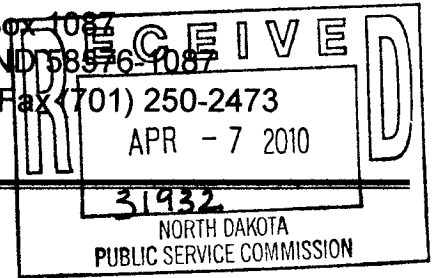


**NORTH AMERICAN**  
**COAL**  
CORPORATION  
**FALKIRK MINE**

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



April 6, 2010

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: \_\_\_\_\_

Info. Only: \_\_\_\_\_

Info & File: \_\_\_\_\_

**RE: Affidavit of Publication for Revision 19 to Permit NAFK-9503**

Dear Mr. *Deutsch*:

Please find enclosed copies of the Affidavit of Publication for Revision 19 to Falkirk's Mining Permit NAFK-9503. This Legal Notice was published on February 25, March 4, March 11, and March 18, 2010 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 250-2403.

Sincerely,

**THE FALKIRK MINING COMPANY**

D. Randall Crooke  
Environmental Manager

DRC/dge  
Attachments

# The Bismarck Tribune

www.bismarcktribune.com

## The Finder

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9399 OP

THE FALKIRK MINING COMPANY  
  
2801 1ST ST SW  
PO BOX 1087  
UNDERWOOD ND 58576

Customer: 60018525  
Phone: (701) 250-2472  
Date: 03/18/2010

#### CREDIT CARD PAYMENT (circle one)



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Exp Date: \_\_\_\_\_  
Signature: \_\_\_\_\_  
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Date	Date	Times Run	Description	Lines	Class Code	Order Amt	Net Amt Due
02/25/10	03/18/10	4	Revision NAFK-9503/605044 Bismarck Tribune PO - 9399 OP	276.00	Legals	2,520.00	2,520.00

**Affidavit of Publication**  
 State of North Dakota ) SS. County of Burleigh  
 Before me, a Notary Public for the State of North Dakota  
 personally appeared CK 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:  
2/25, 3/4, 11, 18 Signed Gregory P. Ziebler  
 sworn and subscribed to before me this 22nd  
 day of MARCH 2010  
Gregory P. Ziebler  
 Notary Public in and for the State of North Dakota

**GREGORY P. ZIEBLER**  
 Notary Public  
 State of North Dakota  
 My Commission Expires 03/22, 2015

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

Remarks	Total Due: 2,520.00
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**Bismarck Tribune**  
 www.bismarcktribune.com  
 PO BOX 4001  
 LaCrosse, WI 54602-4001

**NOTICE OF A FILING TO REVISE A PERMIT FOR  
SURFACE COAL MINING OPERATIONS**

The Falkirk Mining Company, P.O. Box 1087, Underwood, ND 58576, has filed an application to revise surface coal mining activities in Permit NAFK-9503. The permit revision contains detailed plans to revise the mine plan, post-mining topography, and reclamation schedule for the remaining unmined areas within the permit. Additional mining is being proposed for lands within Sections 15, 22, 21, 28, and 33, T145N, R83W. Falkirk and the following landowners have lands and/or coal on which the additional mining is proposed:

**TRACT 56**

**T145N-R83W-Section 15:**  
SURFACE OWNERSHIP:  
COAL OWNERSHIP:

**NW1/4**

The Falkirk Mining Company  
Barbara J. Hoffer  
Eileen C. Zander  
State of North Dakota – State Land Department

**TRACT 60**

**T145N-R83W-Section 15:**  
SURFACE OWNERSHIP:  
COAL OWNERSHIP:

**SW1/4**

The Falkirk Mining Company  
MDR Landenberger Family Trust Dated 10-19-02  
The Reserve Petroleum Company

