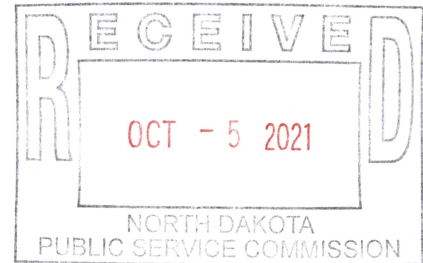


**North American**  
**COAL**

**FALKIRK MINE**

October 4, 2021



Mr. Dean K. Moos  
Reclamation Director  
ND State Public Service Commission  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505

**RE: Affidavit of Publication for Final Bond Release 3, NAFK-8405**

Dear Mr. Moos:

Please find enclosed copies of the Affidavit of Publication for the Final Bond Release 3, to Falkirk's Mining Permit NAFK-8405. The publication was published for four (4) consecutive weeks in the McLean County Independent and the Bismarck Tribune on September 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup>, and 23<sup>rd</sup>, 2021.

If you have any questions or comments, please contact me at 250-2420.

Sincerely,

**THE FALKIRK MINING COMPANY**

A handwritten signature in blue ink that reads "Tara Voigt".

Tara Voigt  
Executive Assistant II

TV  
Attachments

\*\*\* Proof of Publication \*\*\*

State of North Dakota )  
 ) SS:  
County of Burleigh )

Before me, a Notary Public for the State of North Dakota personally appeared Judy Keller who being duly sworn, deposes and says that he (she) is the Clerk of Bismarck Tribune Co., and that the publication(s) were made through the

Bismarck Tribune on the following dates:

9/2, 9/16 & 23 2021

Signed Judy Keller

THE FALKIRK MINING COMPANY

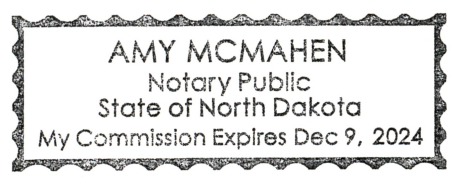
2801 1ST ST SW PO BOX 1087  
UNDERWOOD, ND 58576

ORDER NUMBER 33799

Sworn and subscribed to before me this 24<sup>th</sup> day of

September 20 21

Amy McMahon  
Notary Public in and for the State of North Dakota



Section: Legals

Category: 5380 Public Notices

PUBLISHED ON: 09/02/2021, 09/09/2021, 09/16/2021, 09/23/2021

TOTAL AD COST: 1728.88

FILED ON: 9/24/2021

**NOTICE OF FILING FOR FINAL RELEASE OF RECLAMATION BOND**

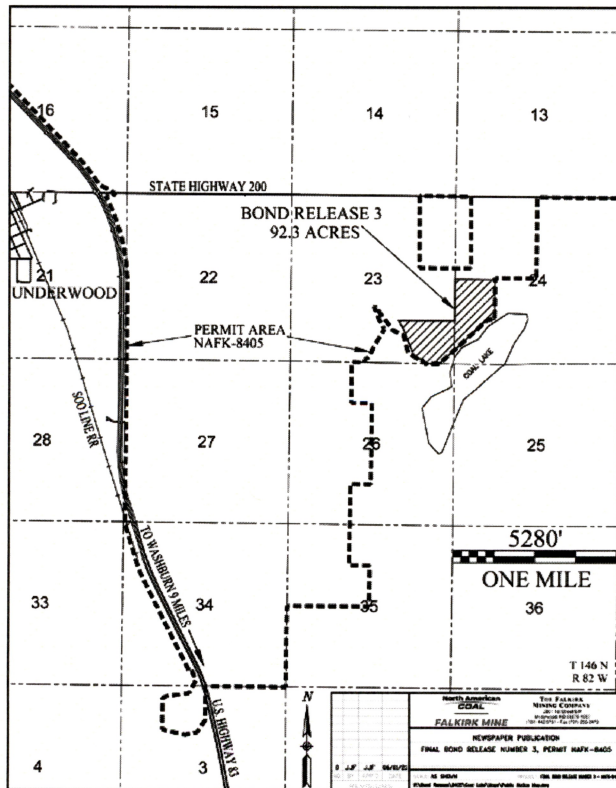
The Falkirk Mining Company, 2801 1st Street S.W., P.O. Box 1087, Underwood, North Dakota, 58576, as applicant, has this 1st day of June, 2021 filed for final bond release for completion of reclamation work on the following tract of land. Bond Release Number 3 to Permit NAFK-8405 consists of 92.3 acres of land in Sections 23 and 24, T146N, R82W, of McLean County (see attached map).

