



APPLICATION FOR REVISION OF PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION OPERATIONS
PUBLIC SERVICE COMMISSION
RECLAMATION DIVISION
 SFN 10562 (Rev. 12-99)

RECEIVED

FEB 10 2014
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Date: February 10, 2014

Name of Company, Corporation, Partnership, or Individual Dakota Westmoreland Corporation		Permit Number KRSB-8802	Revision Number 29	
Address PO Box 39		City Beulah	State ND	Zip Code 58523

The above named hereby makes application for the above Revision Number to: (include a brief description of the surface coal mining and reclamation operation being revised.)

Revision No. 29 changes the land use from an agricultural district to an industrial district in Sections 11 and 14, T.143N., R.88W., Mercer County, North Dakota. This land use change will facilitate the addition of a transload multi-use facility to be located in portions of Sections 10, 11 and 14, T.143N., R.88W., Mercer County, North Dakota. This revision is a modification of the existing facilities area and does not affect normal coal mining activities.

Attached to this Permit Revision Application are a narrative describing the proposed permit revision, reasons for requesting the revision, and appropriate maps, cross-sections, graphs, construction details, revised reclamation plans and other data which demonstrate compliance with Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and the permit conditions of the approved permit. If an incidental boundary revision involving an acreage adjustment is being requested as part of the permit revision application, the following information shall be included (attach a copy of a metes and bounds description):

NAME OF MINE	ACRES	LOCATION			
		SEC.	TWP.	RANGE	COUNTY
ADDRESS					
TOTAL ACRES	NA				

Based upon the proposed changes and any incidental boundary revisions to the permit as stated herein, a new or adjusted bond, or its equivalent, duly executed in accordance with Section 38-14.1-16 of the North Dakota Century Code and Chapter 69-05.2-12 of the North Dakota Administrative Code will be delivered to the Public Service Commission prior to issuance of the surface coal mining and reclamation operations permit herein requested. A check for filing fees, pursuant to Section 38-14.1-13 of the North Dakota Century Code, in the amount of \$ NA, is included with the revision application.

Name of Official Authorized to Represent the Applicant
 William W. Weaver, President

1 RC-14-61 Filed 02/10/2014 Pages: 4
 Revision application filed to change the postmining land use on 30 acres to industrial use for transload facilities
 Dakota Westmoreland Corporation
 Brad Lewis

- I, the above named, certify that:
- All information and documents required by Sections 38-14.1-13, 38-14.1-14, and 38-14.1-15 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, are submitted as part of this permit application;
 - Information and documentation contained in the permit application affirmatively demonstrate that:
 - The permit revision application is accurate and complete and all the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code have been complied with;
 - Reclamation as required by Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code can be accomplished under the reclamation plan contained in this permit revision application;

- c. An assessment of the probable cumulative impact of all anticipated mining in the general area on the hydrologic balance as specified in subdivision o of subsection 1 of Section 38-14.1-14 has been made and the proposed operation has been designed to prevent material damage to the hydrologic balance both on and off the mine site;
 - d. The area proposed to be affected is not included within an area designated unsuitable for all or certain types of surface coal mining and is not within an area under study for such designation in an administrative proceeding;
 - e. The proposed surface coal mining operation will not interrupt, discontinue or preclude farming on alluvial valley floors that are irrigated or naturally subirrigated and will not materially damage the quantity or quality of water in surface or underground water systems that supply these alluvial valley floors; and
 - f. The permit revision applicant has the legal right to surface mine the land for which this permit revision application is made and all of the requirements of Chapter 38-18 of the North Dakota Century Code have been complied with.
3. The area proposed to be affected is not included within an area where mining is prohibited pursuant to Section 38-14.1-07 of the North Dakota Century Code; unless specifically allowed in accordance with the provisions of Section 69-05.2-04-01 of the North Dakota Administrative Code; and
 4. The surface coal mining and reclamation operations contained in this permit revision application will be carried out at all times in a manner which ensures that all of the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and any permit conditions attached thereto are complied with.

William W. Weaver
Signature of Official

President
Title

VERIFICATION

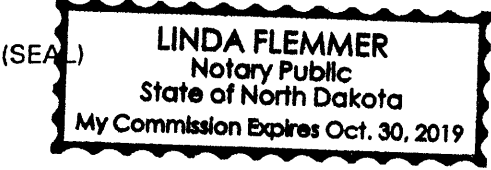
I, William W. Weaver, being first and duly sworn, verify that the information contained in this Permit Revision Application is true and correct to the best of my knowledge and belief.

