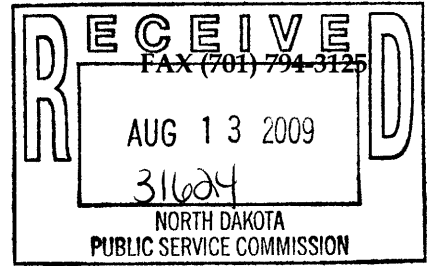


PHONE (701) 794-8734



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



August 11, 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: Affidavits of Publication

Dear Mr. Deutsch,

Enclosed with this letter are copies of the "Affidavit of Publication" notices from the Bismarck Tribune and the Center Republican for Revision 27 to BNCR-9702.

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

BNI COAL LTD  
  
2360 NW 35TH AV  
CENTER ND 58530

Customer: 60001119  
Phone: (701) 794-8734  
Date: 08/01/2009

Date	Order #	Type	Order Amt
08/01/09	20379830	INV	467.12

Amount Paid: \_\_\_\_\_ CK #: \_\_\_\_\_

CREDIT CARD PAYMENT (circle one)



Card #: \_\_\_\_\_  
Exp Date: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Credit card users: Fax to 701-223-6584

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT

Date	Date	Times Run	Description	Lines	Class Code	Order Amt	Net Amt Due
06/30/09	07/21/09	4	PermitPO091957/604212/plus map Bismarck Tribune PO:App for Revision	49.00	Legals	467.12	467.12

**Affidavit of Publication**  
State of North Dakota ) SS County of Burleigh  
Before me, a Notary Public for the State of North Dakota  
personally appeared KI 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:  
6/30/09-14-21. Signed [Signature]  
sworn and subscribed to before me this 6th  
day of AUGUST 2009  
Notary Public in and for the State of North Dakota

**GREGORY P. ZIEGLER**  
Notary Public  
State of North Dakota  
My Commission Expires July 22, 2015

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

Remarks	Total Due: 467.12
---------	-------------------

**Bismarck Tribune**  
[www.bismarcktribune.com](http://www.bismarcktribune.com)  
PO BOX 5516  
Bismarck, ND 58506-5516  
701-223-2500  
In State 800-472-2273  
Fax: 701-223-6584

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](http://www.bismarcktribune.com)

Terms: PAYMENT IS DUE UPON RECEIPT OF INVOICE

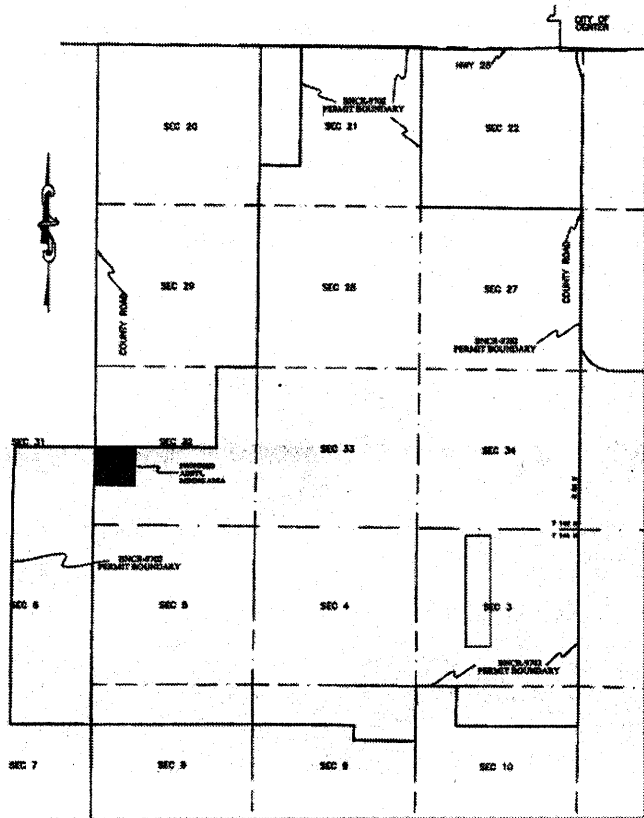
**NOTICE OF APPLICATION FOR A PERMIT TO ENGAGE  
IN SURFACE COAL MINING AND RECLAMATION ACTIVITIES.**

