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September 9, 2011

Mr. Donn Steffen
Environmental Manager
Coteau Properties Company
204 County Rd. 15
Beulah, ND 58523

Dear Mr. Steffen:

The Reclamation Division has completed an initial review of final bond release application No. 5 to Permit NACT-9101. The items listed below regarding Attachments III and IVa must be addressed prior to publishing the public notice or notifying the surface owners, adjacent landowners and governmental agencies. The remaining items will need to be addressed so that a technical review of the application can be completed.

Application Form

1. On page 1 of the application, please state that all four stages of bond release (backfilling and grading, soil respreading, vegetation establishment and final bond release) are being requested with this application. (GAW)

Attachment III

2. The first sentence in the Legal Advertisement, Attachment III, states that Tract 1 is located within Section 16, T145N, R88W. Please change the legal description of the Tract to R86W. (BEB)

3. The last sentence of the second paragraph of the Legal Advertisement, Attachment III, incorrectly states that The Coteau Properties Company is the surface owner of Tract 1, Section 16. Please correct this error. (GAW)

Attachment IVa – Letters Sent by Coteau to Surface and Adjacent Surface Owners

4. Please include Ruth Mettler, Roy Fandrich, James Fandrich, Esther Mittlesteadt, Luella Wolf, June Sullivan and the Estate of Maxine Heier in the list of people who will be notified as surface or adjacent surface owners of this bond release. In addition, please revise Attachment IVa to clarify which of these people are surface owners and which are adjacent surface owners. (GAW)

5. The Surface and Subsurface Ownership Map, Section 1.5.3, of the Permit indicates that Zions Congregation is the adjacent surface owner of the land adjacent to the southwest corner of Section 18, but this group is not included in Attachment IVa. Gerald and Kimberly Wolf are included in Attachment IVa and are depicted as adjacent surface owners of this tract on Attachment Vc. Please review and correct as necessary. (GAW)

Attachment VII – General Information

6. The last sentence of the Wetlands section of Attachment VII states that the contributing watersheds of the created seasonal wetlands and surrounding topography can be found in Attachment VI, but the watersheds are not delineated or otherwise shown as required in Section II-H-9 of the Revegetation Success Standards Document. Please provide this information. (GAW)

7. Please include measurements of water quality for the reclaimed seasonal wetlands for the last three years of the responsibility period as required in Section II-H-8 of the Revegetation Success Standards Document. (GAW)

Attachment VIII – Site History, Management and Vegetation

8. Attachment VIIIa, Vegetative Management and Production, summarizes cropland yield data from 2007, 2008 and 2009 but the data in Attachment VIIIb-2 is from 2008, 2009 and 2010. Please review and update as necessary. (GAW)

Once the above items 2 - 5 have been satisfactorily addressed, you will be notified to begin publication of the public notice.

Also, the Reclamation Division will review our October 19, 2009 technical review letter for pending Revision No. 13 to Permit NACT-0401 to ensure that none of the issues identified in that review will affect the standards used in this bond release application.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

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