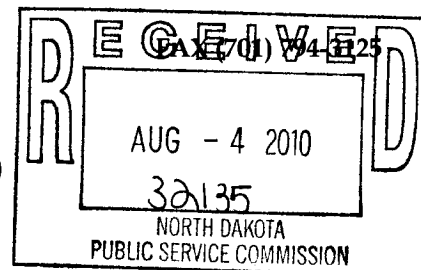


PHONE (701) 794-8734



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



August 3, 2010

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 30 to BNCR-9702.

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

Sincerely,

Karene M. Hall
Permit Coordinator



Classified Advertising Invoice

Bismarck Tribune
 PO BOX 4001
 LaCrosse, WI 54602-4001
 In State 701-250-8218
 Toll free 800-472-2273

BNI COAL LTD
 2360 NW 35TH AV
 CENTER ND 58530

Customer: 60001119
Phone: (701) 794-8734
Date: 07/21/2010

Date	Order #	Type	Order Amt
07/21/10	20454787	INV	4,443.96

Amount Paid: _____ CK #: _____

CREDIT CARD PAYMENT (circle one)



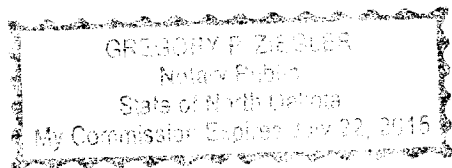
Card #: _____
 Exp Date: _____
 Signature: _____
 Credit card users: Fax to 701-223-6584

CashAmt

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT

Date	Date	Times Run	Description	Lines	Class Code	Order Amt	Net Amt Due
06/30/10	07/21/10	4	605609/PO 101921/Permit Rev 30 Bismarck Tribune	600.00	Legals	4,443.96	4,443.96

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 is the Clerk of Bismarck Tribune Co.,
 and that the publications were made through the
Bismarck Tribune on the following dates:
6/30, 7/2, 7, 21 Signed Calvin Hunt
 sworn and subscribed to before me this 21st
 day of July, 2010
 Notary Public and for the State of North Dakota



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

Remarks	Total Due: 4,443.96
---------	---------------------

Bismarck Tribune
www.bismarcktribune.com
 PO BOX 4001
 LaCrosse, WI 54602-4001

**NOTICE OF APPLICATION FOR A PERMIT REVISION TO
ADD AREA TO AN EXISTING SURFACE COAL MINING PERMIT.**

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. 30 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 7018 acres in parts of Sections 21, 27, 28, 29, 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. The permit revision will modify the permit boundary by adding 676.48 acres to the northwestern boundary of the existing permit, including the S1/2 Section 29, T142N, R84W, the W1/2 NW1/4 and the NW1/4 SW1/4 Section 21, T142N, R84W and the NW1/4 and W1/2 NE1/4 Section 32, T142N, R84W. Any interested persons may file petitions with the Public Service Commission to designate any of these additional lands as unsuitable for mining.

