

# NOTICE OF APPLICATION

## PERMIT RENEWAL AND REVISION APPLICATION 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 Renewal No. 7 and Revision 33 to Surface Coal Mining Permit KRSB-8603.

The permit area is located in all or portions of Sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 239, T.143N., R.88W., Mercer County, North Dakota. The precise location and boundaries of the permit area are depicted on the accompanying map.

Permit KRSB-8603 encompasses 3,8718.72 acres for coal excavation, mining and associated disturbance activities in support thereof. Renewal No. 7 Revision 33 updates the current permit to reflect changes necessary for the next permit term including the legal and financial sections, general operations and reclamation plans. Renewal No. 7 will allow mining and reclamation activities to continue during the next five-year permit term ending August 7, 2026. Revision 33 updates the permit for the permanent cessation of mining in this permit area, specifically mining of the Iron Pit will cease earlier than previously approved. Other updates to the reclamation plan are also provided in pending Revision 32 to Permit KRSB-8603.

A copy of the applications for revision and renewal of surface coal mining permit is available for public inspection at the offices of the North Dakota Public Service Commission, 600 East Boulevard Ave. Bismarck, ND, 58505-0480 and the Mercer County Auditor, Stanton, ND. A DVD copy of the applications may be requested by contacting the Public Service Commission at (701) 328-2400 or [ndpsc@nd.gov](mailto:ndpsc@nd.gov) or by sending a written request. Due to the COVID-19 pandemic, a 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.

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 and revision 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 owners of land included within the permit area are as follows:

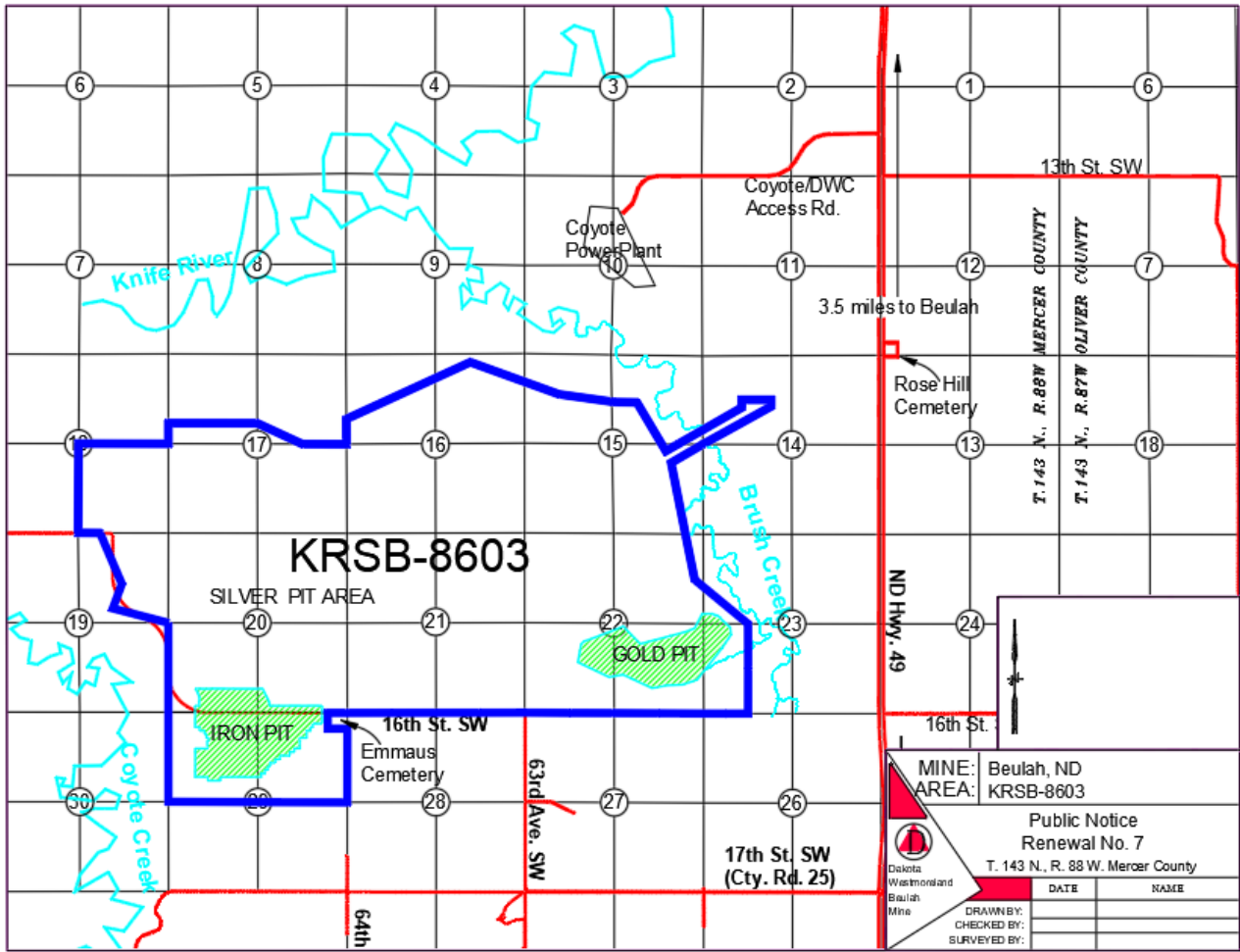
T.143N., R88W., Mercer County

| LOCATION       | SURFACE OWNER(S)  | COAL OWNER(S)   |
|----------------|---|---|
| S½NW¼, Sec. 14 | Otter Tail Power Company<br>Northern Municipal Power Agency<br>Northwestern Corporation<br>Montana-Dakota Utilities Co. | United States of America<br>Gary Murray<br>Armon & Peggy J. Wolff<br>Family Mineral Trust<br>Phyllis O'Neil<br>Lydia Stoppler<br>Daryl E. Zimmerman |
| NW¼, Sec. 15   | Otter Tail Power Company<br>Northern Municipal Power Agency<br>Northwestern Corporation<br>Montana-Dakota Utilities Co. | Robert A. Keogh<br>Robert A. Priscilla Keogh Mineral Trust<br>Faye Keogh Rev. Trust<br>Claire C. Schwalbe   |

