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February 21, 2014

Mr. Jim Deutsch, Director
Reclamation Division, NDPSC
Department 408
600 East Boulevard Avenue
Bismarck, ND 58505-0480

RE: Bond Release 9 to Permit 37

Dear Mr. Deutsch,

This submittal contains a response to your letter to us dated February 12, 2014. In this letter you listed technical deficiencies that must be addressed before the bond release application for Permit 37 can be approved. Below is a listing of the deficiencies followed by our response:

Attachment VI – Tract History

1. Follow-up to item No. 9: The title of Table 2c has not been revised as requested. Revise the title of Table 2c to Cropland Yield Data (Historical) or something similar that clearly indicates these values are cropland yields and retain this table in its original approved format. In the footnotes, clarify that this is a Yield Table from Bond Release #6 of Permit 37, identify the field location, and explain how this table is relevant to BR #9. (ZAB/RLK)

The title of Table 2c has been revised to read: Table 2c. Cropland Yield Data for Section 25 (Historical). The table has been revised to insure that the table is in the "original approved format".

2. Follow-up to item No. 10: Please revise paragraph two in the Tract History to clarify that Table 2c represents the actual crops planted and the actual yields that were used to demonstrate reclamation success for bond release on the adjacent cropland during BR #6. Please note that your written response to item 10 in the January 14, 2014 letter contains most of the requested information and this information should be incorporated into the bond release application. (ZAB/RLK)

The second paragraph of the Tract History section has been revised to clarify that "The cropland within this bond release tract (Bond Release #9) was planted in conjunction with the cropland found in bond release 6. Table 2c represents crops planted and yields used to demonstrate reclamation success for bond release in cropland adjacent to this tract during Bond Release #6 of Permit 37."

3. Follow-up to item No. 11: Please change 40lbs/SqFt to 40 seeds/SqFt in the first footnote of Table 4b. (ZAB)

The footnote in Table 2b in the tract history has been changed to seeds/SqFt.

4. Follow-up to item No. 11: Remove *lbs/ac PLS = from the beginning or remove = #PLS/Ac from the end of the equation in the first footnote of Table 2b. Both of these represent pounds per acre Pure Live Seed and only one is necessary in the equation. (ZAB)

The =#PLS/Ac from the ending of the first footnote on Table 2b in the Tract History Section has been removed; and the lbs/ac PLS has been revised to #PLS/Ac=.

5. Follow-up to Item No. 14: The soil map unit lines provided for the bond release tract on Attachment V do not appear to coincide with those on the 1976 detailed soil survey by Robert Howey included in Bond Release No. 6 to Permit 37 for the SW1/4 of Section 25. Perhaps the soil map for the quarter section was georeferenced to cover the entire section. The bond release tract is located in a portion of the SW1/4 of Section 25 and that would not have contained a portion of the Belfield soil map unit. Please review and revise as appropriate. (RLK)

The soils on the Soils Map (Attachment V) have been revised. The soil lined now depicted on this map are those from the NRCS Oliver County Soil Survey (1975), as this was the soils map used in the Determination of Productivity Standards Section of Bond Release #6, and this same data is being used to represent soils in the proposed Bond Release #9 Tract. The narrative in the second paragraph of the Evaluation of Reclamation Success section on page 4 of Attachment VI, Tract History, was also revised to clarify that the Oliver County Survey was used.

6. Follow-up to Items No. 14 and 15: Table 1 on page 38 of Attachment VI shows that Williams loam has a median hay yield of 0.43 in MLRA 54 but the Revegetation Guidelines indicate that the value should be 1.5 t/acre. We also question the yield values listed for Wet Alluvial (0.47), Williams loam, stoney (0.55), and Scoria (0.21). Please also provide the soil mapping unit names of the SCS soil mapping units listed as at the bottom of the table and review the yield values listed. It appears that the Ringling soil mapping unit should be listed as yielding 0.65 rather than 0.22, the Cabba-Werner complexes should be 0.43 rather than 0.22. It is not clear how the values were derived for complex mapping units. Please review and revise as necessary. The unadjusted standard in Table 3 will need to be updated if the standards changes. (GAW)

Table 1 on page 6 of Attachment VI Tract History has been revised. The value for Williams loam has been corrected to 1.5 t/acres. The values for Wet Alluvial, Williams loam, stoney, and Scoria have been adjusted to (1.9), (0.75), and (0.65) respectively. The mapping unit

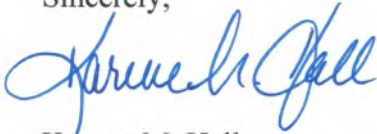
names for the SCS soil mapping units at the bottom of the table have been listed. The values have been revised as suggested; Ringling is (0.65), the Cabba-Werner Complexes are (0.43).

The values for complex mapping units were derived from an average of the two separate soil series. For example the Morton-Daglum soil series. Separately Morton soils have a Suitability Group of F2 (1.20) and Daglum is a GI (0.90). To calculate the value for the complex we took $(1.20+0.90)/2 = 1.05$ T/ac. This is how the values were calculated for Morton-Daglum, Williams-Flaxton, and Williams-Zahl.

The second paragraph of the Evaluation of Data: Hayland section on pg 11 of the Tract History, and Table 3 has been updated. The unadjusted and adjusted standards have been revised, based on changes to Table 1.

Thank you for your consideration of this matter. If you have any questions regarding this submittal, please contact me at the Center office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karene M. Hall". The signature is fluid and cursive, with the first name being the most prominent.

Karene M. Hall
Permit Coordinator