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
SECTION 21 T142N R84W ENTIRE SECTION	Jeanette Lange 13518 42nd Ave W Mukilteo, WA 98275 Virginia Miller 401 E North St Harvey, ND 58341 Patricia Pella PO Box 33405 Seattle, WA 98133 Melvin K. Arthur 2322 St. Croix St. Kissimmee, FL 34741 Yonne Langseth PO Box 629 Rapid City, SD 57701 Jacqueline Gullickson 1895 33rd Ave SW Center, ND 58530	Jeanette Lange 13518 42nd Ave W Mukilteo, WA 98275 Virginia Miller 401 E North St Harvey, ND 58341 Patricia Pella PO Box 33405 Seattle, WA 98133 Melvin K. Arthur 2322 St. Croix St. Kissimmee, FL 34741 Yonne Langseth PO Box 629 Rapid City, SD 57701 Jacqueline Gullickson 1895 33rd Ave SW Center, ND 58530 Gen'l Council-Ass'ly of God 1600 North Boonville Springfield, MO 65801 ND Council-Assembly of God 1724 North Grandview Lane Bismarck, ND 58501
SECTION 29 T142N R84W SE1/4	Brenda Schwalbe 3160 25th Street Center, ND 58530 Eugene Yantzer 2745 18th St. SW Center, ND 58530 John P. Yantzer 1908 12th Avenue SE Mandan, ND 58554 Arnold Torgerson 11811 N. Bancroft Drive Phoenix, AZ 85028 Arlyce Muth 110 2nd Street NE Dillworth, MN 56529	Brenda Schwalbe 3160 25th Street Center, ND 58530 Phyllis Vandenburg 7005 47th Avenue Flasher, ND 58535-9604 John P. Yantzer 1908 12th Avenue SE Mandan, ND 58554 Arnold Torgerson 11811 N. Bancroft Drive Phoenix, AZ 85028 Arlyce Muth 110 2nd Street NE Dillworth, MN 56529 Howard Skager PO Box 382 Wellington, CO 80549-0382 Nathan Skager 120 Bundy Road Lavina, MT 59046-7126 Jardene Moss 858 Lynch Drive Billings, MT 59105 Karla Walter PO Box 661 Park City, MT 59063 Claudene Pickett 24 Maier Road Billings, MT 59101 ND State Land Department PO Box 5523 Bismarck, ND 58506-5523
SW1/4	Brenda Schwalbe 3160 25th Street Center, ND 58530 Phyllis Vandenberg 7005 47th Avenue Flasher, ND 58535-9604 John P. Yantzer 1908 12th Avenue SE Mandan, ND 58554 Jardene Moss 858 Lynch Drive Billings, MT 59105 Claudene Pickett 24 Maier Road Billings, MT 59101 Howard Skager PO Box 382 Wellington, CO 80549-0382 Nathan Skager 120 Bundy Road Lavina, MT 59046-7126 Karla Walter PO Box 661 Park City, MT 59063	Brenda Schwalbe 3160 25th Street Center, ND 58530 Phyllis Vandenberg 7005 47th Avenue Flasher, ND 58535-9604 John P. Yantzer 1908 12th Avenue SE Mandan, ND 58554 Jardene Moss 858 Lynch Drive Billings, MT 59105 Claudene Pickett 24 Maier Road Billings, MT 59101 Howard Skager PO Box 382 Wellington, CO 80549-0382 Nathan Skager 120 Bundy Road Lavina, MT 59046-7126 Karla Walter PO Box 661 Park City, MT 59063

SW1/4

Brenda Schwalbe
3160 25th Street
Center, ND 58530
Phyllis Vandenberg
7005 47th Avenue
Flasher, ND 58535-9604
John P. Yantzer
1908 12th Avenue SE
Mandan, ND 58554
Jardene Moss
858 Lynch Drive
Billings, MT 59105
Claudene Pickett
24 Maier Road
Billings, MT 59101
Howard Skager
PO Box 382
Wellington, CO 80549-0382
Nathan Skager
120 Bundy Road
Lavina, MT 59046-7126
Karla Walter
PO Box 661
Park City, MT 59063

Billings, MT 59105
Karla Walter
PO Box 661
Park City, MT 59063
Claudene Pickett
24 Maier Road
Billings, MT 59101
ND State Land Department
PO Box 5523
Bismarck, ND 58506-5523

Brenda Schwalbe
3160 25th Street
Center, ND 58530
Phyllis Vandenberg
7005 47th Avenue
Flasher, ND 58535-9604
John P. Yantzer
1908 12th Avenue SE
Mandan, ND 58554
Jardene Moss
858 Lynch Drive
Billings, MT 59105
Claudene Pickett
24 Maier Road
Billings, MT 59101
Howard Skager
PO Box 382
Wellington, CO 80549-0382
Nathan Skager
120 Bundy Road
Lavina, MT 59046-7126
Karla Walter
PO Box 661
Park City, MT 59063
ND State Land Department
PO Box 5523
Bismarck, ND 58506-5523

SECTION 32 T142N R84W
N1/2NW1/4, SW1/4NW1/4,
and NW1/4SW1/4

Brenda Schwalbe
3160 25th Street
Center, ND 58530
Phyllis Vandenberg
7005 47th Avenue
Flasher, ND 58535-9604
John P. Yantzer
1908 12th Avenue SE
Mandan, ND 58554
Howard Skager
PO Box 382
Wellington, CO 80549-0382
Nathan Skager
120 Bundy Road
Lavina, MT 59046-7126
Jardene Moss
858 Lynch Drive
Billings, MT 59105
Karla Walter
Box 661
Park City, MT 59063
Claudene Pickett
24 Maier Road
Billings, MT 59101

