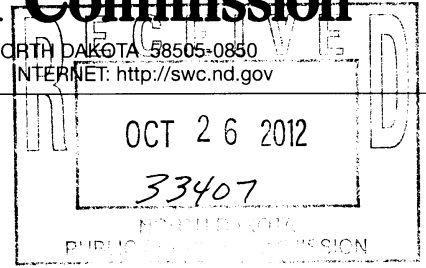


North Dakota State Water Commission

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WATER APPROPRIATION DIVISION (701)328-2754

October 25, 2012

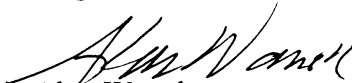
Mr. James R. Deutsch, Director
Reclamation Division
Public Service Commission
State Capitol Building
Bismarck, ND 58505

Dear Mr. Deutsch:

In a September 24, 2012 letter, you requested a review of proposed Revision Number 34 to Falkirk Mine Permit NAFK-8705. Revision Number 34 includes adding a 2,400 feet long French drain, trending east-west across the north half of NW1/4 Section 28, Twp. 146-082, along the Hagel Bed in the final highwall south of Underwood. Water from the French drain is to be used to irrigate the City of Underwood's Westridge golf course.

Underwood Public Recreation System's Water Permit No. 4198 allows for the irrigation of 46.5 acres of the golf course with up to 21 acre-feet of water annually. The City of Underwood's began, but has yet to complete, the process of adding the area underlain by the drain as an approved 'point of diversion' for their golf course irrigation permit. The City has been advised they need to continue the process of adding a point of diversion to their water permit, or to apply for a new permit if more than 21 acre-feet of water per year are used.

Proposed Revision No. 34 to Permit NAFK-8705 is satisfactory to this reviewer.


Alan Wanek
Hydrologist Manager

AW: /1687.13

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Comments received from Water Appropriation Division of the State Water Commission
Water Commission
Alan Wanek