



6425 State Route ZZ
P.O. Box 850
West Plains, Missouri 65775
(417) 256-2116
(417) 256-7695 Fax

FROM DIRECTOR - RECLAMATION DIV.

Date: _____

Action: _____

Info. Only: _____

Info & File: _____

September 08, 2009

Mr. Jim Deutsch, Director
Reclamation Division
ND Public Service Commission
600 E. Blvd., Dept. 408
Bismarck, ND 58505-0480

Dear Mr. Deutsch:

Please find enclosed the revisions for the technical deficiency letter dated June 5, 2008 for Mine Permit ROJK – 8701. Due to the urgency put forth by your letter dated August 17, 2009, please advise as soon as possible of any deficiencies that this material may not cover. Please understand that it has not been our intention to drag this bond release on and on, but also please understand that we have other full time jobs that also needed to be accomplished at the same time. We are very sorry for the inconvenience.

I have enclosed a printed emailed copy of the metes and bounds map that Tim Kelly finished for us this past Friday. I have requested for Tim to print 4 large copies and will be forwarding 3 of them to your attention immediately after they arrive here.

As to item 8d, you will find two unsigned copies of hayland yields that were prepared by Ralph Privatsky. I have sent both documents to Ralph for his signature and will send them to your attention immediately after they arrive here.

I sincerely hope you find all the information in this mailing to your satisfaction and we can get this matter wrapped up, however, if have any further questions or need additional information please do not hesitate call me at the number above.

Thank you.

Sincerely,

Ernest Capitolo

Cc: Paul McAllister