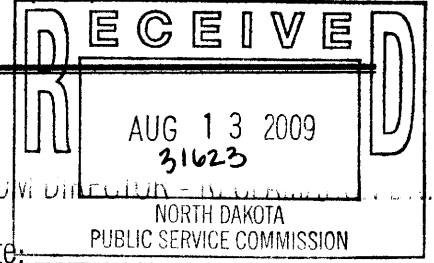


NORTH AMERICAN
COAL
CORPORATION
FALKIRK MINE

THE FALKIRK MINING COMPANY
2801 1st St. SW
P.O. Box 1087
Underwood, ND 58576-1087
(701) 442-5751 • Fax (701) 250-2473

August 12, 2009



Mr. James R. Deutsch
Reclamation Director
ND State Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505

Date: _____
Action: _____
Info. Only: _____
Info & File: _____

RE: Affidavit of Publication for Partial Bond Release Application in Permit NAFK-9601

Dear Mr. Deutsch:

Please find enclosed copies of the Affidavit of Publication for the Partial Bond Release Application in Permit NAFK-9601. The Legal Ad was published on July 2nd, 9th, 16th, and 23rd in The Bismarck Tribune, The Underwood News, The McLean County Independent and The Washburn Leader News.

If you have any questions or comments, please contact me at 250-2424 or e-mail me at diana.edinger@falkirk.com.

Sincerely,

THE FALKIRK MINING COMPANY

Diana G. Edinger
Executive Assistant

DGE
Attachments

The Bismarck Tribune

www.bismarcktribune.com

The Finder

Classified Advertising Invoice

Bismarck Tribune

PO BOX 5516
Bismarck, ND 58506-5516
701-223-2500
In State 800-472-2273
Fax 701-223-6584

RECEIVED AUG - 7 2009

THE FALKIRK MINING COMPANY

2801 1ST ST SW
PO BOX 1087
UNDERWOOD ND 58576

Customer: 60018525
Phone: (701) 250-2472
Date: 08/01/2009

CREDIT CARD PAYMENT (circle one)



Card #: _____
Exp Date: _____
Signature: _____
Credit card users: Fax to 701-223-6584

Date	Order #	Type	Order Amt
08/01/09	20379829	INV	294.20

Amount Paid: _____ CK #: _____

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT

Date	Date	Times Run	Description	Lines	Class Code	Order Amt	Net Amt Due
07/02/09	07/23/09	4	PO#1112Tracts7,8,9/604221 Bismarck Tribune PO:Reclamation Bond	31.00	Legals	294.20	294.20

Affidavit of Publication
State of North Dakota) SS County of Burleigh
Before me, a Notary Public for the State of North Dakota
personally appeared [Signature] who being duly sworn, deposes
and says that he (she) is the Clerk of Bismarck Tribune Co.,
and that the publication(s) were made through the
Bismarck Tribune on the following dates:
7/29-16-09. Signed [Signature]
sworn and subscribed to before me this 17th
day of August 2009
[Signature]
Notary Public in and for the State of North Dakota

GREGORY P. ZIEGLER
Notary Public
State of North Dakota
My Commission Expires July 22, 2015

Please return invoice or put order number on check. Thank You.

Remarks	Total Due: 294.20
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Bismarck Tribune
www.bismarcktribune.com
PO BOX 5516
Bismarck, ND 58506-5516
701-223-2500
In State 800-472-2273
Fax: 701-223-6584

To place a classified ad call.....
* 701-258-6900 in Bismarck/Mandan
* 888-546-2231 in North Dakota

Or place it online at www.bismarcktribune.com

Terms: PAYMENT IS DUE UPON RECEIPT OF INVOICE

**NOTICE OF FILING
FOR PARTIAL RELEASE OF RECLAMATION BOND**

The Falkirk Mining Company, 2801 1st Street S.W., P.O. Box 1087, Underwood, North Dakota, 58576, as applicant, has this 4th day of June, 2009 filed for partial bond release for backfilling, grading, and respreading of suitable plant growth material on Reclamation Tracts 7, 8, and 9 as shown on the attached map. These tracts contain approximately 614.6 acres in portions of Sections 25 and 36, T146N, R82W and Sections 30 and 31, T146N, R81W. These tracts are all located within McLean County, approximately 6 miles southeast of the City of Underwood, North Dakota.

