



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

July 13, 2020

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

Dear Mr. Moos:

Subject: Renewal Number 6, Permit KRSB-8802

Attached to this email is a Dropbox link containing our response to your letter dated July 8, 2020. The responses and associated files are in reference to Renewal Number 6 to Mine Permit KRSB-8802. If you or your staff have any questions regarding these reports, please contact me at (406)-740-0242.

Sincerely,

Jesse Noel, P.E.  
Director, Environmental & Regulatory  
Westmoreland Mining LLC

6 RC-20-209 Filed 07/13/2020 Pages: 64  
Response to second completeness review letter  
Dakota Westmoreland Corporation  
Jesse Noel



**Section 1.4 - Business Entity Information Subsection B - Property Interest**

1. Follow-up (in part) to item No. 1: *Please revise Property Interests (Permit Area) on page 1.4.30 as necessary for what we understand is a recent surface ownership change, and coal or mineral ownership if applicable, in the S½ of Section 8, Township 143N, Range 87W (Oliver County).* The surface ownership change for the S½ of Section 8, Township 143N, Range 87W (Oliver County) was completed and inserted as page 1.4.28; however, original page 1.4.28 listing ownership for Sections 10 through 14 in Mercer County was deleted, and original (unchanged) page 1.4.30 listing Oliver County ownership was retained. Please revise Section 1.4 to retain pages 1.4.28 and 1.4.29 as unchanged Mercer County ownership, delete the original (unchanged) page 1.4.30 listing Oliver County ownership, and number Oliver County ownership with the surface ownership change completed for the S½ of Section 8 as page 1.4.30. (WTG)

*Response: Page 1.4.28 was inadvertently removed from the .pdf document. Page 1.4.28 is reinserted and the pagination has been revised accordingly.*

**Section 1.4 - Business Entity Information Subsection I - Permit Application Advertisement**

2. Follow-up to item No. 9: *We were unable to locate a map accompanying the notice in the Revision No. 32 application as required by NDAC 69-05.2-10-01(1)(b). Please provide a map for the notice and add the map as page 1.4.61 of Section 1.4. The notice map approved for the Revision No. 30 and Renewal No 5 publication is enclosed for your information. This map would be acceptable for the Renewal No. 6 publication if the date and renewal number are revised, and the revision reference is deleted.* Please delete the revision reference on the notice map. (WTG/GAW/PJR)

*Response: The revision reference on the notice map has been removed as requested.*

## **1.4 – BUSINESS ENTITY INFORMATION**

The applicant, Dakota Westmoreland Corporation, is a corporation under the laws of the State of Delaware. The employer identification number is 84-1575177. The MSHA identification number of the Beulah Mine is 32-00043.

The mine operator is: Dakota Westmoreland Corporation  
Beulah Mine  
PO Box 39  
Beulah ND 58523-0039  
(701) 873-4333

The applicant's representative is: **Scott Aberle** ~~Jody Mann~~  
General Manager  
Dakota Westmoreland Corporation  
PO Box 39  
Beulah ND 58523-0039  
(701) 873-4333, extension 3901

The applicant's registered agent is: Corporation Service Company  
1501 North 12<sup>th</sup> Street  
Suite 1  
Bismarck ND 58501-2713  
866-846-8765

The abandoned mine reclamation fee will be paid by: Dakota Westmoreland Corporation  
PO Box 39  
Beulah ND 58523-0039  
(701) 873-4333



# WESTMORELAND COAL COMPANY

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## **Applicant Violator System (AVS) Filing Identification of Interests and Compliance Information dated**

Westmoreland Coal Company  
9540 South Maroon Circle Suite 300  
Englewood, Colorado 80112

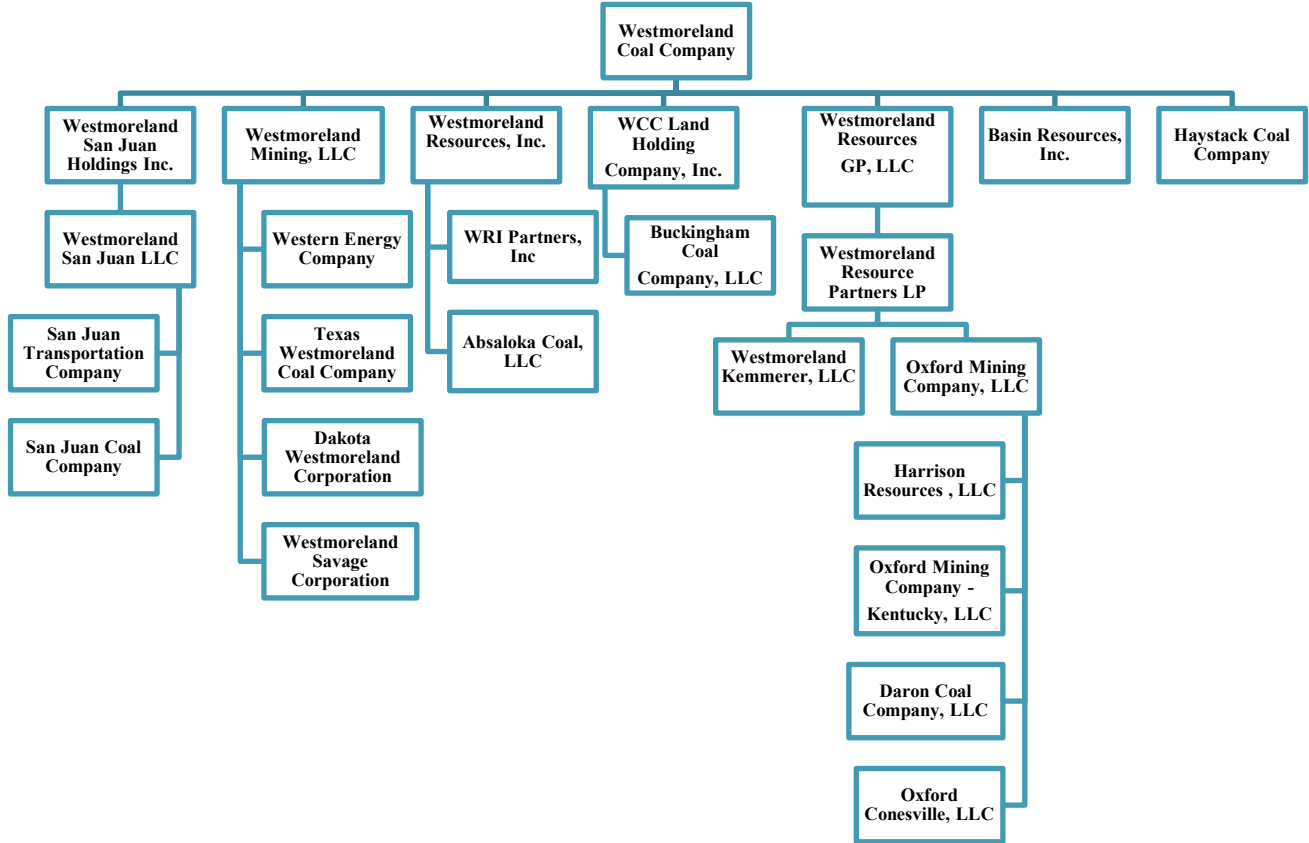
1601 Lewis Avenue Suite 112  
Billings, Montana 59102

Submitted by Kim Geiss  
*kgeiss@westmoreland.com*  
406-969-5603

Office of Surface Mining Reclamation and Enforcement  
U.S. Department of the Interior  
1951 Constitution Avenue NW  
Washington, DC 20240  
202-208-2565

# Westmoreland Coal Company

## Organizational Chart



**ABSALOKA COAL, LLC**  
 9540 South Maroon Circle, Suite 300  
 Englewood, Colorado 80112  
 (303) 922-6463

(AVS Entity Number 248579)

<b>MANAGER</b>		
NAME	START DATE	END DATE
Westmoreland Resources Inc.	02/19/2009	

<b>MEMBER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*WRI Partners, Inc.	Member 100%	05/29/2008	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Conan Mullaney	President	10/20/2017	
Conan Mullaney	General Manager	10/20/2017	
Joseph E. Micheletti	Vice President	08/12/2014	
Samuel N. Hagreen	Secretary	02/18/2014	
Samuel N. Hagreen	General Counsel	12/19/2014	

**BUCKINGHAM COAL COMPANY, LLC**

(AVS Entity Number 255838)

14755 Township Road 295  
P.O. Box 400  
Corning, Ohio 43730  
(740) 347-4565

<b>MEMBER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*WCC Land Holding Company, Inc.	Member 100%	01/01/2015	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Dondi Kratzenstein	Director of Procurement	01/06/2015	
Jeffrey Kukura	President	04/06/2015	
Jennifer S. Grafton	Vice President	01/06/2015	
Joseph E. Micheletti	Vice President	01/07/2015	
Samuel N. Hagreen	Secretary	01/06/2015	
Samuel N. Hagreen	General Counsel	01/06/2015	
Scott A. Henry	Treasurer	04/18/2018	
Scott A. Henry	Controller	04/18/2018	
James Riffle	General Manager	12/01/2017	

**DAKOTA WESTMORELAND CORPORATION**

(AVS Entity Number 150056)

P.O. Box 39  
 Beulah, North Dakota 58323  
 (701) 873-4333

<b>DIRECTORS</b>		
NAME	START DATE	END DATE
Jennifer S. Grafton	03/28/2011	
Joseph E. Micheletti	06/10/2011	

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Courtney Caton	Assistant Controller	05/18/2017	01/25/2019
Courtney Caton	Treasurer	08/22/2017	01/25/2019
Dondi Kratzenstein	Director of Procurement	04/02/2013	
Jody Mann	President	09/30/2015	
Joseph E. Micheletti	Vice President	08/12/2014	
Samuel N. Hagreen	Secretary	02/18/2014	
Samuel N. Hagreen	General Counsel	12/19/2014	
Scott A. Henry	Assistant Treasurer	04/18/2018	
Scott A. Henry	Controller	04/18/2018	

<b>SHAREHOLDER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Westmoreland Mining LLC*	Shareholder (>50%)	12/04/2000	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

**DARON COAL COMPANY, LLC**

(AVS Entity Number 251772)

544 Chestnut Street  
P.O. Box 427  
Coshocton, Ohio 43812  
(740) 622-6302

<b>MEMBER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*Oxford Mining Company, LLC	Member (> 50%)	08/17/2007	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Dondi Kratzenstein	Director of Procurement	07/20/2016	
Gregory J. Honish	President	01/01/2016	
Gregory J. Honish	General Manager	01/01/2016	
Jennifer S. Grafton	Chief Legal Officer	01/01/2015	
Joseph E. Micheletti	Executive Vice President	02/18/2015	
Samuel N. Hagreen	Secretary	02/18/2015	

**HARRISON RESOURCES, LLC**

544 Chestnut Street  
P.O. Box 427  
Coshocton, Ohio 43812  
(740) 622-6302

(AVS Entity Number 159182)

<b>MEMBER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*Oxford Mining Company, LLC	Member (>50%)	10/01/2014	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Dondi Kratzenstein	Director of Procurement	07/20/2016	
Gregory J. Honish	President	01/01/2016	
Gregory J. Honish	General Manager	01/01/2016	
Jennifer S. Grafton	Chief Legal Officer	01/01/2015	
Joseph E. Micheletti	Executive Vice President	02/18/2015	
Samuel N. Hagreen	Secretary	02/18/2015	

**HAYSTACK COAL COMPANY**

(AVS Entity Number 250263)

9540 South Maroon Circle, Suite 300  
 Englewood, Colorado 80112  
 (303) 922-6463

<b>DIRECTORS</b>		
NAME	START DATE	END DATE
Jennifer S. Grafton	01/06/2017	
Joseph E. Micheletti	01/06/2017	

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Courtney Caton	Assistant Treasurer	01/06/2017	01/25/2019
Courtney Caton	Assistant Controller	01/06/2017	01/25/2019
Dondi Kratzenstein	Director of Procurement	01/06/2017	
Joseph E. Micheletti	President	01/06/2017	
Samuel N. Hagreen	Secretary	01/06/2017	
Samuel N. Hagreen	General Counsel	01/06/2017	
Shane Gant	Vice President	01/06/2017	
Shane Gant	General Manager	01/06/2017	

**OXFORD CONESVILLE, LLC**

(AVS Entity Number 254418)

544 Chestnut Street  
P.O. Box 427  
Coshocton, Ohio 43812  
(740) 622-6302

<b>MEMBER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*Oxford Mining Company, LLC	Member (> 50%)	02/22/2013	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Dondi Kratzenstein	Director of Procurement	07/20/2016	
Gregory J. Honish	President	01/01/2016	
Gregory J. Honish	General Manager	01/01/2016	
Jennifer S. Grafton	Chief Legal Officer	01/01/2015	
Joseph E. Micheletti	Executive Vice President	02/18/2015	
Samuel N. Hagreen	Secretary	02/18/2015	

**OXFORD MINING COMPANY – KENTUCKY, LLC**

(AVS Entity Number 249679)

544 Chestnut Street

P.O. Box 427

Coshocton, Ohio 43812

(740) 622-6302

<b>MEMBER</b>			
<b>NAME</b>	<b>POSITION/TITLE</b>	<b>START DATE</b>	<b>END DATE</b>
*Oxford Mining Company, LLC	Member (> 50%)	09/30/2009	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

<b>OFFICERS</b>			
<b>NAME</b>	<b>POSITION/TITLE</b>	<b>START DATE</b>	<b>END DATE</b>
Dondi Kratzenstein	Director of Procurement	07/20/2016	
Gregory J. Honish	President	01/01/2016	
Gregory J. Honish	General Manager	01/01/2016	
Jennifer S. Grafton	Chief Legal Officer	01/01/2015	
Joseph E. Micheletti	Executive Vice President	02/18/2015	
Samuel N. Hagreen	Secretary	02/18/2015	

**OXFORD MINING COMPANY, LLC**

(AVS Entity Number 246698)

544 Chestnut Street  
P.O. Box 427  
Coshocton, Ohio 43812  
(740) 622-6302

<b>MEMBER</b>			
<b>NAME</b>	<b>POSITION/TITLE</b>	<b>START DATE</b>	<b>END DATE</b>
*Westmoreland Resource Partners, LP	100% Member	12/31/2014	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

