

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

South Heart Coal, LLC  
Permit SHSH-1001  
Application

Case No. RC-10-77

AFFIDAVIT OF SERVICE BY  
FIRST CLASS MAIL

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH


Sheila Hibl deposes and says that she is over the age of 18 years and not a party to this action and on, **the 12<sup>th</sup> day of January, 2011**, she deposited in the United States Mail, Bismarck, North Dakota, **25** envelopes by standard first-class mail, postage prepaid, **21** certified mail envelopes, postage prepaid, and **7** inside mail envelopes, all securely sealed and each containing:

NOTICE OF RECEIPT OF PERMIT APPLICATION  
FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS

The envelopes were addressed as follows.

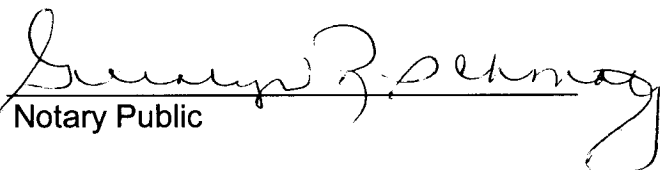
See Attached Lists

To the best of affiant's knowledge each address shown is the respective addressee's last reasonably ascertainable post office address.



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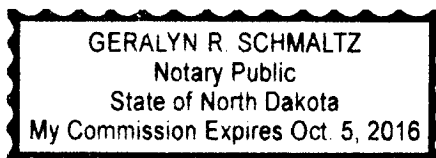
Subscribed and sworn to before me  
this **12<sup>th</sup>** day of **January, 2011**



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Notary Public

S E A L



**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**South Heart Coal, LLC**  
**Permit SHSH-1001**  
**Application**

**Case No. RC-10-77**

**NOTICE OF RECEIPT OF PERMIT APPLICATION**

**January 12, 2011**

South Heart Coal, LLC has filed the application for Surface Coal Mining Permit SHSH-1001 to conduct surface coal mining and reclamation operations at its proposed South Heart Lignite Mine covering lands located in:

All or portions of Sections 9, 10, 14, 15, 16, 17, 20, 21, 22, 23, 27, 28, 29, 33, and 34, T139N, R98W, Stark County, North Dakota, containing approximately 4,581.4 acres.

The surface coal mining and reclamation permit application may be inspected at:

Public Service Commission  
State Capitol, 13<sup>th</sup> Floor  
Bismarck, North Dakota 58505-0480

Stark County Auditor  
County Courthouse  
Dickinson, North Dakota 58601

You may submit written comments or objections on the proposed permit application and its effects on the environment and on surface owners of the land within and adjacent to the proposed permit area. You may also request an informal conference with the Commission and the applicant on the permit application. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, petitions to designate lands unsuitable for mining, or requests for an informal conference must be filed with the Commission by March 15, 2011.

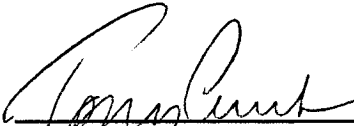
If there is an informal conference, you may request a formal administrative hearing on the Commission ruling on the application. Your request for a formal hearing must be made within thirty days of the Commission ruling on the application.

Written comments, objections, petitions, or requests for an informal conference should be addressed to the Public Service Commission, 600 E Boulevard Ave Dept 408, Bismarck, North Dakota 58505-0480. For more information you may contact the Public Service Commission at 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY.

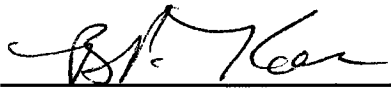
**PUBLIC SERVICE COMMISSION**



**Kevin Cramer**  
**Commissioner**



**Tony Clark**  
**Chairman**



**Brian P. Kalk**  
**Commissioner**

**Mailing lists for Notice of Permit Application – South Heart Coal Mine - local, state and federal agencies and Advisory Committee members – Application for Permit SHSH-1001**

**use standard lists  
regular First Class mail, mailing affidavit**

**Mailing list for Surface owners by CERTIFIED MAIL – ALSO INCLUDE CITIZEN PARTICIPATION BROCHERE WITH THE MAILING TO SURFACE OWNERS**

John F. Buckman  
South Heart, ND 58655  
**7009 2820 0002 9236 6938**

Gary L. & Barbara Meduna  
P.O. Box 123  
South Heart, ND 58655  
**7009 2820 0002 9236 5658**

