



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
 35365
 MAR 30 2016
 Date
 March 22, 2016

Name of Company, Corporation, Partnership, or Individual Dakota Westmoreland Corporation	Permit Number KRSB-8603	Revision Number 30	COMMISSION	
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 30 updates the permit to address several administrative changes required as a result of the Public Service Commission's pre-renewal review of the permit. A detailed summary of the revised narratives and exhibits is attached to this application form.

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
 Jody Mann, President

I, the above named, certify that:

1. 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;
2. Information and documentation contained in the permit application affirmatively demonstrate that:
 - a. 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;
 - b. 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.

Jody Mann
Signature of Official

President
Title

VERIFICATION

I, Jody Mann, 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.

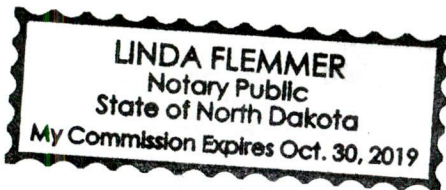
Jody Mann
Signature of Official

President
Title

Subscribed and sworn to before me this 23 day of March, 20 16. My commission expires: Oct 30, 2019.

Linda Flemmer
Notary Public

(SEAL)



DAKOTA WESTMORELAND CORPORATION

Mine: Beulah Mine
Permit Number: KRSB-8603
Revision No.: 30
Submittal Date: March 28, 2016

Revision Summary

Revision No. 30 updates the permit to reflect changes for the next 5-year permit term and to address changes to the legal and financial sections of the permit. The post-mining topo has been updated to include the entire permit area and to reflect the reclamation changes due to power line monuments that were mined around. The pit timing sequence and variance areas have been updated to reflect current plans. In addition, the revision identifies the coal removal subarea that will be mined during the next 5-year permit term. Renewal No. 6 is submitted in conjunction with Revision No. 24 to renew the permit term from August 7, 2016 through August 7, 2021.

Listing of Revised Information

<u>Section</u>	<u>Revised Information and Instructions</u>
1.4	Revised pages 1.4.1 thru 1.4.50 and exhibit 1.4.1
1.5	Revised narrative
2.1	Revised narrative
2.2	Revised narrative
2.3	Revised narrative and exhibit 2.3.7
2.5	Revised narrative Added exhibit 2.5.13
2.7	Revised exhibit 2.7.1
3.1	Revised narrative and exhibits 3.1.1, 3.1.2, 3.1.3, 3.1.6 and 3.1.8
3.2	Revised pages 3.2.36 – 3.2.39 and 3.2.48 – 3.2.49 Deleted exhibit 3.2.46 and 3.2.46 table, and exhibit 3.2.47 Added exhibits 3.2.68 and 3.2.69
3.3	Revised narrative and exhibits 3.3.2 and 3.3.4
3.4	Revised exhibit 3.4.1
3.5	Revised exhibits 3.5.3 and 3.5.4.b
3.7	Revised narrative
3.8	Revised narrative
3.9	Revised narrative

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NOTICE OF APPLICATION
FOR REVISION and RENEWAL TO A SURFACE 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. 30 and Renewal No. 6 to Surface Mining Permit KRSB-8603.

The permit area is located in Sections 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, 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 3,558.3 acres for coal excavation, mining and associated disturbance activities in support thereof. Revision No. 30 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. Renewal No. 6 will allow mining and reclamation activities to continue during the next five-year permit term ending August 7, 2021.

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. This application may be viewed at these locations during normal business hours.

