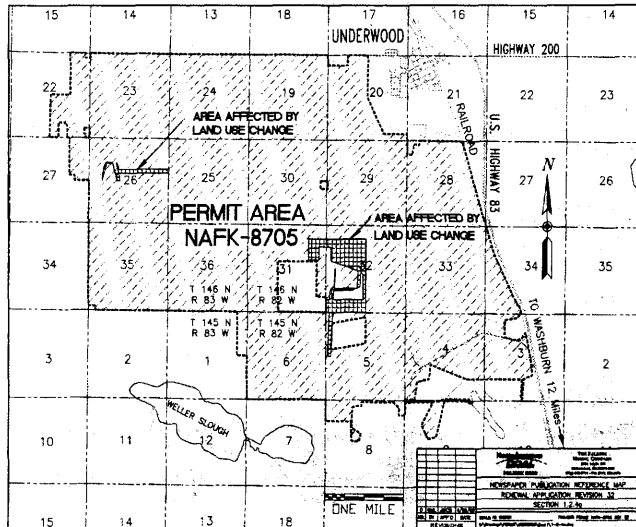
T146N-R82W-Section 27: That part of the SW1/4 lying west of the Soo Line Railroad Right-of-Way

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)
)
) SS
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

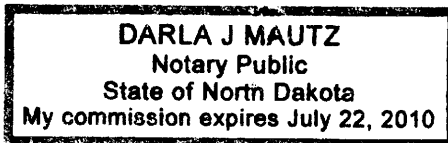
Shelley Chase

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



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

Marilyn 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

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

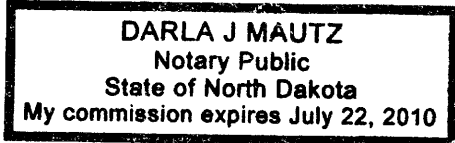
Shelley Chase

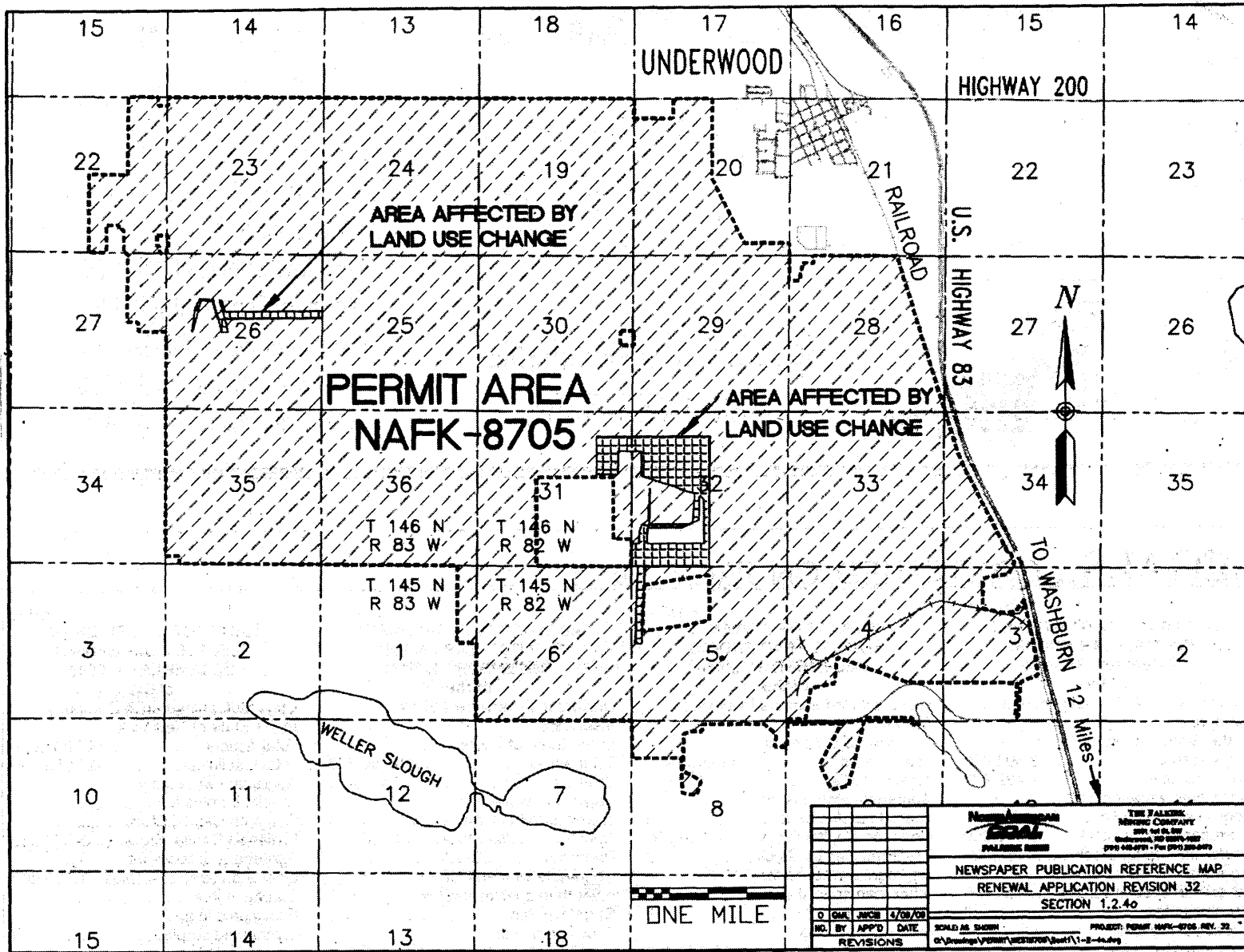
Subscribed and sworn to before me this 19th day of May A.D. 2009