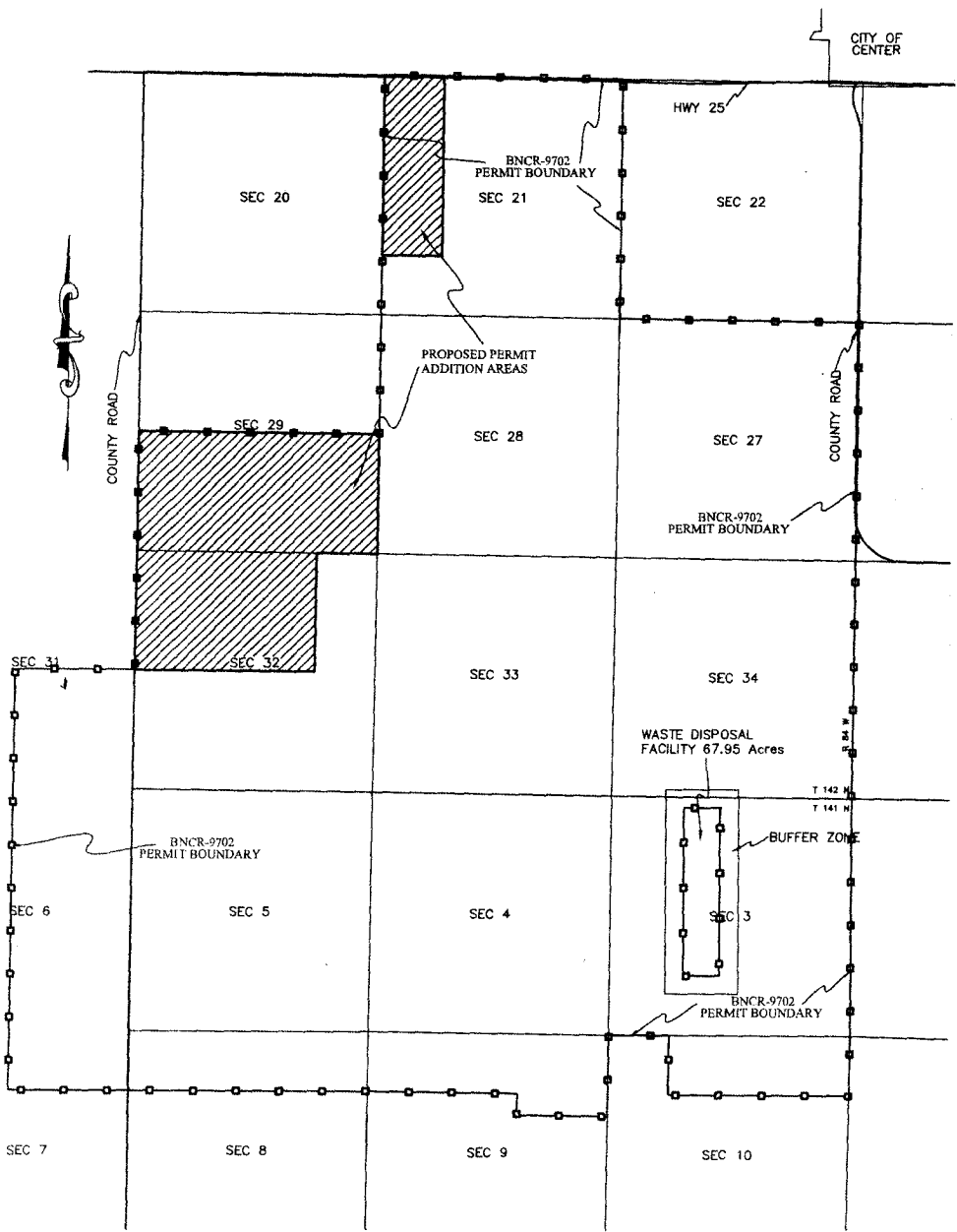
USA

SE1/4NW1/4 and S1/2

Tom & Kathleen Lipp

Tom & Kathleen Lipp

until they are closed by the Oliver County Board of Commissioners. Before the rights-of-way and associated setback corridors are disturbed, approval from the Oliver County Board of Commissioners will be obtained. Notice and opportunity for a hearing will be provided as required by the ND Century Code.