William W. Weaver
Signature of Official

President
Title

Subscribed and sworn to before me this 7 day of February, 20 14. My commission expires: Oct 30, 2019.

Linda Flemmer
Notary Public



DAKOTA WESTMORELAND CORPORATION

Mine: Beulah Mine
Permit Number: KR5B-8802
Revision No.: 29
Submittal Date: February 10, 2014

Revision Narrative

Revision No. 29 changes the land use from an agricultural district to an industrial district for in Sections 11 and 14, T.143N., R.88W., Mercer County, North Dakota. This land use change will facilitate the addition of a transload multi-use facility affecting the water management plan, land use and facilities area. This revision is a modification of the existing facilities area and does not affect normal coal mining activities.

Listing of Revised Information

(as provided by Norwest Corporation)

Volume #	Section # Changed	Page Number	Additions/Deletions
1	Table of Contents		
1	E. Other Permits	1.4.32	Updated Permits, Studys and Approvals - Full Service Transloading Facility
1	Exhibits		Add Exhibit 1.4.9 - Beulah Traffic study Letter 10/18/13
1	Exhibits		Add Exhibit 1.4.10 - Air Pollution Control Permit to Construct
1	Exhibits		Add Exhibit 1.4.11 - Mercer County Certificate of Approval of a Conditional Use within an Industrial Zone
1	Exhibits		Add Exhibit 1.4.12 - Mercer County Planning Commission Agenda
6	2.7 Land Use	2.7.3	Reference to permits and authorizations required for the Full Service Transloading Facility
6	2.7 Land Use	2.7.4	Updated "Hayland" and "Industrial/Commercial" Acreages
6	2.7 D Full Service Transloading Facility	2.7.15 - 2.7.23	Added New Section D - Full Service Transloading Facility
6	2.7 Land Use	Exhibits Section	Update Exhibit 2.7.1 - Postmining Land Use
6	3.1 General Mine Plan	3.1.7	Updated Mine Site Facilities Section to include reference to Full Service Transloading Facility on Exhibit 3.1.6
6	3.1 General Mine Plan	3.1.9	Add reference to Exhibit 3.1.4(C) Transloading Facility Haulroad Profiles
6	3.1 General Mine Plan	3.1.11	Add reference to Exhibit 3.1.9 - Rail Loop Plan View with Culverts
6	3.1 General Mine Plan	Exhibits Section	Add New Exhibit 3.1.4c - Transloading Facility Haulroad Profiles
6	3.1 General Mine Plan	Exhibits Section	Add New Exhibit 3.1.7A - Haul Road Certification - Transloading Facility
6	3.1 General Mine Plan	Exhibits Section	Add New Exhibit 3.1.9 - Rail Loop Plan View with Culverts
6	3.1 General Mine Plan	Exhibits Section	Add New Exhibit 3.1.9a - Rail Loop Typical Profile of Cut Section
7	3.2.A Sedimentation Pond Design	3.2-17	Updated Pond Design Discussion for Pond 10
7	3.2.A Sedimentation Pond Design	3.2-21	Updated Pond Design Discussion for Pond 15
7	3.2.A Sedimentation Pond Design	3.2-23	Updated Pond Design Discussion for Pond 17
7	3.2.C.1 - Culverts	3.2.52 and 3.2.53	Added culvert information
7	Exhibit 3.2.2(9)		Updated Pond 10 Design Detail
7	Exhibit 3.2.2(15)		Updated Pond 17 Design Detail
7	Exhibit 3.2.2	Tables 3.2.2(1), 3.2.2(9), 3.2.2(13), 3.2.2(15)	Updated Pond Design Detail for Ponds 1, 10, 15, and 17
7	Exhibit 3.2.2	Table 3.2.2(20A)	Revised Pond 30 Table numbering
7	Exhibit 3.2.2	Table 3.2.2(20B)	New Table Summarizing Water Balance for Pond 30
8	3.2 Water Management Plan	Exhibits Section	Update Exhibit 3.2.4 - Water Management Plan Certification
8	3.4 Suitable Plant Growth Material Handling Plan	Exhibits Section	Update Exhibit 3.4.3 - Materials Storage (new topsoil and subsoil stockpiles)