On September 18, 2014, Falkirk entered into a warranty deed with the State of North Dakota by and through North Dakota Department of Transportation (NDDOT). This agreement facilitated the transfer of some 729.4 acres of land surrounding Coal Lake in McLean County, North Dakota to the NDDOT for the purpose of establishing the Coal Lake Wildlife Management Area (CLWMA) on those lands. The CLWMA is open to public recreational use and completes the mitigation for the elimination of all no-mow/managed mow acres in the highway rights of way of the State Highway System in McLean County. Bond Release Number 3 includes all 92.3 acres of land within the CLWMA.

Bond Release Number 3 is located in Falkirk's approved state mining Permit NAFK-8405. The North Dakota Public Service Commission approved Permit NAFK-8405 on April 15, 1986. Permit NAFK-8405 is currently part of a consolidated bond (including permits NAFK-8705 and NAFK-9503) in the amount of \$99,450,000. Falkirk calculated a worst case bond in Revision 31 to NAFK-9503 in the amount of \$99,407,482. Falkirk is not requesting a bond reduction for Permit NAFK-8405. Falkirk is requesting bond release stages I-IV for the completion of all surface coal mining and reclamation operations on 22.3 acres, the remaining 70.0 acres are undisturbed. Mining and/or mining disturbance was initiated in 1994 and completed in 2018. Approximately 24% of the area was disturbed by mining (or used for spoil placement) or associated disturbances (stockpiles, pond, diversion and access trail). The approved post-mining land use is recreational and has been managed in accordance with the approved reclamation plan. The post-mining land uses that have been reclaimed include native grassland, cropland and industrial/commercial abandoned mine land. Final grading to post-mining contour was completed 2009. SPGM respread and initial seeding was completed in 1995, 1997, 2015 and 2018.

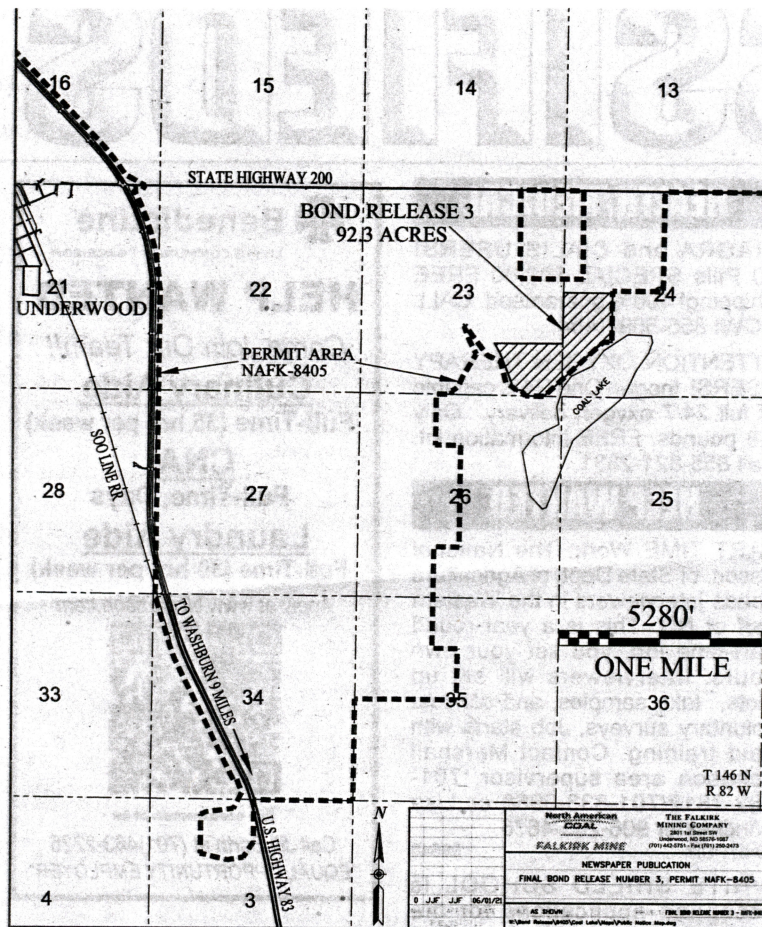
Written comments, objections, or requests for a public hearing or informal conference regarding this final bond release request may be submitted by any person with an interest which is or may be affected by release of the bond to the North Dakota Public Service Commission, Capitol Building, 600 East Boulevard Avenue, Bismarck, North Dakota, 58505, within 30 days after the last publication of this notice. Any request for an informal conference or hearing should be made in writing to the Commission and the request should include the issues or objections that an affected party has regarding this bond release.