**TRACT 62**

**T145N-R83W-Section 21:**  
SURFACE OWNERSHIP:  
COAL OWNERSHIP:

**SE1/4**

The Falkirk Mining Company  
The Falkirk Mining Company

**TRACT 63**

**T145N-R83W-Section 22:**  
SURFACE OWNERSHIP:  
COAL OWNERSHIP:

**NW1/4**

The Falkirk Mining Company  
George W. Swanson  
Carl H. Reimers and Margaret A. Reimers  
Darlene Ostboe  
Michael Ranum  
Mark Ranum  
Andrew Ranum  
Norm Ostboe and Darlene A. Ostboe  
Donna L. Bloomquist  
Noreen L. Woolworth  
Patricia A. Reimers  
Mary O. Reimers  
Charlotte L. Potter  
Gary B. Reimers  
Ronald J. Stroh and Arlyce J. Stroh  
The Estate of Agnes Soderstrom, Deceased

**TRACT 65**

**T145N-R83W-Section 22:**

SURFACE OWNERSHIP:  
COAL OWNERSHIP:

**SW1/4, less 5 ac. in the SW corner and less the  
SE1/4SE1/4SW1/4**

The Falkirk Mining Company  
Erma Carlson  
Marva Deane Finck  
Karen Carlson

**TRACT 69**

**T145N-R83W-Section 28:**  
SURFACE OWNERSHIP:  
COAL OWNERSHIP:

**N1/2NW1/4, W1/2NE1/4**

The Falkirk Mining Company  
Erma Carlson  
Marva D. Finck  
Karen J. Carlson

**TRACT 70**

**T145N-R83W-Section 28:**  
SURFACE OWNERSHIP:  
COAL OWNERSHIP:

**E1/2NE1/4**

Marva Deane Finck  
Marva Deane Finck

**TRACT 71**

**T145N-R83W-Section 28:**  
SURFACE OWNERSHIP:  
COAL OWNERSHIP:

**SW1/4, S1/2NW1/4**

Eileen C. Zander  
Eileen C. Zander  
Barbara J. Hoffer

**TRACT 72**

**T145N-R83W-Section 28:**  
SURFACE OWNERSHIP:  
COAL OWNERSHIP:

**SE1/4**

Dwight D. Gradin and Denise Gradin  
Dwight D. Gradin and Denise Gradin  
Miles W. Gradin  
Wallyn K. Lee  
Mark E. Gradin  
Kyle E. Gradin  
The Irene V. Johannes Revocable Living Trust  
Dated 5-15-96

