

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Falkirk Mining Company  
Revision No. 17, Permit NAFK-8405  
Renewal No. 5, Permit NAFK-8405  
Application

Case No. RC-10-654  
Case No. RC-10-655

AFFIDAVIT OF SERVICE BY  
FIRST CLASS MAIL

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

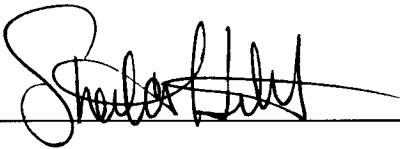
Sheila Hibi deposes and says that she is over the age of 18 years and not a party to this action and on, the 10<sup>th</sup> day of February, 2011, she deposited in the United States Mail, Bismarck, North Dakota, 23 envelopes by standard first-class mail, postage prepaid, 28 certified mail envelopes, postage prepaid, and 7 inside mail envelopes, all securely sealed and each containing:

NOTICE OF RECEIPT OF REVISION AND RENEWAL APPLICATIONS  
FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS

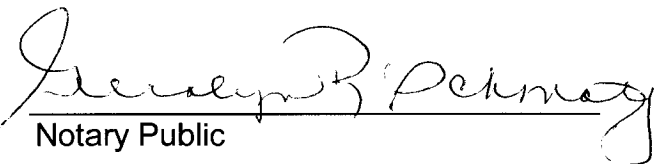
The envelopes were addressed as follows.

See Attached Lists

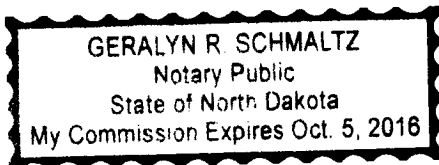
To the best of affiant's knowledge each address shown is the respective addressee's last reasonably ascertainable post office address.

  
\_\_\_\_\_

Subscribed and sworn to before me  
this 10<sup>th</sup> day of February, 2011

  
\_\_\_\_\_  
Notary Public

S E A L



7 RC-10-655 Filed 02/10/2011 Pages: 10  
Affidavit of Service  
Public Service Commission

7 RC-10-654 Filed 02/10/2011 Pages: 10  
Affidavit of Service  
Public Service Commission

Waste Management of ND, Inc.  
District Office  
7007 15th St. NW  
Bismarck, ND 58503  
7009 2820 0002 9236 6015

Missouri River Sanitation, Inc.  
c/o Richard Huschka  
21903 River Oaks Dr.  
Fergus Falls, MN 56537-7624  
7009 2820 0002 9236 6068

State Historical Society  
(State Historical Board)  
612 E Boulevard Ave.  
Bismarck, ND 58505  
7009 2820 0002 9236 6051

Gregory & Mildred L. Jordahl  
PO Box 157  
Wilton, ND 58579  
7009 2820 0002 9236 5993

Soo Line Railroad Company  
501 Marquette Ave. Ste. 1420  
Minneapolis, MN 55402  
7009 2820 0002 9236 5986

James C. & Linda M. Pryor  
Box 574  
Underwood, ND 58576  
7009 2820 0002 9236 5979

Collin R. & Vonnie Weisz  
2319B 3rd St. NW  
Underwood, ND 58576  
7009 2820 0002 9236 5962

Monte J. Miller  
2688B - 8th St. SW  
Washburn, ND 58577  
7009 2820 0002 9236 6044

Karen K. Johannes, Life Estate  
Box 274  
Underwood, ND 58576  
7009 2820 0002 9236 6037

Ronald D. Johannes  
2808 8th Ave. NW  
Willmar, MN 56201  
7009 2820 0002 9236 6020

Sidney L. Johannes  
29051 Tee Lake Rd.  
Vergas, MN 56587  
7009 2820 0002 9236 6013

Cynthia R. Klingbeil  
520 14<sup>th</sup> Ave. SW  
Minot, ND 58701  
7009 2820 0002 9236 6006

Chandra J. Longnecker  
1477 Creekside Dr.  
Waconia, MN 55387  
7009 2820 0002 9236 5955