THE FALKIRK MINING COMPANY  
 2801 1st Street S.W.  
 P.O. Box 1087  
 Underwood, North Dakota 58576-1087



9/2. 9. 16 & 23 - 33799





## Public notice of final reclamation bond

### NOTICE OF FILING FOR FINAL RELEASE OF RECLAMATION BOND

The Falkirk Mining Company, 2801 1st Street S.W., P.O. Box 1087, Underwood, North Dakota, 58576, as applicant, has this 1st day of June, 2021 filed for final bond release for completion of reclamation work on the following tract of land. Bond Release Number 3 to Permit NAFK-8405 consists of 92.3 acres of land in Sections 23 and 24, T146N, R82W, of McLean County (see attached map).

On September 18, 2014, Falkirk entered into a warranty deed with the State of North Dakota by and through North Dakota Department of Transportation (NDDOT). This agreement facilitated the transfer of some 729.4 acres of land surrounding Coal Lake in McLean County, North Dakota to the NDDOT for the purpose of establishing the Coal Lake Wildlife Management Area (CLWMA) on those lands. The CLWMA is open to public recreational use and completes the mitigation for the elimination of all no-mow/managed mow acres in the highway rights of way of the State Highway System in McLean County. Bond Release Number 3 includes all 92.3 acres of land within the CLWMA.

Bond Release Number 3 is located in Falkirk's approved state mining Permit NAFK-8405. The North Dakota Public Service Commission approved Permit NAFK-8405 on April 15, 1986. Permit NAFK-8405 is currently part of a consolidated bond (including permits NAFK-8705 and NAFK-9503) in the amount of \$99,450,000. Falkirk calculated a worst case bond in Revision 31 to NAFK-9503 in the amount of \$99,407,482. Falkirk is not requesting a bond reduction for Permit NAFK-8405. Falkirk is requesting bond release stages I-IV for the completion of all surface coal mining and reclamation operations on 22.3 acres, the remaining 70.0 acres are undisturbed. Mining and/or mining disturbance was initiated in 1994 and completed in 2018. Approximately 24% of the area was disturbed by mining (or used for spoil placement) or associated disturbances (stockpiles, pond, diversion and access trail). The approved post-mining land use is recreational and has been managed in accordance with the approved reclamation plan. The post-mining land uses that have been reclaimed include native grassland, cropland and industrial/commercial abandoned mine land. Final grading to post-mining contour was completed 2009. SPGM respread and initial seeding was completed in 1995, 1997, 2015 and 2018.

Written comments, objections, or requests for a public hearing or informal conference regarding this final bond release request may be submitted by any person with an interest which is or may be affected by release of the bond to the North Dakota Public Service Commission, Capitol Building, 600 East Boulevard Avenue, Bismarck, North Dakota, 58505, within 30 days after the last publication of this notice. Any request for an informal conference or hearing should be made in writing to the Commission and the request should include the issues or objections that an affected party has regarding this bond release.

THE FALKIRK MINING COMPANY  
 2801 1st Street S.W.  
 P.O. Box 1087  
 Underwood, North Dakota 58576-1087

(Sept. 2, 9, 16, 23, 2021)