**TRACT 77**

**T145N-R83W-Section 33:**  
SURFACE OWNERSHIP:  
COAL OWNERSHIP:

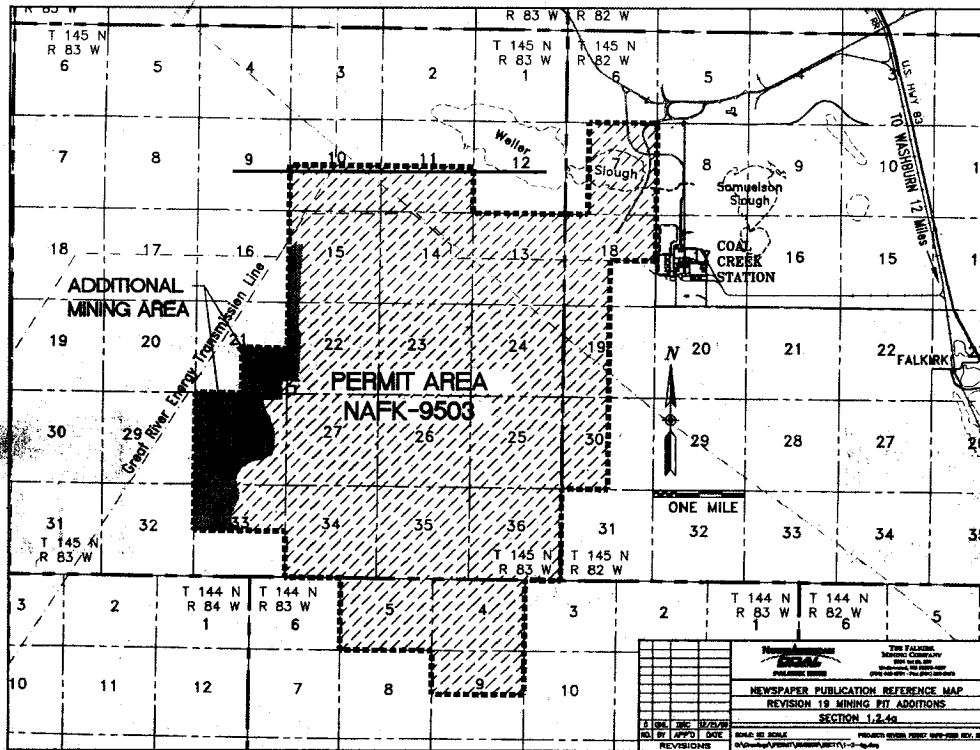
**NW1/4**

Dwight D. Gradin and Denise Gradin  
Dwight D. Gradin and Denise Gradin  
Miles W. Gradin  
Wallyn K. Lee  
Mark E. Gradin  
Kyle E. Gradin  
The Irene V. Johannes Revocable Living Trust  
Dated 5-15-96

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Copies of the application for revision of a surface coal mining permit are available for public inspection at the offices of the North Dakota Public Service Commission, Capitol Building, Bismarck, ND and at the office of the County Auditor, McLean County Courthouse, Washburn, ND.

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, ND 58505 within 30 days after the last publication of this notice.



2/25, 3/4, 11 & 18 - 605044

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 TO REVISE PERMIT/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 03/18/2010 to wit:

Column Inches 52	\$5.41	\$281.32	02/25/2010
Column Inches 52	\$5.41	\$281.32	03/04/2010
Column Inches 52	\$5.41	\$281.32	03/11/2010
Column Inches 52	\$5.41	\$281.32	03/18/2010