<b>OFFICERS</b>			
<b>NAME</b>	<b>POSITION/TITLE</b>	<b>START DATE</b>	<b>END DATE</b>
Dondi Kratzenstein	Director of Procurement	07/20/2016	
Gregory J. Honish	President	01/01/2016	
Gregory J. Honish	General Manager	01/01/2016	
Jennifer S. Grafton	Chief Legal Officer	01/01/2015	
Joseph E. Micheletti	Executive Vice President	02/18/2015	
Samuel N. Hagreen	Secretary	02/18/2015	

**SAN JUAN COAL COMPANY**

9540 South Maroon Circle, Suite 300  
 Englewood, Colorado 80112  
 (303) 922-6463

(AVS Entity Number 068263)

<b>DIRECTORS</b>		
NAME	START DATE	END DATE
Jennifer S. Grafton	01/31/2016	
Joseph E. Micheletti	01/31/2016	

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Courtney Caton	Assistant Treasurer	01/31/2016	01/25/2019
Courtney Caton	Assistant Controller	01/31/2016	01/25/2019
Dondi Kratzenstein	Director of Procurement	01/31/2016	
Jeffrey Kukura	President	01/31/2016	
Joseph E. Micheletti	Vice President	01/31/2016	
Samuel N. Hagreen	Secretary	01/31/2016	
Samuel N. Hagreen	General Counsel	01/31/2016	
Steve Pierro	General Manager	10/20/2017	

<b>SHAREHOLDER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Westmoreland San Juan, LLC	100% Shareholder	01/31/2016	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

**SAN JUAN TRANSPORTATION COMPANY**

(AVS Entity Number 146901)

9540 South Maroon Circle, Suite 300  
 Englewood, Colorado 80112  
 (303) 922-6463

<b>DIRECTORS</b>		
NAME	START DATE	END DATE
Jennifer S. Grafton	01/31/2016	
Joseph E. Micheletti	01/31/2016	

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Courtney Caton	Assistant Treasurer	01/31/2016	01/25/2019
Courtney Caton	Assistant Controller	01/31/2016	01/25/2019
Dondi Kratzenstein	Director of Procurement	01/31/2016	
Jeffrey Kukura	President	01/31/2016	
Joseph E. Micheletti	Vice President	01/31/2016	
Samuel N. Hagreen	Secretary	01/31/2016	
Samuel N. Hagreen	General Counsel	01/31/2016	

<b>SHAREHOLDER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Westmoreland San Juan, LLC	100% Shareholder	01/31/2016	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

**TEXAS WESTMORELAND COAL CO.**

(AVS Entity Number 155865)

P.O. Box 915  
 Jewett, Texas 75846  
 (903) 626-5485

<b>DIRECTORS</b>		
NAME	START DATE	END DATE
Jennifer S. Grafton	03/28/2011	
Joseph E. Micheletti	06/01/2011	

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Dondi Kratzenstein	Director of Procurement	04/02/2013	
Joseph E. Micheletti	Vice President	08/12/2014	
Samuel N. Hagreen	Secretary	02/18/2014	
Samuel N. Hagreen	General Counsel	12/19/2014	
Scott A. Henry	Treasurer	04/18/2018	
Scott A. Henry	Controller	04/18/2018	
Michael Altavilla	Operations Manager	02/26/2018	

<b>SHAREHOLDER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Westmoreland Mining LLC*	Shareholder (> 50%)	04/30/2001	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

**WCC LAND HOLDING COMPANY, INC.**

(AVS Entity Number 255840)

9540 South Maroon Circle, Suite 300  
 Englewood, Colorado 80112  
 (303) 922-6463

<b>DIRECTORS</b>		
NAME	START DATE	END DATE
Jennifer S. Grafton	02/01/2011	
Joseph E. Micheletti	06/10/2011	

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Joseph E. Micheletti	President	08/12/2014	
Samuel N. Hagreen	Secretary	02/18/2014	
Samuel N. Hagreen	General Counsel	08/12/2014	
Scott A. Henry	Treasurer	04/18/2018	
Scott A. Henry	Controller	04/18/2018	

<b>SHAREHOLDER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Westmoreland Coal Company*	Shareholder (> 50%)	11/15/2010	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

**WESTERN ENERGY COMPANY**

(AVS Entity Number 101800)

P.O. Box 99  
 Colstrip, Montana 59323  
 (406) 748-5100

<b>DIRECTORS</b>		
NAME	START DATE	END DATE
Jennifer S. Grafton	03/28/2011	
Joseph E. Micheletti	06/10/2011	

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Courtney Caton	Assistant Controller	05/18/2017	01/25/2019
Dondi Kratzenstein	Director of Procurement	04/02/2013	
Jack Standa	President	08/16/2017	
Jack Standa	General Manager	08/16/2017	
Joseph E. Micheletti	Vice President	08/12/2014	
Samuel N. Hagreen	Secretary	02/18/2014	
Samuel N. Hagreen	General Counsel	12/19/2014	
Scott A. Henry	Treasurer	04/18/2018	
Scott A. Henry	Controller	04/18/2018	

<b>SHAREHOLDER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Westmoreland Mining LLC*	Shareholder (> 50%)	04/30/2001	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

**WESTMORELAND COAL COMPANY**

(AVS Entity Number 108128)

9540 South Maroon Circle, Suite 300

Englewood, Colorado 80112

(303) 922-6463

<b>DIRECTORS</b>			
NAME	START DATE	END DATE	
Craig R. Mackus	05/21/2013		
Gail E. Hamilton	02/07/2011		
Jan B. Packwood, Chairman of the Board	05/17/2016	09/12/2018	
Jeffrey S. Stein	08/09/2016		
Michael G. Hutchinson	08/01/2012		
Robert A. Tinstman	05/17/2016		
Robert C. Flexon	05/17/2016		
Robert C. Scharp	02/07/2011		
Terry J. Bachynski	08/11/2014		

<b>OFFICERS AND SHAREHOLDERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Adam Bricker	Vice President – Information Technology	11/27/2017	
Don Swartz	Vice President – Sales, Marketing and Business Development	05/23/2018	
Dondi Kratzenstein	Vice President – Strategic Sourcing	11/20/2014	
Gary Kohn	Chief Financial Officer	11/18/2016	01/04/2019
Jeffrey Kukura	Vice President - Engineering and Underground Mining	10/20/2017	
Jennifer S. Grafton	Chief Administrative Officer	11/20/2014	
Jennifer S. Grafton	Chief Legal Officer	10/26/2016	
Jennifer S. Grafton	Secretary	05/28/2009	
Jim Furlong	Vice President – Global Safety	01/01/2016	01/04/2019
John Jutila	Vice President – Equipment Asset Management	11/20/2014	
Joseph E. Micheletti	Chief Operating Officer	10/19/2017	
Michael G. Hutchinson	Interim Chief Executive Officer	11/27/2017	
Michael G. Hutchinson	Interim President	11/27/2017	
Samuel N. Hagreen	Assistant Secretary	02/27/2016	
Scott A. Henry	Vice President - Accounting	04/18/2018	
Scott A. Henry	Interim Chief Accounting Officer	04/18/2018	
Scott Sturm	Senior Vice President – Operations	05/23/2018	
Sheldon N. DeJager	Vice President – Financial Planning & Analysis	11/27/2017	01/11/2019
Sheldon N. DeJager	Treasurer	02/23/2018	01/11/2019
Shane Gant	Vice President – Canadian Operations	07/02/2018	

**WESTMORELAND KEMMERER, LLC**

(AVS Entity Number 256189)

9540 South Maroon Circle, Suite 300  
 Englewood, Colorado 80112  
 (303) 922-6463

<b>MANAGERS</b>		
NAME	START DATE	END DATE
Jennifer S. Grafton	06/01/2015	
Joseph E. Micheletti	06/01/2015	

<b>MEMBER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*Westmoreland Resource Partners, LP	100% Member	07/31/2015	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Courtney Caton	Treasurer	08/22/2017	01/25/2019
Courtney Caton*	Controller	12/19/2014	01/25/2019
Dondi Kratzenstein*	Director of Procurement	04/02/2013	
Joseph E. Micheletti*	Vice President	08/12/2014	
Robin Piippo	General Manager	10/20/2017	
Samuel N. Hagreen*	Secretary	02/18/2014	
Samuel N. Hagreen*	General Counsel	12/19/2014	
Shane Gant	President	09/30/2015	

*\*These individuals are listed in AVS with a start date of 6/1/2015 because this was the date that Westmoreland Kemmerer, Inc. became Westmoreland Kemmerer, LLC.*

**WESTMORELAND MINING LLC**

(AVS Entity Number 150022)

9540 South Maroon Circle, Suite 300  
 Englewood, Colorado 80112  
 (303) 922-6463

<b>MANAGERS</b>		
NAME	START DATE	END DATE
Jennifer S. Grafton	03/28/2011	
Joseph E. Micheletti	06/10/2011	

<b>MEMBER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*Westmoreland Coal Company	Member (50% or more)	12/04/2000	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Joseph E. Micheletti	President	08/01/2016	
Samuel N. Hageen	Secretary	02/18/2014	
Samuel N. Hageen	General Counsel	12/19/2014	
Scott A. Henry	Treasurer	04/18/2018	
Scott A. Henry	Controller	04/18/2018	

**WESTMORELAND RESOURCE PARTNERS, LP**

(AVS Entity Number 255807)

9540 South Maroon Circle, Suite 300  
Englewood, Colorado 80112  
(303) 922-6463

<b>PARTNER</b>			
<b>NAME</b>	<b>POSITION/TITLE</b>	<b>START DATE</b>	<b>END DATE</b>
*Westmoreland Coal Company	Limited Partner 93.9%	01/01/2015	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules. Remaining ownership is less than 10% and, therefore, not reported to AVS.*

**WESTMORELAND RESOURCES GP, LLC**

(AVS Entity Number 255806)

9540 South Maroon Circle, Suite 300  
 Englewood, Colorado 80112  
 (303) 922-6463

<b>DIRECTORS</b>		
NAME	START DATE	END DATE
Gerald A. Tywoniuk	12/31/2014	
Keith D. Horton	01/06/2015	
Kurt D. Kost	01/06/2015	
Robert T. Clutterbuck	01/06/2015	01/04/2019

<b>MEMBER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*Westmoreland Coal Company	Member (> 50%)	01/01/2015	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Dondi Kratzenstein	Director of Procurement	07/20/2016	
Gregory J. Honish	President	08/02/2017	
Gregory J. Honish	General Manager	01/25/2017	
Joseph E. Micheletti	Executive Vice President	02/18/2015	
Michael G. Hutchinson	Interim Chief Executive Officer	12/04/2017	
Samuel N. Hagreen	Secretary	02/18/2015	
Samuel N. Hagreen	Associate General Counsel	08/02/2017	
Scott A. Henry	Corporate Controller	07/28/2017	
Scott A. Henry	Principal Accounting Officer	07/28/2017	

**WESTMORELAND RESOURCES, INC.**

(AVS Entity Number 060036)

P.O. Box 449  
 Hardin, Montana 59034  
 (406) 342-5241

<b>DIRECTORS</b>		
NAME	START DATE	END DATE
Jennifer S. Grafton	02/01/2011	
Joseph E. Micheletti	06/10/2011	

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Conan Mullaney	President	10/20/2017	
Conan Mullaney	General Manager	10/20/2017	
Courtney Caton	Assistant Controller	05/18/2017	01/25/2019
Dondi Kratzenstein	Director of Procurement	04/02/2013	
Joseph E. Micheletti	Vice President	08/12/2014	
Samuel N. Hagreen	Secretary	02/19/2014	
Samuel N. Hagreen	General Counsel	12/19/2014	
Scott A. Henry	Assistant Treasurer	04/18/2018	
Scott A. Henry	Controller	04/18/2018	

<b>SHAREHOLDER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*Westmoreland Coal Company	Shareholder (> 50%)	06/29/1978	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

**WESTMORELAND SAN JUAN HOLDINGS, INC.**

(AVS Entity Number 257777)

9540 South Maroon Circle, Suite 300  
 Englewood, Colorado 80112  
 (303) 922-6463

<b>DIRECTORS</b>		
NAME	START DATE	END DATE
Jennifer A. Schwartz	01/27/2016	
Steven P. Zimmer	01/27/2016	
Jennifer S. Grafton	12/18/2017	
Joseph E. Micheletti	12/18/2017	

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Courtney Caton	Assistant Treasurer	01/27/2016	01/25/2019
Jennifer S. Grafton	President	12/18/2017	
Samuel N. Hagreen	Secretary	10/22/2015	

<b>SHAREHOLDER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*Westmoreland Coal Company	100% Shareholder	10/22/2015	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

**WESTMORELAND SAN JUAN, LLC**

9540 South Maroon Circle, Suite 300  
Englewood, Colorado 80112  
(303) 922-6463

(AVS Entity Number 257779)

<b>MANAGERS (Independent)</b>		
NAME	START DATE	END DATE

<b>MEMBER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*Westmoreland San Juan Holdings, Inc.	100% Member	01/27/2016	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Jennifer S. Grafton	Vice President	01/27/2016	
Samuel N. Hagreen	Secretary	01/27/2016	

**WESTMORELAND SAVAGE CORPORATION**

(AVS Entity Number 152626)

P.O. Box 30  
 Savage, Montana 59262  
 (406) 798-3651

<b>DIRECTORS</b>		
NAME	START DATE	END DATE
Jennifer S. Grafton	03/28/2011	
Joseph E. Micheletti	06/10/2011	

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Dondi Kratzenstein	Director of Procurement	04/02/2013	
Jody Mann	President	11/07/2011	
Jody Mann	General Manager	11/07/2011	
Joseph E. Micheletti	Vice President	08/12/2014	
Samuel N. Hageen	Secretary	02/18/2014	
Samuel N. Hageen	General Counsel	12/19/2014	
Scott A. Henry	Treasurer	04/18/2018	
Scott A. Henry	Controller	04/18/2018	

<b>SHAREHOLDER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*Westmoreland Mining LLC	Shareholder (> 50%)	05/29/2002	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

