

PUBLIC NOTICE

6/2 Bismarck

NOTICE OF APPLICATION

FOR REVISION and RENEWAL TO A SURFACE COAL MINE PERMIT

Please take notice that Dakota Westmoreland Corporation, PO Box 39, Beulah, North Dakota 58523, has made application to the North Dakota Public Service Commission for Revision No. 24 and Renewal No. 5 to Surface Coal Mining Permit KRSB-8603. The permit area is located in Sections 14, 15, 16, 17, 18, 19, 20, 21, and 22, T.143N., R.88W., Mercer County, North Dakota. The precise location and boundaries of the permit area are depicted on the accompanying map.

Permit KRSB-8603 encompasses 2,666.1 acres for coal excavation, mining and associated disturbance activities in support thereof. Revision No. 24 updates the current permit to reflect changes necessary for the next permit term including updates to the legal and financial sections, general operations and reclamation plans. In addition, the revision identifies the coal removal subarea that will be mined during the next 5-year permit term. Renewal No. 5 will allow mining and reclamation activities to continue during the next five-year permit term ending August 7, 2016.

This application is on file in the Office of the Director, Reclamation Division, Public Service Commission, State Capitol, Bismarck, North Dakota and the Office of the County Auditor, Mercer County, Stanton, North Dakota. It may be viewed at these locations during normal working hours.

Written comments, objections, requests for an informal conference or a petition to designate an area as unsuitable for surface coal mining operations may be submitted by any person with an interest which is or may be adversely affected to the North Dakota Public Service Commission, 600 East Boulevard Avenue, Dept. 408, Bismarck, ND 58505-0480, within 30 days of the last publication of this notice. Any request for an informal conference must include the reasons for the request.

The legal description and names of the apparent surface and mineral owners of the permit area follows:

T.143N., R.88W., Mercer County

LOCATION	SURFACE OWNER(S)	COAL OWNER(S)
SI/2NW1/4, Sec. 14	Otter Tail Power Company Northern Municipal Power Agency Northwestern Corporation Montana-Dakota Utilities Co.	United States of America
NW1/4, Sec. 15	Otter Tail Power Company Northern Municipal Power Agency Northwestern Corporation Montana-Dakota Utilities Co.	Robert A. Keogh Robert A. Keogh Mineral Trust Faye Keogh Rev. Trust Claire C. Schwalbe
NE1/4, Sec. 15	Dakota Westmoreland Corp. Otter Tail Power Company Northern Municipal Power Agency Northwestern Corporation Montana-Dakota Utilities Co.	Robert A. Keogh Robert A. Keogh Mineral Trust Faye Keogh Rev. Trust Claire C. Schwalbe
SI/2, Sec. 15	Faye Keogh Revocable Trust	Robert A. Keogh Robert A. Keogh Mineral Trust Faye Keogh Rev. Trust Claire C. Schwalbe
NI/2, Sec. 16	State of North Dakota	State of North Dakota
SW1/4, Sec. 16	Leona Weil Joan Miller Sharon Winkler	State of North Dakota Leona Weil Sharon Winkler Joan Miller
SE1/4, Sec. 16	Martha Gunsch	Martha Gunsch Ronald Gunsch Janice Sigman Sylvia Zeisler State of North Dakota
SI/2, Sec. 17	Faye Keogh Revocable Trust	Robert A. Keogh Robert A. Keogh Mineral Trust Faye Keogh Rev. Trust Claire C. Schwalbe
NI/2, Sec. 17	Claire C. Schwalbe	Robert A. Keogh Robert A. Keogh Mineral Trust Faye Keogh Rev. Trust Claire C. Schwalbe
SE1/4, Sec. 18	Donald & Claire Schwalbe	Donald & Claire Schwalbe State of North Dakota
NI/2, Sec. 19	Casey Voigt	Casey Voigt Kari Trappen Donalda Voigt Shawn Voigt Kenneth Voigt Karmen Eslinger Dean Voigt Patience Saylor
NE1/4 NE1/4 NW1/4 NW1/4 SI/2 NI/2 NI/2 SI/2, Sec. 20	Dakota Westmoreland Corporation	United States of America
NE1/4NW1/4, Sec. 20	Dakota Westmoreland Corporation	Dakota Westmoreland Corp.

STATE OF NORTH DAKOTA
IN DISTRICT COURT
COUNTY OF BURLEIGH
SOUTH CENTRAL JUDICIAL DISTRICT
Public Service Commission,
Petitioner,
vs.
Mitchell Feeds, Inc.
and
Western Surety Company
Respondents.
PSC Case No. GE-11-S1
Civil No. 08-2011-CV-00917

NOTICE OF APPOINTMENT AS TRUSTEE AND NOTICE TO FILE CLAIMS

PLEASE TAKE NOTICE that on May 10, 2011, the SOUTH CENTRAL JUDICIAL DISTRICT COURT appointed the Public Service Commission Trustee of Mitchell Feeds, Inc. under North Dakota Century Code Chapter 60-02.1 for the benefit of outstanding receipt holders of Mitchell Feeds, Inc. The Order was filed May 10, 2011.

