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FROM DIRECTOR - RECLAMATION DIV.

Date: \_\_\_\_\_

Action: \_\_\_\_\_

Info. Only: \_\_\_\_\_

Info & File: \_\_\_\_\_

September 15, 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 additional revisions for the technical deficiency letter dated June 5, 2008 for Mine Permit ROJK – 8701 that were promised in the cover letter sent to you on September 8, 2009. Also included is the additional material need to satisfy the issue dealing with the prime farmland that was e-mail to me by Steve on September 14, 2009.

If you have any further questions please call me at the number above.

Thank you.

Sincerely,

Ernest Capitolo

Cc: Paul McAllister