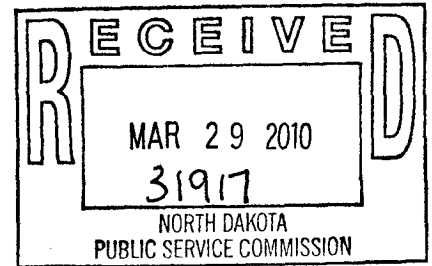




# State of North Dakota

## Office of the State Engineer

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WATER APPROPRIATION DIVISION  
(701)328-2754

FROM DIRECTOR - RECLAMATION DIV.

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

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

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

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

March 23, 2010

Mr. James R. Deutsch, Director  
Reclamation Division  
Public Service Commission  
State Capitol Building  
Bismarck, ND 58505

Dear Mr. Deutsch:

In a February 24, 2010 letter you requested a review of proposed Revision Number 19 to Falkirk Mine Permit NAFK-9503. The proposed revision deals with the timing/order in which mining in the Riverdale area proceeds westward, with continuous mining in the northern part of the area rather than stopping for a few years. Without reviewing the mine plan in detail, the proposed timing revision appears satisfactory.

Revision No.19 also updates the mine plan, with changed sections listed in Sec. 1.1.3: Revision Lists of Changes. Along with other sections of the permit, much of the groundwater hydrology section, Sec 2.2, is listed as having been revised or replaced. Perusing the revised and replaced subsections, some include changes marked in red, but others do not and I did not see a practical way of comparing the new version with the previous version. I therefore, have no further comment on the proposed revision.

Alan Wanek  
Hydrologist Manager

AW:sc/1687.13