FURTHER, PLEASE TAKE NOTICE THAT:

1. Any person having a claim against Mitchell Feeds, Inc. for the non-payment of grain purchased or marketed by Mitchell Feeds, Inc. in North Dakota, shall file the claim with the Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480.
2. Claims must be filed within forty-five (45) days after the last publication of this notice.
3. Any person filing a claim with the Public Service Commission shall include receipts or sufficient documentation to enable the Commission to determine the validity of the claim. This could include unsatisfied scale tickets or other memoranda given by the grain buyer for, or as evidence of, the receipt or sale of grain, dishonored checks, or any related contracts.
4. Unless a claim is filed with the Public Service Commission within the time specified, the claimant may be barred from participation in the trust fund.

Bismarck, North Dakota, this 20th day of May, 2011.

By: /s/ Mark Gruman
Iltonia A. Jeffcoat-Sacco (ID No.03315)
Mark Gruman (ID No.06019)
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600 East Boulevard Ave - Dept 408
Bismarck, North Dakota 58505-0480
Telephone (701) 328-2400
Facsimile (701) 328-2410
Attorneys for the Public Service Commission
5/26 & 6/2 - 606780

SECTION 00113 ADVERTISEMENT TO BID

Bids: June 14, 2011
May 13, 2011
Architects:
Davison Larson Associates
2705 4th Avenue Northwest
Minot, ND 58703
Phone: (701) 852-4178
Fax: (701) 852-4179

DLR Group, Inc.
520 Nicoller Mall, Suite 200
Minneapolis, MN 55402
Phone: (612) 977-3500
Fax: (612) 977-3600

The Three Affiliated Tribes and the U.S. Department of Interior Bureau of Indian Affairs will receive sealed bids for the construction of a new 36,690 sq ft K-8 elementary school building. Construction includes: site demolition, site grading, site improvements, site utilities, site concrete, bituminous paving and markings, site signage, landscaping, fencing, flag poles, exterior athletic equipment, precast load bearing gym walls, precast double tees and floor planks, masonry load bearing and non-load bearing, face brick, structural steel, steel joist and deck, roofing and accessories, skylights, metal wall panels,

Bidding Documents will be available May 16, 2011. Bidding Documents may be obtained by contacting Davison Larson Associates, 2705 4th Ave NW, Minot, ND 58703, 701-852-4178, DLArch@srta.com, upon depositing the sum of \$300.00 for each set of documents payable to DLA Associates. The deposit will be returned, upon returning the documents in good and reusable condition to DLA Associates within 20 days following the bid opening. All Bidders are required to register with DLA Associates, providing the company name, address, telephone number, fax number, and email address. Bid Security in the amount of 5 percent of the bid must accompany each bid in accordance with the Instructions to Bidders. The Owner reserves the right to waive irregularities and to reject bids. By order of the Three Affiliated Tribes.
6/2 & 9 - 606799

NOTICE OF HEARING N.D. INDUSTRIAL COMMISSION OIL AND GAS DIVISION

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, June 23, 2011, at the N.D. Oil & Gas Division, 1016 East Calgary Ave., Bismarck, N. D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.

PERSONS WITH DISABILITIES: If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Friday, June 10, 2011.

STATE OF NORTH DAKOTA TO:

Case No. 15044: On a motion of the Commission to consider the appropriate spacing unit for the Samson Resources Co. #16-21-163-98H Haugland, SESE, Section 16, T.163N., R.98W., Blooming Prairie-Bakken Pool, Divide County, ND, and such other relief as is appropriate.

Case No. 15045: Proper spacing for the development of the Diamond-Bakken Pool, Burke County, ND, redefine the field limits, and enact such special field rules as may be necessary. Oxy USA, Inc.

Case No. 15046: Proper spacing for the development of the Sand Creek-Bakken Pool, McKenzie County, ND, redefine the field limits, and enact such special field rules as may be necessary. Newfield Production Co.; Burlington Resources Oil & Gas Co., LP; North Plains Energy, LLC

Case No. 15047: Application of Newfield Production Co. for an order authorizing the drilling, completing and producing of a total of not more than five wells on each 1280-acre spacing unit described as Sections 14 and 23; Sections 15 and 22; Sections 17 and 20; Sections 18 and 19; Sections 26 and 35; Sections 27 and 34; Sections 28 and 33; and Sections 29 and 32, T.150N., R.99W., South Tobacco Garden-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 15048: Application of Newfield Production Co. for an order authorizing the drilling, completing and producing of a total of not more than six wells on a 1280-acre spacing unit described as Sections 13 and 24, T.152N., R.97W., Westberg-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 15049: Proper spacing for the development of the Squaw Creek-Bakken Pool, McKenzie County, ND, redefine the field limits, and enact such special field rules as may be necessary. Denbury Onshore, LLC; EOG Resources, Inc.

Case No. 15050: Application of Denbury Onshore, LLC for an order to establish temporary spacing for the development of an oil and/or gas pool discovered by the Joseph #11-IH well, located in Lot 4 of

definition of the stratigraphic limits of the pool for the following eight 1280-acre spacing units: Sections 13 and 24; Sections 14 and 23; Sections 15 and 22; Sections 16 and 21; Sections 25 and 36; Sections 26 and 35; Sections 27 and 34; Sections 28 and 33, T.152N., R.99W., and such other relief as is appropriate.