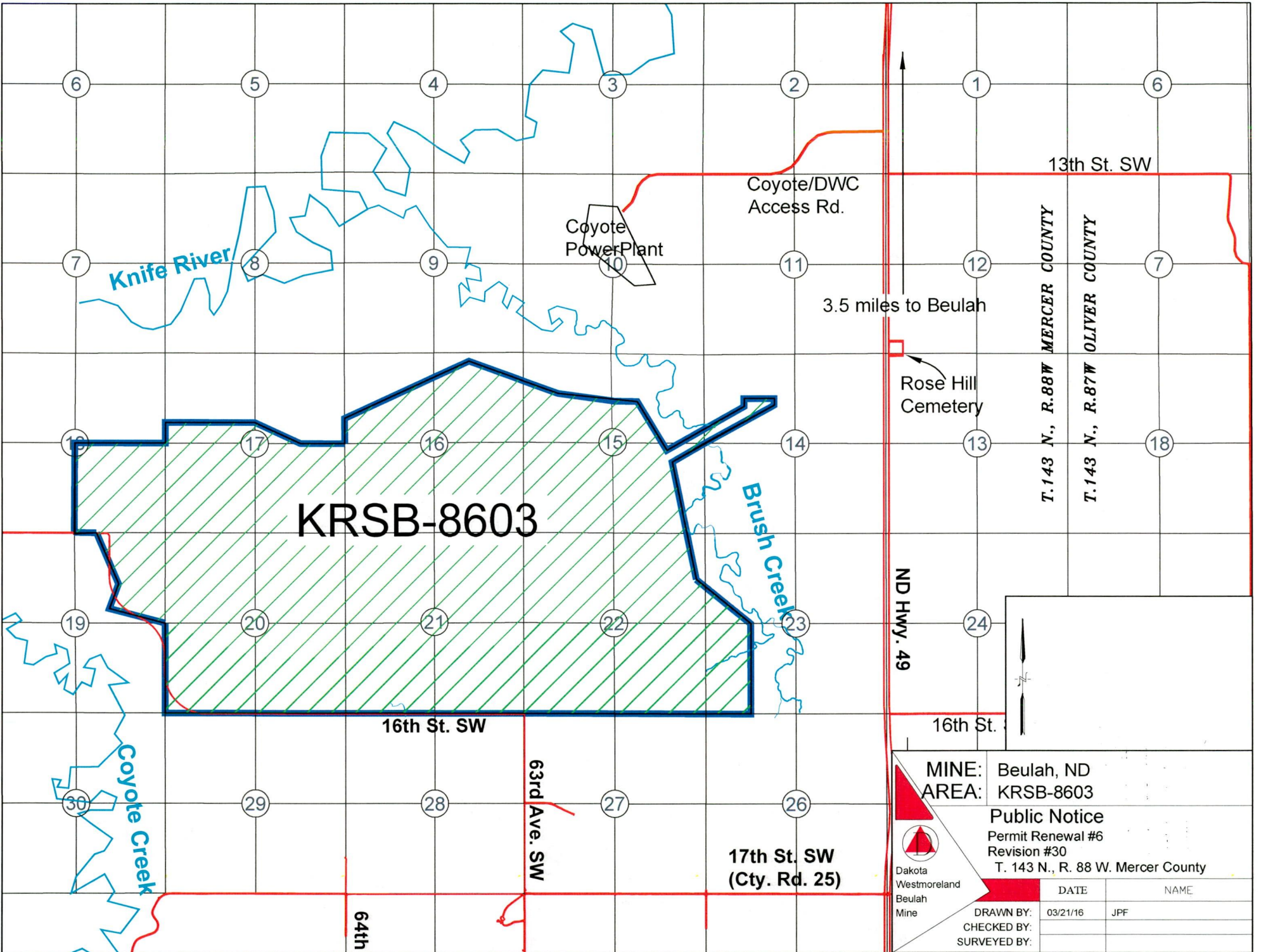
Any persons with an interest which is or may be adversely affected may file written comments, objections, or request an informal conference on the revision and renewal applications with the North Dakota Public Service Commission, 600 East Boulevard, Dept. 408, Bismarck ND 58505-0480, within 30 days of 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., R88W., Mercer County

<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>
S½NW¼, Sec. 14	Otter Tail Power Company Northern Municipal Power Agency Northwestern Corporation Montana-Dakota Utilities Co.	United States of America
N½, Sec. 15	Dakota Westmoreland Corp. Otter Tail Power Company Northern Municipal Power Agency Northwestern Corporation Montana-Dakota Utilities Co.	Robert A. Keogh Priscilla Keogh, Trustee Faye L. Keogh Trust Claire C. Schwalbe
S½, Sec. 15	Faye L. Keogh Trust	Robert A. Keogh Priscilla Keogh, Trustee Faye L. Keogh Trust Claire C. Schwalbe
N½, Sec. 16	State of North Dakota	State of North Dakota
SW¼, Sec. 16	Joan Miller Sharon Winkler	Joan Miller Sharon Winkler State of North Dakota
SE¼, Sec. 16	Ronald & Janice Gunsch Janice & Marvin Sigman Sylvia & Dalton Zeiszler	Ronald Gunsch Janice Sigman Sylvia Zeiszler State of North Dakota
S½, Sec. 17	Faye Keogh Revocable Trust Robert A. Keogh Mineral Trust Faye Keogh Rev. Trust Claire C. Schwalbe	Robert A. Keogh
N½, Sec. 17	Claire C. Schwalbe Robert A. Keogh Mineral Trust Faye Keogh Rev.Trust Claire C. Schwalbe	Robert A. Keogh

