

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Westmoreland Beulah Mining LLC
Permit Transfer, Permit KRSB-8603
Application**

Case No. RC-20-154

**Dakota Westmoreland Corporation
Revision No. 33, Permit KRSB-8603
Renewal No. 7, Permit KRSB-8603
Applications**

**Case No. RC-21-94
Case No. RC-21-95**

AFFIDAVIT OF SERVICE CERTIFIED, REGULAR, or INSIDE MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

John Hamre deposes and says that:

he is over the age of 18 years and not a party to this action and, on the **28th** day of **May 2021**, he deposited in the United States Mail, at Bismarck, North Dakota, **29** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

**Notice of Receipt of Permit Transfer Application
and
Notice of Receipt of Renewal and Revision Applications**

The certified mail envelopes were addressed as follows:

See attached certified mail list

John Hamre further deposes and says that on the **28th** day of **May 2021**, he deposited in the United States Mail, Bismarck, North Dakota, **27** envelopes by regular mail or inside mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same, .

Tom Claeys
ND Forest Service
Molberg Center
307 1st St. E.
Bottineau, ND 58318

Bruce Schmidt
ND Soil Conservation Committee
2718 Gateway Ave.
Unit 104
Bismarck, ND 58503

Ed Murphy (Inside Mail)
ND Geological Survey

Andrea Travnicek (Inside Mail)
ND Parks and Recreation

Bill Peterson (Inside Mail)
State Historical Society of ND

Mr. John Paczkowski (INSIDE MAIL)
ND Water Commission

Daniel Cimarosti
US Army Corps of Engineers
ND Regulatory Office
3319 University Dr.
Bismarck, ND 58504-7565

US EPA, Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

Mr. Terry Steinwand (INSIDE MAIL)
ND Game & Fish Dept

Mary E. Podoll, State Conservationist
Natural Resource Conservative Service
PO Box 1458
Bismarck, ND 58502-1458

Mining Health & Safety Admn
CMSHA - US Dept of Labor
PO Box 25367
Denver, CO 80225-5367

Mr. Scott Larson
US Fish & Wildlife Service
3425 Miriam Avenue
Bismarck, ND 58501-7926

Mr. Pete Hanebutt
North Dakota Farm Bureau
4900 Ottawa Street
Bismarck, ND 58503

Lewis and Clark Regional Development
Council
200 1st Ave NW
STE B
Mandan, ND 58554-3109

Mr. Dave Glatt (INSIDE MAIL)
ND Dept. of Environmental Quality

Mark Watne, President
ND Farmers Union
PO Box 2136
Jamestown, ND 58402-2136

Bureau of Land Management
TNT State Office
5001 Southgate DR
Billings, MT 59101-4669

5-BW JA
475 Summit Drive
Suite 211
Minot Air Force Base
Minot, ND 58705

Dakota Resource Council
1720 Burnt Boat Dr. Ste 104
Bismarck, ND 58503-0801

Scott Blackburn, Environmental Coordinator
Planning & Compliance Office
National Park Service, Midwest Region
601 Riverfront Dr.
Omaha, NE 68102-4226

Mayor of the
City of Zap
PO Box 97
Zap, ND 58580-0097

County Commission
County Auditor
PO Box 39
Stanton, ND 58571-0039

Mayor of the
City of Golden Valley
PO Box 98
Golden Valley, ND 58541-0098

Soil Conservation District
District Conservationist
1400 HWY 49 N #103
Beulah, ND 58523-6066

Mayor of the
City of Hazen
PO Box 717
Hazen, ND 58545-0717

Mayor of the
City of Beulah
PO Box 910
Beulah, ND 58523-0910

Water Resource District
Greg Lange
PO Box 488
Hazen, ND 58545-0488

Mailing list for affected surface owners by CERTIFIED MAIL:

Otter Tail Power Company
215 South Cascade St.
Fergus Falls MN 56537
Cert. Mail No. 70201290000161507074

Northwestern Energy
PO Box 1318
Huron SD 57350
Cert. Mail No. 70201290000161507050

Keogh, Faye L., Trustee, Faye Keogh
Revocable Trust
2916 Garber Road
Berkeley CA 94705
Cert. Mail No. 70201290000161507036

Miller, Joan
4767 381/2 Ave North
Reiles Acres, ND 58102
Cert. Mail No. 70201290000161507012

