

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Dakota Westmoreland Corporation
Revision No. 26, Permit KRSB-8802
Renewal No. 4, Permit KRSB-8802
Applications

Case No. RC-10-332
Case No. RC-10-331

AFFIDAVIT OF SERVICE BY
FIRST CLASS MAIL

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

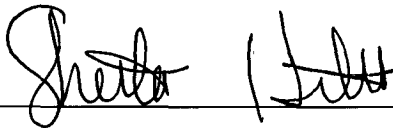
Sheila Hibl deposes and says that she is over the age of 18 years and not a party to this action and on, the 31st day of August, 2010, she deposited in the United States Mail, Bismarck, North Dakota, 28 envelopes by standard first-class mail, postage prepaid, 28 certified mail envelopes, postage prepaid, and 7 inside mail envelopes, all securely sealed and each containing:

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

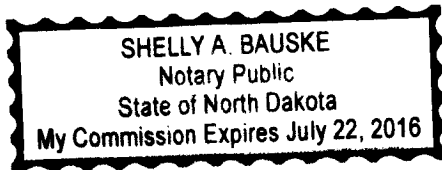
The envelopes were addressed as follows.

See Attached Lists

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



Subscribed and sworn to before me
this 31st day of August, 2010





Notary Public

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Dakota Westmoreland Corporation
Revision No. 26, Permit KRSB-8802
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NOTICE OF RECEIPT OF RENEWAL AND REVISION APPLICATIONS

August 31, 2010

Dakota Westmoreland Corporation (DWC) has applied to renew Surface Coal Mining Permit KRSB-8802 and update legal, financial, and operations and reclamation plans in the existing permit area located in:

All or portions of Sections 7, 8, 17, 18, 19, and 20, T143N, R87W, Oliver County, and Sections 10, 11, 12, 13, 14, 15, and 24, T143N, R88W, Mercer County containing 4,905.9 acres.

The five-year permit renewal will allow DWC to continue to use existing mining facilities and carry out reclamation operations in Permit No. KRSB-8802 until October 23, 2015. Revision No. 26 updates operations and reclamation plans and other information during the next permit term.

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

Public Service Commission
State Capitol
Bismarck, North Dakota 58505-0480

Oliver County Auditor
County Courthouse
Center, North Dakota 58530

Mercer County Auditor
County Courthouse
Stanton, ND 58571

You may submit written comments or objections on the proposed permit renewal and revision applications and its effects on the environment and on surface owners of the land in the permit area. You may request an informal conference with the Commission and the applicant on the renewal and revision applications. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, or requests for informal conference must be made by October 18, 2010.

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

Written comments, objections, or requests for informal conferences should be addressed to the Public Service Commission, State Capitol, Bismarck, North Dakota 58505-0480.

For more information you may contact the Public Service Commission at 701-328-2400.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
Chairman



Brian P. Kalk
Commissioner

Mailing lists for Notice of Renewal Application – local (Mercer & Oliver Counties), state and federal agencies and Advisory Committee members

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

CERTIFIED MAIL:

Abbey Family Partnership
206 9th St. NW
Beulah, ND 58523
7010 1060 0001 0643 6890

Miles Heth
4087 111F Ave SW
Dickinson, ND 58601
7010 1060 0001 0643 7330

Gerald Bergquist
PO Box 1476
Jamestown, ND 58401
7010 1060 0001 0643 6906

Rose Heth
c/o William Heth
218 Riviera Drive
Beulah, ND 58523
7010 1060 0001 0643 7347

Michael Bergquist
242 16th Ave NE
Jamestown, ND 58401
7010 1060 0001 0643 7286

William C. Heth
986 Foster Drive
Dickinson, ND 58601
7010 1060 0001 0643 7354

Bertha, Faith, & Faye LLC
c/o Faye Harrison
17636 Fieldfare Way
Farmington, MN 55024
7010 1060 0001 0643 7393

Stephanie A. Keltner
PO Box 897
Terry, MT 59349
7010 1060 0001 0643 7361

Allegra & Leroy Boeckel
611 Highway 200
Hazen, ND 58545-9313
7010 1060 0001 0643 7309

Jonathan Liebelt Estate
c/o Charlotte Liebelt
PO Box 168
Aberdeen, SD 57402-0168
7010 1060 0001 0643 7378

E. Wayne Boland
1402 57th Ave. SW
Beulah, ND 58523
7010 1060 0001 0643 7316

Montana-Dakota Utilities Co.
400 North Fourth
Bismarck, ND 58501
7010 1060 0001 0643 7385

Darell Herman
1605 59th Ave SW
Beulah, ND 58523
7010 1060 0001 0643 7323

Esther Syrup
209 Park Ave
Park River, ND 58270
7010 1060 0001 0643 7392

Dennis Neuberger
2044 59th Ave SW
Beulah, ND 58523-9643
7010 1060 0001 0643 7408

Patricia Umsted
408 Wendell Ave
Lewiston, MT 59457
7010 1060 0001 0643 6425

Elmer N. Neuberger
PO Box 5
Beulah, ND 58523
7010 1060 0001 0643 7415

JoAnn Wiest
1502 Northview Lane
Aberdeen, SD 57401
7010 1060 0001 0643 6463

Ken Neuberger
1715 6th Ave NE
Beulah, ND 58523
7010 1060 0001 0643 7422

Knife River Corporation
1915 N Kavaney Drive
Bismarck, ND 58501-1698
7010 1060 0001 0643 6432

Northern Municipal Power Agency
PO Box 485
Thief River Falls, MN 56701
7010 1060 0001 0643 7439

Leland Erickson
1655 Highway 49
Beulah, ND 58523
7010 1060 0001 0643 6449

Northwestern Energy
PO Box 1318
Huron, SD 57350
7010 1060 0001 0643 7446

Jerome & Jane Boeshans
246 County Rd 19 North
Beulah, ND 58523
7010 1060 0001 0643 6456

Otter Tail Power Co.
215 South Cascade Street
Fergus Falls, MN 56537
7010 1060 0001 0643 7453

Delvin Reich
1320 County Road 13
Zap, ND 58580
7010 1060 0001 0643 7460

Jack P. Reich
c/o First Trust Co.
PO Box 5515
Bismarck, ND 58502-5515
7010 1060 0001 0643 6401

Joseph E. Reich
c/o First Trust Co.
PO Box 5515
Bismarck, ND 58502-5515
7010 1060 0001 0643 6418