

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Renewal No. 5, Permit NAFK-8405
Approval

Case No. RC-10-655

RENEWAL OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS

April 6, 2011

Based on the application received December 15, 2010, Renewal Number 5 to Permit Number NAFK-8405 is hereby granted to The Falkirk Mining Company to renew the permit subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, and the rules promulgated there under, on the following described areas:

Portions of Sections 3, T145N, R82W; Sections 6, 7, and 18, T146N, R81W; and Sections 1, 2, 8, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 26, 27, 34, and 35, T146N, R82W, McLean County, totaling 8,776.6 acres.

This five-year permit renewal will allow The Falkirk Mining Company to continue to operate under approved mining and reclamation plans for this permit area at the Falkirk Mine until April 15, 2016. Permit No. NAFK-8405 and other permits for the Falkirk Mine are currently covered by collateral and self bonds in the amount of \$55,950,000.

PUBLIC SERVICE COMMISSION



Kevin Cramer
Commissioner



Tony Clark
Chairman



Brian P. Kalk
Commissioner