

APPROVED

DATE: 11-28-12



MOTION

November 28, 2012

**BNI Coal, Ltd.
Revision No. 26, Permit No. 37
Approval**

Case No. RC-12-649

I move the Commission approve Revision No. 26 to Surface Coal Mining Permit No. 37, held by BNI Coal, Ltd., to delete 49.86 acres that are being transferred to Permit No. BNCR-8106.

JRD, DKM & WTG