Michael R. Berg  
384 27th St. NW  
Underwood, ND 58576  
7009 2820 0002 9236 5948

Chad Berg  
388 27th Ave. NW  
Underwood, ND 58576  
7009 2820 0002 9236 5931

Jeff Leidholm  
1055 27th Ave. SW  
Hensler, ND 58530  
7009 2820 0002 9236 5924

Denny R. & Ruby J. Portra  
Box 1068  
Underwood, ND 58576  
7009 2820 0002 9236 5917

Laurel Miller  
2259 2nd St. NW  
Underwood, ND 58576-9502  
7009 2820 0002 9236 5900

Dennis R. & Janet K. Folden  
2707 4th St. NW  
Underwood, ND 58576-9503  
7009 2820 0002 9236 5894

Eugene & Palma Levey  
2651 4th St. NW  
Underwood, ND 58576  
7009 2820 0002 9236 5887

Craig & Deborah Siem  
2519 4th St. NW  
Underwood, ND 58576  
7009 2820 0002 9236 5870

Monte J. Miller  
2688B 8th St. SW  
Washburn, ND 58577  
7009 2820 0002 9236 5863

MDR Landenberger Family Trust  
Mark Lynn Landenberger, Trustee  
103 Borchardt Ave.  
Underwood, ND 58576  
7009 2820 0002 9236 5856

Emmanual & Beatrice Schauer  
511 23rd Ave. NW  
Underwood, ND 58576  
7009 2820 0002 9236 5849

Ruth & Walter Olson, Life Estate  
518 McKinley Ave.  
Underwood, ND 58576  
7009 2820 0002 9236 5832

Eric & Lona Johnson  
1567 13th Ave. NW  
Turtle Lake, ND 58575  
7009 2820 0002 9236 5825

Norman and Martha Hoppe Family Trust  
c/o Norma A. Oster and Linda Hanson,  
Trustees  
2547 Sixth St. NW  
Underwood, ND 58576  
7009 2820 0002 9236 5818

Laurance L. & Nancy L. Heger  
607 Kennedy St.  
Underwood, ND 58576  
7009 2820 0002 9236 5801

**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

**FALKIRK MINING COMPANY**

**Falkirk Mine - McLean County  
Standard First Class Mail**

LEWIS & CLARK REGIONAL  
DEVELOPMENT COUNCIL  
200 1<sup>st</sup> AVE NW, STE B  
MANDAN ND 585554-3109

MS BEV PETERSON  
3959 7<sup>TH</sup> STREET SW  
WASHBURN ND 58577

COUNTY COMMISSION  
COUNTY AUDITOR  
712 5<sup>th</sup> AVE  
WASHBURN ND 58577

SOUTH MCLEAN SCS  
DISTRICT CONSERVATIONIST  
PO BOX 537  
TURTLE LAKE ND 58575-0537

HONORABLE ELMER MILLER  
MAYOR OF WASHBURN  
PO BOX 467  
WASHBURN ND 58577-0467

HONORABLE RICK OLSON  
MAYOR OF UNDERWOOD  
PO BOX 168  
UNDERWOOD ND 58576-0168

LYNN OBERG  
WATER RESOURCE DISTRICT  
1237 RIVERSIDE LN  
WASHBURN ND 58577

PLANNING AND ZONING COMMISSION  
COUNTY AUDITOR  
712 5<sup>TH</sup> AVE  
WASHBURN ND 58577

TPNLIB 461  
P 3 (15-21)

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

**Falkirk Mining Company**  
**Revision No. 17, Permit NAFK-8405**  
**Renewal No. 5, Permit NAFK-8405**  
**Applications**

**Case No. RC-10-654**  
**Case No. RC-10-655**

**NOTICE OF RECEIPT OF RENEWAL AND REVISION APPLICATIONS**

**February 9, 2011**

The Falkirk Mining Company has filed applications to renew and revise Surface Coal Mining Permit No. NAFK-8405 covering lands located in:

All or portions of Section 3, T145N, R82W; Sections 6, 7, and 18, T146N, R81W; and Sections 1, 2, 8, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 26, 27, 34, and 35, T146N, R82W, McLean County, totaling 8,776.6 acres.