SE¼, Sec. 18	Donald & Claire Schwalbe	Donald & Claire Schwalbe State of North Dakota	
N½, Sec. 19	Casey Voigt Kari Trappen Donalda Voigt Shawn Voigt Kenneth Voigt Karmen Eslinger Dean Voigt Patience Saylor	Casey Voigt	
NE¼ NE¼ NW¼ NW¼ S½ N½ N½ S½, Sec. 20	Dakota Westmoreland Corporation	United States of America	
S½S½, Sec. 20	Dakota Westmoreland Corporation State of North Dakota	Dakota Westmoreland	
NE¼NW¼, Sec. 20	Dakota Westmoreland Corporation	Dakota Westmoreland Corp.	
NW¼NE¼, Sec. 20	Ronald & Janice Gunsch Janice & Marvin Sigman Sylvia & Dalton Zeiszler	Ronald Gunsch Janice Sigman Sylvia Zeiszler	
N½, Sec. 21	Joan Miller Sharon Winkler	Joan Miller Sharon Winkler	
S½, Sec. 21	Wilfred Fetch Angeline Braun Cary Unterseher	Wilfred Fetch Angeline Braun Cary Unterseher	
NE¼, Sec. 22	Terence Schmidt	United States of America	
NW¼, Sec. 22	Martha Gunsch	United States of America	
SE¼, Sec. 22	Vergene Christianson	United States of America	
E½SW¼, Sec. 22	Ron Gunsch	United States of America	
W½SW¼, Sec. 22	Rita Schmidt Bonnita Schmidt Debra (Schmidt) Hoerer Darla (Schmidt) Ratzak Gene Schmidt Candida (Schmidt) Rhoades	United States of America	
NW¼, Sec. 23	Terence Schmidt	Terence Schmidt	Tammy Schmidt
SW¼, Sec. 23	Terence Schmidt	Julia K. Allison Carl Bauer John Bauer Joan Brown Karen P. Dietz Margianna L. Hunt Nancy Weigel Jensen Kathy M. Leber Kathleen McCrary	Susan McCrary Cheryl McFadden David M. Pantermuehl John Pantermuehl Roland M. Pantermuehl Barbara Ann Teed Margaret Thorn Eugene Arnold Weigel Karel M. Weigel Janice P. Ziegler



KRSB-8603

Coyote Power Plant

Coyote/DWC Access Rd.

3.5 miles to Beulah

Rose Hill Cemetery

13th St. SW

16th St. SW

16th St.

17th St. SW
(City. Rd. 25)

63rd Ave. SW

64th

ND Hwy. 49

T. 143 N., R. 88 W. MERCER COUNTY

T. 143 N., R. 87 W. OLIVER COUNTY

MINE: Beulah, ND
AREA: KRSB-8603

Public Notice
Permit Renewal #6
Revision #30
T. 143 N., R. 88 W. Mercer County



Dakota Westmoreland Beulah Mine

	DATE	NAME
DRAWN BY:	03/21/16	JPF
CHECKED BY:		
SURVEYED BY:		



WESTMORELAND COAL COMPANY

Officer's Certificate

I, Joseph E. Micheletti, do hereby certify that I am the duly appointed Executive Vice President, of Westmoreland Coal Company, and as such, I am authorized to execute and deliver this certificate on behalf of Dakota Westmoreland Corporation.

I further certify, swear and affirm, under oath and in writing that the compliance information included as part of Dakota Westmoreland Corporation's Revision 30 and Renewal 6 to permit KRSB-8603, is accurate, complete and up-to-date in accordance with North Dakota Administrative Code Chapter 69-05.2-06.

IN WITNESS WHEREOF, I have hereunto set my hand on this 28th day of March 2016.

Joseph E. Micheletti
Executive Vice President
Westmoreland Coal Company

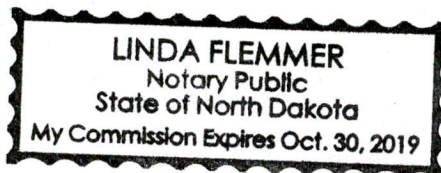
STATE OF NORTH DAKOTA

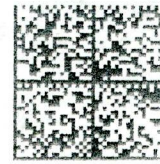
COUNTY OF MERCER

Subscribed and sworn to before me this 28th day of March 2016.

Notary Public

[Seal]





U.S. POSTAGE >>> PITNEY BOWES
 ZIP 75846 \$ 000.48⁵
 02 1W
 0001377538 DEC 31 2015

Note to whomever deals with letters returned
 due to incorrect addresses: I did NOT change Angeline Braun's
 address in the permit as we did not receive notification for such from
 Angeline. I do think she spends her winters in Arizona, so just in case
 you receive her PSC R30 and Renewal #6^{letter} back from USPS, try this Arizona
 address. *Paula*

KR-246B and
 DWC 143.88.21-02
 Snowbird ?

758 NFE 1 81418012/31/15
 FORWARD TIME EXP RTN TO SEND
 BRAUN
 14819 W BUTTWOOD DR
 SUN CITY WEST AZ 85375-5745

RETURN TO SENDER

55375-3283 P007 9

SEE OTHER SIDE FOR
 OPENING INSTRUCTIONS

P. O. BOX 39
 BEULAH ND 58523-0039

ANGELINE V BRAUN
 13885 55TH ST NE
 ST. MICHAEL MN 55376-3283

SEE OTHER SIDE FOR
 OPENING INSTRUCTIONS