Notary Fee \$1.00 Total Cost of Legal \$1,126.28

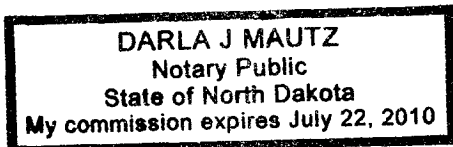
*Shelley Chase*

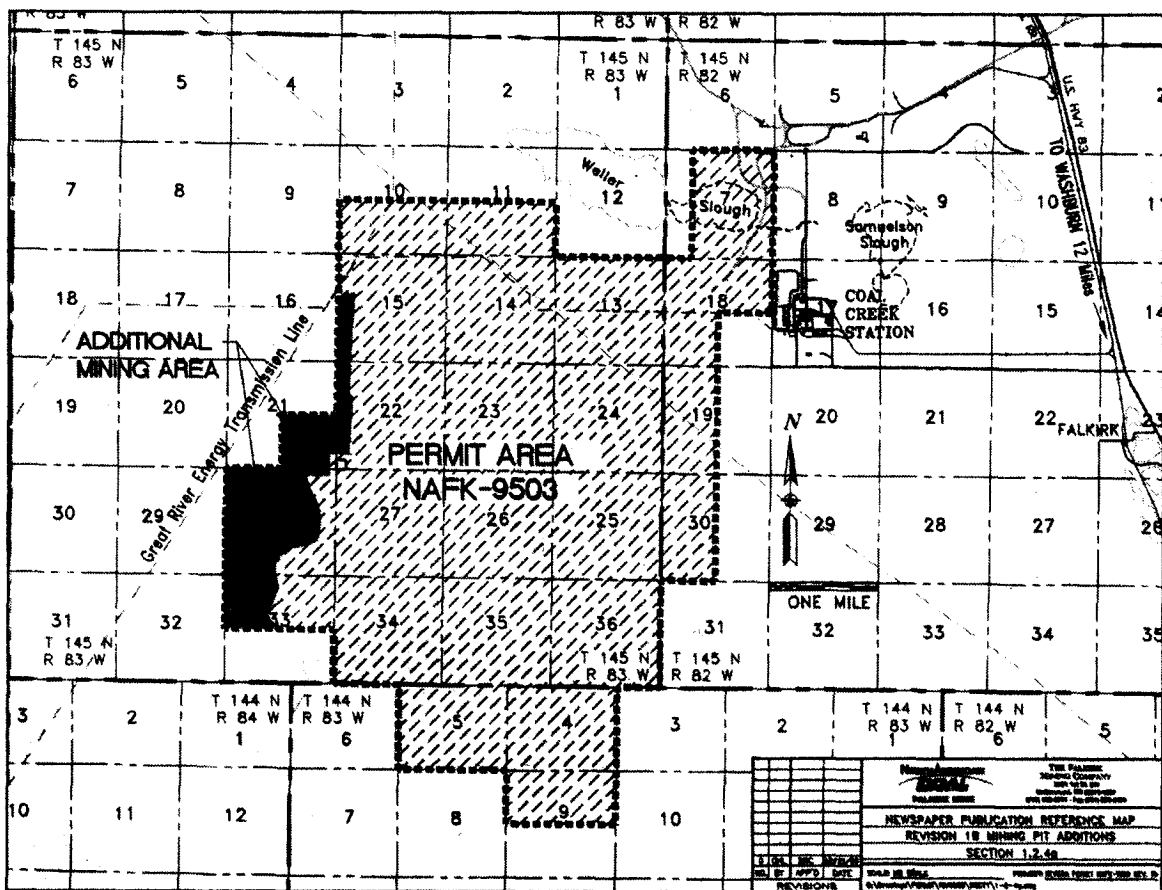
Subscribed and sworn to before me this 24<sup>th</sup> day of March A.D. 2010

(Seal) *Darla J. Mautz*

Notary Public, State of North Dakota

My Commission Expires





## Notice of a filing to revise a permit for surface coal mining operations

The Falkirk Mining Company, P.O. Box 1087, Underwood, ND 58576, has filed an application to revise surface coal mining activities in Permit NAFK-9503. The permit revision contains detailed plans to revise the mine plan, post-mining topography, and reclamation schedule for the remaining unmined areas within the permit. Additional mining is being proposed for lands within Sections 15, 22, 21, 28, and 33, T145N, R83W. Falkirk and the following landowners have lands and/or coal on which the additional mining is proposed:

### TRACT 56

T145N-R83W-Section 15:  
Surface Ownership:  
Coal Ownership:

### NW¼

The Falkirk Mining Company  
Barbara J. Hoffer  
Eileen C. Zander  
State of North Dakota – State Land Department

### TRACT 60

T145N-R83W-Section 15:  
Surface Ownership:  
Coal Ownership:

### SW¼

The Falkirk Mining Company  
MDR Landenberger Family Trust Dated 10-19-02  
The Reserve Petroleum Company

### TRACT 62

T145N-R83W-Section 21:  
Surface Ownership:  
Coal Ownership:

### SE¼

The Falkirk Mining Company  
The Falkirk Mining Company

### TRACT 63

T145N-R83W-Section 22:  
Surface Ownership:  
Coal Ownership:

### NW¼

The Falkirk Mining Company  
George W. Swanson  
Carl H. Reimers and Margaret A. Reimers  
Darlene Ostboe  
Michael Ranum  
Mark Ranum  
Andrew Ranum  
Norm Ostboe and Darlene A. Ostboe  
Donna L. Bloomquist  
Noreen L. Woolworth  
Patricia A. Reimers  
Mary O. Reimers  
Charlotte L. Potter  
Gary B. Reimers  
Ronald J. Stroh and Arlyce J. Stroh  
The Estate of Agnes Soderstrom, Deceased