6/30, 7/7, 14 & 21 - 605609

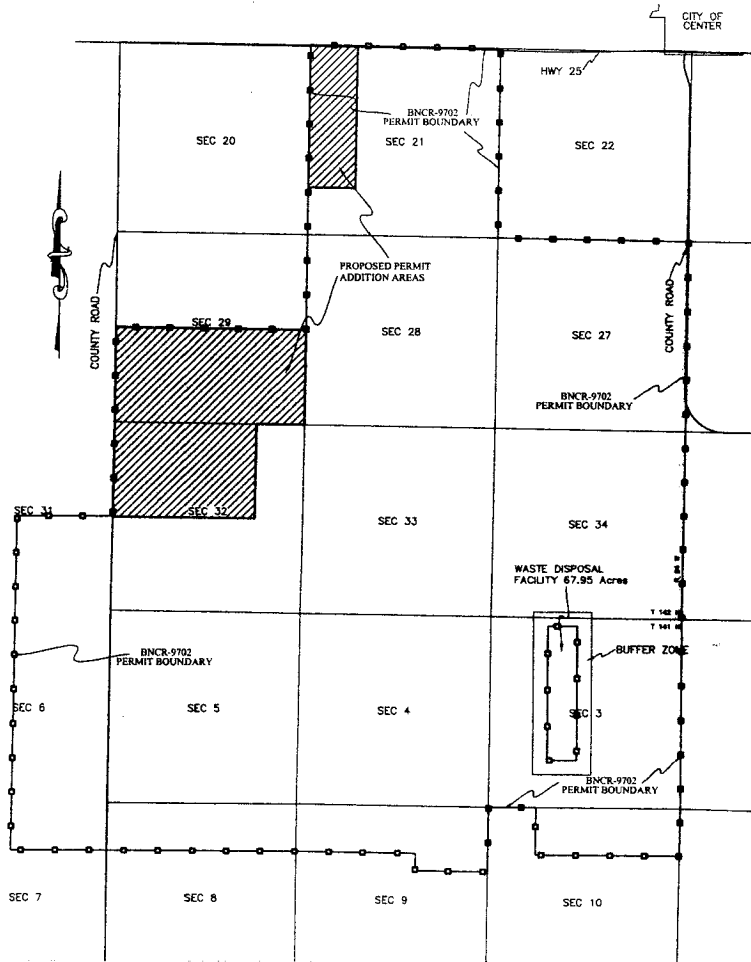
LIC NOTICES

NOTICE OF APPLICATION FOR A PERMIT REVISION TO ADD AREA TO AN EXISTING SURFACE COAL MINING PERMIT.

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. 30 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 7018 acres in parts of Sections 21, 27, 28, 29, 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. The permit revision will modify the permit boundary by adding 676.48 acres to the northwestern boundary of the existing permit, including the S 1/2 Section 29, T142N, R84W, the W 1/2 NW 1/4 and the NW 1/4 SW 1/4 Section 21, T142N, R84W and the NW 1/4 and W 1/2 NE 1/4 Section 32, T142N, R84W. Any interested persons may file petitions with the Public Service commission to designate any of these additional lands as unsuitable for mining.

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

SECTION 21 T142N R84W
ENTIRE SECTION

Jeanette Lange
13518 42nd Ave W
Mukilteo, WA 98275
Virginia Miller
401 E North St
Harvey, ND 58341
Patricia Pella
PO Box 33405
Seattle, WA 98133
Melvin K. Arthur
2322 St. Croix St.
Kissimmee, FL 34741
Yonne Langseth
PO Box 629
Rapid City, SD 57701
Jacqueline Gullickson
1895 33rd Ave SW
Center, ND 58530

Jeanette Lange
13518 42nd Ave W
Mukilteo, WA 98275
Virginia Miller
401 E North St
Harvey, ND 58341
Patricia Pella
PO Box 33405
Seattle, WA 98133
Melvin K. Arthur
2322 St. Croix St.
Kissimmee, FL 34741
Yonne Langseth
PO Box 629
Rapid City, SD 57701
Jacqueline Gullickson
1895 33rd Ave SW
Center, ND 58530
Gen 'l Council-Ass'ly of God
1600 North Boonville
Springfield, MO 65801
ND Council-Assembly of God
1724 North Grandview Lane
Bismarck, ND 58501

