

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Falkirk Mining Company
Revision 45, Permit NAFK-8405
Renewal 8, Permit NAFK-8405
Applications**

**Case No. RC-25-241
Case No. RC-25-242**

AFFIDAVIT OF SERVICE CERTIFIED AND REGULAR MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Christine Aslakson deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **24th** day of **October 2025**, she deposited in the United States Mail, at Bismarck, North Dakota, **38** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

NOTICE OF RECEIPT OF RENEWAL AND REVISION APPLICATION

Mailing lists for Notice of Receipt of Revision Application - local, state and federal agencies and Advisory Committee members

Surface owners Revision 45, Renewal 8 – Permit NAFK-8405 - CERTIFIED MAIL

The Estate of Michael R. Berg C/O Jaime Pochant 203 2nd Ave. NW Coleharbor, ND 58531-3106 Cert. No. 9589 0710 5270 0336 3999 50	Summer Boschert 1109 Sidney Rd. Washburn, ND 58577-4120 Cert. No. 9589 0710 5270 1582 7574 02
State of North Dakota North Dakota Department of Transportation 608 E Blvd Ave Bismarck, ND 58505 Cert. No. 9589 0710 5270 1777 9809 05	Steven L. Heger and Katherine E. Heger 2896 3rd St. NW Underwood, ND 58576-9638 Cert. No. 9589 0710 5270 1777 9809 12
Chad Berg and Jennifer Berg 388 27th Ave. NW Underwood, ND 58576 Cert. No. 9589 0710 5270 1777 9809 29	Emanuel Schauer 511 23rd Ave. NW Underwood, ND 58576 Cert. No. 9589 0710 5270 1777 9809 36
Waste Management of North Dakota, Inc. District Office 750 Yegen Rd Bismarck, ND 58503-7731 Cert. No. 9589 0710 5270 1777 9809 43	Laurance L. Heger and Nancy L. Heger 607 Kennedy St. Underwood, ND 58576 Cert. No. 9589 0710 5270 1777 9809 50

Gregory Jordahl and Mildred L. Jordahl P.O. Box 157 Wilton, ND 58579 Cert. No. 9589 0710 5270 1777 9809 67	Stuart Busch and Paula Busch 708 4th St. N Estelline, SD 57234-2095 Cert. No. 9589 0710 5270 1777 9809 74
Soo Line Railroad Company D/B/A Canadian Pacific Railway Company Attn: Real Estate 120 S 6th St. Ste. 1000 Minneapolis, MN 55402-1813 Cert. No. 9589 0710 5270 1777 9809 81	Dallas Benzmilller and Vicki Benzmilller 1682 29B Ave. NW Coleharbor, ND 58531 Cert. No. 9589 0710 5270 1777 9809 98
Linda M. Pryor 103 Peter Dr., Apt. 2 Fruita, CO 81521-2978 Cert. No. 9589 0710 5270 1777 9810 01	Dennis J. Dietz, Life Estate 316 6th Ave. NW Hazen, ND 58545-4109 Cert. No. 9589 0710 5270 1777 9810 18
Collin R. Weisz and Vonnie Weisz 2319B 3rd St. NW Underwood, ND 58576 Cert. No. 9589 0710 5270 1777 9810 25	Stephen M. Deitz 907 1st St. NE Mandan, ND 58554-3702 Cert. No. 9589 0710 5270 1777 9810 32
Denny R. Portra and Ruby J. Portra Box 1068 Underwood, ND 58576 Cert. No. 9589 0710 5270 1777 9810 49	Heather Peck 8603 N. 22nd Ave., Apt. 164 Phoenix, AZ 85021-4272 Cert. No. 9589 0710 5270 1777 9810 56
Kenneth Stadick, Life Estate 2259 2nd St. NW Underwood, ND 58576-9502 Cert. No. 9589 0710 5270 1777 9810 63	Troy Buller and Stephanie Buller 2646 Cty. Hwy. 1 Hendricks, MN 56136-4104 Cert. No. 9589 0710 5270 1777 9810 70
Cassie Busch 900 N Woodland Dr. Mandan, ND 58554-4456 Cert. No. 9589 0710 5270 1777 9810 87	Leslie Forland and Wendy Forland 5185 108th St. SE Delano, MN 55328-8307 Cert. No. 9589 0710 5270 1777 9810 94
Stacey Busch 1131 Benton Way. Saint Paul, MN 55112-3755 Cert. No. 9589 0710 5270 1777 9811 00	David P. Kjelstrup and Linda K. Kjelstrup P.O. Box 281 Underwood, ND 58576-0281 Cert. No. 9589 0710 5270 1777 9811 17
Richard Brunelle and Deann Brunelle P.O. Box 147 Underwood, ND 58576-0147 Cert. No. 9589 0710 5270 1777 9811 24	Wade Haseleu and Amanda Haseleu P.O. Box 718 Underwood, ND 58576-0718 Cert. No. 9589 0710 5270 1777 9811 31
HV Busch Family Partnership 5000 42nd St. SE Minot, ND 58701-2250 Cert. No. 9589 0710 5270 1777 9811 48	Richard V. Hanson and Karen A. Hanson 435 20th Ave. NW Turtle Lake, ND 58575-9427 Cert. No. 9589 0710 5270 1777 9811 55
William G. Wilson, Jr. and Nancy Wilson P.O. Box 43 Coleharbor, ND 58531 Cert. No. 9589 0710 5270 1777 9811 62	North Dakota Department of Trust Lands P.O. Box 5523 Bismarck, ND 58502-5523 Cert. No. 9589 0710 5270 1777 9811 79