**WRI PARTNERS, INC.**

9540 South Maroon Circle, Suite 300  
 Englewood, Colorado 80112  
 (303) 922-6463

(AVS Entity Number 248581)

<b>DIRECTORS</b>		
NAME	START DATE	END DATE
Jennifer S. Grafton	02/01/2011	
Joseph E. Micheletti	06/10/2011	

<b>OFFICERS</b>			
NAME	POSITION/TITLE	START DATE	END DATE
Joseph E. Micheletti	Vice President	12/19/2014	
Joseph E. Micheletti	General Manager	12/19/2014	
Samuel N. Hagreen	Secretary	02/18/2014	
Samuel N. Hagreen	General Counsel	02/18/2014	
Scott A. Henry	Treasurer	04/18/2018	
Scott A. Henry	Controller	04/18/2018	

<b>SHAREHOLDER</b>			
NAME	POSITION/TITLE	START DATE	END DATE
*Westmoreland Resources, Inc.	Shareholder (more than 50%)	05/28/2008	

*\*As calculated for Securities and Exchange Commission (SEC) reporting purposes based upon SEC beneficial ownership rules.*

## PROPERTY INTERESTS

### 1. Apparent Surface, Coal and Mineral Owners of Record – Permit Area

#### Mercer County, T.143N., R.88W.

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>	<u>OTHER MINERAL OWNER(S)</u>
10	E1/2E1/2	Dakota Westmoreland Corp. Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	State of North Dakota and the USA	State of North Dakota Faye L. Keogh, Mary Martens Brooks J. Keogh, C.Schwalbe Robert A. Keogh, P. A.Keogh, James Esterly, Charles Esterly,
11	W1/2	Dakota Westmoreland Corp. Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	Glenn & Beatrice Murray Gary Murray Phyllis O'Neil Armon & Peggy Jo Wolff Family Mineral Trust	Glenn & Beatrice Murray Gary Murray Phyllis O'Neil Armon & Peggy Jo Wolff Family Mineral Trust
11	NE1/4	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	Glenn & Beatrice Murray Gary Murray Phyllis O'Neil Armon & Peggy Jo Wolff Family Mineral Trust	Glenn & Beatrice Murray Gary Murray Phyllis O'Neil Armon & Peggy Jo Wolff Family Mineral Trust
11	SE1/4	Dakota Westmoreland Corp. Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	Henry G. Grishkowsky, Delmar N. Grishkowsky, Eldon Grishkowsky	Henry G. Grishkowsky Delmar N. Grishkowsky Eldon Grishkowsky
12	N1/2	Allegra & Leroy Boeckel	Allegra Boeckel, George J. Jr. and Margaret Permann	Allegra Boeckel, George J. Jr. and Margaret Permann
12	SE1/4	Abbey Family Partnership	Abbey Family Partnership State of North Dakota	Abbey Family Partnership State of North Dakota
12	SW1/4	Dakota Westmoreland Corp. Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	Abbey Family Partnership State of North Dakota	Abbey Family Partnership State of North Dakota
13	NW1/4	Darell Herman	Abbey Family Partnership	Abbey Family Partnership
13	NE1/4	Darell Herman	Bertha, Faith & Faye LLC	Bertha, Faith & Faye LLC
13	N1/2SE1/4	Darell Herman	Bertha, Faith & Faye LLC	Bertha, Faith & Faye LLC
13	SW1/4	Darell Herman	Darell Herman, Karen Heth	Darell Herman, Karen Heth
13	S1/2SE1/4	Darell Herman	Mary Margaret Wolf Marleen T. Schnaidt	Mary Margaret Wolf Marleen T. Schnaidt
14	N1/2	Dakota Westmoreland Corp. Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	USA	Glenn Murray, Lydia Stoppler, Phyllis O'Neil, Gary Murray, Daryl E. Zimmerman, Armon & Peggy Wolff Family Trust
14	SE1/4	Jonathan W.A. Liebelt Estate	Jonathan W.A. Liebelt Estate	Jonathan W.A. Liebelt Estate

**Oliver County, T.143N., R.87W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>	<u>OTHER MINERAL OWNER(S)</u>
7	S1/2	Dennis Neuberger	Alice Neuberger, Dennis Neuberger, Dale Neuberger, Audrey Cody, Marvell McMains	Alice Neuberger, Dennis Neuberger, Dale Neuberger, Audrey Cody, Marvell McMains
8	SW1/4	<del>Ken Neuberger</del> Tjay Gustafson	Marion McKinney Baird	Marion McKinney Baird
8	SE1/4	<del>Elmer N. Neuberger</del> Tjay Gustafson	USA	Marion McKinney Baird
17	SW1/4	William & Miles Heth	William & Miles Heth	William & Miles Heth,
17	SE1/4	William, & Miles Heth	William & Miles Heth	William & Miles Heth
17	N1/2	Dakota Westmoreland Corp.	Daryl E. Zimmerman, Kristjan Melsted, Margery Trenbeath, Laura Bailey Waldemar Melsted, Alfred Kristjanson, Esther Syrup, Margaret Blumhardt, Emily Gundmundson, Ed L. Hurley George Kristjanson, Evelyn Hjalmarson, Joyce Perila, Joe A. Kristjanson, Rosalyn Bruhschwein, Marcella Erickson, Melvin Kristjanson Ruth Melstad, Marino S. Melstad, Elin Mathewson	Daryl E. Zimmerman, Kristjan Melsted, Margery Trenbeath, Laura Bailey, Waldemar Melsted, Alfred Kristjanson, Esther Syrup, Margaret Blumhardt, Emily Gundmundson, Ed L. Hurley George Kristjanson, Evelyn Hjalmarson, Joyce Perila, Joe A. Kristjanson, Rosalyn Bruhschwein, Marcella Erickson, Melvin Kristjanson Ruth Melstad, Marino S. Melstad, Elin Mathewson
18	NW1/4	Leland Erickson, Michael C. Bergquist Gerald Bergquist	Leland Erickson Michael C. Bergquist Gerald Bergquist	Leland Erickson, Michael C. Bergquist Gerald Bergquist
18	NE1/4	E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner Jack Patrick Reich	E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner Jack Patrick Reich	E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner Jack Patrick Reich
18	SW1/4	Bertha, Faith & Faye LLC	Bertha Orth Bertha, Faith & Faye LLC	Bertha, Faith & Faye LLC
18	SE1/4	Jerome & Jane Boeshans	Esther Koehler, E. Wayne Boland, Delvin Reich, Joseph Edward Reich, Stephanie Ann Keltner, Jack Patrick Reich	Esther Koehler, E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner Jack Patrick Reich
19	NE1/4	William & Miles Heth	William & Miles Heth State of North Dakota	William & Miles Heth State of North Dakota
19	SE1/4	William & Miles Heth	William & Miles Heth	William & Miles Heth
19	W1/2	Darell Herman	Karen A. Heth Marleen T. Schnaidt Mary Margaret Wolf Darell J. Herman	Karen A. Heth Marleen T. Schnaidt Mary Margaret Wolf Darell J. Herman
20	NW1/4	William & Miles Heth	USA	William & Miles Heth State of North Dakota
20	SW1/4NE1/4	William & Miles Heth	USA	William & Miles Heth

**Mercer County, T.143N., R.88W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>	<u>OTHER MINERAL OWNER(S)</u>
15	NE1/4	Dakota Westmoreland Corp. Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	Robert A. Keogh Priscilla A. Keogh Faye L. Keogh Claire C. Schwalbe	Robert A. Keogh Priscilla A. Keogh Faye L. Keogh, Claire C. Schwalbe
24	NE1/4	Bertha, Faith & Faye LLC	Bertha Orth Bertha, Faith & Faye LLC	Bertha, Faith & Faye LLC
24	NW1/4	Jonathan W.A. Liebelt Estate	USA	Jonathan W.A. Liebelt Estate
24	S1/2	Bertha, Faith & Faye LLC	USA	Bertha, Faith & Faye LLC

**Oliver County, T.143N., R.87W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>	<u>OTHER MINERAL OWNER(S)</u>
7	S1/2	Dennis Neuberger	Alice Neuberger, Dennis Neuberger, Dale Neuberger, Audrey Cody, Marvell McMains	Alice Neuberger, Dennis Neuberger, Dale Neuberger, Audrey Cody, Marvell McMains
8	SW1/4	Ken Neuberger	Marion McKinney Baird	Marion McKinney Baird
8	SE1/4	Elmer N. Neuberger	USA	Marion McKinney Baird
17	SW1/4	William & Miles Heth	William & Miles Heth	William & Miles Heth,
17	SE1/4	William, & Miles Heth	William & Miles Heth	William & Miles Heth
17	N1/2	Dakota Westmoreland Corp.	Daryl E. Zimmerman, Kristjan Melsted, Margery Trenbeath, Laura Bailey Waldemar Melsted, Alfred Kristjanson, Esther Syrup, Margaret Blumhardt, Emily Gundmundson, Ed L. Hurley George Kristjanson, Evelyn Hjalmarson, Joyce Perila, Joe A. Kristjanson, Rosalyn Bruhschwein, Marcella Erickson, Melvin Kristjanson Ruth Melstad, Marino S. Melstad, Elin Mathewson	Daryl E. Zimmerman, Kristjan Melsted, Margery Trenbeath, Laura Bailey, Waldemar Melsted, Alfred Kristjanson, Esther Syrup, Margaret Blumhardt, Emily Gundmundson, Ed L. Hurley George Kristjanson, Evelyn Hjalmarson, Joyce Perila, Joe A. Kristjanson, Rosalyn Bruhschwein, Marcella Erickson, Melvin Kristjanson Ruth Melstad, Marino S. Melstad, Elin Mathewson
18	NW1/4	Leland Erickson, Michael C. Bergquist Gerald Bergquist	Leland Erickson Michael C. Bergquist Gerald Bergquist	Leland Erickson, Michael C. Bergquist Gerald Bergquist
18	NE1/4	E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner Jack Patrick Reich	E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner Jack Patrick Reich	E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner Jack Patrick Reich
18	SW1/4	Bertha, Faith & Faye LLC	Bertha Orth Bertha, Faith & Faye LLC	Bertha, Faith & Faye LLC
18	SE1/4	Jerome & Jane Boeshans	Esther Koehler, E. Wayne Boland, Delvin Reich, Joseph Edward Reich, Stephanie Ann Keltner, Jack Patrick Reich	Esther Koehler, E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner Jack Patrick Reich
19	NE1/4	William & Miles Heth	William & Miles Heth State of North Dakota	William & Miles Heth State of North Dakota
19	SE1/4	William & Miles Heth	William & Miles Heth	William & Miles Heth
19	W1/2	Darell Herman	Karen A. Heth Marleen T. Schnaidt Mary Margaret Wolf Darell J. Herman	Karen A. Heth Marleen T. Schnaidt Mary Margaret Wolf Darell J. Herman
20	NW1/4	William & Miles Heth	USA	William & Miles Heth State of North Dakota
20	SW1/4NE1/4	William & Miles Heth	USA	William & Miles Heth

**2. Apparent Surface and Coal Owners Of Record – Contiguous Areas**

**Mercer County, T.143N., R.88W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>
1	S1/2	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	Florence Knoell
2	S1/2S1/2	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	U.S. of A.
3	SE1/4	Dakota Westmoreland Corp. Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	U.S. of A.
10	W1/2E1/2	Dakota Westmoreland Corp. Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Northwestern Energy	U.S. of A. State of North Dakota
14	SW1/4	Kenneth Unruh	U.S. of A.
23	NE1/4	Glen Erickson	Leland Erickson Carroll Erickson Grace McLean Wanda Gustafson Glenn Erickson
23	SE1/4	Carroll Erickson	Leland Erickson Carroll Erickson Grace McLean Wanda Gustafson Glenn Erickson
25	NE1/4	Bertha, Faith & Faye LLC	Bertha, Faith & Faye LLC
25	NW1/4	Evangeline Erickson Glenn Erickson Carroll Erickson Grace McLean Leland Erickson Wanda Gustafson	Evangeline Erickson Glenn Erickson Carroll Erickson Grace McLean Leland Erickson Wanda Gustafson Doris Houser
26	NE1/4	Michael & Cheryl Marshall	U.S. of A.