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|--|---|---|
| NE $\frac{1}{4}$ , Sec. 15   | Dakota Westmoreland Corp.<br>Otter Tail Power Company<br>Northern Municipal Power Agency<br>Northwestern Corporation<br>Montana-Dakota Utilities Co.  | Robert A. Keogh<br><del>Robert A. Priscilla Keogh Mineral Trust</del><br>Faye Keogh Rev. Trust<br>Claire C. Schwalbe  |
| S $\frac{1}{2}$ , Sec. 15  | Faye L. Keogh Revocable Trust   | Robert A. Keogh<br><del>Robert A. Priscilla Keogh Mineral Trust</del><br>Faye Keogh Revocable Trust<br>Claire C. Schwalbe   |
| N $\frac{1}{2}$ , Sec. 16  | State of North Dakota   | State of North Dakota   |
| SW $\frac{1}{4}$ , Sec. 16   | Joan Miller<br>Sharon Winkler<br>Faye Keogh   | Joan Miller<br>Sharon Winkler<br>State of North Dakota  |
| SE $\frac{1}{4}$ , Sec. 16   | Ronald & Janice Gunsch<br><del>Janice &amp; Marvin Sigman</del><br><del>Sylvia &amp; Dalton Zeisler</del>   | Ronald Gunsch<br>Janice Sigman<br>Sylvia Zeisler<br>State of North Dakota   |
| S $\frac{1}{2}$ , Sec. 17  | Faye Keogh Revocable Trust  | Robert A. Keogh<br><del>Robert A. Priscilla Keogh Mineral Trust</del><br>Faye Keogh Rev. Trust<br>Claire C. Schwalbe  |
| N $\frac{1}{2}$ , Sec. 17  | Claire C. Schwalbe  | Robert A. Keogh<br><del>Robert A. Priscilla Keogh Mineral Trust</del><br>Faye Keogh Rev. Trust<br>Claire C. Schwalbe  |
| SE $\frac{1}{4}$ , Sec. 18   | Donald & Claire Schwalbe  | Donald & Claire Schwalbe<br>State of North Dakota   |
| N $\frac{1}{2}$ NE $\frac{1}{4}$ , Sec. 19   | Casey <del>and Julie</del> Voigt<br>Casey and Julie Voigt<br>*Subject to Contract for Deed from:<br>Shawn and Maria Voigt,<br>Karmen and Craig Eslinger,<br>Donalda Voigt, and<br>Kenneth Voigt | Patience & Calvin Saylor<br>Casey & Julie Voigt<br>Kari & Michael Trappen<br>Karmen & Craig Eslinger<br>Dean Voigt<br>Donalda Voigt<br>Kenneth Voigt<br>Shawn & Maria Voigt |
| NE $\frac{1}{4}$ NE $\frac{1}{4}$<br>NW $\frac{1}{4}$ NW $\frac{1}{4}$<br>S $\frac{1}{2}$ N $\frac{1}{2}$<br>N $\frac{1}{2}$ S $\frac{1}{2}$ , Sec. 20 | Dakota Westmoreland Corporation   | United States of America  |
| S $\frac{1}{2}$ S $\frac{1}{2}$ , Sec. 20  | Dakota Westmoreland Corporation   | Dakota Westmoreland<br>State of North Dakota  |
| NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 20  | Dakota Westmoreland Corporation   | Dakota Westmoreland Corp.   |
| NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 20  | Ronald & Janice Gunsch<br><del>Janice &amp; Marvin Sigman</del><br><del>Sylvia &amp; Dalton Zeisler</del>   | Ronald Gunsch<br>Janice Sigman<br>Sylvia Zeisler  |
| N $\frac{1}{2}$ , Sec. 21  | Sharon Winkler<br>Joan Miller   | Sharon Winkler<br>Joan Miller   |
| S $\frac{1}{2}$ , Sec. 21  | Wilfred Fetch<br>Angeline Braun<br>Cary Unterseher  | Wilfred Fetch<br>Angeline Braun<br>Cary Unterseher  |



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| NE $\frac{1}{4}$ , Sec. 22                 | Terence Schmidt  | United States of America  |
| NW $\frac{1}{4}$ , Sec 22                  | Ronald and Janice Gunsch   | United States of America  |
| SE $\frac{1}{4}$ , Sec. 22                 | Vergene Christianson   | United States of America  |
| E $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 22 | Ronald and Janice Gunsch   | United States of America  |
| W $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 22 | Rita Schmidt<br>Bonnita Schmidt<br>Debra (Schmidt) Hoerer<br>Darla (Schmidt) Ratzak<br>Gene Schmidt<br>Candida (Schmidt) Rhoades | United States of America  |
| NW $\frac{1}{4}$ , Sec. 23                 | Terence Schmidt  | Terence Schmidt<br>Tammy Schmidt  |
| SW $\frac{1}{4}$ , Sec. 23                 | Terence Schmidt  | Julia K. Allison<br>Carl Bauer<br>John Bauer<br>Joan Brown<br>Karen P. Dietz<br>Margianna L. Hunt<br>Nancy Weigel Jensen<br>Kathy M. Leber<br>Kathleen McCrary<br>Susan McCrary<br>Cheryl McFadden<br>David M. Pantermuehl<br>John Pantermuehl<br>Roland M. Pantermuehl<br>Barbara Ann Teed<br>Eugene Arnold Weigel<br>Karel M. Weigel<br>Janice P. Ziegler |
| N $\frac{1}{2}$ , Sec. 29                  | Lyle & Patricia Winkler  | Lyle & Patricia Winkler   |



MINE: Beulah, ND  
 AREA: KRSB-8603

Public Notice  
 Renewal No. 7  
 T. 143 N., R. 88 W. Mercer County

| DATE | NAME |
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DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 SURVEYED BY: \_\_\_\_\_