Krist D. Kjelstrup and Taryn Kjelstrup 2845 3rd St. NW Underwood, ND 58576-9638 Cert. No. 9589 0710 5270 1777 9811 86	McLean Sheridan Rural Water District Attn: Ann Oberg 987 17th Ave. NW Turtle Lake, ND 58575-9649 Cert. No. 9589 0710 5270 1777 9811 93
Kjelstrup Land Holdings, LLLP P.O. Box 281 Underwood, ND 58576-0281 Cert. No. 9589 0710 5270 1777 9812 09	
Monte J. Miller 2688B 8th St. SW Washburn, ND 58577 Cert. No. 9589 0710 5270 1777 9812 16	
James H. Coutts and Jacqualen Coutts 2476 6th St. NW Underwood, ND 58576-9504 Cert. No. 9589 0710 5270 1777 9812 23	
Paulson Family Farms, LLLP 868 26th Ave. NW Coleharbor, ND 58531-9478 Cert. No. 9589 0710 5270 1777 9812 30	
Gary R. Heidelberg 868 26th Ave. NW Coleharbor, ND 58531-9478 Cert. No. 9589 0710 5270 1777 9812 47	
James R. Britton P.O. Box 576 Turtle Lake, ND 58575-0576 Cert. No. 9589 0710 5270 1777 9812 54	

Regular Mail to local (McLean County), state and federal agency list for the Falkirk Mine and Advisory Committee Members – regular first class mail w/ mailing affidavit

Standard First-Class Mail

LEWIS & CLARK REGIONAL
DEVELOPMENT COUNCIL
200 1st AVE NW
MANDAN, ND 58554-3109

MCLEAN COUNTY COMMISSION
COUNTY AUDITOR
PO BOX 1108
WASHBURN, ND 58577-1108

SOUTH MCLEAN COUNTY SCD
DISTRICT CONSERVATIONIST
PO BOX 537
TURTLE LAKE, ND 58575-537

PRESIDENT OF CITY COMMISSION
CITY OF WASHBURN
PO BOX 467
WASHBURN, ND 58577-0467

PRESIDENT OF CITY COMMISSION
CITY OF UNDERWOOD
PO BOX 168
UNDERWOOD, ND 58576-0168

MCLEAN COUNTY WATER RESOURCE DISTRICT
533 6th ST NE
GARRISON, ND 58540

PLANNING AND ZONING COMMISSION
MCLEAN COUNTY AUDITOR
PO BOX 1108
WASHBURN, ND 58577-1108

PAULA COMEAU
ND STATE SOIL CONSERVATION COMMITTEE
DEPT 7390, PO BOX 6050
FARGO, ND 58108-6050

Federal List

US EPA, REGION 8
1595 WYNKOOP STREET
DENVER, CO 80202-1129

RICHARD WEBB, STATE CONSERVATIONIST
NATURAL RESOURCE CONSERVATIVE SERVICE
PO BOX 1458
BISMARCK, ND 58502-1458

US ARMY CORPS OF ENGINEERS
ND REGULATORY OFFICE
3319 UNIVERSITY DR.
BISMARCK, ND 58504-7565

MARK WATNE, PRESIDENT
ND FARMERS UNION
PO BOX 2136
JAMESTOWN, ND 58401

MINING HEALTH & SAFETY ADMIN
CMSHA - US DEPT OF LABOR
PO BOX 25367, DFC
DENVER, CO 80225-5367

LUKE TOSO
US FISH & WILDLIFE SERVICE
ECOLOGICAL SERVICES
3425 MIRIAM AVENUE
BISMARCK, ND 58501-7925

5-BW JA
475 SUMMIT DRIVE
SUITE 211
MINOT AIR FORCE BASE
MINOT, ND 58705

DAKOTA RESOURCE COUNCIL
1902 E. DIVIDE AVE.
BISMARCK, ND 58501

PETE HANEBUTT
NORTH DAKOTA FARM BUREAU
4900 OTTAWA STREET
BISMARCK, ND 58503

SCOTT BLACKBURN, ENVIRONMENTAL COORDINATOR
PLANNING & COMPLIANCE OFFICE
NATIONAL PARK SERVICE, MIDWEST REGION
601 RIVERFRONT DR.
OMAHA, NE 68102