SECTION 29 T142N R84W
SE1/4

Brenda Schwalbe
3160 25th Street
Center, ND 58530

Brenda Schwalbe
3160 25th Street
Center, ND 58530

Seattle, WA 98100
Melvin K. Arthur
2322 St. Croix St.
Kissimmee, FL 34741
Yonne Langseth
PO Box 629
Rapid City, SD 57701
Jacqueline Gullickson
1895 33rd Ave SW
Center, ND 58530

Seattle, WA 98100
Melvin K. Arthur
2322 St. Croix St.
Kissimmee, FL 34741
Yonne Langseth
PO Box 629
Rapid City, SD 57701
Jacqueline Gullickson
1895 33rd Ave SW
Center, ND 58530
Gen'l Council-Ass'bly of God
1600 North Boonville
Springfield, MO 65801
ND Council-Assembly of God
1724 North Grandview Lane
Bismarck, ND 58501

SECTION 29 T142N R84W
SE1/4

Brenda Schwalbe
3160 25th Street
Center, ND 58530
Eugene Yantzer
2745 18th St. SW
Center, ND 58530
John P. Yantzer
1908 12th Avenue SE
Mandan, ND 58554
Arnold Torgerson
11811 N. Bancroft Drive
Phoenix, AZ 85028
Arlyce Muth
110 2nd Street NE
Dillworth, MN 56529

Brenda Schwalbe
3160 25th Street
Center, ND 58530
Phyllis Vandenburg
7005 47th Avenue
Flasher, ND 58535-9604
John P. Yantzer
1908 12th Avenue SE
Mandan, ND 58554
Arnold Torgerson
11811 N. Bancroft Drive
Phoenix, AZ 85028
Arlyce Muth
110 2nd Street NE
Dillworth, MN 56529
Howard Skager
PO Box 382
Wellington, CO 80549-0382
Nathan Skager
120 Bundy Road
Lavina, MT 59046-7126
Jardene Moss
858 Lynch Drive
Billings, MT 59105
Karla Walter
PO Box 661
Park City, MT 59063
Claudene Pickett
24 Maier Road
Billings, MT 59101
ND State Land Department
PO Box 5523
Bismarck, ND 58506-5523

SW1/4

Brenda Schwalbe
3160 25th Street
Center, ND 58530
Phyllis Vandenberg

Brenda Schwalbe
3160 25th Street
Center, ND 58530
Phyllis Vandenberg

PUBLIC NOT

7005 47th Avenue
Flasher, ND 58535-9604
John P. Yantzer
1908 12th Avenue SE
Mandan, ND 58554
Jardene Moss
858 Lynch Drive
Billings, MT 59105

Claudene Pickett
24 Maier Road
Billings, MT 59101
Howard Skager
PO Box 382
Wellington, CO 80549-0382
Nathan Skager
120 Bundy Road
Lavina, MT 59046-7126
Karla Walter
PO Box 661
Park City, MT 59063

Brenda Schwalbe
3160 25th Street
Center, ND 58530
Phyllis Vandenburg
7005 47th Avenue
Flasher, ND 58535-9604
John P. Yantzer
1908 12th Avenue SE
Mandan, ND 58554
Howard Skager
PO Box 382
Wellington, CO 80549-0382
Nathan Skager
120 Bundy Road
Lavina, MT 59046-7126
Jardene Moss
858 Lynch Drive
Billings, MT 59105
Karla Walter
Box 661
Park City, MT 59063
Claudene Pickett
24 Maier Road
Billings, MT 59101

Tom & Kathleen Lipp
4744 Thornburg Drive
Bismarck, ND 58504

Arnold Torgerson
11811 N Bancroft Dr.
Phoenix, AZ 85028
Brenda Schwalbe
3160 25th Street
Center, ND 58530
Eugene Yantzer
2745 18th St SW
Center, ND 58530
John P. Yantzer
1908 12th Ave SE
Mandan, ND 58554
Arlcyce Muth
110 2nd St NE
Dilworth, MN 56529

7005 47th Avenue
Flasher, ND 58535-9604
John P. Yantzer
1908 12th Avenue SE
Mandan, ND 58554
Jardene Moss
858 Lynch Drive
Billings, MT 59105