**Oliver County, T.143N., R.87W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>
5	SW1/4	Raszler Family Trust	Raszler Family Trust
6	SW1/4	Jonathan W.A. Liebelt Estate	Jonathan W.A. Liebelt Estate
	SE1/4	Jonathan W.A. Liebelt Estate	Owen O'Neil U.S. of A.
7	NE1/4	Dennis Neuberger Tyrone A. Hamby	Alice Neuberger, Dennis Neuberger, Dale Neuberger Audrey Cody, Marvell McMains and State of North Dakota
7	NW1/4	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	Alice Neuberger, Dennis Neuberger, Dale Neuberger, Audrey Cody, Marvell McMains and State of North Dakota
8	N1/2	Dale Neuberger Tyrone A. Hamby	Alice Neuberger, Dennis Neuberger, Dale Neuberger, Audrey Cody, Marvell McMains and U.S. of A.
9	NW1/4	Raszler Family Trust	Raszler Family Trust
	SW1/4	E. Wayne Boland	E. Wayne Boland Mueller Corporation
16	NW1/4	Melvin Neuberger	Melvin Neuberger
	SW1/4	E. Wayne Boland	State of North Dakota
20	NE1/4	William & Miles Heth	U. S. of A.
	SW1/4	Marguerite Herman Estate	U. S. of A.
	SE1/4	Karen Heth	U. S. of A.
21	NW1/4	Josephine Reinhiller	Josephine Reinhiller Mueller Corporation
29	NW1/4	Darell Herman	Darell Herman, Daryl E. Zimmerman Kristjan Melstad, Margery Trenbeath, Laura Bailey, Waldemar Blumhardt, Emily Gundmundson, Edward L. Hurley George Kristjanson, Evelyn Hjalmarson, Joyce Perila, Joe A. Kristjanson, Rosalyn Bruhschwein, Marcella Erickson, Melvin Kristjanson Ruth Melstad, Marino S. Melstad, Elin Mathweson
30	NE1/4	Darell Herman	U. S. of A.
30	NW1/4	Darell Herman	Darell Herman, Pearl Engbrecht

NAMES AND ADDRESSES OF APPARENT SURFACE AND SUBSURFACE OWNERS OF RECORD

Abbey Family Partnership c/o Don Wetzel: 206 9th St NW, Beulah ND 58523  
AgriBank, FCB: 375 Jackson St., St. Paul MN 55101-1810  
Bailey, Laura: 1000 West Century Ave #333, Bismarck ND 58501  
Baird, Marion McKinney: 508 Bolivar, Bellaire TX 77401  
Bergquist, Gerald: PO Box 1476, Jamestown ND 58401  
Bergquist, Michael: 242 16th Avenue NE, Jamestown ND 58401  
Bertha, Faith & Faye LLC c/o Faye Harrison: 17636 Fieldfare Way, Farmington MN 55024  
Blumhardt, Margaret: 1200 Hardwood Drive #259, Fargo ND 58104-6293  
Boeckel, Allegra & Leroy: 611 Highway 200, Hazen ND 58545-9313  
Boeshans, Jerome & Jane: 246 County Rd 19 North, Beulah ND 58523  
Boland, E. Wayne: PO Box 849, Beulah ND 58523  
Bruhschwein, Rosalyn: 810 Riverview Drive, Valley City ND 58072  
Bureau of Land Management: 5001 Southgate Drive, Billings MT 59107  
Cody, Audrey: 4612 Cortez Circle, Mandan ND 58554  
Dakota Westmoreland Corporation: PO Box 39, Beulah ND 58523  
Engbrecht, Pearl c/o Virgil Engbrecht: 31305 Canterbury Court, Temecula CA 92591-3901  
Erickson, Carroll: 6930 SE Lillian Court, Stuart FL 34997  
Erickson, Glenn: 6930 SE Lillian Court, Stuart FL 34997  
Erickson, Leland: 1655 Highway 49, Beulah ND 58523  
Erickson, Marcella: 554 Chatham Circle, Buffalo Grove IL 60089  
Esterly, Charles: \*  
Esterly, James: \*  
Grishkowsky, Eldon: 517 1st Street SW, Beulah ND 58523  
Grishkowsky, Delmar N.: Box 633, Beulah ND 58523  
Grishkowsky, Rev. Henry: 3760 Pennsylvania Ave #4, Dubuque IA 52002  
Grosz, Diana: 607 Augusta Circle, Yankton SD 57078  
Gundmundson, Emily: PO Box 32, Mountain ND 58262  
Gustafson, Tjay: PO Box 11, Beulah ND 58523  
Gustafson, Wanda: PO Box 155, Dodge ND 58625  
Hamby, Tyrone A.: 409 1st Ave NE, Beulah ND 58523  
Harrison, Faye: 17636 Fieldfare Way, Farmington MN 55024  
Herman, Darell J.: 1605 59th Ave SW, Beulah ND 58523  
Herman, Delton: 266 Rock Creek Road, Buffalo WY 82834  
Heth, Karen A.: 793 8th Ave West, Dickinson ND 58601  
Heth, Miles P.: 4087 111F Avenue SW, Dickinson ND 58601  
Heth, William C.: 986 Foster Dr., Dickinson ND 58601  
Houser, Doris: c/o Lee Mandara, 1655 S. Elm St #541, Canby OR 97013  
Hjalmarson, Evelyn: 830 Hermes Avenue, Encinitas CA 92024  
Hurley, Edward L.: 10679 131st Avenue NE, Walhalla ND 58282  
Keltner, Stephanie A.: 420 Fourth Ave. SW, Beulah ND 58580-9696  
Keogh, Brooks J.: 3100 SW 29th Terrace Apt 105, Topeka KS 66614-2756  
Keogh, Faye L.: 2916 Garber Road, Berkeley CA 94705  
Keogh, Priscilla A.: PO Box 1202, Dickinson ND 58602  
Keogh, Robert A.: PO Box 1202, Dickinson ND 58602  
Knoell, Florence: 2110 Catherine Drive, Bismarck ND 58501  
Kristjanson, Alfred: 2102 Carnelian Lane, Eagan MN 55122  
Kristjanson, George: 2824 64th Street, Shellsburg IA 52332  
Kristjanson, Joe: 5701 Halls Lake Way, Lynnwood WA 98036  
Kristjanson, Melvin: 12972 85th Street NE, Edinburg ND 58227  
Liebelt, Jonathan W. A. Estate c/o Charlotte Liebelt, PR: PO Box 168, Aberdeen SD 57402-0168  
Marshall, Michael & Cheryl: 1651 Hwy 49, Beulah ND 58523  
Martens, Mary E.: \*  
Mathewson, Elin: 12480 SW 104 Terrace, Miami FL 33186  
McLane, Grace: 1211 E Lime St, Tarpon Springs FL 33589  
McMains, Marvell: 104 4<sup>th</sup> Ave. SE, Beulah ND 58523  
Melsted, Kristjan: 1000 West Century Ave #333, Bismarck ND 58501  
Melsted, Marino S.: PO Box 38, Lakota IA 50451-0038  
Melsted, Ruth: 1479 Fernwood Avenue, Apt. #1, Grafton ND 58237  
Melsted, Waldemar: Box 145, Walhalla ND 58282  
Montana-Dakota Utilities Co.: 400 North Fourth, Bismarck ND 58501  
Mueller Corporation: PO Box 485, Hazen ND 58545  
Murray, Glenn & Beatrice: Beulah ND 58523  
Murray, Gary: PO Box 757, Beulah ND 5852  
Neuberger, Dale: 5831 13th St SW, Beulah ND 58523

Neuberger, Dennis: 417 Front St SW, Beulah ND 58523-9643  
Neuberger, Elmer N.: PO Box 5, Beulah ND 58523  
Neuberger, Ken: 1715 6<sup>th</sup> Ave NE, Beulah ND 58523  
Neuberger, Melvin: PO Box 831, Beulah ND 58523-0831  
Neuberger, Alice: 2723 Gateway Ave, Bismarck ND 58503  
Northern Municipal Power Agency: 123 Second Street West, Thief River Falls MN 56701  
Northwestern Energy: PO Box 1318, Huron SD 57350  
O'Neil, Owen: Dunn Center ND 58626  
O'Neil, Phyllis: PO Box 690, Killdeer ND 58640  
Orth, Bertha c/o Faye Harrison: PO Box 162, Rosemount MN 55068  
Orth, Bertha Faye & Faith LLC: PO Box 162, Rosemount MN 55068  
Otter Tail Power Co.: 215 South Cascade St., Fergus Falls MN 56537  
Perila, Joyce: 9550 Collegeview Rd #124, Bloomington MN 55437  
Permann, George J. Jr. and Margaret: 2983 S Zeno Way, Aurora CO 80013  
Raszler Family Trust: 12125 Rose Drive, Whittier CA 90601  
Reich, Delvin: 1320 County Road 13, Zap ND 58580  
Reich, Jack P.: c/o First Trust Co., Box 5515, Bismarck ND 58502-5515  
Reich, Joseph E.: c/o First Trust Co., Box 5515, Bismarck ND 58502-5515  
Reinhiller, Lincoln & Josephine: 1575 55<sup>th</sup> Ave SW, Hazen ND 58545  
Schnaidt, Marleen: 1050 Foster Drive, Dickinson ND 58601  
Schwalbe, Claire C.: 6345 13th St SW, Beulah ND 58523  
State of North Dakota: State Land Dept., PO Box 5523, Bismarck ND 58506  
Stoppler, Lydia: Hazen ND 58545  
Syrup, Esther: 209 Park Avenue, Park River ND 58270  
Trenbeath, Margery: 10640 Hwy 18, Box 102, Neche ND 58265  
Unruh, Kenneth J.: 6315 County 12, Zap ND 58580  
Williamson, Faith: 17689 Fair Isle Path, Farmington MN 55024  
Wolf, Mary Margaret: 1050 Foster Dr., Dickinson ND 58601  
Wolff, Armon & Peggy: c/o Wolff Family Mineral Trust, RR 1, Box 12A, Golden Valley ND 58541  
Zimmerman, Daryl: 10735 Chokecherry Lane, Bismarck ND 58501

\* Address unavailable at county courthouse.

### 3. Listing Of Registered Agents For Apparent Holders Of Leasehold Interest Other Than Coal

The following listing of registered agents is the result of the North Dakota Secretary of State's October 17, 1988 search of their records for each company identified in the following list. LOCATION

<u>T.143N.,R87W.</u>	<u>NAME</u>	<u>ADDRESS</u>
All	Sec. 7	T.A. Chorney Exploration Co. 732 Metro Bank Bldg. Denver, CO 80222
		Tenneco Oil Co. C T Corp. Systems 314 E. Thayer Ave. Bismarck, ND 58501
SW1/4	Sec. 8	Tenneco Oil Co. C T Corp. Systems 314 E. Thayer Ave. Bismarck, ND 58501
SE1/4	Sec. 8	Tenneco Oil Co. C T Corp. Systems 314 E. Thayer Ave. Bismarck, ND 58501
NW1/4	Sec. 17	Claud Hamil No Listing
S1/2	Sec. 17	Claud Hamil No Listing
NW1/4	Sec. 18	Exxon C T Corp. Systems 314 E. Thayer Ave. Bismarck, ND 58501
NE1/4	Sec. 18	Tenneco Oil Co. C T Corp. Systems 314 E. Thayer Ave. Bismarck, ND 58501
		Cody Inc. No Listing
SE1/4	Sec 18	Tenneco Oil Co. C T Corp. Systems 314 E. Thayer Ave. Bismarck, ND 58501
N1/2	Sec. 12	Hunt Energy Corp. C T Corp. Systems 314 E. Thayer Ave. Bismarck, ND 58501
SW1/4	Sec. 12	Koch Industries Inc. C T Corp. Systems 314 E. Thayer Ave. Bismarck, ND 58501
		Hunt Energy Corp. C T Corp. Systems 314 E. Thayer Ave. Bismarck, ND 58501
N1/2	Sec. 13	Koch Industries Inc. C T Corp. Systems 314 E. Thayer Ave Bismarck, ND 58501
		Hunt Energy Corp. C T Corp. Systems 314 E. Thayer Ave. Bismarck, ND 58501
	Sec. 14	Hunt Energy Corp. C T Corp. Systems 314 E. Thayer Ave. Bismarck, ND 58501
NE1/4SE1/4	Sec. 10	Rainbow Resources Inc. C T Corp. Systems 314 E. Thayer Ave.

Bismarck, ND 58501

NE1/4SE1/4

Sec. 10

Claud B. Hamil  
Houston, TX 77002

No Listing

Farmland International

C T Corp. Systems  
314 E. Thayer Ave.  
Bismarck, ND 58501

**a. Principles, Officers and Resident Agents for Coyote Partners**

(Provided as a result of a records search by the North Dakota Secretary of State's office on 3/31/06 for each company.)

Otter Tail Power Company, subsidiary of Otter Tail Corporation, PO Box 496, Fergus Falls, MN 56538-0496  
George A Koeck, PO Box 9156, Fargo ND 58106-9156

President: John D. Erickson  
Vice President: Lauris N. Molbert  
Secretary: George A. Koeck  
Treasurer: Kevin G. Moug  
Director: John C. MacFarlane  
Director: Thomas M. Brown  
Director: Dennis R. Emmen  
Director: Arvid R. Liebe  
Director: Kenneth L. Nelson  
Director: Nathan I. Partain  
Director: Gary J. Spies  
Director: Robert N. Spolum  
Director: Karen M. Bohn

Northern Municipal Power Agency, 123 2<sup>nd</sup> Street West, Thief River Falls, MN 56537  
David B. Sogard, PO Box 13200, Grand Forks ND 58208-3200

President: Mylo Einarson  
Vice President: Darrel Anderson  
Secretary: Dalene Monsebroten  
Treasurer: Dalene Monsebroten  
Director: Arlo Rude  
Director: Earl Holmstrom  
Director: George Taylor, Jr.  
Director: David Larson  
Director: David Meyer  
Director: Jerald Pederson  
Director: Tom Larson  
Director: Leland Lunos  
Director: Kenneth Borowicz  
Director: James T. Hanson

Northwestern Energy, PO Box 1318, Huron SD 57350  
CT Corporation System, PO Box 400, Bismarck ND 58502-0400

Chief Executive Officer: Gary Drook  
Chief Operating Officer: Michael J. Hanson  
VP – Legal Administration & Corporate Secretary: Alan D. Dietrich  
VP and General Counsel: Tom Knapp  
VP – Human Resources & Communications: Roger Schrum  
Assistant Corporate Secretary: Michael J. Young  
Director: Stephen P. Adik  
Director: E. Linn Draper, Jr.  
Director: Jon S. Fossel

Director: Julia L. Johnson  
Director: Philip L. Maslowe

Montana-Dakota Utilities Co., subsidiary of MDU Resources Group, Inc., PO Box 5650, Bismarck ND 58506-5650  
CT Corporation System, PO Box 400, Bismarck ND 58502-0400

Chairman of the Board, President and Chief Executive Officer: Martin A. White  
Executive Vice President & Chief Financial Officer: Warren L. Robinson  
Senior Vice President & Chief Accounting Officer: Vernon A. Raile  
General Counsel and Secretary: Paul K. Sandness  
CEO of Montana-Dakota Utilities Co. Division & CEO of Great Plains Natural Gas Co. Division: Ronald D. Tipton  
VP – Strategic Planning & Corporate Development: Floyd E. Wilson  
VP – Public Affairs & Environmental Policy: Robert E. Wood  
VP – Human Resources: Cindy C. Redding  
VP – Corporate Communications: Cathleen M. Christopherson  
Controller: Mary B. Hager  
Treasurer: Daryl A. Splichal  
Assistant VP – Accounting & Financial Reporting: Daniel B. Moylan  
Assistant Treasurer & Assistant Secretary: Douglas A. Mahowald  
Associate General Counsel & Assistant Secretary: Douglas W. Schultz  
Associate General Counsel: Tom K. Hopgood  
Associate General Counsel: Cynthia J. Norland