Gunsch, Ronald
6300 County Road 25
Zap ND 58580-9683
Cert. Mail No. 70201290000161506992

Northern Municipal Power Agency
123 2nd Street West
Thief River Falls MN 56701
Cert. Mail No. 70201290000161507067

Montana-Dakota Utilities Co.
400 N 4th St.
Bismarck ND 58501
Cert. Mail No. 70201290000161507043

State of North Dakota
Department of Trust Lands
PO Box 5523
Bismarck ND 58506-5523
Cert. Mail No. 70201290000161507029

Winkler, Sharon
PO Box 196
Zap, ND 58580
Cert. Mail No. 70201290000161507005

Sigman, Janice & Marvin
670 60th Ave SW
Beulah ND 58523
Cert. Mail No. 70201290000161506985

Zeiszler, Sylvia & Dalton
101 3rd Ave NW
Beulah ND 58523
Cert. Mail No. 70201290000161506978

Voigt, Casey
PO Box 454
Beulah ND 58523
Cert. Mail No. 70201290000161506954

Eslinger, Karmen
713 3rd Avenue NW
Beulah ND 58523
Cert. Mail No. 70201290000161506930

Voigt, Kenneth
1206 3rd Avenue ND
Apt. 14
Beulah, ND 58523
Cert. Mail No. 70201290000161506916

Braun, Angeline
14819 West Buttonwood DR
Sun City West, AZ 85375
Cert. Mail No. 70201290000161506893

Schmidt, Terence
312 10th Street NW
Beulah, ND 58523
Cert. Mail No. 70201290000161506879

Schmidt, Rita
PO Box 3175
Bismarck, ND 58502-3175
Cert. Mail No. 70201290000161506855

Hoerer, Debra A. (Schmidt)
9005 Lincoln RD
Bismarck, ND 58504
Cert. Mail No. 70201290000161506831

Schwalbe, Claire C. (Donald)
6345 13th St SW
Beulah ND 58523
Cert. Mail No. 70201290000161506961

Voigt, Shawn
412 Central Avenue N
PO Box 512
Beulah ND 58523
Cert. Mail No. 70201290000161506947

Voigt, Donald
PO Box 874
Beulah ND 58523
Cert. Mail No. 70201290000161506923

Fetch, Wilfred
431 Nature Haven Boulevard
Kewaskum, WI 53040
Cert. Mail No. 70201290000161506909

Unterseher, Cary
1713 3rd St NE
Mandan, ND 58554
Cert. Mail No. 70201290000161506886

Christianson, Vergene
14509 Lanier CT
Naples, FL 34114
Cert. Mail No. 70201290000161506862

Schmidt, Bonnita
725 South 12th ST
Block 218
Bismarck, ND 58504
Cert. Mail No. 70201290000161506848

Ratzak, Darla (Schmidt)
2205 16th Street E
Box 2740
Williston, ND 58801-6709
Cert. Mail No. 70201290000161506824

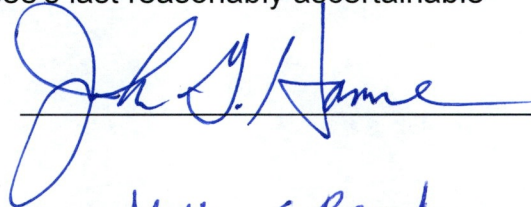
Schmidt, Gene
32 New Jersey ST
Bismarck, ND 58504
Cert. Mail No. 70201290000161506817

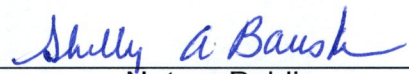
Rhoades, Candida (Schmidt)
140 Northwest Dr.
Bismarck, ND 58504
Cert. Mail No. 70201290000161506800

Winkler, Lyle & Patricia
6401 County 25
Zap, ND 58580-9781
Cert. Mail No. 70201290000161506794

Each address shown is the respective addressee's last reasonably ascertainable mailing address.

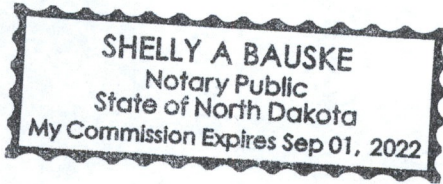
Subscribed and sworn to before me
this **28th** day of **May 2021**.