Janelle Hnatko  
4341 Grouse Ridge Road  
Hermantown, MN 55811  
**7009 2820 0002 9236 5719**

Emmil, Leocadia Family Trust  
Delores Baudoin, Lydia Meduna,  
Trustees  
11435 Hwy 10 W.  
Dickinson, ND 58601  
**7009 2820 0002 9236 6945**

Robert B. Pavel  
3113 Daytona Dr.  
Bismarck, ND 58503-0139  
**7009 2820 0002 9236 5665**

Glen R. Wagner  
P.O. Box 245  
South Heart, ND 58655  
**7009 2820 0002 9236 5726**

Larry R. Klein  
525 Weatherby Way  
Bismarck, ND 58503-0139  
**7009 2820 0002 9236 6952**

James D. & Rosella J. Perdaems  
P.O. Box 45  
South Heart, ND 58655  
**7009 2820 0002 9236 5672**

James & Lisa Wagner  
12274 Hwy 10 W.  
South Heart, ND 58655-9754  
**7009 2820 0002 9236 5733**

Kenneth D. Kudrna  
11961 41st Street SW  
South Heart, ND 58655  
**7009 2820 0002 9236 6969**

Jerry F. & Sandra M. Perdaems  
P.O. Box 45  
South Heart, ND 58655  
**7009 2820 0002 9236 5689**

Eldor & Marcella Galster  
13184 Martin St. NW  
Coon Rapids, MN 55433  
**7009 2820 0002 9236 5740**

Patrick & Katherine Kuylen  
12230 40th St. SW  
South Heart, ND 58655  
**7009 2820 0002 9236 6976**

Mary Louise Peters  
965 11th Ave. W.  
Dickinson, ND 58601  
**7009 2820 0002 9236 5696**

Robert F. & Brenda K. Kuylen  
P.O. Box 273  
South Heart, ND 58655  
**7009 2820 0002 9236 6983**

John F. Perdaems  
1503 South Grand  
Bozeman, MT 59715  
**7009 2820 0002 9236 5702**

**SEND TO THE FOLLOWING IF ACREAGE IS ADDED TO ANY PERMIT  
Certified Mail**

MR MARCUS WELLS JR., CHAIRMAN  
THREE AFFILIATED TRIBES BUS COUNCIL  
404 FRONTAGE RD  
NEW TOWN ND 58763  
**7009 2820 0002 9236 5757**

MYRA PEARSON, CHAIRPERSON  
SPIRIT LAKE TRIBAL COUNCIL  
PO BOX 359  
FORT TOTTEN ND 58335-0359  
**7009 2820 0002 9236 5764**

RON HIS HORSE IS THUNDER, CHAIRMAN  
STANDING ROCK TRIBAL BUS OFFICE  
ADMINISTRATIVE SERVICE CTR BLDG #1  
FORT YATES ND 58538  
**7009 2820 0002 9236 5771**

MR RICHARD MARCHELLAIS, CHAIRMAN  
TURTLE MOUNTAIN BAND OF CHIPPEWA  
PO BOX 900  
BELCOURT ND 58316-0900  
**7009 2820 0002 9236 5788**

MR RAY K. EDER, CHAIRMAN  
FORT PECK TRIBES  
PO BOX 1027  
POPLAR MT 59255  
**7009 2820 0002 9236 5795**

**SOUTH HEART COAL, LLC**

**South Heart Coal Mine – Stark County**  
Standard First Class Mail

Roosevelt-Custer Regional Council  
300 13<sup>th</sup> Ave W, Ste 3, Pulver Hall  
Dickinson, ND 58601

Honorable Mayor Dennis W Johnson  
Mayor of Dickinson  
99 2<sup>ND</sup> St East  
Dickinson, ND 58601

County Auditor  
County Commissioner  
PO Box 130  
Dickinson, ND 58602-0130

Honorable Mayor Floyd Hurt  
Mayor of South Heart  
103 6<sup>th</sup> St NW  
South Heart, ND 58655-0249

Planning and Zoning Commission  
County Auditor  
PO BOX 130  
Dickinson, ND 58602-0130

Honorable Mayor Leo Schneider  
Mayor of Belfield  
P.O. Box 5  
Belfield, ND 58622-0005

