

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Falkirk Mining Company  
Revision 34, Permit NAFK-9503  
Application

Case No. RC-23-65

REVISION OF PERMIT TO ENGAGE IN  
SURFACE COAL MINING AND RECLAMATION OPERATIONS

March 29, 2023

Based on the application for **Revision Number 34 to Permit Number NAFK-9503 received February 3, 2023**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted February 3, 2023, is complete and accurate and the applicant has complied with the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code;
2. The 9.4 acres being deleted from the permit as part of this revision have not been affected by the applicant. An inspection of this area was conducted by Commission staff to verify that these lands were not disturbed by the Falkirk Mining Company and;
3. The Commission's findings that were made when the permit was issued remain applicable to the revised operation and reclamation plans.

**Revision Number 34 to Permit Number NAFK-9503 is hereby granted to the Falkirk Mining Company to delete 9.4 acres located in the SE¼ of Section 7, T145N, R82W, McLean County, that were not affected by surface coal mining and reclamation operations as described in the permit revision application received February 3, 2023.**

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and any additional or revised permit conditions listed on SFN-10562. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be an insignificant alteration to the previously approved permit. (Attached is a copy of the metes and bounds description of land being deleted in the permit area.)

LOCATION

MINE	ADDRESS	ACRES	Sec.	Twp.	Range	County
Falkirk	Underwood, ND	-9.4	7	145N	82W	McLean

-9.4 acres - Total Area Deleted

PUBLIC SERVICE COMMISSION

  
Sheri Haugen-Hoffart  
Commissioner

  
Randy Christmann  
Chairman

  
Julie Fedorchak  
Commissioner

Falkirk Mine\Permits\NAFK - 9503\Revisions\No. 34\Rev34\_apprvl\_award\_3-29-23

**Permit NAFK-9503 Revision No. 34 Metes & Bounds of Deleted Acres:**

A tract of land being the southeast 1/4 of Section 7, T145N, R82W, 5th P.M., McLean County, North Dakota, described as follows:

Commencing at the southeast corner of said Section 7;  
thence N 00°27'44" E a distance of 410.33 feet on the east line of said Section to the point of beginning; thence N 89°32'16" W a distance of 600.00 feet; thence N 00°27'44" E a distance of 680.00 feet; thence S 89°32'16" E a distance of 600.00 feet to the east line of said Section; thence S 00°27'44" W a distance of 680.00 feet to the Point of Beginning.

Said tract contains 9.4 acres as shown on this plat.

All bearings and distances are based on the North Dakota State Plane Coordinate System, North Zone, 1927 Datum.