Case No. 15059: Application of Continental Resources, Inc. for an order amending the field rules for the Elidah-Bakken Pool to create a 2560-acre spacing unit comprised of all of Sections 17, 20, 29 and 32, T.151N., R.97W., McKenzie County, ND, authorizing the drilling of multiple horizontal wells from said well pad within said 2560-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 15060: Application of Continental Resources, Inc. for an order amending the field rules for the North Tioga-Bakken Pool for two 1280-acre spacing units comprised of all of Sections 1 and 12; and Sections 13 and 24, T.159N., R.95W., Williams County, ND, authorizing as increase density wells the drilling of four horizontal wells from the same well pad within each spacing unit, for a total of not more than seven wells on each spacing unit, and also eliminating the minimum setbacks from the north and south boundary lines of both 1280-acre spacing units, eliminating any tool error setback requirements and such other relief as is appropriate.

Case No. 14780: (Continued) Proper spacing for the development of the Battleview-Bakken Pool, Williams and Burke Counties, ND, redefine the field limits, and enact such special field rules as may be necessary. Continental Resources, Inc.

Case No. 14781: (Continued) Proper spacing for the development of the Upland-Bakken Pool, Divide County, ND, redefine the field limits, and enact such special field rules as may be necessary. Continental Resources, Inc.

Case No. 14782: (Continued) Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Stoneview-Bakken Pool and/or North Tioga-Bakken Pool, or in the alternative to establish Bakken spacing in the Viking Field, to create and establish two 1280-acre spacing units comprised of Sections 4 and 9; and Sections 5 and 8, T.160N., R.94W., Burke County, ND, authorizing the drilling of a horizontal well on each spacing unit and such other relief as is appropriate.

Case No. 14543: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc. #1X-21H Haag, SESW Section 21, T.144N., R.99W., Billings County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 14356: (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the Elm Tree-Bakken Pool to create a 2560-acre spacing unit comprised of all of Sections 5, 8, 17 and 20, T.153N., R.94W., McKenzie County, ND, authorizing the drilling of up to four horizontal wells from said well pad within said 2560-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 14062: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc. #1-5H Norway, NENW Section 5, T.150N., R.96W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 15061: Application of Chesapeake Exploration, LLC for an order creating a 1280-acre spacing unit comprised of Sections 28 and 33, T.137N., R.97W., Stark County, ND, authorizing the drilling of a horizontal well within said drilling unit and such other relief as is appropriate.

Case No. 15062: Application of Chesapeake

Sections 22 and 27, T.153N., R.96W., McKenzie County, ND, authorizing the drilling of a total of not more than six wells on said spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 14786: (Continued) Application of Newfield Production Co. for an order amending the field rules for the Siverston-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 5 and 8, T.150N., R.98W., McKenzie County, ND, authorizing the drilling of a total of not more than six tool error requirements and such other relief as is appropriate.

Case No. 14798: (Continued) Application of Fidelity Exploration & Production Co. for an order amending the field rules for the Stanley-Bakken Pool to create and establish three 2560-acre spacing units comprised of Sections 14, 15, 22 and 23; Sections 15, 16, 21 and 22; and Sections 27, 28, 33 and 34, T.155N., R.91W., Mountrail County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate.

Case No. 14081: (Continued) Application of Sinclair Oil & Gas Co. for an order to establish temporary spacing for the development of an oil and/or gas pool discovered by the Bighorn #1-6H well, located in the SESV of Section 31, T.147N., R.97W., Dunn County, ND, define the field limits, enact such special field rules as may be necessary and such other relief as is appropriate.

Case No. 14370: (Continued) On a motion of the Commission to consider temporary spacing or reinstating proper spacing for the development of an oil and/or gas pool discovered by the Encore Energy Partners Operating LLC #1 Schultz, NENW Section 8, T.148N., R.100W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 14542: (Continued) Application of Gregory Tank to determine if Continental Resources, Inc. is authorized to recover from his interest as a nonparticipating owner in a spacing unit in the Johnson Corner-Bakken Pool consisting of Sections 4 and 9, T.150N., R.96W., McKenzie County, ND, a risk penalty as provided in NDCC § 38-08-08.

Case No. 15071: In the matter of the petition for a risk penalty of EOG Resources, Inc. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Liberty LR #17-11H well located in a spacing unit described as Sections 9, 10, and 11, T.151N., R.91W., Van Hook-Bakken Pool, Mountrail County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 15072: In the matter of the petition for a risk penalty of EOG Resources, Inc. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Liberty LR #19-23H well located in a spacing unit described as Sections 21, 22, and the W/2 of 23, T.151N., R.91W., Van Hook-Bakken Pool, Mountrail County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 15073: In the matter of the petition for a risk penalty of EOG Resources, Inc. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38 08 08 in the drilling and completing of the Ross #22-07H well located in a spacing unit described as Section 7, T.156N., R.92W., Alger-Bakken Pool, Mountrail County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.