Notary Public

SEAL



STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Westmoreland Beulah Mining, LLC
Permit Transfer, Permit KRSB-8603
Application

Case No. RC-20-154

NOTICE OF RECEIPT OF PERMIT TRANSFER APPLICATION

May 27, 2021

Westmoreland Beulah Mining, LLC has filed an application to obtain Surface Coal Mining Permit KRSB-8603 from Dakota Westmoreland Corporation. This permit covers lands located in:

**All or portions of Section 14, 15, 16, 17, 18, 19, 20, 21, 22, 23
and 29 T143N, R88W, Mercer County, totaling 3,871.7 acres.**

The application proposes to transfer the existing permit from the current permittee, Dakota Westmoreland Corporation, to Westmoreland Beulah Mining, LLC. Westmoreland Beulah Mining, LLC. will be both the permittee and operator for this permit at the Beulah Mine and will assume all the regulatory obligations previously held by Dakota Westmoreland Corporation. The transfer application and current surface coal mining and reclamation permit may be inspected at:

Public Service Commission
State Capitol
600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480

Mercer County Auditor
County Courthouse
Stanton, North Dakota 58571

An electronic copy of the applications may also be requested by contacting the Public Service Commission at (701) 328-2400 or ndpsc@nd.gov or by sending a written request.

You may submit written comments or objections on the proposed permit transfer application and its effects on the environment and on surface owners of the land in the permit area. Written comments or objections must be filed by **July 19, 2021** and should be addressed to the Public Service Commission, 600 East Boulevard Ave, Dept. 408, Bismarck, North Dakota 58505-0480.

For more information you may contact the Public Service Commission at 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY.

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner

Mailing lists for Notice of Revision and Renewal Application - Use the standard DWC mailing lists for Notice of Permit, Renewal and Revision Applications – local (Mercer County), state, and federal agencies – use regular First Class mail and prepare affidavit of mailing.

Certified mailings to the following surface owners:

Otter Tail Power Company
215 South Cascade St.
Fergus Falls MN 56537

Northern Municipal Power Agency
123 2nd Street West
Thief River Falls MN 56701

Northwestern Energy
PO Box 1318
Huron SD 57350

Montana-Dakota Utilities Co.
400 N 4th St.
Bismarck ND 58501

Keogh, Faye L., Trustee, Faye Keogh
Revocable Trust
2916 Garber Road
Berkeley CA 94705

State of North Dakota
Department of Trust Lands
PO Box 5523
Bismarck ND 58506-5523

Miller, Joan
4767 381/2 Ave North
Reiles Acres, ND 58102

Winkler, Sharon
PO Box 196
Zap, ND 58580

Gunsch, Ronald
6300 County Road 25
Zap ND 58580-9683

Sigman, Janice & Marvin
670 60th Ave SW
Beulah ND 58523

Zeiszler, Sylvia & Dalton
101 3rd Ave NW
Beulah ND 58523

Schwalbe, Claire C. (Donald)
6345 13th St SW
Beulah ND 58523

Voigt, Casey
PO Box 454
Beulah ND 58523

Voigt, Shawn
412 Central Avenue N
PO Box 512
Beulah ND 58523

Eslinger, Karmen
713 3rd Avenue NW
Beulah ND 58523

Voigt, Donalda
PO Box 874
Beulah ND 58523

Voigt, Kenneth
1206 3rd Avenue ND
Apt. 14
Beulah, ND 58523

Braun, Angeline
14819 West Buttonwood DR
Sun City West, AZ 85375

Schmidt, Terence
312 10th Street NW
Beulah, ND 58523

Schmidt, Rita
PO Box 3175
Bismarck, ND 58502-3175

Hoerer, Debra A. (Schmidt)
9005 Lincoln RD
Bismarck, ND 58504

Schmidt, Gene
32 New Jersey ST
Bismarck, ND 58504

Winkler, Lyle & Patricia
6401 County 25
Zap, ND 58580-9781

Fetch, Wilfred
431 Nature Haven Boulevard
Kewaskum, WI 53040

Unterseher, Cary
1713 3rd St NE
Mandan, ND 58554

Christianson, Vergene
14509 Lanier CT
Naples, FL 34114

Schmidt, Bonnita
725 South 12th ST
Block 218
Bismarck, ND 58504

Ratzak, Darla (Schmidt)
2205 16th Street E
Box 2740
Williston, ND 58801-6709

Rhoades, Candida (Schmidt)
140 Northwest Dr.
Bismarck, ND 58504

Beulah Mine (Dakota Westmoreland)\Permits\KRSB - 8603\Permit Transfer\Ntc_of_rcpt_8603_prmt_trnsfr_5-27-21