Claudene Pickett
24 Maier Road
Billings, MT 59101
Howard Skager
PO Box 382
Wellington, CO 80549-0382
Nathan Skager
120 Bundy Road
Lavina, MT 59046-7126
Karla Walter
PO Box 661
Park City, MT 59063
ND State Land Department
PO Box 5523
Bismarck, ND 58506-5523

USA

Tom & Kathleen Lipp
4744 Thornburg Drive
Bismarck, ND 58504
Marshall & Winston, Inc.
PO Box 50880
Midland, TX 79710-0880
Hancock Enterprises
PO Box 2527
Billings, MT 59103
Fortin Enterprises, Inc.
PO Box 2416
Billings, MT 59103

Arnold Torgerson
11811 N Bancroft Dr.
Phoenix, AZ 85028
Brenda Schwalbe
3160 25th Street
Center, ND 58530
John P. Yantzer
1908 12th Avenue SE
Mandan, ND 58554
Phyllis Vandenburg
7005 47th Avenue
Flasher, ND 58535-9604
Arlcyce Muth
110 2nd St NE
Dilworth, MN 56529

SECTION 32 T142N R84W
N1/2NW1/4, SW1/4NW1/4,
and NW1/4SW1/4

SE1/4NW1/4 and S1/2
Less NW1/4SW1/4

NE1/4

Marshall & Winston, Inc.
PO Box 50880
Midland, TX 79710-0880
Hancock Enterprises
PO Box 2527
Billings, MT 59103
Fortin Enterprises, Inc.
PO Box 2416
Billings, MT 59103

NE1/4

Arnold Torgerson
11811 N Bancroft Dr.
Phoenix, AZ 85028
Brenda Schwalbe
3160 25th Street
Center, ND 58530
Eugene Yantzer
2745 18th St SW
Center, ND 58530
John P. Yantzer
1908 12th Ave SE
Mandan, ND 58554
Arylce Muth
110 2nd St NE
Dilworth, MN 56529

Arnold Torgerson
11811 N Bancroft Dr.
Phoenix, AZ 85028
Brenda Schwalbe
3160 25th Street
Center, ND 58530
John P. Yantzer
1908 12th Avenue SE
Mandan, ND 58554
Phyllis Vandenburg
7005 47th Avenue
Flasher, ND 58535-9604
Arylce Muth
110 2nd St NE
Dilworth, MN 56529
Howard Skager
PO Box 382
Wellington, CO 80549-0382
Nathan Skager
120 Bundy Road
Lavina, MT 59046-7126
Jardene Moss
858 Lynch Drive
Billings, MT 59105
Karla Walter
Box 661
Park City, MT 59063
Claudene Pickett
24 Maier Road
Billings, MT 59101

Operations within 100 feet of the outside rights-of-way for the following public roads or section lines will be necessary for this permit area. Prior to any operations being conducted, BNI will obtain approval from the Oliver County Board of Commissioners subject to public notice and hearing.

The east side of the section line between the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, and the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20, T142N, R84W;

The south side of the section line between the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE1/4 of Section 32, and the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29, T142N, R84W; and,

The east side of the section line between the NW $\frac{1}{4}$ of Section 32, and the NE $\frac{1}{4}$ of Section 31, T142N, R84W.

Operations within 100 feet of the right-of-way of ND Highway 25 will be necessary on the North Boundary of Section 21, T142N, R84W, for this permit area. Prior to any operations being conducted, BNI will obtain approval from the North Dakota Department of Transportation Department.

During the term of the permit, mining and related construction activities will need to be located across some section lines. BNI will obtain approval from the Oliver County Board of Commissioners to temporarily close the following section lines during the term of mining and reclamation:

The north-south section line between Section 20, T142N, R84W and Section 21, T142N, R84W.

The east-west section line between Section 29, T142N, R84W and Section 32, T142N, R84W.

No surface coal mining operations will be located within 100 feet of the outside rights-of-way of any of these county and section line roads until they are closed by the Oliver County Board of Commissioners. Before the rights-of-way and associated setback corridors are disturbed, approval from the Oliver County Board of Commissioners will be obtained. Notice and opportunity for a hearing will be provided as required by the ND Century Code.

(7-01-10-7-08-10-7-15-10-7-22-10)