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 Revision No. 27 to BNCR-9702, approved on August 2, 2000, to engage in surface coal mining and reclamation operations. The area for which a permit revision is sought includes approximately 6,342 acres in parts of Sections 21, 27, 28, 31, 32, 33 and 34 T142N R84W and parts of Sections 3, 4, 5, 6, 7, 8, 9 and 10 T141N R84W. This area is in Oliver County, North Dakota and is shown on the accompanying map and is described below. The permit revision will revise the limit of mining in Section 32, to include a Federal Coal tract in the NW 1/4 of the SW 1/4 of Section 32.

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.

The legal description and names of the apparent surface and mineral (coal) owners of the land in the permit area that will be affected by the revised plans are as follows:

LEGAL DESCRIPTION	SURFACE OWNER (S)	COAL OWNERS
<b>SECTION 32 T142N R84W NW1/4SW1/4</b>	Brenda Schwalbe Phyllis Vandenburg John Yantzer Howard Skager Nathan Skager Jardene Moss Karla Walter Claudene Pickett Tom & Kathleen Lipp	USA          Tom & Kathleen Lipp Marshall & Winston, Inc. Hancock Enterprises Fortin Enterprises, Inc. Brenda Schwalbe John Yantzer Arnold Torgerson Arlis Muth
<b>S ? Less NW 1/4 SW ?</b>		
<b>E ? NE ?</b>	Brenda Schwalbe Eugene Yantzer John Yantzer Arnold Torgerson Arlis Muth Phyllis Vandenburg	Howard Skager Nathan Skager Jardene Moss Karla Walter Claudene Pickett



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 REVISION/PO 091958/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 07/23/2009 to wit:

Column Inches 25.5	\$5.41	\$137.96	07/02/2009
Column Inches 25.5	\$5.41	\$137.96	07/09/2009
Column Inches 25.5	\$5.41	\$137.96	07/16/2009
Column Inches 25.5	\$5.41	\$137.96	07/23/2009

Notary Fee \$1.00 Total Cost of Legal \$552.84

*Shelley Chase*

Subscribed and sworn to before me this 24th day of July A.D. 2009

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

My Commission Expires

**DARLA J MAUTZ**  
 Notary Public  
 State of North Dakota  
 My commission expires July 22, 2010

session at 8:30 p.m.

Cynthia Berger made a motion to adjourn the executive session. Seconded by Henke. All in favor. Motion carried. The Board moved out of executive session at 9:40 p.m.

Chris Christianson made a motion to reconvene the regular board meeting. Seconded by Henke. All in favor. Motion carried. The board reconvened the regular board meeting at 9:42 p.m.

The next board meeting is scheduled for July 16, 2009 at 7:00 p.m.

Cynthia Berger made a motion to adjourn the meeting. Seconded by Henke. All in favor. Motion carried. Meeting adjourned at 9:44 p.m.

Darby Henke, Business Manager  
 Richard Schmidt, Board Chairman  
 (7-23-09)

**Public Hearing**

Center City Council will hold a public hearing on August 3, 2009 at 7:00 pm at the Center Civic Center. Hearing is for public input on amending Planning and Zoning Ordinance 5.4.3 to add #6 Medical Facility in Residential District 3.  
 Becky Vosberg, City Auditor  
 (7-16-09-7-23-09)

**ABBREVIATED NOTICE OF INTENT TO ADOPT ADMINISTRATIVE RULES**

relating to Physician Assistants dispensing medications; the supervision of Fluoroscopy Technologists; the number of Physician Assistants that may be supervised by a Physician; a grace period for Physicians renewing their North Dakota Medical License; late fees for late renewals of a Medical License and sanctions for false information given when applying for or renewing a Medical License.