(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

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 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:

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:
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

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

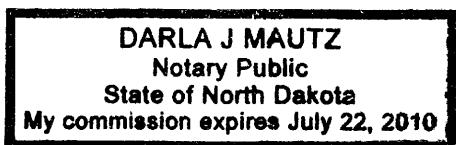
Shelley Chase

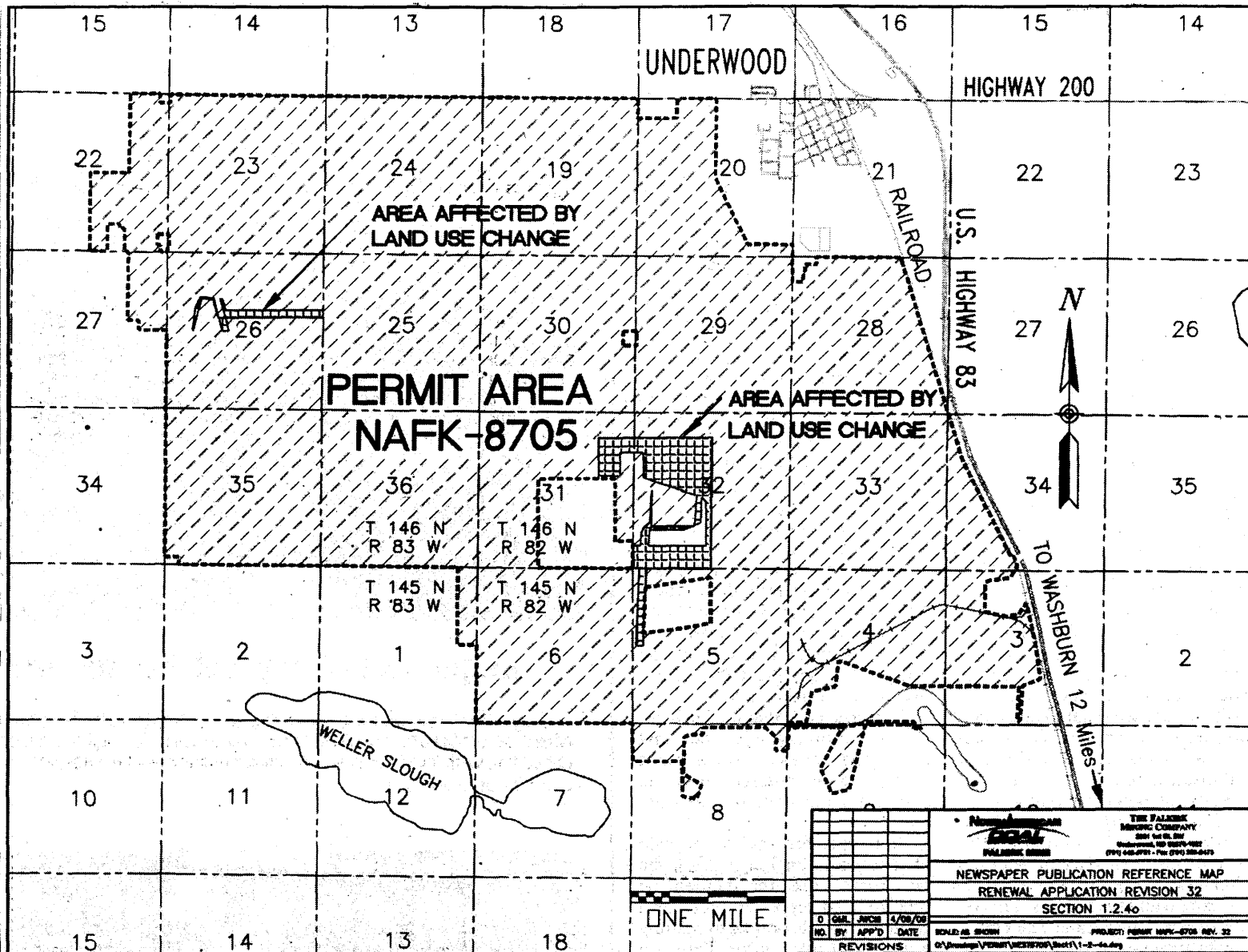
Subscribed and sworn to before me this 19th day of May A.D. 2009

(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
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

TRACT 14

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

SW1/4
The Falkirk Mining Company
Frank J. Baverdick
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:
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:
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