

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision No. 13, Permit NAFK-9601
Approval

Case No. RC-08-640

**REVISION OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS**

March 10, 2010

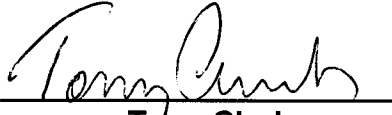
Based on the application for **Revision Number 13 to Permit Number NAFK-9601 received August 1, 2008**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted on August 1, 2008, is complete and accurate and the applicant has complied with the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code.
2. The post-mining land use change on 428 acres to recreational use is deemed appropriate; however, additional documents need to be filed by the applicant as described in the attached permit condition before the land use change will become effective.
3. The Commission's other findings that were made when the permit and other revisions were issued remain applicable to the revised reclamation plans.

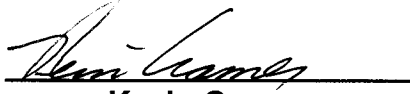
Subject to the right of any person with an interest that is or may be adversely affected to request a formal hearing under N.D.C.C. 38-14.1-30, Revision Number 13 of Permit Number NAFK-9601 is hereby conditionally granted to the Falkirk Mining Company to change the post-mining land use to recreational on 428 acres located in the W $\frac{1}{2}$ of Section 25, the SE $\frac{1}{4}$ of Section 26, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 35, T146N, R82W, McLean County, and to update other information and reclamation plans in the permit as described in the permit revision application received August 1, 2008.

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and the additional permit condition that is attached. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be a significant alteration to the previously approved permit.

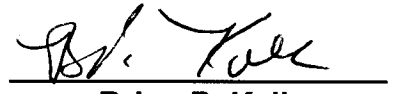
PUBLIC SERVICE COMMISSION



**Tony Clark
Commissioner**



**Kevin Cramer
Chairman**



**Brian P. Kalk
Commissioner**