**ND State Board of Medical Examiners**

will hold a public hearing to address proposed amendments to the N.D. Admin. Code.

**Board Offices**  
**418 E. Broadway, Ste. 12**  
**Bismarck, ND**  
**Mon., Aug. 24, 2009**  
**9:00 a.m. CT**

The proposed rules may be reviewed at the office of the North Dakota State Board of Medical Examiners, 418 E. Broadway, Suite 12, Bismarck, ND. A copy of the rules and/or a regulatory analysis may be requested by writing

**Pers**

Clementine "83, Center, died at the Elm Crest Home, New Sal six-year struggle Disease. Mass of was at 10 a.m. We at St. Martin's Center with the officiating. Burial Community Cem

Clementine H March 10, 1926, County, the daug Josephine (Ferd Raised and educat married Gordon Nov. 27, 1951, in

Clem was a life member of St. M Church and had al member of the A Auxiliary. A lady whose dom idle, Clem for her family and appreciated her tr dishes. She also l projects and croch in her garden pr many happy hou avid card player at children and then l how to play. Am were canasta and played to win and to be the best of l young girl, before taught herself to y

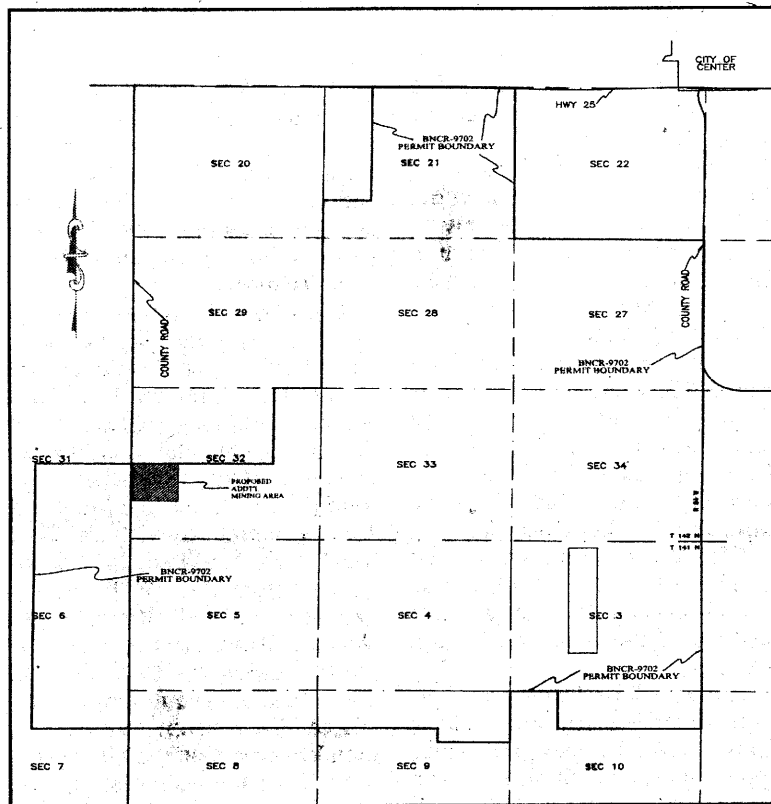
**PICT THIS**

In you Go to our www.nd- and click on P links to photos

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S 1/2 Less NW 1/4SW 1/4	Tom & Kathleen Lipp	Tom & Kathleen Lipp Marshall & Winston, Inc. Hancock Enterprises Fortin Enterprises, Inc.
E 1/2NE 1/4	Brenda Schwalbe Eugene Yantzer John Yantzer Arnold Torgerson Arlis Muth	Brenda Schwalbe John Yantzer Arnold Torgerson Arlis Muth Phyllis Vandenburg Howard Skager Nathan Skager Jardene Moss Karla Walter Claudene Pickett

(7-2-09-7-9-09-7-16-09-7-23-09)