The 614.6 acres are located in Falkirk's approved state mining Permit NAFK-9601. The North Dakota Public Service Commission approved Permit NAFK-9601 on August 30th, 1996. The worst case bond determination for NAFK-9601 is not incremental and is covered by a surety bond. The current bond coverage for Permit NAFK-9601 is \$4,587,051. As part of this partial bond release application, Falkirk is requesting a bond reduction of \$1,091,614.41 for completion of backfilling, grading, and respread of suitable plant growth material within Tracts 7 through 9.

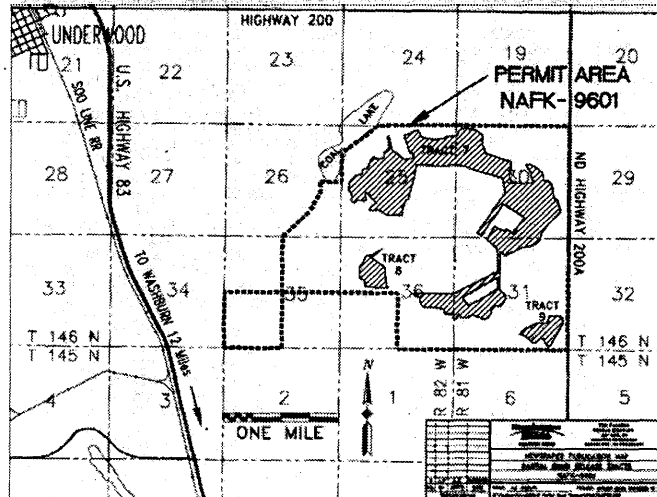
Coal removal on these tracts started in November, 1996 and was completed in October, 2004. Backfilling and rough grading started in 1998 and was completed in 2006. Respread of suitable plant growth material started in September, 1998 and was completed in September, 2006. The first augmented seeding occurred in 2001, and continued through 2007, thus initiating the ten-year revegetation liability period accordingly. The disturbed areas have been seeded and managed in accordance with the approved reclamation plan.

Written comments, objections, or requests for a public hearing or informal conference regarding this partial bond release request may be submitted by any person with an interest which is or may be affected by partial release of the bond to the North Dakota Public Service Commission, Capitol Building, 600 East Boulevard Avenue, Bismarck, North Dakota, 58505, within 30 days after the last publication of this notice.

THE FALKIRK MINING COMPANY

2801 1st Street S.W.
P.O. Box 1087
Underwood, North Dakota 58576-1087

7/2, 9, 16 & 23 - 604221



AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA)
)
) SS
COUNTY OF McLean)

I SHELLEY CHASE, being first duly sworn, on my own oath,
say, that I am the bookkeeper of the Underwood News
, a weekly newspaper of general circulation,
published in the city of Underwood, that the advertisement
headed:

FALKIRK MINING CO UN-NOTICE OF FILING FOR PARTIAL RELEASE/LE

a printed copy of which is here annexed, was published in
the regular and entire issue of said newspaper during the
period and time of publication, and that the notice was
published in the newspaper proper, and not in a supplement,

for 4 consecutive week 07/23/2009 to wit:

Column Inches 21.75	\$5.41	\$117.67	07/02/2009 ✓
Column Inches 21.75	\$5.41	\$117.67	07/09/2009 ✓
Column Inches 21.75	\$5.41	\$117.67	07/16/2009 ✓
Column Inches 21.75	\$5.41	\$117.67	07/23/2009 ✓

