

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision No. 27, Permit NAFK-9503
Application

Case No. RC-15-755

AFFIDAVIT OF SERVICE BY
CERTIFIED MAIL

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

Esther Jangula deposes and says that she is over the age of 18 years and not a party to this action and on, the 6th day of May, 2016, she deposited in the United States Mail, Bismarck, North Dakota, 2 certified mail envelopes, postage prepaid, all securely sealed and each containing:

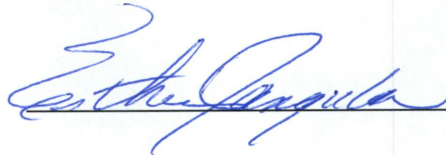
NOTICE OF FORMAL HEARING

The envelopes were addressed as follows.

Elton G. Saylor
405 N 17th Street
Bismarck, ND 58501-4702

Jennifer Weier
ND State Water Commission
900 E Blvd. Ave. Dept 770
Bismarck, ND 58505-0850

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

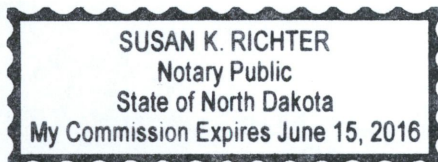


Subscribed and sworn to before me
this 6th day of May, 2016



Notary Public

S E A L



**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Falkirk Mining Company
Permit NAFK-9503
Approval**

Case No. RC-15-755

NOTICE OF FORMAL HEARING

May 5, 2016

Preliminary Statement

On December 2, 2015, the Falkirk Mining Company applied for Revision No. 27 to Surface Coal Mining Permit No. NAFK-9503 for its Riverdale mine area located southwest of Underwood, North Dakota. This revision identified the next five-year coal removal subareas and updated other sections of the permit that had been requested by the Reclamation Division for the next five-year permit term. Permit No. NAFK-9503 covers 29,310.4 acres of land in McLean County.

On April 5, 2016, the Public Service Commission approved Revision No. 27 to Permit No. NAFK-9503, subject to the right of any person with an interest that is or may be adversely affected to request a formal hearing. On May 4, 2016, the Commission received a request for a Formal Hearing in the matter from Mr. Robert Nelson, the owner of some land just south of the permit area. Mr. Nelson has concerns about water releases from mine impoundments located upstream of his property.

Notice of Formal Hearing

Notice is hereby given that the captioned matter is set for a Formal Hearing, commencing at 8:00 a.m. CDT, on May 25, 2016, in the Public Service Commission's Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.

If you require any auxiliary aids, such as readers, signers, or Braille materials, please notify the Commission, at (701) 328-2400, or Relay North Dakota TTY: 1-800-366-6888 at least 24 hours prior to the hearing.

PUBLIC SERVICE COMMISSION


**Randy Christmann
Commissioner**


**Julie Fedorchak
Chairman**


**Brian P. Kalk
Commissioner**