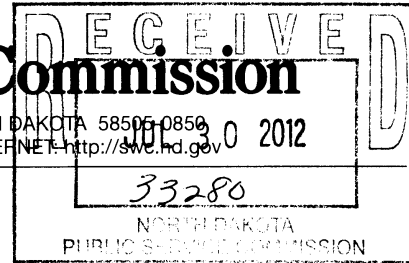


North Dakota State Water Commission

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WATER APPROPRIATION DIVISION
(701) 328-2754

FROM DIRECTOR - RECLAMATION DIV.

Date: _____

Action: _____

Info. Only: _____

Info & File: _____

July 25, 2012

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

Dear Mr. Deutsch:

Application SHSH-1001 for a proposed South Heart Coal mine was reviewed in a March 17, 2011 letter from the State Water Commission. The letter, along with other comments, was forwarded to the applicant. The applicant responded to the review letters, and a review from the Public Service Commission's Reclamation Division, in a document, "South Heart Lignite Mine Rev. 3, March 2012."

The comments were addressed in "Revision 3." In a May 24, 2012 letter accompanying the revision document you request a review to determine if the State Water Commission's comments have been adequately addressed. Having reviewed "Revision 3" with respect to the earlier Water Commission comments, including the suggestion of adding monitoring wells, the Water Commission comments from the March 17, 2011 letter have been satisfactorily addressed.

The PSC May 24, 2012 letter requesting a review only recently made it to my desk, long past the June 27, 2012 date for receiving comments.

Sincerely,

Alan Wanek
Hydrologist Manager

AW:sc/1687.29