Notary Fee \$1.00 ✓ Total Cost of Legal \$471.68

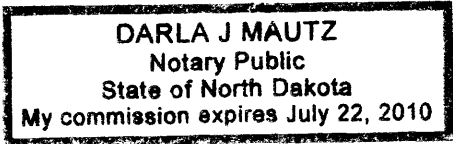
Shelley Chase

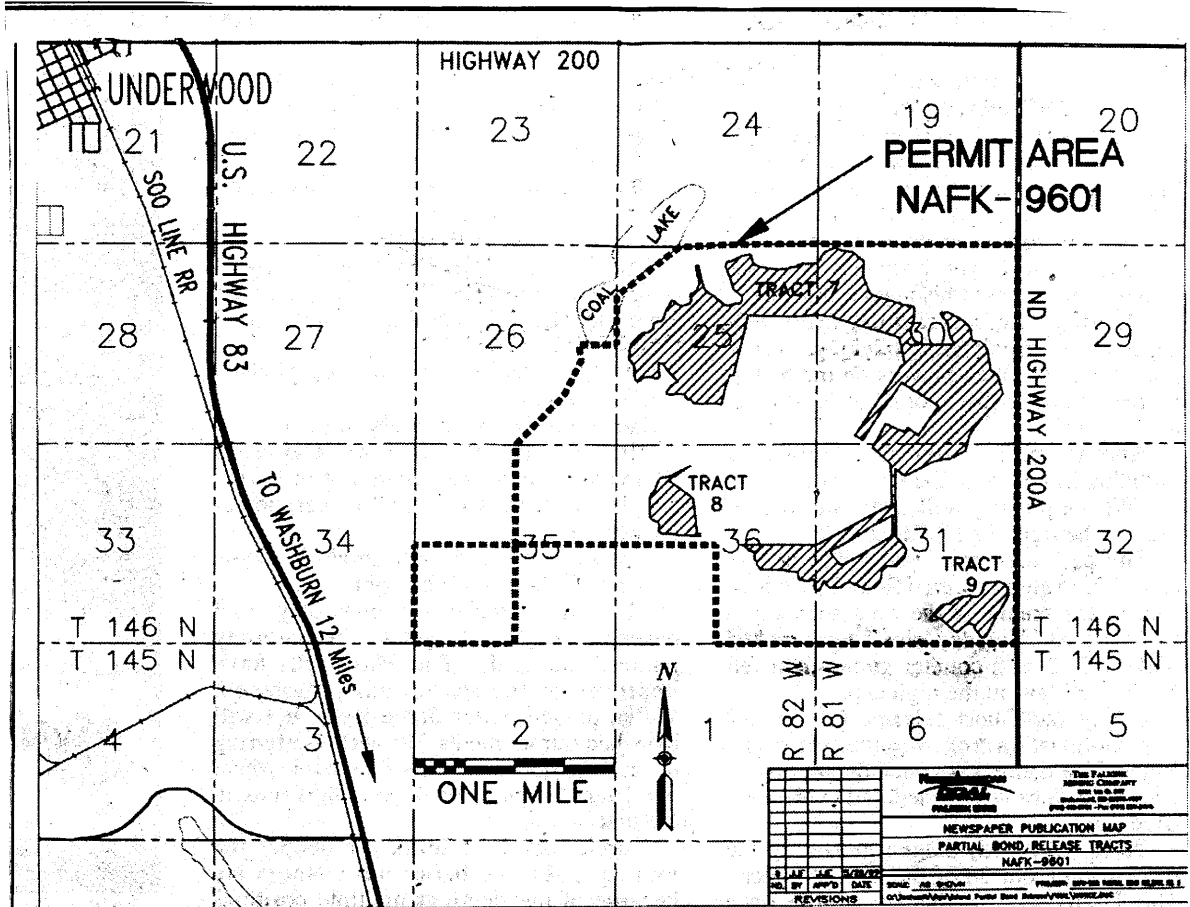
Subscribed and sworn to before me this 24th day of
July A.D. 2009