TRACT 65  
T145N-R83W-Section 22:  
Surface Ownership:  
Coal Ownership:

SW $\frac{1}{4}$ , less 5 ac. in the SW corner and less the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$   
The Falkirk Mining Company  
Erma Carlson  
Marva Deane Finck  
Karen Carlson

TRACT 69  
T145N-R83W-Section 28:  
Surface Ownership:  
Coal Ownership:

N $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$   
The Falkirk Mining Company  
Erma Carlson  
Marva D. Finck  
Karen J. Carlson

TRACT 70  
T145N-R83W-Section 28:  
Surface Ownership:  
Coal Ownership:

E $\frac{1}{2}$ NE $\frac{1}{4}$   
Marva Deane Finck  
Marva Deane Finck

TRACT 71  
T145N-R83W-Section 28:  
Surface Ownership:  
Coal Ownership:

SW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$   
Eileen C. Zander  
Eileen C. Zander  
Barbara J. Hoffer

TRACT 72  
T145N-R83W-Section 28:  
Surface Ownership:  
Coal Ownership:

SE $\frac{1}{4}$   
Dwight D. Gradin and Denise Gradin  
Dwight D. Gradin and Denise Gradin  
Miles W. Gradin  
Wallyn K. Lee  
Mark E. Gradin  
Kyle E. Gradin  
The Irene V. Johannes Revocable Living Trust Dated 5-15-96

TRACT 77  
T145N-R83W-Section 33:  
Surface Ownership:  
Coal Ownership:

NW $\frac{1}{4}$   
Dwight D. Gradin and Denise Gradin  
Dwight D. Gradin and Denise Gradin  
Miles W. Gradin  
Wallyn K. Lee  
Mark E. Gradin  
Kyle E. Gradin  
The Irene V. Johannes Revocable Living Trust Dated 5-15-96

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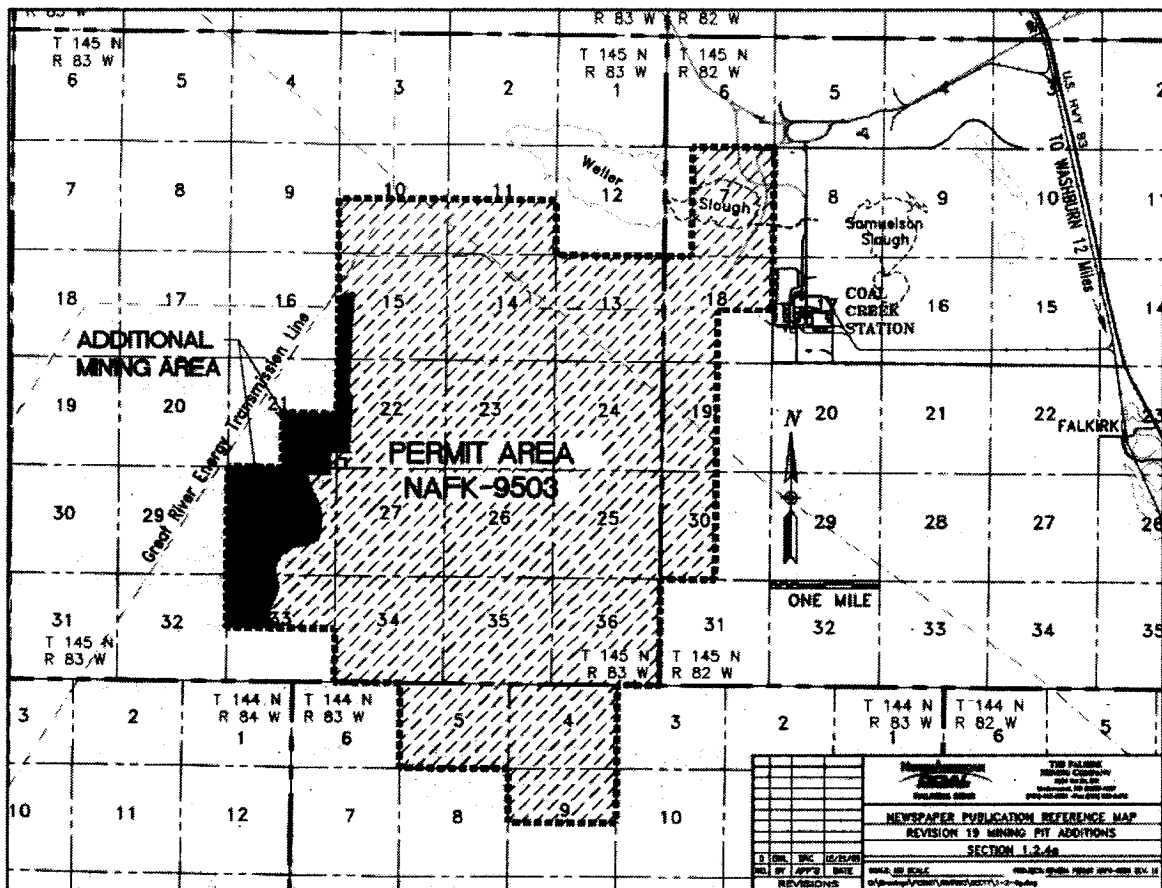
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Diana Edinger, Falkirk Mining Co.