**b. Principles, Officers and Resident Agents for Tenneco Oil Company**

Tenneco Oil Company  
1100 Milam, Houston, TX 77002

C. Wayne Nance, President  
Ralph S. Cunningham, Executive Vice President  
Harry H. Daniel, Senior Vice President  
Dan B. Johnson, Senior Vice President  
Ed. J. Milan, Senior Vice President and Chief Financial Officer  
Charles M. Rampacek, Senior Vice President  
Charles E. Shultz, Senior vice President  
Don S. Taylor, Senior Vice President  
Glen E. Taylor, Senior Vice President and General Counsel  
Larry A. Augsburg, Vice President  
Robert T. Bogan, Vice President  
Harry J. Briscoe, Jr., Vice President  
H. L. Britton, Vice President  
Albert P. Caldwell, Jr., Vice President  
Charles R. Dodds, Vice President  
Michael Falco, Vice President  
Shelby R. Gibbs, Vice President  
John H. Gray, Vice President  
Jack L. Gregory, Vice President  
Boyd L. Henderson, Vice President, General Counsel and Assistant Secretary  
Stephen C. Johnson, Vice President  
Harold M. Korell, Vice President  
Neil H. McLaurin, Vice President  
W. C. Melnar, Vice President  
Camilo Merendoni, Vice President  
William R. Taylor, Vice President  
Bradley H. Troxel, Vice President  
Addison A. Wilkinson, Vice President  
R. E. Winckler, Vice President  
Karl A. Stewart, Secretary  
O. K. Jones, III, Treasurer  
Daniel F. Cross, Controller  
Wendell J. Bares, Assistant Secretary  
James B. Barnes, Assistant Secretary  
Charles Beresford, Assistant Secretary

M. L. Ehrlich, Assistant Secretary  
K. Diane Galbraith, Assistant Secretary  
James D. Gaughan, Assistant Secretary  
J. A. Hannah, Assistant Secretary  
Rick A. Mayer, Assistant Secretary  
D. L. Motloch, Assistant Secretary  
W. H. Olds "Bill", Assistant Secretary  
Alfred B. Smith, Jr., Assistant Secretary  
Laurent B. Webb, Assistant Secretary  
Kenneth Whitmire, Assistant Secretary  
C. T. Caleb, Assistant Treasurer  
Jerry A. Fauchaux, Assistant Treasurer  
T. Stan Corbett, Assistant Controller  
Osiris Madera, Assistant Controller

**c. Principles, Officers and Resident Agents for Cody Oil & Gas Corp.**

Cody Oil & Gas Corporation  
909 Basin Avenue, Bismarck, ND 58501

Robert Campbell, President and Treasurer  
Mark Fliginger, Vice President and Secretary

**d. Principles, Officers and Resident Agents for Exxon Corporation**

Exxon Corporation  
1251 Avenue of the Americas, New York, NY 10027

Lawrence G. Rawl, Chairman of the Board  
Lee R. Raymond, President  
Jack G. Clarke, Senior Vice President  
Donald K. McIvor, Senior Vice President  
Charles R. Sitter, Senior Vice President  
Terry A. Kirkley, Vice President  
H. Eugene McBrayer, Vice President  
Sidney J. Reso, Vice President  
William D. Stevens, Vice President  
Donald E. Smiley, Vice President - Washington Office  
Elliot R. Cattarulla, Vice President - Corporate and Public Affairs & Secretary  
Richard S. Lombard, Vice President and General Counsel  
D. Steine, Vice President and Controller  
Edgar A. Robinson, Vice President and Treasurer  
W. D. O'Brien, Vice President and General Tax Counsel  
Tudor H. Tiedemann, Jr., Vice President - Human Relations  
Richard J. Kruiuzenga, Vice President - Corporate Planning  
Thomas J. McDonagh, M.D., Vice President - Medicine and Environmental Health  
William B. Nobles, Jr., Vice President - Information Systems & Central Services  
R. H. Alven, Assistant Secretary  
D. C. Capobianco, Assistant Secretary  
D. R. Greenlee, Assistant Secretary  
B. E. Gunther, Assistant Secretary  
D. J. Kovar, Assistant Secretary  
G. G. Meneilly, Assistant Secretary  
J. J. Moore, Assistant Secretary  
P. A. Nolan, Assistant Secretary  
B. P. Pierce, Assistant Secretary  
C. M. Ragland, Assistant Secretary  
F. L. Reid, Assistant Secretary  
R. J. Spivey, Assistant Secretary  
P. E. Stevens, Assistant Secretary  
R. E. Tannehill, Assistant Secretary  
B. J. Troyer, Assistant Secretary

**e. Principles, Officers and Resident Agents for Hunt Energy Corp.**

Hunt Energy Corporation

2400 Thanksgiving Tower, Dallas, TX 75201

Lamar Hunt, Vice President  
Thomas E. Nelson, Secretary  
C. H. Mercer, Treasurer  
Houston B. Hunt, Director  
Bruce Hunt, Director

**f. Principles, Officers and Resident Agents for Koch Industries, Inc.**

Koch Industries, Inc.

4111 E. 37th Street North, Wichita, KS 67220

C. G. Koch, Chairman of the Board  
S. V. Varner, Vice Chairman of the Board  
W. W. Hanna, President  
F. L. Markel, Executive Vice President - Finance  
D. H. Koch, Executive Vice President - Chemical Technology  
J. W. Moeller, Executive Vice President - Refined Products  
D. L. Cordes, Executive Vice President - Legal and Corporate Affairs  
J. M. Ehlen, Vice President - Refining  
W. M. Hougland, Vice President - Crude Oil  
C. C. McCampbell, Vice President - Hydrocarbons  
W. C. Stanford, Vice President - Oilfield Services  
R. G. Walton, Vice President - Exploration and Production  
M. R. Hall, Vice President  
P. W. Brooks, Vice President - Planning and Development  
H. A. Caldwell, Secretary/General Counsel  
C. J. Nelson, Treasurer  
H. J. Whisnand, Assistant Secretary  
Gael Fletcher, Assistant Secretary  
K. D. Sears, Assistant Secretary  
V. R. Delhotal, Assistant Secretary/Associate General Counsel  
L. D. Shultz, Assistant Secretary/Associate General Counsel  
R. E. Hipp, Assistant Treasurer - Tax  
L. S. Torczynski, Assistant Treasurer  
M. D. Wilds, Assistant Treasurer

**g. Principles, Officers and Resident Agents for Rainbow, Inc.**

Rainbow, Inc.

7324 36th Avenue North, Minneapolis, MN 55427

Charles M. Haagenon, President and Treasurer  
Roger I. Haagenon, Vice President and Secretary  
Timothy A. Kavanaugh, Vice President

**h. Principles, Officers and Resident Agents for Farmland Securities Co.**

Farmland Securities Company

3315 North Oak Trafficway, Dept. 54, Kansas City, MO 64110

Kenneth J. Swails, President  
Lewis F. Linville, Vice President  
James W. Bargfrede, Secretary and Treasurer  
John L. Spaedy, Director  
Kearl L. Knauss, Director

**i. Principles, Officers and Resident Agents for T. A. Chorney Exploration Co.**

T. A. Chorney Exploration Company

73 Metro Bank Building, Denver, CO 80222

These names are unavailable at this time.

#### 4. Apparent Equitable Owners of Record

Owners of record are set forth for the permit area and adjacent areas in subsection B, titled Permit Area Property Interests. A summary of easements and/or right-of ways is listed below.

<u>Location</u>	<u>T.143N.,R.87W</u>	<u>Equitable Owner</u>
S1/2	Sec. 6	Montana Dakota Utilities Co.
NE1/4	Sec. 7	Montana Dakota Utilities Co.
N1/2	Sec. 8	Montana Dakota Utilities Co.
SE1/4	Sec. 8	Montana Dakota Utilities Co.
S1/2	Sec. 17	AMOCO Pipeline Co.
E1/2	Sec. 17	Montana Dakota Utilities Co.
N1/2	Sec. 18	AMOCO Pipeline Co.
SE1/4	Sec. 18	AMOCO Pipeline Co.
All	Sec. 20	Montana Dakota Utilities Co. West River Telephone AMOCO Pipeline Co.
S1/2	Sec. 1	Montana Dakota Utilities Co.
S1/2	Sec. 2	Montana Dakota Utilities Co.
E1/2	Sec. 10	Montana Dakota Utilities Co.
All	Sec. 11	Oliver Mercer Electric Montana Dakota Utilities Co. West River Telephone
N1/2	Sec. 13	AMOCO Pipeline Co.
N1/2	Sec. 14	AMOCO Pipeline Co. Montana Dakota Utilities Co. Oliver Mercer Electric

#### NAMES AND ADDRESSES

AMOCO Pipeline Co  
Mandan, ND 58554

FHA USDA  
3<sup>rd</sup> & Rosser Ave.  
Bismarck, ND 585001

Oliver Mercer Electric  
Hazen, ND 58545

Montana Dakota Utilities Co.  
400 North 4<sup>th</sup> Street  
Bismarck, ND 58501

West River Telephone  
117 West Main  
Hazen, ND 58545

**5. Purchases Under Contract**

No other lands are known to be under a contract for purchase.

**6. Operator Interests in Lands Abutting the Proposed Permit Area**

<u>LOCATION OF INTERESTS</u>		<u>SURFACE LEASE</u>	<u>SUBSURFACE LEASE</u>
SW1/4	Sec. 6, T.143N.,R.87W.	X	X
SW1/4	Sec. 20, T.143N.,R.87W.		X
SE1/2SE1/4	Sec. 20, T.143N.,R.87W.		X
NW1/4	Sec. 29, T.143N.,R.87W.	X	X
NE1/4NE1/4	Sec. 30, T.143N.,R.87W.		X
N1/2NW1/4	Sec. 14, T.143N.,R.88W.	X	
NE1/4	Sec. 15, T.143N.,R.88W.	X	X
NW1/4	Sec. 30, T.143N.,R.88W.		X
NE1/4	Sec. 25, T.143N.,R.88W.	X	X
NW1/4	Sec. 25, T.143N.,R.88W.		X

### C. RIGHT OF ENTRY AND OPERATION INFORMATION

Dakota Westmoreland Corporation bases its legal right to conduct mining activities on the following leases. A copy of each certified lease agreement may be found in Exhibit 1.4.2.

<u>LEASE NO.</u>	<u>PAGE</u>	<u>LESSOR</u>	<u>LAND DESCRIPTION</u>	
KR-048B	1	Adam & Ella Neuberger	N $\frac{1}{2}$ ,	Sec.07, T.143N., R.87W.
KR-049B	3	Adam & Ella Neuberger	S $\frac{1}{2}$ ,	Sec.07, T.143N., R.87W.
KR-057B	5	State of North Dakota	N $\frac{1}{2}$ ,	Sec.07, T.143N., R.87W.
KR-066B	17	Marion McKinney Baird	SW $\frac{1}{4}$ ,	Sec.08, T.143N., R.87W.
KR-204B	29	USA	N $\frac{1}{2}$ SE $\frac{1}{4}$ ,	Sec.08, T.143N., R.87W.
KR-208B	33	Marion McKinney Baird	SE $\frac{1}{4}$ ,	Sec.08, T.143N., R.87W.
--	269	Coyote Partners	E $\frac{1}{2}$ E $\frac{1}{2}$ ,	Sec.10, T.143N., R.88W.
--	269	Coyote Partners	All,	Sec.11, T.143N., R.88W.
KR-053B	42	Reinhart & Martha Grishkowsky	SE $\frac{1}{4}$	Sec.11, T.143N., R.88W.
KR-056B	46	Alice Abbey	S $\frac{1}{2}$	Sec.12, T.143N., R.88W.
KR-057B	5	State of North Dakota	S $\frac{1}{2}$	Sec.12, T.143N., R.88W.
KR-247B	50	LeRoy Boeckel, et.al.	N $\frac{1}{2}$	Sec.12, T.143N., R.88W.
KR-055B	58	Alice F. Abbey, et.al.	NW $\frac{1}{4}$	Sec.13, T.143N., R.88W.
KR-179B	73	Carl A. Herman, et.al.	SW $\frac{1}{4}$	Sec.13, T.143N., R.88W.
KR-180B	85	Carl A. Herman, et.al.	S $\frac{1}{2}$ SE $\frac{1}{4}$	Sec.13, T.143N., R.88W.
KR-185B	97	Julius & Bertha Orth	NE $\frac{1}{4}$	Sec.13, T.143N., R.88W.
KR-193B	109	Julius & Bertha Orth	N $\frac{1}{2}$ SE $\frac{1}{4}$	Sec.13, T.143N., R.88W.
KR-074B	120	USA	NE $\frac{1}{4}$ & NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec.14, T.143N., R.88W.
--	269	Coyote Partners	N $\frac{1}{2}$	Sec.14, T.143N., R.88W.
KR-249B	123	Jonathan Liebelt	SE $\frac{1}{4}$	Sec.14, T.143N., R.88W.
KR-248B	424	Coyote Partners	NW $\frac{1}{4}$	Sec.14, T.143N., R.88W.
KR-317B	436	Coyote Partners	NE $\frac{1}{4}$	Sec.14, T.143N., R.88W.
KR-050B	130	Robert Keogh	NE $\frac{1}{4}$	Sec.15, T.143N., R.88W.
KR-199B	137	Louis & Helga Temme	NE $\frac{1}{4}$	Sec.17, T.143N., R.87W.
KR-060B	141	Helga S. Temme	NW $\frac{1}{4}$	Sec.17, T.143N., R.87W.
KR-170B	153	William C. & Rose M. Heth	SE $\frac{1}{4}$	Sec.17, T.143N., R.87W.
KR-171B	164	William C. & Rose M. Heth	SW $\frac{1}{4}$	Sec.17, T.143N., R.87W.
KR-186B	175	Wilfred A. & Joyce Herman	SW $\frac{1}{4}$	Sec.17, T.143N., R.87W.
KR-068B	183	Gerald L. Vincent, et.al.	NW $\frac{1}{4}$	Sec.18, T.143N., R.87W.
KR-184B	189	Julius & Bertha Orth	SW $\frac{1}{4}$	Sec.18, T.143N., R.87W.
KR-190B	200	Joan Boland, et.al.	NE $\frac{1}{4}$	Sec.18, T.143N., R.87W.
KR-191B	209	Joan Boland, et.al.	SE $\frac{1}{4}$	Sec.18, T.143N., R.87W.
KR-195B	217	Esther A. Koehler	SE $\frac{1}{4}$	Sec.18, T.143N., R.87W.
KR-172B	226	William C. & Rose M. Heth	NE $\frac{1}{4}$	Sec.19, T.143N., R.87W.
KR-250B	274	State of North Dakota	NE $\frac{1}{4}$	Sec.19, T.143N., R.87W.
KR-181B	237	Carl A. Herman, et.al.	NW $\frac{1}{4}$	Sec.19, T.143N., R.87W.
KR-173B	333	William C. & Rose M. Heth	SE $\frac{1}{4}$	Sec.19, T.143N., R.87W.
KR-182B	369	Carl A. Herman, et.al.	SW $\frac{1}{4}$	Sec.19, T.143N., R.87W.
KR-074B	120	USA	NW $\frac{1}{4}$	Sec.20, T.143N., R.87W.
KR-168B	249	William C. & Rose M. Heth	NW $\frac{1}{4}$	Sec.20, T.143N., R.87W.
KR-169B	259	William C. & Rose M. Heth	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec.20, T.143N., R.87W.
KR-192B	279	Julius & Bertha Orth	NE $\frac{1}{4}$	Sec.24, T.143N., R.88W.
KR-228B	307	Federal Land Bank	NE $\frac{1}{4}$	Sec.24, T.143N., R.88W.
KR-310B	322	Jonathan W.A. Liebelt	NW $\frac{1}{4}$	Sec.24, T.143N., R.88W.
KR-074B	120	USA	NE $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$	Sec.24, T.143N., R.88W.
KR-312B	409	USA	NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$	Sec.24, T.143N., R.88W.
KR-276B	414	Bertha Orth	S $\frac{1}{2}$	Sec.24, T.143N., R.88W.

