

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Dakota Westmoreland Corporation
Revision 26, Permit KRSB-8802
Approval

Case No. RC-10-332

REVISION OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS

October 20, 2010

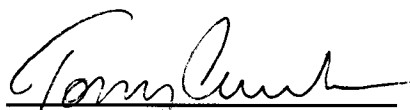
Based on the application for Revision Number 26 to Permit Number KRSB-8802 received June 23, 2010, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted on June 23, 2010, and as subsequently modified, is complete and accurate, and the applicant has complied with the requirements of Chapter 38-14.1 of the North Dakota Century Code (NDCC) and Article 69-05.2 of the North Dakota Administrative Code (NDAC).
2. The Commission findings that were made when the permit and other revisions were issued remain applicable to the revised operation and reclamation plans.

Revision Number 26 to Permit Number KRSB-8802 is hereby granted to Dakota Westmoreland Corporation to update the legal and property ownership information, operations and reclamation plans and other information as described in the permit revision application received June 23, 2010.

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and any additional or revised permit conditions listed on attached PSC Reclamation Form - 3. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be a significant alteration to the previously approved permit.

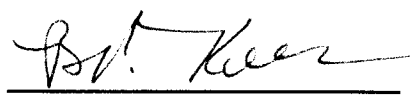
PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
Chairman



Brian P. Kalk
Commissioner