LN Feb 25, March 4, 11, 18, 2010





# Notice of filing to revise a permit for surface coal mining operations

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TRACT 56  
T145N-R83W-Section 15:  
Surface Ownership:  
Coal Ownership:

NW¼  
The Falkirk Mining Company  
Barbara J. Hoffer  
Eileen C. Zander  
State of North Dakota – State Land Department

TRACT 60  
T145N-R83W-Section 15:  
Surface Ownership:  
Coal Ownership:

SW¼  
The Falkirk Mining Company  
MDR Landenberger Family Trust Dated 10-19-02  
The Reserve Petroleum Company

TRACT 62  
T145N-R83W-Section 21:  
Surface Ownership:  
Coal Ownership:

SE¼  
The Falkirk Mining Company  
The Falkirk Mining Company

TRACT 63  
T145N-R83W-Section 22:  
Surface Ownership:  
Coal Ownership:

NW¼  
The Falkirk Mining Company  
George W. Swanson  
Carl H. Reimers and Margaret A. Reimers  
Darlene Ostboe  
Michael Ranum  
Mark Ranum  
Andrew Ranum  
Norm Ostboe and Darlene A. Ostboe  
Donna L. Bloomquist  
Noreen L. Woolworth  
Patricia A. Reimers  
Mary O. Reimers  
Charlotte L. Potter  
Gary B. Reimers  
Ronald J. Stroh and Arlyce J. Stroh  
The Estate of Agnes Soderstrom, Deceased

TRACT 65  
T145N-R83W-Section 22:  
Surface Ownership:  
Coal Ownership:

SW $\frac{1}{4}$ , less 5 ac. in the SW corner and less the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$   
The Falkirk Mining Company  
Erma Carlson  
Marva Deane Finck  
Karen Carlson

TRACT 69  
T145N-R83W-Section 28:  
Surface Ownership:  
Coal Ownership:

N $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$   
The Falkirk Mining Company  
Erma Carlson  
Marva D. Finck  
Karen J. Carlson

TRACT 70  
T145N-R83W-Section 28:  
Surface Ownership:  
Coal Ownership:

E $\frac{1}{2}$ NE $\frac{1}{4}$   
Marva Deane Finck  
Marva Deane Finck

TRACT 71  
T145N-R83W-Section 28:  
Surface Ownership:  
Coal Ownership:

SW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$   
Eileen C. Zander  
Eileen C. Zander  
Barbara J. Hoffer

TRACT 72  
T145N-R83W-Section 28:  
Surface Ownership:  
Coal Ownership:

SE $\frac{1}{4}$   
Dwight D. Gradin and Denise Gradin  
Dwight D. Gradin and Denise Gradin  
Miles W. Gradin  
Wallyn K. Lee  
Mark E. Gradin  
Kyle E. Gradin  
The Irene V. Johannes Revocable Living Trust Dated 5-15-96

TRACT 77  
T145N-R83W-Section 33:  
Surface Ownership:  
Coal Ownership:

NW $\frac{1}{4}$   
Dwight D. Gradin and Denise Gradin  
Dwight D. Gradin and Denise Gradin  
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Wallyn K. Lee  
Mark E. Gradin  
Kyle E. Gradin  
The Irene V. Johannes Revocable Living Trust Dated 5-15-96

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Diana Edinger, Falkirk Mining Co.

(Feb 25, March 4, 11, 18, 2010)

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 TO REVISE PERMIT/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 03/18/2010 to wit:

Column Inches 52	\$5.41	\$281.32	02/25/2010
Column Inches 52	\$5.41	\$281.32	03/04/2010
Column Inches 52	\$5.41	\$281.32	03/11/2010
Column Inches 52	\$5.41	\$281.32	03/18/2010

-----

Notary Fee \$1.00 Total Cost of Legal \$1,126.28

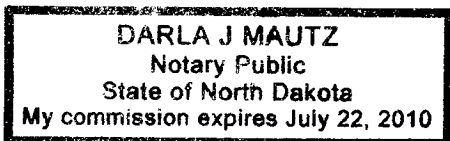
*Shelley Chase*  
-----

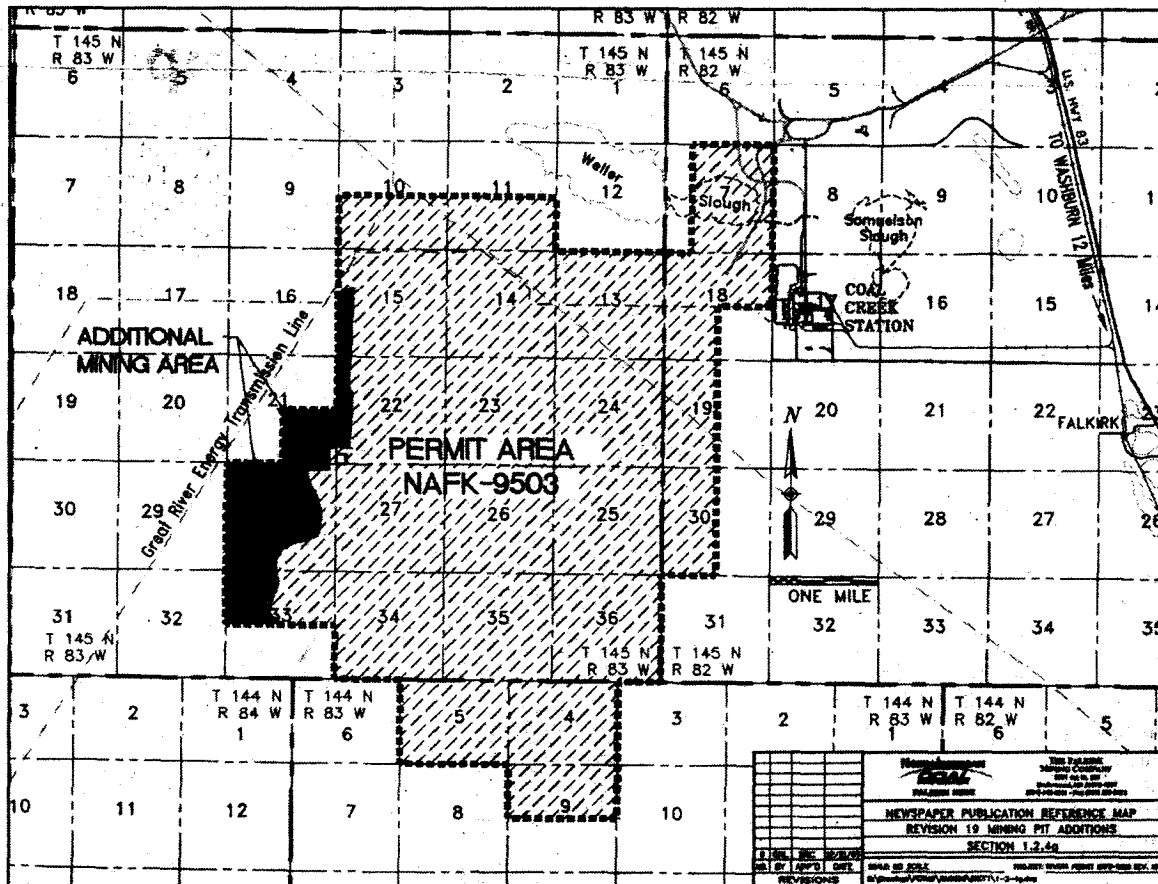
Subscribed and sworn to before me this 24<sup>th</sup> day of March A.D. 2010.