(Seal) Darla J. Mautz

Notary Public, State of North Dakota

My Commission Expires





Notice of filing for partial release of reclamation bond

The Falkirk Mining Company, 2801 1st Street S.W., P.O. Box 1087, Underwood, North Dakota, 58576, as applicant, has this 4th day of June, 2009 filed for partial bond release for backfilling, grading, and respreading of suitable plant growth material on Reclamation Tracts 7, 8, and 9 as shown on the attached map. These tracts contain approximately 614.6 acres in portions of Sections 25 and 36, T146N, R82W and Sections 30 and 31, T146N, R81W. These tracts are all located within McLean County, approximately 6 miles southeast of the City of Underwood, North Dakota.

The 614.6 acres are located in Falkirk's approved state mining Permit NAFK-9601. The North Dakota Public Service Commission approved Permit

NAFK-9601 on August 30th, 1996. The worst case bond determination for NAFK-9601 is not incremental and is covered by a surety bond. The current bond coverage for Permit NAFK-9601 is \$4,587,051. As part of this partial bond release application, Falkirk is requesting a bond reduction of \$1,091,614.41 for completion of backfilling, grading, and respread of suitable plant growth material within Tracts 7 through 9.

Coal removal on these tracts started in November, 1996 and was completed in October, 2004. Backfilling and rough grading started in 1998 and was completed in 2006. Respread of suitable plant growth material started in September, 1998 and was completed in September, 2006. The first augmented seeding occurred in 2001, and continued

through 2007, thus initiating the ten-year revegetation liability period accordingly. The disturbed areas have been seeded and managed in accordance with the approved reclamation plan.

Written comments, objections, or requests for a public hearing or informal conference regarding this partial bond release request may be submitted by any person with an interest which is or may be affected by partial release of the bond to the North Dakota Public Service Commission, Capitol Building, 600 East Boulevard Avenue, Bismarck, North Dakota, 58505, within 30 days after the last publication of this notice.

THE FALKIRK MINING COMPANY;
2801 1st Street S.W.; P.O. Box 1087; Underwood, North Dakota 58576-1087.

The Falkirk Mining Company
UN July 2, 9, 16, 23, 2009

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA)
)
) SS
COUNTY OF McLean)

I SHELLEY CHASE, being first duly sworn, on my own oath, say, that I am the bookkeeper of the Leader News, a weekly newspaper of general circulation, published in the city of Washburn, that the advertisement headed:

FALKIRK MINING CO LN-NOTICE OF FILING FOR PARTIAL RELEASE/LEGAL

a printed copy of which is here annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the notice was published in the newspaper proper, and not in a supplement,

for 4 consecutive week 07/23/2009 to wit:

Column Inches 24	\$5.41	\$129.84	07/02/2009 ✓
Column Inches 24	\$5.41	\$129.84	07/09/2009 ✓
Column Inches 24	\$5.41	\$129.84	07/16/2009 ✓
Column Inches 24	\$5.41	\$129.84	07/23/2009 ✓

Notary Fee \$1.00 ✓ Total Cost of Legal \$520.36 ✓

Shelley Chase

Subscribed and sworn to before me this 24th day of July A.D. 2009

(Seal) Darla J. Mautz

Notary Public, State of North Dakota

My Commission Expires
DARLA J MAUTZ
Notary Public
State of North Dakota
My commission expires July 22, 2010

Notice of filing for partial release of reclamation bond

The Falkirk Mining Company, 2801 1st Street S.W., P.O. Box 1087, Underwood, North Dakota, 58576, as applicant, has this 4th day of June, 2009 filed for partial bond release for backfilling, grading, and respreading of

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R81W. These tracts are all located within McLean County, approximately 6 miles southeast of the City of Underwood, North Dakota.

