

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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

Case No. RC-08-640

SURFACE COAL MINING AND RECLAMATION PERMIT CONDITIONS

March 10, 2010

Revision No. 13 to Surface Coal Mining Permit No. NAFK-9601 is hereby issued to **The Falkirk Mining Company** subject to the following condition:

1. The post-mining land use change to recreational use on the 428 acres described in the revision application will not become effective and eligible for final bond release until the Falkirk Mining Company submits a certified copy of the deed transferring ownership of these lands to the North Dakota Department of Transportation. In addition, the Falkirk Mining Company must submit copies of the Construction and Water Use Permits issued by the State Water Commission before Ponds DWR-I25-04 (construction only) and DWR-I35-01 can be retained as permanent impoundments.

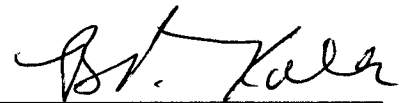
PUBLIC SERVICE COMMISSION



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