(Seal) *Darla J. Mautz*  
-----

Notary Public, State of North Dakota

My Commission Expires





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Surface Ownership:  
Coal Ownership:

NW $\frac{1}{4}$   
The Falkirk Mining Company  
Barbara J. Hoffer  
Eileen C. Zander  
State of North Dakota – State Land Department

TRACT 60  
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Coal Ownership:

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The Falkirk Mining Company  
MDR Landenberger Family Trust Dated 10-19-02  
The Reserve Petroleum Company

TRACT 62  
T145N-R83W-Section 21:  
Surface Ownership:  
Coal Ownership:

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The Falkirk Mining Company  
The Falkirk Mining Company

TRACT 63  
T145N-R83W-Section 22:  
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Coal Ownership:

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The Falkirk Mining Company  
George W. Swanson  
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Darlene Ostboe  
Michael Ranum  
Mark Ranum  
Andrew Ranum  
Norm Ostboe and Darlene A. Ostboe  
Donna L. Bloomquist  
Noreen L. Woolworth  
Patricia A. Reimers  
Mary O. Reimers  
Charlotte L. Potter  
Gary B. Reimers  
Ronald J. Stroh and Arlyce J. Stroh  
The Estate of Agnes Soderstrom, Deceased

TRACT 65  
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Coal Ownership:

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The Falkirk Mining Company  
Erma Carlson  
Marva Deane Finck  
Karen Carlson

TRACT 69  
T145N-R83W-Section 28:  
Surface Ownership:  
Coal Ownership:

N $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$   
The Falkirk Mining Company  
Erma Carlson  
Marva D. Finck  
Karen J. Carlson

TRACT 70  
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Surface Ownership:  
Coal Ownership:

E $\frac{1}{2}$ NE $\frac{1}{4}$   
Marva Deane Finck  
Marva Deane Finck

TRACT 71  
T145N-R83W-Section 28:  
Surface Ownership:  
Coal Ownership:

SW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$   
Eileen C. Zander  
Eileen C. Zander  
Barbara J. Hoffer

TRACT 72  
T145N-R83W-Section 28:  
Surface Ownership:  
Coal Ownership:

SE $\frac{1}{4}$   
Dwight D. Gradin and Denise Gradin  
Dwight D. Gradin and Denise Gradin  
Miles W. Gradin  
Wallyn K. Lee  
Mark E. Gradin  
Kyle E. Gradin  
The Irene V. Johannes Revocable Living Trust Dated 5-15-96

TRACT 77  
T145N-R83W-Section 33:  
Surface Ownership:  
Coal Ownership:

NW $\frac{1}{4}$   
Dwight D. Gradin and Denise Gradin  
Dwight D. Gradin and Denise Gradin  
Miles W. Gradin  
Wallyn K. Lee  
Mark E. Gradin  
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Diana Edinger, Falkirk Mining Co.