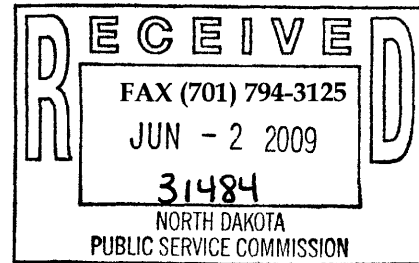


PHONE (701) 794-8734



2360 35TH AVENUE SW CENTER, ND 58530-9499
MINING LIGNITE AT THE CENTER MINE SINCE 1970



June 1, 2009

Mr. Jim Deutsch, Director
Reclamation Division, NDPSC
Department 408
600 East Boulevard Avenue
Bismarck, ND 58505-0480

FROM DIRECTOR - RECLAMATION DIV.

Date: _____

Action: _____

Info. Only: _____

Info & File: _____

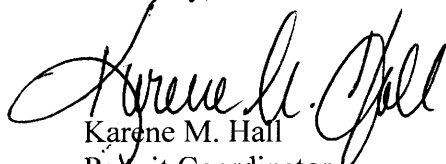
RE: BNCR 8202 Renewal 5 & Revision 33

Dear Mr. Deutsch,

Enclosed with this letter are copies of the "Affidavit for Publication" notices from the Bismarck Tribune and the Center Republican for Renewal 5 and Revision 33 to our Permit BNCR-8202.

If you have any questions, please contact me at the Center office.

Sincerely,


Karene M. Hall
Permit Coordinator

The Bismarck Tribune

www.bismarcktribune.com

The Finder

Classified Advertising Invoice

Bismarck Tribune

PO BOX 5516
 Bismarck, ND 58506-5516
 701-223-2500
 In State 800-472-2273
 Fax 701-223-6584

X Green

BNI COAL LTD
 2360 NW 35TH AV
 CENTER ND 58530

Customer: 60001119
 Phone: (701) 794-8734
 Date: 05/20/2009

Date	Order #	Type	Order Amt
05/20/09	20364237	INV	1,164.00

Amount Paid: _____ CK #: _____





PLEASE DETACH AND RETURN TO

Date	Date	Times Run	Description
04/29/09	05/20/09	4	091129 BNCR-8202/603947 Bismarck Tribune

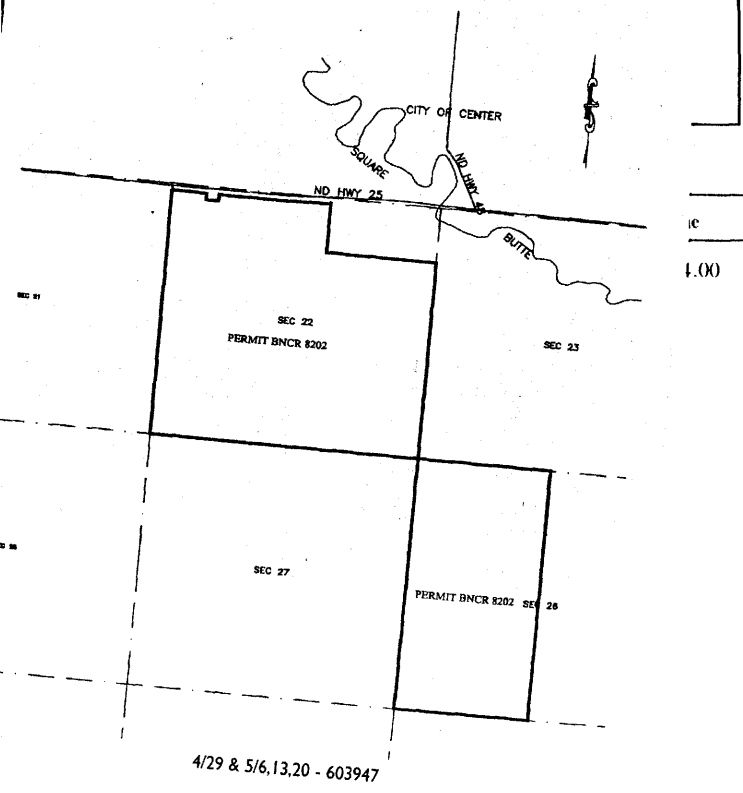
Affidavit of Publication
 State of North Dakota) SS County of Burleigh
 Before me, a Notary Public for the State of North Dakota
 personally appeared JK who being duly sworn, deposes
 and says that he (she) is the Clerk of Bismarck Tribune Co.,
 and that the publication(s) were made through the
Bismarck Tribune on the following dates:
4/29, 5/6, 13, 20 Signed Jill Lindquist
 sworn and subscribed to before me this 26th
 day of May 2009
Morgan Doll
 Notary Public in and for the State of North Dakota