Central Stark County SCD  
District Conservationist  
2493 4<sup>th</sup> Ave West, Room C  
Dickinson, ND 58601-2623

Western Soil Conservation District  
District Conservationist  
2493 4<sup>th</sup> Ave W, Room C  
Dickinson, ND 58601-2623

Water Resource District  
Jack Olin, Chairman  
798 5<sup>TH</sup> Ave SE  
Dickinson, ND 58601

Southwest Water Authority  
4665 2<sup>nd</sup> St SW  
Dickinson, ND 58601-7231

**Standard First Class Mail or Inside Mail**

MS CAROL RUSSELL  
USEPA REGION 8  
1595 WYNKOOP ST  
DENVER CO 80202-1129

MR PAUL J. SWEENEY  
NTRL RESRC CONSERVE SVC  
PO BOX 1458  
BISMARCK ND 58502-1458

MINING HEALTH & SAFETY ADMN  
CMSHA - US DEPT OF LABOR  
PO BOX 25367  
DENVER CO 80225-5367

MR JEFF TOWNER  
US FISH & WILDLIFE SERVICE  
3425 MIRIAM AVENUE  
BISMARCK ND 58501-7926

MR DON PETERSON  
NATL FARMERS ORGN  
GASCOYNE ND 58629

MR JOHN MITTLEIDER  
NORTH DAKOTA FARM BUREAU  
PO BOX 2793  
BISMARCK ND 58502-2793

DAKOTA RESOURCE COUNCIL  
PO BOX 1095  
DICKINSON ND 58602-1095

MS GWEN THOMPSON  
CHAIRPERSON FOR DRC COAL COMM  
2010 E CAPITOL AVE #10  
BISMARCK ND 58501-2257

US ARMY CORP OF ENGINEERS  
ND REGULATORY FLD OFC  
1513 S 12 STREET  
BISMARCK ND 58504

MR MARK ZIMMERMAN  
ND PARKS & TOURISM  
INSIDE MAIL

BUREAU OF LAND MANAGEMENT  
TNT STATE OFFICE  
5001 SOUTHGATE DR  
BILLINGS, MT 59101-4669

91 CSG/JA  
MINOT AIR FORCE BASE  
MINOT ND 58705-5000

DAKOTA RESOURCE COUNCIL  
103½ SOUTH 3<sup>RD</sup> STREET  
BISMARCK ND 58501

Nick Chevance, Environmental Coordinator  
Planning & Compliance Office  
National Park Service, Midwest Region  
601 Riverfront Dr.  
Omaha, NE 68102-4226

MR ROBERT CARLSON  
ND FARMERS UNION  
PO BOX 2136  
JAMESTOWN ND 58402-2136

**RECLAMATION ADVISORY COMMITTEE / STATE GOVERNMENT NOTICE**  
**Standard First Class Mail or Inside Mail**

LARRY KOTCHMAN  
ND FOREST SERVICE  
MOLBERG CENTER  
307 1<sup>ST</sup> STREET EAST  
BOTTINEAU ND 58318

MR ED MURPHY (INSIDE MAIL)  
ND GEOLOGICAL SURVEY  
600 EAST BOULEVARD  
BISMARCK ND 58505-0840  
(701) 224-2985

MR MERLAN PAAVERUD (INSIDE MAIL)  
STATE HISTORICAL SOCIETY OF ND  
612 EAST BOULEVARD AVE  
ND HERITAGE CENTER  
BISMARCK ND 58505-0830

MR TODD SANDO (INSIDE MAIL)  
ND WATER COMMISSION  
900 EAST BOULEVARD  
BISMARCK ND 58505  
(701) 224-2750  
FAX 328-9721  
(701) 328-9715

MR TERRY STEINWAND (INSIDE MAIL)  
ND GAME & FISH DEPT  
100 NORTH BISMARCK EXPRESSWAY  
BISMARCK ND 58505  
(701) 221-6300

MR DAVE GLATT (INSIDE MAIL)  
ND HEALTH DEPT  
ENVIRONMENTAL HEALTH SECTION  
GOLD SEAL CENTER  
918 E DIVIDE AVE  
BISMARCK ND 58501-1947  
(701) 224-2354

Scott Hochhalter  
ND Soil Conservation Committee  
2718 Gateway Ave., Unit #104  
Bismarck, ND 58503