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Dakota Westmoreland Corporation
Revision No. 33, Permit KRSB-8603
Renewal No. 7, Permit KRSB-8603
Applications

Case No. RC-21-94
Case No. RC-21-95

NOTICE OF RECEIPT OF RENEWAL AND REVISION APPLICATIONS

May 27, 2021

Dakota Westmoreland Corporation (DWC) has filed applications to renew and revise Surface Coal Mining Permit No. KRSB-8603 covering lands located in:

**All or portions of Section 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 29
T143N, R88W, Mercer County, totaling 3,871.7 acres.**

The five-year permit renewal will allow Dakota Westmoreland Corporation to continue operating within the existing permit area until August 7, 2026. The revision identifies the next 5-year coal removal subarea and updates the legal information, general operations, and reclamation plans. The renewal and revision applications and surface coal mining and reclamation permit may be inspected at:

Public Service Commission
State Capitol
600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480

Mercer County Auditor
County Courthouse
Stanton, North Dakota 58571

An electronic copy of the applications may also be requested by contacting the Public Service Commission at (701) 328-2400 or ndpsc@nd.gov or by sending a written request.

You may submit written comments or objections on the proposed revision and renewal applications and their effects on the environment and on surface owners of the land in the permit area. You may request an informal conference with the Commission and the applicant on the renewal and revision applications. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, or requests for informal conference must be made by **July 19, 2021**.

If there is an informal conference, you may request a formal administrative hearing on the Commission ruling on the application. Your request for a formal hearing must be made within thirty days of the Commission ruling on the application.

Written comments, objections, or requests for informal conferences should be addressed to the Public Service Commission, 600 East Boulevard Ave, Dept. 408, Bismarck, North Dakota

58505-0480. For more information you may contact the Public Service Commission at 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY.

PUBLIC SERVICE COMMISSION



Randy Christmann
Commissioner



Julie Fedorchak
Chair



Brian Kroshus
Commissioner

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Fergus Falls MN 56537

Northern Municipal Power Agency
123 2nd Street West
Thief River Falls MN 56701

Northwestern Energy
PO Box 1318
Huron SD 57350

Montana-Dakota Utilities Co.
400 N 4th St.
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Keogh, Faye L., Trustee, Faye Keogh
Revocable Trust
2916 Garber Road
Berkeley CA 94705

State of North Dakota
Department of Trust Lands
PO Box 5523
Bismarck ND 58506-5523

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Reiles Acres, ND 58102

Winkler, Sharon
PO Box 196
Zap, ND 58580

Gunsch, Ronald
6300 County Road 25
Zap ND 58580-9683

Sigman, Janice & Marvin
670 60th Ave SW
Beulah ND 58523

Zeiszler, Sylvia & Dalton
101 3rd Ave NW
Beulah ND 58523

Schwalbe, Claire C. (Donald)
6345 13th St SW
Beulah ND 58523

Voigt, Casey
PO Box 454
Beulah ND 58523

Voigt, Shawn
412 Central Avenue N
PO Box 512
Beulah ND 58523

Eslinger, Karmen
713 3rd Avenue NW
Beulah ND 58523

Voigt, Donalda
PO Box 874
Beulah ND 58523

Voigt, Kenneth
1206 3rd Avenue ND
Apt. 14
Beulah, ND 58523

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431 Nature Haven Boulevard
Kewaskum, WI 53040

Braun, Angeline
14819 West Buttonwood DR
Sun City West, AZ 85375

Schmidt, Terence
312 10th Street NW
Beulah, ND 58523

Schmidt, Rita
PO Box 3175
Bismarck, ND 58502-3175

Hoerer, Debra A. (Schmidt)
9005 Lincoln RD
Bismarck, ND 58504

Schmidt, Gene
32 New Jersey ST
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Winkler, Lyle & Patricia
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Zap, ND 58580-9781

Unterseher, Cary
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Mandan, ND 58554

Christianson, Vergene
14509 Lanier CT
Naples, FL 34114

Schmidt, Bonnita
725 South 12th ST
Block 218
Bismarck, ND 58504

Ratzak, Darla (Schmidt)
2205 16th Street E
Box 2740
Williston, ND 58801-6709

Rhoades, Candida (Schmidt)
140 Northwest Dr.
Bismarck, ND 58504