MORGAN DOLL
 Notary Public
 State of North Dakota
 My Commission Expires Jan. 12, 2011

CREDIT CARD PAYMENT (circle one)

Center, ND 58530-9499



Please return invoice or put order number on check. Thank You.

Remarks	Total Due: 1,164.00
---------	---------------------

Bismarck Tribune
 www.bismarcktribune.com
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 701-223-2500
 In State 800-472-2273
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To place a classified ad call.....
 * 701-258-6900 in Bismarck/Mandan
 * 888-546-2231 in North Dakota

Or place it online at www.bismarcktribune.com

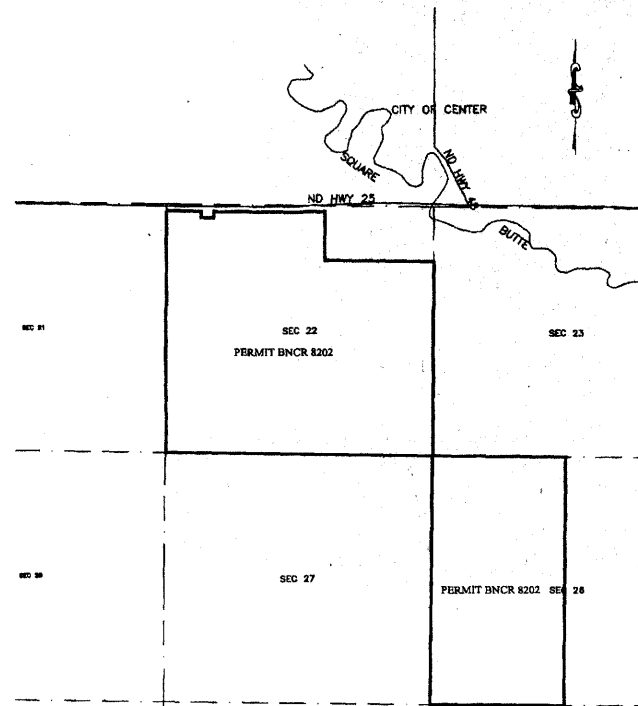
Terms: PAYMENT IS DUE UPON RECEIPT OF INVOICE

**PERMIT TO ENGAGE IN SURFACE COAL MINING
AND RECLAMATION ACTIVITIES.**

Please take notice that BNI Coal Ltd., 2360 35th Avenue SW, Center, North Dakota 58530-9499 has submitted an application to the North Dakota Public Service Commission for Permit Renewal No. 5 and Revision No. 33 to BNCR-8202 to engage in surface coal mining and reclamation operations. The area for which a permit renewal is sought includes approximately 886 acres in parts of Sections 22 and 26 T142N R84W. Coal removal is completed in this permit area but is still being used to support mining activities in other permit areas. Renewal No. 5 will extend the permit term another five years until July 31, 2014. This area is in Oliver County, North Dakota and is shown on the Center US Geological Survey 7.5 minute USGS quadrangle map, the accompanying map and is described below. The permit revision will update the Legal & Financial Section, ground water, surface water, mining operations, general mine plan, transportation plan, reclamation plan, revegetation and post mining and use and the worst case bond.