The five-year permit renewal will allow Falkirk to continue to operate within the existing permit area until April 15, 2016. The revision identifies the next 5-year coal removal subarea and updates materials in the permit including legal information, operation plans, and reclamation plans, including the worst-case reclamation cost estimate used to set the amount of the performance bond. The renewal and revision applications and surface coal mining and reclamation permit may be inspected at:

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

McLean County Auditor  
County Courthouse  
Washburn, North Dakota 58577

You may submit written comments or objections on the proposed permit renewal application 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 March 28, 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, or requests for informal conferences should be addressed to the Public Service Commission, 600 East 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 Revision and Renewal Application - local, state and federal agencies and Advisory Committee members**

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

**Certified mailings to the following surface owners:**

Waste Management of ND, Inc.  
District Office  
7007 15<sup>th</sup> St. NW  
Bismarck, ND 58503

Missouri River Sanitation, Inc.  
c/o Richard Huschka  
21903 River Oaks Dr.  
Fergus Falls, MN 56537-7624

State Historical Society of North Dakota  
(State Historical Board)  
North Dakota Heritage Center  
Bismarck, ND 58505

Gregory & Mildred L. Jordahl  
PO Box 157  
Wilton, ND 58579

Soo Line Railroad Company  
501 Marquette Ave. Ste. 1420  
Minneapolis, MN 55402

James C. & Linda M. Pryor  
Box 574  
Underwood, ND 58576

Collin R. & Vonnie Weisz  
2319B 3<sup>rd</sup> St. NW  
Underwood, ND 58576

Monte J. Miller  
2688B – 8<sup>th</sup> St. SW  
Washburn, ND 58577

Karen K. Johannes, Life Estate  
Box 274  
Underwood, ND58576

Remaindermen:

- Ronald D. Johannes  
2808 8<sup>th</sup> Ave. NW  
Willmar, MN 56201
- Sidney L. Johannes  
29051 Tee Lake Rd.  
Vergas, MN 56587
- Cynthia R. Klingbeil  
520 14<sup>th</sup> Ave. SW  
Minot, ND 58701
- Chandra J. Longnecker  
1477 Creekside Dr.  
Waconia, MN 55387

Michael R. Berg  
384 27<sup>th</sup> St. NW  
Underwood, ND 58576

Chad Berg  
388 27<sup>th</sup> Ave. NW  
Underwood, ND 58576

Jeff Leidholm  
1055 27<sup>th</sup> Ave. SW  
Hensler, ND 58530

Denny R. & Ruby J. Portra  
Box 1068  
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Laurel Miller  
2259 2<sup>nd</sup> St. NW  
Underwood, ND 58576-9502

Dennis R. & Janet K. Folden  
2707 4<sup>th</sup> St. NW  
Underwood, ND 58576-9503

Eugene & Palma Levey  
2651 4<sup>th</sup> St. NW  
Underwood, ND 58576

Craig & Deborah Siem  
2519 4<sup>th</sup> St. NW  
Underwood, ND 58576

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2688B 8<sup>th</sup> St. SW  
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Mark Lynn Landenberger, Trustee  
103 Borchardt Ave.  
Underwood, ND 58576

Emmanual & Beatrice Schauer  
511 23<sup>rd</sup> Ave. NW  
Underwood, ND 58576

Ruth & Walter Olson, Life Estate  
518 McKinley Ave.  
Underwood, ND 58576  
Remaindermen:

Eric & Lona Johnson, as joint tenants  
1567 13<sup>th</sup> Ave. NW  
Turtle Lake, ND 58575

Norman and Martha Hoppe Family Trust  
c/o Norma A. Oster and Linda Hanson, Trustees  
2547 Sixth St. NW  
Underwood, ND 58576

Laurance L. & Nancy L. Heger  
607 Kennedy St.  
Underwood, ND 58576