

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision No. 21, Permit NAFK-9503
Approval

Case No. RC-10-636

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

April 6, 2011

Based on the application for **Revision Number 21 to Permit Number NAFK-9503 received November 30, 2010**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted on November 30, 2010, 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; and
2. The Commission's findings that were made when the permit was issued remain applicable to the revised operation and reclamation plans.

Revision Number 21 to Permit Number NAFK-9503 is hereby granted to the Falkirk Mining Company to identify the next five-year coal removal subarea and to update other information and mining and reclamation plans for the next permit term as described in the permit revision application received November 30, 2010.

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 any additional or revised permit conditions listed on attached PSC Reclamation Form - 3. 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.

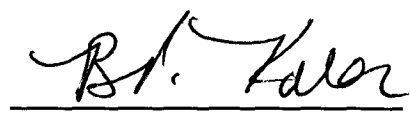
PUBLIC SERVICE COMMISSION



Kevin Cramer
Commissioner



Tony Clark
Chairman



Brian P. Kalk
Commissioner