Dakota Westmoreland Corporation affirms the right and power by legal estate owned, to strip mine the lands heretofore described. Dakota Westmoreland Corporation hereby asserts that all leases are being maintained to meet the requirement of NDAC 69-05.2-06-03 and that the leases contained therein that have not expired or that have not been terminated are presently valid and existing and are continuing in full force and effect.

Pursuant to the requirements of the Surface Owner Protection Act, Chapter 38-18, North Dakota Century Code, Dakota Westmoreland did disclose the plan of work and operations to surface owners involved in the Permit area applied for in this application. Documents contained in Exhibit 1.4.3 show that the requirements of Chapter 38-18 NDCC have been fulfilled by Dakota Westmoreland.

Surface owners have been notified prior to submittal of this application, either by certified mail or hand delivery, that surface mining operations would commence on their lands pursuant to approval of existing permit applications. Exhibit 1.4.3 contains copies of the notice documents. Copies of leases indicating owner approval are given in Exhibit 1.4.2.

A map showing surface and coal ownerships, in accordance with the requirements of Chapter 38-14.1, NDCC, is given as Exhibit 1.4.1. Surface owners notified are as follows:

<u>OWNER</u>		<u>LEASE LOCATION</u>
Abbey, Alice F.	S1/2	Sec. 12, T.143N.,R.88W.
	NW1/4	Sec. 13, T.143N.,R.88W.
Baird, Marion McKinney	S1/2	Sec. 08, T.143N.,R.87W.
Bergquist, Gerald	NW1/4	Sec. 18, T.143N.,R.87W.
Bergquist, Michael C.	NW1/4	Sec. 18, T.143N.,R.87W.
Boland, Edward W.	NE1/4	Sec. 18, T.143N.,R.87W.
Boland, Joanne	NE1/4	Sec. 18, T.143N.,R.87W.
*Coyote Partners et. al.	NE1/4	Sec. 11, T.143N.,R.88W.
	W1/2	Sec. 11, T.143N.,R.88W.
	SW1/4	Sec. 12, T.143N.,R.88W.
	N1/2	Sec. 14, T.143N.,R.88W.
Herman, Carl A. - Estate	SW1/4	Sec. 13, T.143N.,R.88W.
	S1/2SE1/4	Sec. 13, T.143N.,R.88W.
	NW1/4	Sec. 19, T.143N.,R.87W.
	SW1/4	Sec. 19, T.143N.,R.87W.
Herman, Marguerite - Estate	W1/2	Sec. 19, T.143N.,R.87W.
Heth, Miles P.	E1/2	Sec. 19, T.143N.,R.87W.
Heth, William & Rose	S1/2	Sec. 17, T.143N.,R.87W.
	SW1/4NE1/4	Sec. 20, T.143N.,R.87W.
	NE1/4	Sec. 19, T.143N.,R.87W.
	SE1/4	Sec. 19, T.143N.,R.87W.
	NW1/4	Sec. 20, T.143N.,R.88W.
Heth, William G.	E1/2	Sec. 19, T.143N.,R.87W.
Koehler, Esther	SE1/4	Sec. 18, T.143N.,R.87W.
Liebelt, Jonathan W.A. Estate	SE1/4	Sec. 14, T.143N.,R.88W.
	NW1/4	Sec. 24, T.143N.,R.88W.
Neuberger, Ella - Estate	All	Sec. 07, T.143N.,R.87W.
Orth, Bertha	NE1/4	Sec. 24, T.143N.,R.88W.
	S1/2	Sec. 24, T.143N.,R.88W.
Orth, Julius - Estate	NE1/4	Sec. 13, T.143N.,R.88W.
	SW1/4	Sec. 18, T.143N.,R.87W.
	N1/2SE1/4	Sec. 13, T.143N.,R.87W.
LeRoy Boeckel & Allegra, Permann Boeckel, et. al.	N1/2	Sec. 12, T.143N.,R.88W.
Reich, Joyce Boland	NE1/4	Sec. 18, T.143N.,R.87W.
Umsted, Patricia M.	NW1/4	Sec. 18, T.143N.,R.87W.
Vincent, Gerald & Ione	NW1/4	Sec. 18, T.143N.,R.87W.

\*Includes: Otter Tail Power Company, Northwestern Energy, Minnkota Power Cooperative, Montana-Dakota Utilities Co., and Fidelity Gas Co.

#### **D. PUBLIC REVIEW OF APPLICATION**

Dakota Westmoreland Corporation will file a copy of its permit application for public inspection at the County Auditor's office in Mercer County, at Stanton, and Oliver County at Center, North Dakota. In addition, a copy of the permit application will be on file in the Office of the Director, Reclamation Division, Public Service Commission, State Capitol, Bismarck, North Dakota.

Dakota Westmoreland will place an advertisement of its application for a mining Permit, in the Hazen Star, Hazen ND, the Center Republican, BHG, Inc., Washburn ND, and the Bismarck Tribune, Bismarck ND, at the time the permit application is filed with the Public Service Commission and upon advisement from such. The advertisement will run for a period of four consecutive weeks.

A copy of the affidavit of the newspaper advertisement, from each publication, will be filed with the Public Service Commission to be made a part of the complete application; no later than four (4) weeks after the last date of publication. The actual text of the newspaper advertisement may be found on page 1.4.22 through 1.4.25.

## E. OTHER PERMITS

Permits and/or licenses associated with the surface mining of coal at the Beulah Mine follow:

PERMIT TYPE	ISSUING AGENCY	PERMIT NO.	DATE OF APPROVAL
ND Pollution Discharge Elimination System (NDPDES)	ND Department of Environmental Quality Bismarck, ND 58501	ND-0023736	01-01-85, 07-01-07, 10-01-12, 10-01-17
Storm Water	ND Department of Environmental Quality	NDR32-0011	07-01-04, 07-01-09, 01-01-15
Air Permit to Operate	ND Department of Environmental Quality	081011	09-10-87, 02-13-06, 05-11-11
Conditional Use Permits	Board of Commissioners	#9	06-05-79
	Oliver County Courthouse	#26	03-04-80
	Center, ND 58530	#41	07-01-80
		#382	05-06-97
	Board of Commissioners	#1072	09-05-78
	Mercer County Courthouse	#1073	09-05-78
	Stanton, ND 58571	#1096	04-03-79
		#1097	04-03-79
		#1159	04-01-80
		#85-9-01	10-01-85
		#95-3-02	04-04-95
		#97-5-01	06-03-97
		#06-06-02	07-06-06
	#12-11-02	01-02-13	
	#17-12-01	01-03-18	
Wetlands (Mitigated in Revision #19)	Corps of Engineers Bismarck, ND	Nationwide Permit #21	10-01-06
MSHA – Pond 30	Mine Safety & Health Adm.		05-11-88
MSHA – Pond 52	Mine Safety & Health Adm.		03-08-90
Explosives	Alcohol, Tobacco & Firearms	3-ND-057-20-4J-00013	
Radio Station License	Call sign: KF0737	#0001830553	08-06-04

North Dakota State Water Commission

Water and Construction Permits

Pond # 1	#3145	12-12-79
Pond # 2	#3141	12-12-79
Pond # 3	#3146	12-12-79
Pond # 4	#3147	12-12-79

Water Permits			Construction Permits	
Pond #3	#4238	10-09-90	#343-4238	07-27-90
Pond #4	#4239	10-10-90	#344-4239	07-27-90
Pond #6	#4240	10-10-90	#346-4240	08-13-90
Pond #7	#4240	10-10-90	#345-4241	08-13-90
Pond #8			#1291-351	08-28-90
Pond #11			#1291-357	09-18-90
Pond #12			#1291-352	09-05-90
Pond #14			#1295-353	09-16-90
Pond #17	#4242	10-10-90	#347-4242	08-24-90
Pond #25			#1291-354	09-16-90
Pond #30	#3961	08-03-88	#202-3961	07-08-88
Pond #41	#4243	10-10-90	#348-4243	08-14-90
Pond #52	#4244	10-05-90	#349-4244	08-27-90
Pond #54	#4245	10-11-90	#350-4245	09-04-90
Pond #57			#1295-355	09-16-90
Pond #63			#1295-356	09-16-90
Pond #81	#4451	11-29-91	#440-4451	08-23-91
Pond #83	#4452	11-29-91	#441-4452	09-02-91
Pond #86	#4453	11-29-91	#442-4453	08-27-91

## **F. RELOCATION OR USE OF PUBLIC ROADS**

Knife River Coal Mining Company will not conduct surface mining activities within one hundred feet (30.48 meters) of the right-of-way line of any public road, except where a mine access or haulroad joins that right-of-way or where Knife River has pre-1977 rights or obtained waivers. The section line (public road) status is shown on Exhibit 1.4.1 and the buffer zone variance or section line closure documents may be found in Exhibit 1.4.4.

Knife River had "valid existing rights" along Highway 49 in Sections 11, 12, 13 and 14 with mining, roads, ramps, walkways, regrading and other support facilities utilized between 1963 and 1977. These activities are verified in portions of Permits 2, 23 and 36 (in existence prior to 1977) as being incorporated into KRSB-8108. Knife River received specific approval to conduct mining within 100 feet of the right-of-way in the active Blue Pit area (see Exhibit 1.4.5). Knife River received specific approval from NDDOT to conduct mining related activities within and adjacent to the highway right-of-way in the SW1/4 of Section 13 (see Exhibit 1.4.5a).

Existing rights were acquired in portions of Sections 2, 3, 10 and 11 with the construction of the railroad in 1962-63 and construction of the office access road in the fall of 1974. Mining activities commenced within 100 feet of the county road in the NE1/4, Section 7 in the fall of 1974. Permission was granted by the respective counties to "mine through" a 1 1/2 mile stretch of road between Sections 6 and 7, Oliver County and Sections 1 and 12, Mercer County. This road was reconstructed after mining and was recently re-opened to the public.

Knife River will provide appropriate maps and cross-sections to the appropriate county or state agencies prior to conducting mining activities within 100 feet of public rights-of-way or relocation or use of public roads as required by NDAC 69-05.2-09.07.

## **G. FEDERAL RECLAMATION FEES**

Knife River Coal Mining Company certifies that it has paid federal reclamation fees in accordance with NDAC 69-05.2-10-03(3)(e) from the fourth quarter of 1977 to date.

## **H. BUILDING LOCATIONS**

Buildings within 1/2 mile of the proposed permit area have been identified and located on Exhibit 3.3.1.

## I. PERMIT APPLICATION ADVERTISEMENT

*(The ensuing five pages remain unchanged in the permit for historical purposes.)* The following information is to be contained in the text of the public advertisement:

### LEGAL NOTICE

#### **NOTICE OF APPLICATION FOR A SURFACE MINE PERMIT**

Please take notice that Dakota Westmoreland Corporation, Highway 49 S., Beulah, North Dakota, 58523, has made application to the North Dakota Public Service Commission for a surface mine permit application at its Beulah Mine.

The permit area applied for is located in Sections 10, 11, 12, 13, 14, 15 and 24, Township 143 North, Range 88 West, Mercer County, ND and Sections 7, 8, 17, 18, 19, and 20 Township 143 North, Range 87 West, Oliver County ND. The permit area is contained in the United States Geological Survey map named Medicine Butte, N.E., ND, 1968 and Red Butte N.W., 1968. The precise location and boundary of the land included is depicted on the above map.

This Surface Mine Permit Application consolidates three existing permit areas, KRSB-8009 originally issued April 28, 1981, permitting 1693.19 acres, KRSB-8108 issued December 28, 1983, permitting 2402.8 acres, and finally KRSB-8301 issued July 3, 1984, permitting 117 acres, are included in this application. The area known as the Bottom Ash Disposal Area located in the NW1/4 of Section 7, T.143N., R.87W., consisting of 155.58 acres is not included in this application and will remain in permit KRSB-8108. An area located in the SE1/4 of Section 14, T.143N., R.88W., consisting of 45.8 acres, is proposed to be included in this application. Except for these two areas mentioned above, the permit area and boundaries will remain as they did in previous permits. The consolidated permit area contains 4107.4 acres for coal excavation and mining and associated disturbance activities in support thereof.

Dakota Westmoreland Corporation's application is on file in the Office of the Director, Reclamation Division, Public Service Commission, State Capitol Building, Bismarck, North Dakota, and in the Office of the County Auditor, Mercer County, Stanton, and Oliver County, Center, North Dakota. This application is available for public inspection therein during regular 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 application or a petition to designate an area as unsuitable for surface coal mining that is within the proposed permit area, with the North Dakota Public Service Commission within thirty (30) days of the last publication of this notice.

