



**Dakota Westmoreland Corporation - Beulah Mine**  
 A Subsidiary of WESTMORELAND COAL COMPANY

SCANNED  
 Date 2-22-17  
 File Rev 31 - appl - cur - Hr. 2-22-17 (35818)



February 22, 2017

Mr. Dean Moos  
 Director, Reclamation Division  
 Public Service Commission  
 600 E. Boulevard Ave, Dept. 408  
 Bismarck, ND 58505-0480

FROM DIRECTOR - RECLAMATION DIV.

Date: 2/22/17

Action: Bill, Zanna, Guy, Randy, Bruce, Julie

Info. Only: \_\_\_\_\_

Info & File: Rev. 31 - KRSB-8603

Dear Mr. Moos:

Subject: Revision No. 31, KRSB-8603

Enclosed are an Application For Revision Of Permit To Engage In Surface Coal Mining And Reclamation Operations, a revision summary, secretary's certificate, public notice, and check for the \$3,200.00 filing fee for the captioned revision. Three optical discs containing the permit revision are also enclosed.

If you or your staff have any questions regarding this information, please contact me at 406-342-4614.

Sincerely,

Jesse Noel  
 Engineering Manager

Encl/

1 RC-17-88 Filed 02/22/2017 Pages: 3  
 Revision filed to add 320 acres to permit  
 Dakota Westmoreland Corporation  
 Jesse Noel



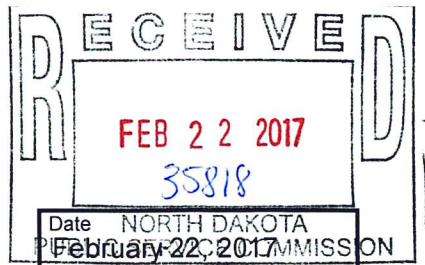
SCANNED

Date 2-22-17

File KR31-APP-2-22-17(35818)



APPLICATION FOR REVISION OF PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION OPERATIONS PUBLIC SERVICE COMMISSION RECLAMATION DIVISION SFN 10562 (1-2004)



Name of Company, Corporation, Partnership, or Individual Dakota Westmoreland Corporation	Permit Number KRSB-8603	Revision Number 31	
Address P.O. Box 39	City Beulah	State ND	Zip Code 59323

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 31 updates the permit by extending mining into the North Half of Section 29, Township 143N, Range 88W.

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
Beulah Mine	320	29	143N	88W	Mercer
ADDRESS					
<b>TOTAL ACRES</b>	<b>320</b>				

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 \$ 3,200.00, is included with the revision application.

Name of Official Authorized to Represent the Applicant  
Jody Mann, President and General Manager

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.

Signature of Official <i>Jody Mann</i>	Title <i>President of GM</i>
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**VERIFICATION**

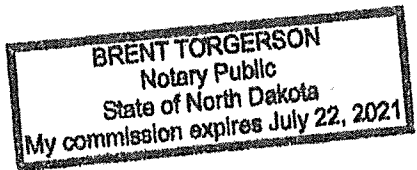
I, *Jody Mann*, being first and duly sworn, verify that the information contained in this Permit Revision Application is true and correct to the best of my knowledge and belief.

Signature of Official <i>Jody Mann</i>	Title <i>President of GM</i>
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STATE OF *North Dakota* )  
 COUNTY OF *Mercer* ) ss.

Subscribed and Sworn before me, this *25* day of *January*, *2017*.

(SEAL)



*Brent Torgerson*  
 \_\_\_\_\_  
 Notary Public

My Commission Expires: \_\_\_\_\_