Any person whose interests are or may be adversely affected by the proposed action has the right to file written comments, objections or request an informal conference with the North Dakota Public Service Commission. Written comments, objections, requests for informal conferences and petitions should be sent to the Public Service Commission, 600 East Boulevard, Bismarck, ND 58505-0480 within 30 days after the final date of publication of this notice. A copy of the permit application is available for inspection at the Office of the Auditor, Oliver County Courthouse, Center, ND 58530 and the Office of the Director of the Reclamation Division, Public Service Commission, 600 East Boulevard Avenue, Bismarck, ND 58505-0480.

Description	Surface Owner(s)	Mineral Owner(s)
Section 22, T142N, R84W N1/2NE1/4	Dorothy Light Center, ND 58530 Lee Husfloen (homesite) Center, ND 58530 City of Center (water tank site) Center, ND 58530	USA
S1/2, SW1/4NW1/4, SE1/4NE1/4	BNI Coal, Ltd. 2360 35th Avenue SW Center, ND 58530-9499	USA
N1/2NW1/4, SE1/4NW1/4, SW1/4NE1/4	BNI Coal, Ltd. 2360 35th Avenue SW Center, ND 58530-9499 ND State Land Dept. PO Box 5523 Bismarck, ND 58506-5523	University of Mary 7500 University Drive Bismarck, ND 58504
Section 26, T142N, R84W NW1/4	Arnold & Ruby Meyhoff Center, ND 58530	USA
SW1/4	BNI Coal, Ltd. 2360 35th Ave. SW Center, ND 58530-9499	USA



4/29 & 5/6, 13, 20 - 603947

Law
AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA)
) SS
COUNTY OF Oliver)

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

BNI-CENTER MINE CR-PERMIT RENEWAL & 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 05/21/2009 to wit:

Column Inches 26.25	\$5.25	\$137.81	04/30/2009
Column Inches 26.25	\$5.25	\$137.81	05/07/2009
Column Inches 26.25	\$5.25	\$137.81	05/14/2009
Column Inches 26.25	\$5.25	\$137.81	05/21/2009

Notary Fee \$1.00 Total Cost of Legal \$552.24

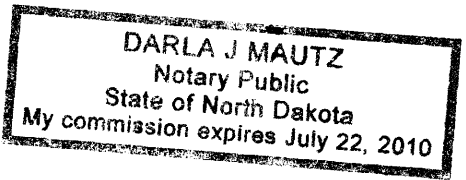
Shelley Chase

Subscribed and sworn to before me this 22nd day of May A.D. 2009

(Seal) *Darla J Mautz*

Notary Public, State of North Dakota

My Commission Expires



schools. Plans are proceeding with the addition of another ITV studio.
Elementary Principal Kathy Bullinger described the Reading 180 program, which is aimed at sixth, seventh and eighth graders. The program uses a multi-media combination of instruction and is highly motivational, according to Bullinger.
"Hopefully, we can get seventh and eighth graders to the high school level," Bullinger said.
The board approved hiring Jacob Henke and Brett Eckert as custodial help for the summer.
Incumbent Nathan Henke is opposed in the school board election by Jennifer Layton and Claire Henke. Cynthia Berger, also an incumbent, is running unopposed. The election is June 9 from 10 a.m.-7 p.m. CDT at the Center-Stanton High School and the former Stanton School commons area.
The school board's next meeting will be held June 11 at 7 p.m.

Visit our website
www.bhgnews.com

**NOTICE OF APPLICATION FOR RENEWAL AND REVISION OF A PERMIT TO ENGAGE
IN SURFACE COAL MINING AND RECLAMATION ACTIVITIES.**

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S½, SW¼NW¼, SE¼NE¼	BNI Coal, Ltd. 2360 35th Avenue SW Center, ND 58530-9499	USA
N½NW¼, SE¼NW¼, SW¼NE¼	BNI Coal, Ltd. 2360 35th Avenue SW Center, ND 58530-9499	University of Mary 7500 University Drive Bismarck, ND 58504 ND State Land Dept. PO Box 5523 Bismarck, ND 58506-5523
Section 26, T142N, R84W NW¼	Arnold & Ruby Meyhoff Center, ND 58530	USA
SW¼	BNI Coal, Ltd. 2360 35th Ave. SW Center, ND 58530-9499 (4-30-09-5-07-09-5-14-09-5-21-09)	USA