The legal description and names of the apparent surface and subsurface mineral owners of land included within the area applied for are as follows:

**APPARENT SURFACE AND MINERAL OWNERS OF RECORD  
BEULAH MINE  
Mercer County, T.143N., R.88W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>	<u>OTHER MINERAL OWNER(S)</u>
10	E1/2E1/2	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Public Service Knife River Coal Mining Co.	State of North Dakota and the U. S. of A.	State of North Dakota – E1/2E1/4 Faye L. Keogh - E1/4SE1/4 Brooks J. Keogh, C. C. Schwalbe Robert A. Keogh, P. A. Keogh James Esterly, Charles Esterly Faye L. Keogh - SE1/4SE1/4 Brooks J. Keogh, C. C. Schwalbe Robert A. Keogh, P. A. Keogh
11	W1/2	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Public Service Knife River Coal Mining Co.	Beatrice Murray	Beatrice Murray
11	NE1/4	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Public Service	C. B. Murray Estate	C.B. Murray Estate
11	SE1/4	Knife River Coal Mining Co.	Henry G. Grishkowsky, Delmar N. Grishkowsky, Eldon Grishkowsky	Henry G. Grishkowsky, Delmar N. Grishkowsky, Eldon Grishkowsky
12	N1/2	Allegra Boeckel, George J. Permann Jr., and Margaret Permann	Allegra Boeckel, George J. Permann, Jr., and Margaret Permann	Allegra Boeckel, George J. Permann, Jr., and Margaret Permann
12	SE1/4	Alice Abbey Estate	Alice Abbey Estate and State of North Dakota	Alice Abbey Estate and State of North Dakota
12	SW1/4	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Public Service Knife River Coal Mining Co.	Alice Abbey Estate and State of North Dakota	State of North Dakota, Lois Lang, Colleen Flemmer, Lenore Wetzel, Marilyn Gustafson, June Dolce, Gale Abbey, Donna Stasel, James Abbey, Alan Abbey, Kathleen Abbey
13	NW1/4	Alice Abbey Estate	Lois Lang, C. Flemmer, Lenore Wetzel, Marilyn Gustafson, June Dolce, Gale Abbey, Donna Stasel, James Abbey, Alan Abbey, Kathleen Abbey	Lois Lang, Colleen Flemmer, Lenore Wetzel, Marilyn Gustafson, June Dolce, Gale Abbey, Donna Stasel, James Abbey, Alan Abbey, Kathleen Abbey
13	NE1/4	Bertha Orth Individually and as Personal Representative of Julius Orth Estate	Bertha Orth Individually and as Personal Representative of Julius Orth Estate	Bertha Orth Individually and as Personal Representative of Julius Orth Estate
13	N1/2SE1/4	Bertha Orth Individually and as Personal Representative of Julius Orth Estate	Bertha Orth Individually and as Personal Representative of Julius Orth Estate	Bertha Orth Individually and as Personal Representative of Julius Orth Estate
13	SW1/4, S1/2SE1/4	Marguerite Herman	Darell Herman, Karen Heth, Mary Margaret Wolf, Marleen T. Schnaidt	Darell Herman, Karen Heth, Mary Margaret Wolf, Marleen T. Schnaidt

**APPARENT SURFACE AND MINERAL OWNERS OF RECORD  
BEULAH MINE  
Mercer County, T.143N., R.88W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>	<u>OTHER MINERAL OWNER(S)</u>
14	N1/2	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Public Service Knife River Coal Mining Co.	U. S. of A.	Glenn Murray James Stoppler Daryl E. Zimmerman
14	SE1/4	Jonathan W. A. Liebelt, Individually & as the Personal	Jonathan W. A. Liebelt, Individually & as the Personal	Jonathan W. A. Liebelt, Individually & as the
Personal		Rep. of the Emanuel Liebelt Estate, Merilynn Liebelt	Rep. of the Emanuel Liebelt Estate, Merilynn Liebelt	Rep. of the Emanuel Liebelt Estate, Merilynn Liebelt
15	NE1/4	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Public Service Knife River Coal Mining Co.	Robert A. Keogh, Priscilla A. Keogh, Faye L. Keogh, Brooks J. Keogh, Claire C. Schwalbe	Robert A. Keogh, Priscilla A. Keogh, Faye L. Keogh, Brooks J. Keogh, Claire C. Schwalbe

**APPARENT SURFACE AND MINERAL OWNERS OF RECORD  
BEULAH MINE  
Oliver County, T.143N., R.87W.**

<u>LOCATION OWNER(S)</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>	<u>OTHER MINERAL</u>
7 NE1/4  McMains,	Dennis Neuberger	Ella Neuberger Estate, Shirley Neuberger, Dennis Neuberger, Dale Neuberger, Violet Cody, Marvel McMains,  and State of North Dakota	Ella Neuberger Estate, Shirley Neuberger, Dennis Neuberger, Dale Neuberger, Violet Cody, Marvel  and State of North Dakota
7 NW1/4  McMains,	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Public Service	Ella Neuberger Estate, Shirley Neuberger, Dennis Neuberger, Dale Neuberger, Violet Cody, Marvel McMains,  and State of North Dakota	Ella Neuberger Estate, Shirley Neuberger, Dennis Neuberger, Dale Neuberger, Violet Cody, Marvel  and State of North Dakota
7 S1/2	Dennis Neuberger	Ella Neuberger Estate, Shirley Neuberger, Dennis Neuberger, Dale Neuberger, Violet Cody, Marvel McMains	Ella Neuberger Estate, Shirley Neuberger, Dennis Neuberger, Dale Neuberger, Violet Cody, Marvel McMains
8 SW1/4	Marion McKinney Baird	Marion McKinney Baird	Marion McKinney Baird
8 SE1/4	Marion McKinney Baird	U. S. of A.	Marion McKinney Baird
17 N1/2	Knife River Coal Mining Co.	Helga S. Temme Estate	Helga S. Temme Estate
17 SW1/4	William C. & Rose M. Heth	William C. & Rose M. Heth Wilfred & Joyce Herman	William C. & Rose M. Heth Wilfred & Joyce Herman
17 SE1/4	William C. & Rose M. Heth	William C. & Rose M. Heth	William C. & Rose M. Heth
18 NW1/4	Gerald L. Vincent, Patricia M. Umsted, Michael C. Bergquist, Gerald Bergquist	Gerald L. Vincent, Patricia M. Umsted, Michael C. Bergquist, Gerald Bergquist	Gerald L. Vincent, Patricia M. Umsted, Michael C. Bergquist, Gerald Bergquist

18	NE1/4	Joan Boland, Edward W. Boland, Delvin Reich, Joseph Edward Reich, Stephanie Ann Reich, Jack Patrick Reich	Joan Boland, Edward W. Boland, Delvin Reich, Joseph Edward Reich, Stephanie Ann Reich, Jack Patrick Reich	Joan Boland, Edward W. Boland, Delvin Reich, Joseph Edward Reich, Stephanie Ann Reich, Jack Patrick Reich
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**APPARENT SURFACE AND MINERAL OWNERS OF RECORD  
BEULAH MINE  
Oliver County, T.143N., R.87W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>	<u>OTHER MINERAL</u>
18	SW1/4	Bertha Orth Individually and as Personal Representative of Julius Orth Estate	Bertha Orth Individually and as Personal Representative of Julius Orth Estate	Bertha Orth Individually and as Personal Rep. of Julius Orth Estate
18	SE1/4	Esther Koehler	Esther Koehler, Joan Boland, Edward W. Boland, Delvin Reich, Joseph Edward Reich, Stephanie Ann Reich, Jack Patrick Reich	Esther Koehler, Joan Boland, Edward W. Boland, Delvin Reich, Joseph Edward Reich, Stephanie Ann Reich, Jack Patrick Reich
19	NE1/4	William C. & Rose M. Heth	William C. & Rose M. Heth State of North Dakota	William C. & Rose M. Heth State of North Dakota
19	NW1/4	Marguerite Herman	Marguerite Herman, Karen A. Heth, Marlene T. Schnaidt, Mary Margaret Wolf, Darell J. Herman,	Marguerite Herman, Karen A. Heth, Marlene T. Schnaidt, Mary Margaret Wolf, Darell J. Herman,
20	NW1/4	William C. & Rose M. Heth	U. S. of A.	William C. & Rose M. Heth State of North Dakota
20	SW1/4NE1/4	William C. & Rose M. Heth	U. S. of A.	William C. & Rose M. Heth

**NOTICE OF APPLICATION  
FOR REVISION 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. 25 for permit KRSB-8802 at the Beulah Mine. Revision No. 25 includes final closure plans for the Orange and Charlie Pit areas east of Highway 49. Mining will be discontinued in this area during 2009; thus, the final post-mine topography will change as a result of pit closure.

KRSB-8802 is located in Sections 10, 11, 12, 13, 14, 15 and 24, T.143N., R.88W., Mercer County, ND and Sections 7, 8, 17, 18, 19 and 20, T.143N., R.87W., Oliver County, ND. The permit area is contained in the United States Geological Survey map named Medicine Butte, N.E., ND, 1968 and Red Butte N.W., ND, 1968. The precise location and boundary of the land included is depicted on the accompanying map.

Dakota Westmoreland Corporation's application is on file in the Office of the Director, Reclamation Division, Public Service Commission, State Capitol, Bismarck, North Dakota, and in the Office of the County Auditor, Mercer County, Stanton, and Oliver County, Center, North Dakota. This application is available for public inspection therein 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 application with the North Dakota Public Service Commission within 30 days of the last publication of this notice.

The legal description and names of the apparent surface and subsurface mineral owners of land included within the area applied for are as follows:

**Mercer County, T.143N., R.88W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>
10	E½E½	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	State of North Dakota and the USA
11	W½	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	Glenn & Beatrice Murray, Gary Murray, Phyllis O'Neil, Armon & Peggy Jo Wolff Family Mineral Trust
11	NE¼	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	Glenn & Beatrice Murray, Gary Murray, Phyllis O'Neil, Armon & Peggy Jo Wolff Family Mineral Trust
11	SE¼	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	Henry G. Grishkowsky, Delmar N. Grishkowsky, Eldon Grishkowsky
12	N½	Allegra & Leroy Boeckel	Allegra Boeckel, George J. Jr. and Margaret Permann

12	SE¼	Abbey Family Partnership	Abbey Family Partnership, State of North Dakota
12	SW¼	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co Northwestern Energy Dakota Westmoreland Corp.	Abbey Family Partnership, State of North Dakota
13	NW¼	Abbey Family Partnership	Abbey Family Partnership
13	NE¼	Bertha, Faith & Faye LLC	Bertha, Faith & Faye LLC
13	N½SE¼	Bertha, Faith & Faye LLC	Bertha, Faith & Faye LLC
13	SW¼, S½SE¼	Marguerite Herman Estate Mary Margaret Wolf	Darell Herman, Karen Heth, Mary Margaret Wolf, Marleen T. Schnaidt
14	N½	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	USA
14	SE¼	Jonathan W.A. Liebelt Estate	USA
15	NE¼	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	Robert A. Keogh, Priscilla A. Keogh, Faye L. Keogh, Claire C. Schwalbe
24	NE¼	Bertha, Faith & Faye LLC	Bertha Orth Bertha, Faith & Faye LLC
24	S½	Bertha, Faith & Faye LLC	USA

**Oliver County, T.143N., R.87W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>
7	S½	Dennis Neuberger	Shirley Neuberger, Dennis Neuberger, Dale Neuberger, Violet Cody, Marvell McMains
8	SW¼	Ken Neuberger	Marion McKinney Baird
8	SE¼	Elmer N. Neuberger	USA
17	SW¼	William, Miles & Rose Heth	William, Miles & Rose Heth
17	SE¼	William, Miles & Rose Heth	William, Miles & Rose Heth
17	N½	Dakota Westmoreland Corp.	Daryl E. Zimmerman, Kristjan Melsted, Margery Trenbeath, Laura Bailey, Waldemar Melsted, Alfred

Kristjanson, Esther Syrup,  
Margaret Blumhardt, Emily

Gundmundson, Edward L. Hurley,  
George Kristjanson, Evelyn  
Hjalmarson, Joyce Perila,  
Joe A. Kristjanson, Rosalyn  
Bruhschwein, Marcella  
Erickson, Melvin Kristjanson  
Ruth Melstad, Marino S.  
Melstad, Elin Mathewson,

18	NW¼	JoAnn Wiest, Leland Erickson, Patricia M. Umsted, Michael C. Bergquist	JoAnn Wiest, Leland Erickson, Patricia M. Umsted, Michael C. Bergquist
18	NE¼	E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner, Jack Patrick Reich	E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner, Jack Patrick Reich
18	SW¼	Bertha, Faith & Faye LLC	Bertha Orth Bertha, Faith & Faye LLC
18	SE¼	Esther Koehler	Esther Koehler, E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner, Jack Patrick Reich
19	NE¼	William, Miles & Rose Heth	William, Miles & Rose Heth, State of North Dakota
19	SE¼	William, Miles & Rose Heth	William, Miles & Rose Heth
19	W½	Marguerite Herman Estate	Karen A. Heth, Marlene T. Schnaidt, Mary Margaret Wolf, Darell J. Herman
20	NW¼	William C. & Rose M. Heth	USA
20	SW¼NE¼	William C. & Rose M. Heth	USA

**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. 5 for permit KRSB-8802 at its Beulah Mine.

KRSB-8802 is located in Sections 10, 11, 12, 13, 14, 15 and 24, T.143N., R.88W., Mercer County, ND and Sections 7, 8, 17, 18, 19 and 20, T.143N., R.87W., Oliver County, ND. The precise location and boundary of the land included is depicted on the accompanying map.

Permit KRSB-8802 encompasses 4,905.9 acres for coal excavation, mining and associated disturbance activities in support thereof. Coal removal has been completed from this permit area but final reclamation of portions of the permit area remains to be completed. A number of facilities (shop/office, coal dump, haulroads, etc) are also being used to support mining in another permit area. 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. This revision also addresses several administrative changes required as a result of the Public Service Commission's pre-renewal review of the permit. Renewal No. 5 will allow mining and reclamation activities to continue during the next five-year permit term ending October 23, 2020.