The 614.6 acres are located in Falkirk's approved state mining Permit

NAFK-9601. The North Dakota Public Service Commission approved Permit NAFK-9601 on August 30th, 1996. The worst case bond determination for NAFK-9601 is not incremental and is covered by a surety bond. The current bond coverage for Permit NAFK-9601 is \$4,587,051. As part of this partial bond release application, Falkirk is requesting a bond reduction of \$1,091,614.41 for completion of backfilling, grading, and respread of suitable plant growth material within Tracts 7 through 9.

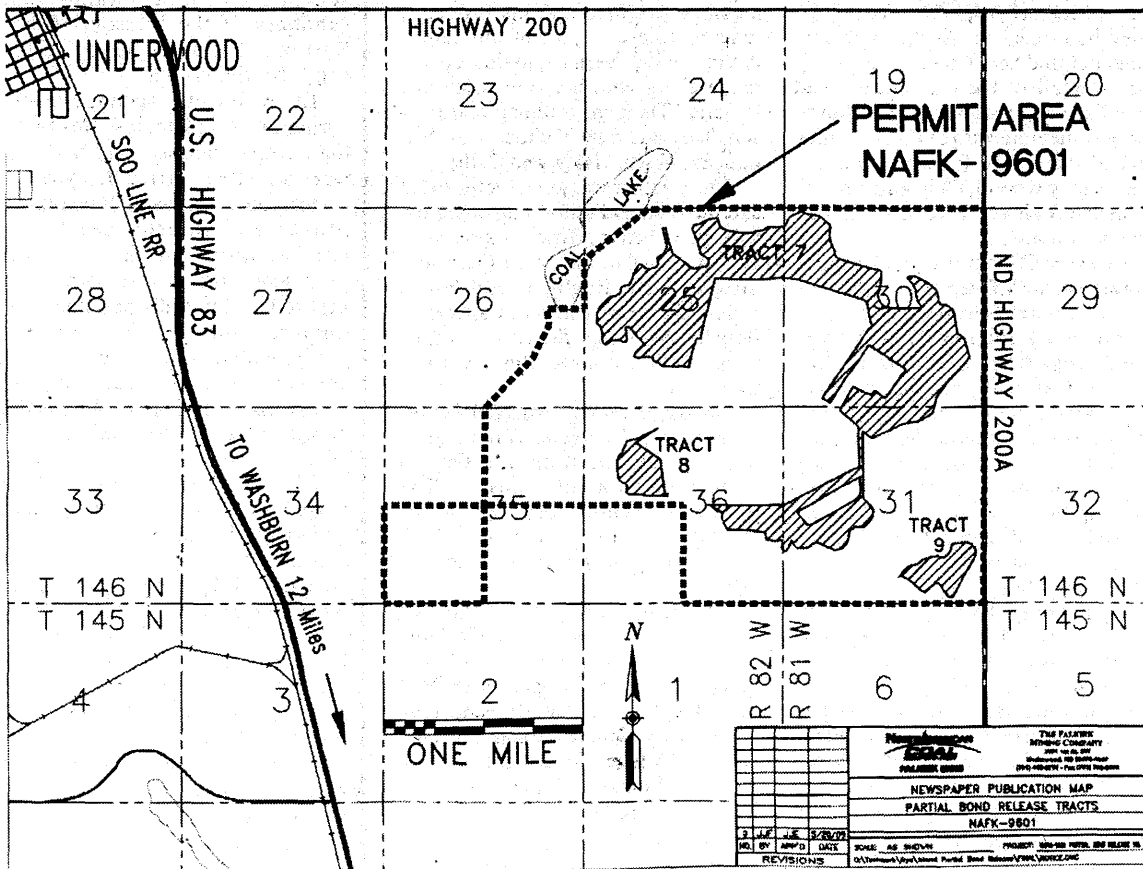
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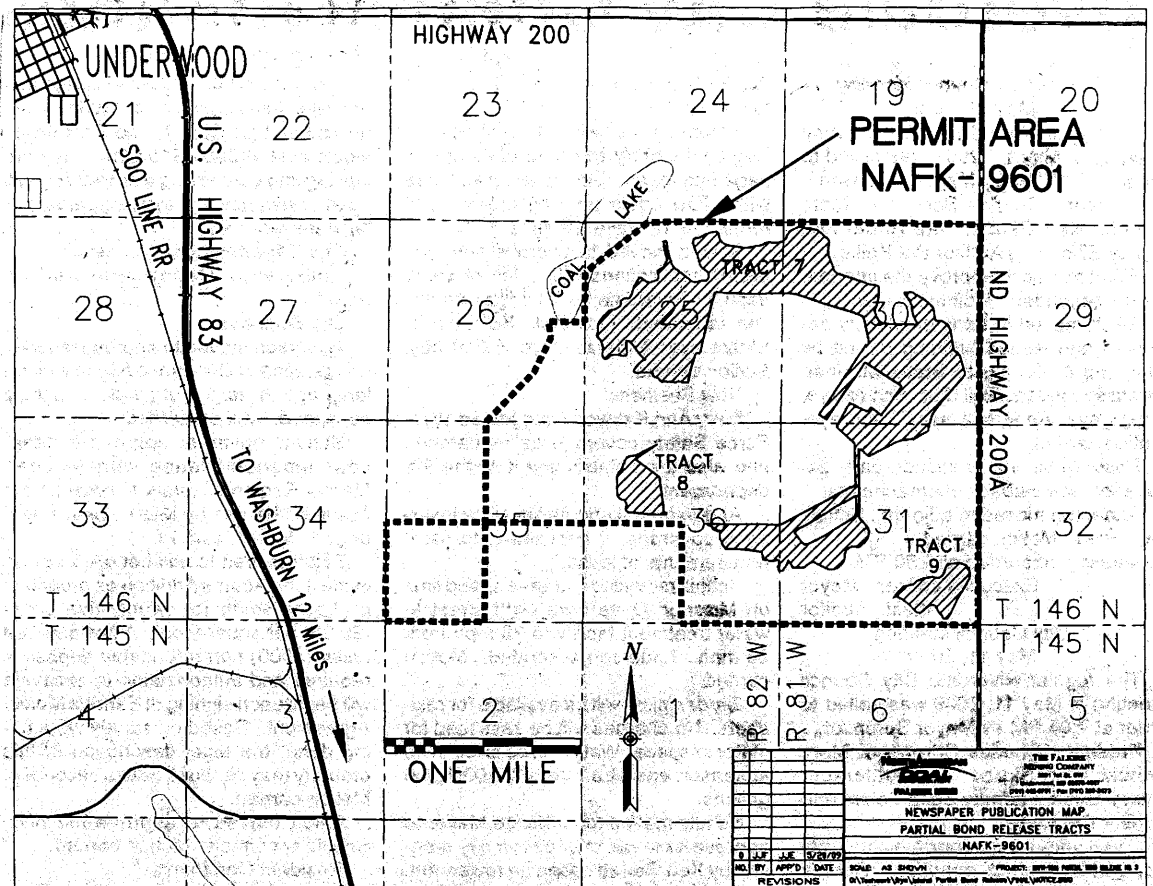
Written comments, objections, or requests for a public hearing or informal conference regarding this partial bond release request may be submitted by any person with an interest which is or may be affected by partial release of the bond to the North Dakota Public Service Commission, Capitol Building, 600 East Boulevard Avenue, Bismarck, North Dakota, 58505, within 30 days after the last publication of this notice.

THE FALKIRK MINING COMPANY;
2801 1st Street S.W.; P.O. Box 1087; Underwood, North Dakota 58576-1087

Diana Edinger

LN July 2, 9, 16, 23, 2009





Notice of filing for partial release of reclamation bond

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THE FALKIRK MINING COMPANY,
2801 1st Street S.W.; P.O. Box 1087
Underwood, North Dakota 58576-1087
Diana Edinger
(July 2, 9, 16, 23, 2009)