JEFFREY FLEISCHMAN, CHIEF
DENVER FIELD DIVISION
OFFICE OF SURFACE MINING
PO BOX 11018
150 EAST B STREET
CASPER, WY 82601-7032

JOSH ALEXANDER
BUREAU OF LAND MANAGEMENT
BILLINGS FIELD OFFICE
DEPARTMENT OF INTERIOR
5001 SOUTHGATE DR.
BILLINGS, MT 59101

EDWARD KRAFT
FIELD OFFICE MANAGER
BUREAU OF LAND MANAGEMENT
ND FIELD OFFICE
99 23RD AVENUE WEST, SUITE A
DICKINSON, ND 58601

ERICA TRENT
NATURAL RESOURCES SPECIALIST
OFFICE OF SURFACE MINING
PO BOX 25065
LAKEWOOD, CO 80215

Advisory Committee/State Government Notice

JEB WILLIAMS (INSIDE MAIL)
ND GAME & FISH DEPT
100 NORTH BISMARCK EXPRESSWAY
BISMARCK, ND 58501-5095

DAVID GLATT, DIRECTOR (INSIDE MAIL)
ND DEPT. OF ENVIRONMENTAL QUALITY
4201 NORMANDY STREET
BISMARCK, ND 58503-1324

JOHN PACZKOWSKI (INSIDE MAIL)
ND DEPT. OF WATER RESOURCES
1200 MEMORIAL HWY, DEPT. 770
BISMARCK, ND 58504

BILL PETERSON (INSIDE MAIL)
STATE HISTORICAL SOCIETY OF ND
612 EAST BLVD AVE
ND HERITAGE CENTER
BISMARCK, ND 58505

TOM CLAEYS
STATE FORESTER
N.D. FOREST SERVICE
916 E INTERSTATE AVE #4
BISMARCK, ND 58503

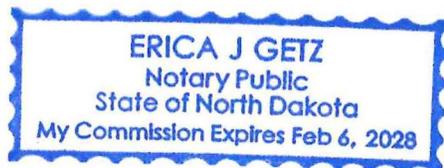
CODY SCHULZ (INSIDE MAIL)
NORTH DAKOTA PARK AND RECREATION
604 E BLVD AVE, DEPT 750
BISMARCK, ND 58505-0605

ED MURPHY (INSIDE MAIL)
ND GEOLOGICAL SURVEY
600 E. BLVD. AVE.
Dept. 474
BISMARCK, ND 58505-0840

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

Subscribed and sworn to before me
this **24th** day of **October, 2025**.

SEAL



Christi Anderson

Erica J Getz

Notary Public

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision 45, Permit NAFK-8405
Renewal 8, Permit NAFK-8405
Applications

Case No. RC-25-241
Case No. RC-25-242

NOTICE OF RECEIPT OF RENEWAL AND REVISION APPLICATIONS

October 24, 2025

The Falkirk Mining Company has filed applications to renew and revise Surface Coal Mining Permit No. NAFK-8405 covering lands located in:

All or portions of Section 3, T145N, R82W, Sections 6, 7, and 18 in T146N, R81W, Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 26, 27, 34, and 35 in T146N, R82W, and Sections 33, 34, 35, and 36 in T147N, R82W in McLean County, North Dakota, totaling 13,150.0 acres.

The five-year permit renewal will allow Falkirk to continue operations within the existing permit area until April 15, 2031. Revision 45 identifies the coal removal subareas that will be mined during the next five-year permit term. The revision also updates the introductory information, legal information, compliance information, surface and coal interest and ownership, geology, fish and wildlife resources, operation plans, extended mining plans, transportation facilities, surface water management, and reclamation plans and schedule in the permit. Falkirk has obtained the necessary approvals from the McLean County Commission to close the existing section line road between the E $\frac{1}{2}$ of Section 8 and W $\frac{1}{2}$ of Section 9, T146N, R82W and the SE $\frac{1}{4}$ of Section 5 and the SW $\frac{1}{4}$ of Section 4, T146N, R82W, and temporarily relocate this road approximately $\frac{3}{4}$ of a mile to the west of its current location. The temporary road will be in place for approximately 15 years.

The renewal and revision applications and surface coal mining and reclamation permit may be inspected at:

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

McLean County Auditor
County Courthouse
712 5th Ave
Washburn, North Dakota 58577

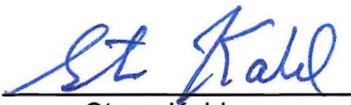
You may submit written comments or objections on the proposed permit renewal and revision applications, its effects on the environment and on surface owners of the land in the permit area. You may request an informal conference with the Commission and the applicant on the renewal and revision applications. 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 December 15, 2025.

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

Written comments, objections, or requests for informal conferences should be addressed to the Public Service Commission, 600 East Boulevard Avenue, 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.

Signed on this 24 day of October 2025.

By: 
Steve Kahl
Executive Director