Dakota Westmoreland Corporation's application is on file in the Office of the Director, Reclamation Division, Public Service Commission, State Capitol, Bismarck, North Dakota, and in the Office of the County Auditor, Mercer County, Stanton, and Oliver County, Center, North Dakota. This application is available for public inspection therein 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 application with the North Dakota Public Service Commission within 30 days of the last publication of this notice.

The legal description and names of the apparent surface and subsurface mineral owners of land included within the area applied for are as follows:

**Mercer County, T.143N., R.88W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>
10	E1/2E1/2	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	State of North Dakota and the USA
11	W1/2	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	Glenn & Beatrice Murray Gary Murray Phyllis O'Neil Armon & Peggy Jo Wolff Family Mineral Trust
11	NE1/4	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	Glenn & Beatrice Murray Gary Murray Phyllis O'Neil Armon & Peggy Jo Wolff Family Mineral Trust
11	SE1/4	Dakota Westmoreland Corp. Otter Tail Power Co.	Henry G. Grishkowsky Delmar N. Grishkowsky

		Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	Eldon Grishkowsky
12	NW1/4	Allegra & Leroy Boeckel	Allegra Boeckel, George J. Jr. and Margaret Permann
12	SE1/4	Abbey Family Partnership	Abbey Family Partnership State of North Dakota
12	SW1/4	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	Abbey Family Partnership State of North Dakota
13	NW1/4	Darell Herman	Abbey Family Partnership
13	NE1/4	Darell Herman	Bertha, Faith & Faye LLC
13	N1/2SE1/4	Darell Herman	Bertha, Faith & Faye LLC
13	SW1/4, S1/2SE1/4	Darell Herman	Darell Herman, Karen Heth Mary Margaret Wolf Marleen T. Schnaidt
14	N1/2	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	USA
14	SE1/4	Jonathan W.A. Liebelt Estate	Jonathan W.A. Liebelt Estate
15	NE1/4	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	Robert A. Keogh Priscilla A. Keogh Faye L. Keogh Claire C. Schwalbe
24	NE1/4	Bertha, Faith & Faye LLC	Bertha Orth Bertha, Faith & Faye LLC
24	NW1/4	Jonathan W.A. Liebelt Estate	USA
24	S1/2	Bertha, Faith & Faye LLC	USA

**Oliver County, T.143N., R.87W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>
7	S1/2	Dennis Neuberger	Alice Neuberger, Dennis Neuberger, Dale Neuberger, Audrey Cody, Marvell McMains

8	SW1/4	Ken Neuberger	Marion McKinney Baird
8	SE1/4	Elmer N. Neuberger	USA
17	SW1/4	William & Miles Heth	William & Miles Heth
17	SE1/4	William & Miles Heth	William & Miles Heth
17	N1/2	Dakota Westmoreland Corp.	Daryl E. Zimmerman, Kristjan Melsted, Margery Trenbeath, Laura Bailey Waldemar Melsted, Alfred Kristjanson, Esther Syrup, Margaret Blumhardt, Emily Gundmundson, Ed L. Hurley George Kristjanson, Evelyn Hjalmarson, Joyce Perila, Joe A. Kristjanson, Rosalyn Bruhschwein, Marcella Erickson, Melvin Kristjanson Ruth Melstad, Marino S. Melstad, Elin Mathewson
18	NW1/4	Leland Erickson, Michael C. Bergquist Gerald Bergquist	Leland Erickson Michael C. Bergquist Gerald Bergquist
18	NE1/4	E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner Jack Patrick Reich	E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner Jack Patrick Reich
18	SW1/4	Bertha, Faith & Faye LLC	Bertha Orth Bertha, Faith & Faye LLC
18	SE1/4	Jerome & Jane Boeshans	Esther Koehler, E. Wayne Boland, Delvin Reich, Joseph Edward Reich, Stephanie Ann Keltner, Jack Patrick Reich
19	NE1/4	William, Miles & Rose Heth	William, Miles & Rose Heth State of North Dakota
19	SE1/4	William & Miles Heth	William & Miles Heth
19	W1/2	Darell Herman	Karen A. Heth Marleen T. Schnaidt Mary Margaret Wolf Darell J. Herman
20	NW1/4,	William & Miles Heth	USA

**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. 32 and~~ Renewal No. 6 for permit KRSB-8802 at its Beulah Mine.

KRSB-8802 is located in Sections 10, 11, 12, 13, 14, 15 and 24, T.143N., R.88W., Mercer County, ND and Sections 7, 8, 17, 18, 19 and 20, T.143N., R.87W., Oliver County, ND. The precise location and boundary of the land included is depicted on the accompanying map.

Permit KRSB-8802 encompasses 4,905.9 acres for coal excavation, mining and associated disturbance activities in support thereof. Coal removal has been completed from this permit area but final reclamation of portions of the permit area remains to be completed. A number of facilities (shop/office, coal dump, haulroads, etc) are also being used to support mining in another permit area. ~~A Revision No. 32~~ 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. This revision also addresses several administrative changes required as a result of the Public Service Commission's pre-renewal review of the permit. Renewal No. 6 will allow mining and reclamation activities to continue during the next five-year permit term ending October 23, 2025.

Due to the COVID-19 pandemic, a copy of Dakota Westmoreland Corporation's permit renewal application will not be available for inspection at the Public Service Commission, State Capitol, Bismarck, ND, or the Mercer or Oliver County Auditor's office. Those wishing to review the renewal application may request a copy by contacting the Public Service Commission at 701-328-2400 (877-245-6685 toll free) or [ndpsc@nd.gov](mailto:ndpsc@nd.gov), or by sending a written request to: Public Service Commission, 600 East Boulevard Avenue, Dept. 408, Bismarck, North Dakota 58505-0480, within 30 days after the last publication of this notice. ~~application is on file in the Office of the Director, Reclamation Division, Public Service Commission, State Capitol, Bismarck, North Dakota, and in the Office of the County Auditor, Mercer County, Stanton, and Oliver County, Center, North Dakota. This application is available for public inspection therein 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 permit renewal application with the North Dakota Public Service Commission, 600 East Boulevard, Dept. 408, Bismarck, North Dakota, 58505-0480, within 30 days of the last publication of this notice.

The legal description and names of the apparent surface ~~and subsurface mineral~~ owners of land included within the permit area ~~applied for~~ are as follows:

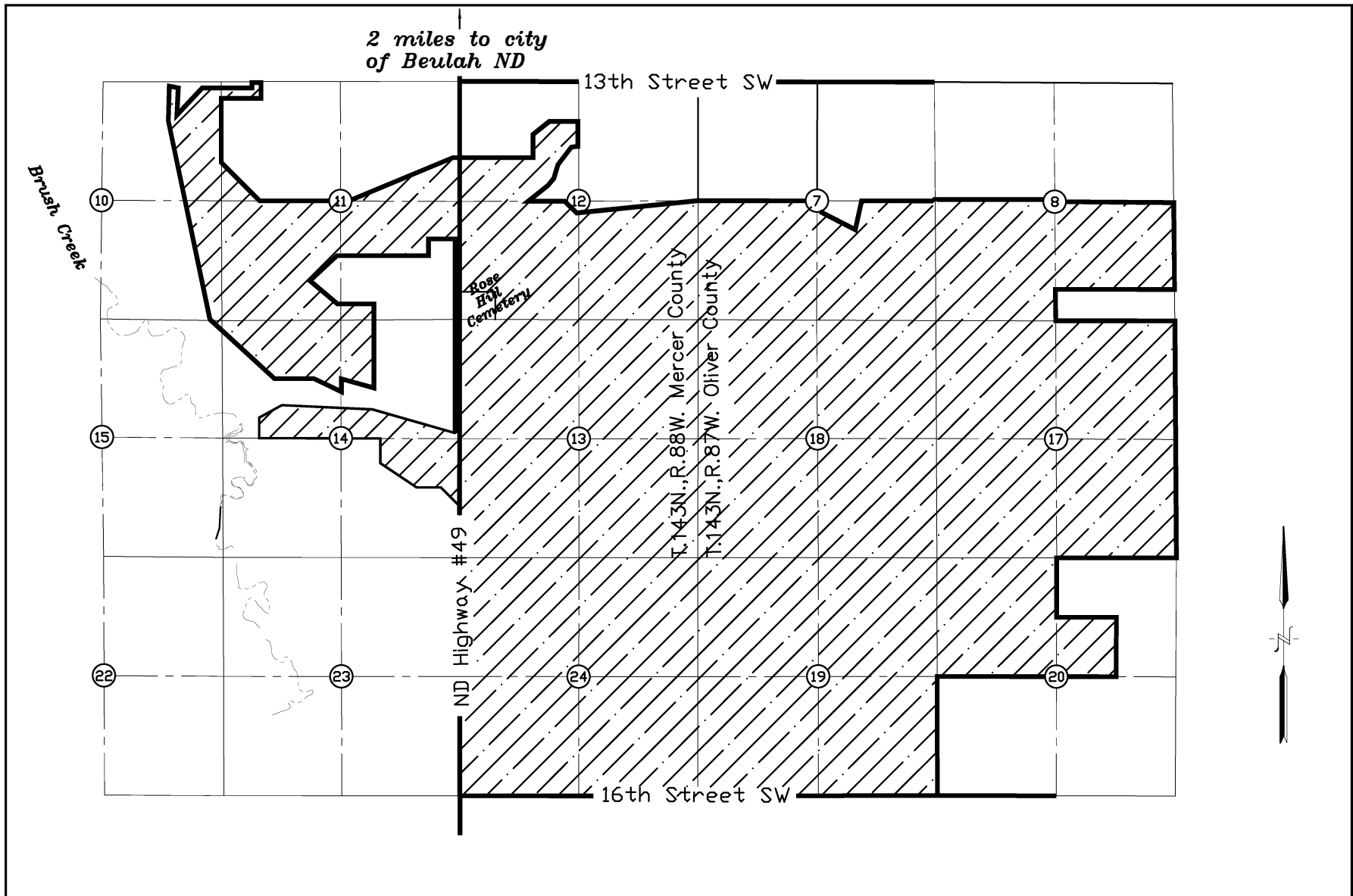
**Mercer County, T.143N., R.88W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>
10	E1/2E1/2	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	State of North Dakota and the USA
11	W1/2	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	Glenn & Beatrice Murray Gary Murray Phyllis O'Neil Armon & Peggy Jo Wolff Family Mineral Trust
11	NE1/4	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	Glenn & Beatrice Murray Gary Murray Phyllis O'Neil Armon & Peggy Jo Wolff Family Mineral Trust

11	SE1/4	Dakota Westmoreland Corp. Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy	Henry G. Grishkowsky Delmar N. Grishkowsky Eldon Grishkowsky
12	NW1/4	Allegra & Leroy Boeckel	Allegra Boeckel, George J. Jr. and Margaret Permann
12	SE1/4	Abbey Family Partnership	Abbey Family Partnership State of North Dakota
12	SW1/4	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	Abbey Family Partnership State of North Dakota
13	NW1/4	Darell Herman	Abbey Family Partnership
13	NE1/4	Darell Herman	Bertha, Faith & Faye LLC
13	N1/2SE1/4	Darell Herman	Bertha, Faith & Faye LLC
13	SW1/4, S1/2SE1/4	Darell Herman	Darell Herman, Karen Heth Mary Margaret Wolf Marleen T. Schnaidt
14	N1/2	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	USA
14	SE1/4	Jonathan W.A. Liebelt Estate	Jonathan W.A. Liebelt Estate
15	NE1/4	Otter Tail Power Co. Northern Municipal Power Agcy. Montana-Dakota Utilities Co. Northwestern Energy Dakota Westmoreland Corp.	Robert A. Keogh Priscilla A. Keogh Faye L. Keogh Claire C. Schwalbe
24	NE1/4	Bertha, Faith & Faye LLC	Bertha Orth Bertha, Faith & Faye LLC
24	NW1/4	Jonathan W.A. Liebelt Estate	USA
24	S1/2	Bertha, Faith & Faye LLC	USA

**Oliver County, T.143N., R.87W.**

<u>SECTION</u>	<u>LOCATION</u>	<u>SURFACE OWNER(S)</u>	<u>COAL OWNER(S)</u>
7	S1/2	Dennis Neuberger	Alice Neuberger, Dennis Neuberger, Dale Neuberger, Audrey Cody, Marvell McMains
8	SW1/4	Ken Neuberger Tjay Gustafson	Marion McKinney Baird
8	SE1/4	Elmer N. Neuberger Tjay Gustafson	USA
17	SW1/4	William & Miles Heth	William & Miles Heth
17	SE1/4	William & Miles Heth	William & Miles Heth
17	N1/2	Dakota Westmoreland Corp.	Daryl E. Zimmerman, Kristjan Melsted, Margery Trenbeath, Laura Bailey Waldemar Melsted, Alfred Kristjanson, Esther Syrup, Margaret Blumhardt, Emily Gundmundson, Ed L. Hurley George Kristjanson, Evelyn Hjalmarson, Joyce Perila, Joe A. Kristjanson, Rosalyn Bruhschwein, Marcella Erickson, Melvin Kristjanson Ruth Melstad, Marino S. Melstad, Elin Mathewson
18	NW1/4	Leland Erickson, Michael C. Bergquist Gerald Bergquist	Leland Erickson Michael C. Bergquist Gerald Bergquist
18	NE1/4	E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner Jack Patrick Reich	E. Wayne Boland, Delvin Reich, Joseph Edward Reich Stephanie Ann Keltner Jack Patrick Reich
18	SW1/4	Bertha, Faith & Faye LLC	Bertha Orth Bertha, Faith & Faye LLC
18	SE1/4	Jerome & Jane Boeshans	Esther Koehler, E. Wayne Boland, Delvin Reich, Joseph Edward Reich, Stephanie Ann Keltner, Jack Patrick Reich
19	NE1/4	William & Miles & Rose Heth	William, Miles & Rose Heth State of North Dakota
19	SE1/4	William & Miles Heth	William & Miles Heth
19	W1/2	Darell Herman	Karen A. Heth Marleen T. Schnaidt Mary Margaret Wolf Darell J. Herman
20	NW1/4, SW1/4NE1/4	William & Miles Heth	USA



KRSB-8802 Permit-Renewal 6