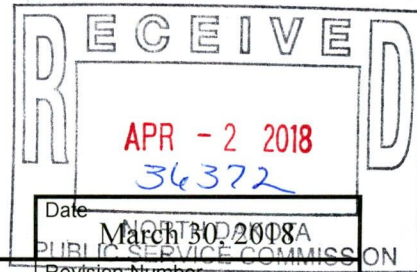




**APPLICATION FOR REVISION OF PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION OPERATIONS**  
 PUBLIC SERVICE COMMISSION  
 RECLAMATION DIVISION  
 SFN 10562 (1-2004)



Name of Company, Corporation, Partnership, or Individual The Falkirk Mining Company	Permit Number NAFK-8705	Revision Number 38	
Address 2801 1st Street SW	City Underwood	State ND	Zip Code 58576

The above named hereby makes application for the above Revision Number to: (include a brief description of the surface coal mining and reclamation operation being revised.)

This revision contains updated reclamation plans, a detailed plan for a mining pit cessation & a contingency reclamation plan for the former special waste landfill (ash disposal pit) & surrounding lands in the S1/2S1/2S1/2 of Section 23 & the N1/2 of Section 26 T146N, R83W. Also updated the introductory, legal, financial, compliance information, environmental resource information, operation plans & reclamation plans.

Attached to this Permit Revision Application are a narrative describing the proposed permit revision, reasons for requesting the revision, and appropriate maps, cross-sections, graphs, construction details, revised reclamation plans and other data which demonstrate compliance with Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and the permit conditions of the approved permit. If an incidental boundary revision involving an acreage adjustment is being requested as part of the permit revision application, the following information shall be included (attach a copy of a metes and bounds description):

NAME OF MINE	ACRES	LOCATION			
		SEC.	TWP.	RANGE	COUNTY
Falkirk Mine	-0-				
ADDRESS					
2801 1st Street SW					
Underwood, ND 58576					
<b>TOTAL ACRES</b>	<b>-0-</b>				

Based upon the proposed changes and any incidental boundary revisions to the permit as stated herein, a new or adjusted bond, or its equivalent, duly executed in accordance with Section 38-14.1-16 of the North Dakota Century Code and Chapter 69-05.2-12 of the North Dakota Administrative Code will be delivered to the Public Service Commission prior to issuance of the surface coal mining and reclamation operations permit herein requested. A check for filing fees, pursuant to Section 38-14.1-13 of the North Dakota Century Code, in the amount of \$           -0-          , is included with the revision application.

Name of Official Authorized to Represent the Applicant  
 Jason Frye, Environmental Specialist

- I, the above named, certify that:
1. All information and documents required by Sections 38-14.1-13, 38-14.1-14, and 38-14.1-15 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, are submitted as part of this permit application;
  2. Information and documentation contained in the permit application affirmatively demonstrate that:
    - a. The permit revision application is accurate and complete and all the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code have been complied with;
    - b. Reclamation as required by Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code can be accomplished under the reclamation plan contained in this permit revision application;

