

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Falkirk Mining Company**  
**Bond Release 7, Permit NAFK-9601**  
**Application**

**Case No. RC-25-247**

**RELEASE OF BOND**  
**FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS**

**April 29, 2026**

Based on the application for **Bond Release Number 7 for Surface Coal Mining Permit NAFK-9601**, dated September 4, 2025, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. Attached to the application for release of bond were copies of all letters sent by the Permittee as required by NDCC §38.14.1-17(1)(b). Affidavits of publication for the advertisement required by NDCC §38.14.1-17(1)(a) have been filed and have been made part of the application for release of bond. The last date of publication was November 13, 2025.
2. On November 6, 2025, the Commission conducted an inspection and evaluation of the reclamation work involved in this bond release as required by NDCC §38.14.1-17(3). The surface owners, agents, or lessees were given notice of the bond release inspection and had the opportunity to participate with the Commission in conducting the inspection of the bond release areas at the Falkirk Mine.

In accordance with NDCC §38.14.1-17, Bond Release 7 for Surface Coal Mining Permit NAFK-9601 is hereby granted to the Falkirk Mining Company effective May 29, 2026, unless a formal hearing is requested. Release in the amount of \$421,656.47 is approved. The area is described by metes and bounds descriptions and generally as follows:

**A portion of the NE¼ of Section 25 and the SE¼ of Section 36, T146N, R82W and a portion of the SW¼ of Section 31, T146N, R81W, McLean County, releasing all reclamation liabilities on 285.28 acres.**

The decision to release all of the bond on this acreage is made for the following reasons:

The Falkirk Mining Company has met the requirements of the reclamation law and rules administered by the Commission for successfully reclaiming approximately 189.57 acres of cropland, 12.76 acres of native grassland, 22.65 acres of seasonal wetland, 0.40 acres of temporary wetland, 1.12 acres of grass waterways, and 3.09 acres of section line right-of-way roads. The bond release application contains approximately 55.69 acres of land that were not disturbed by mining and reclamation

activities. The vegetation success standards and all other applicable performance standards have been met to the satisfaction of the Commission.

**IMPORTANT – PLEASE READ**

1. If bond release has been approved, actual release of bond shall not occur until the effective date of this decision. If a formal hearing is requested on this bond release decision by a person with a valid legal interest or by the head of any state or local government agency with appropriate jurisdiction, the actual release of bond may not occur until after a final decision is issued following the formal hearing. A request for formal hearing by any such person must be filed with the Public Service Commission within 30 days of this bond release decision.
2. If bond release has been disapproved or if you are unsatisfied with the amount of bond approved for release, you have the right to request a formal hearing regarding this decision by filing an application for a hearing with the Public Service Commission within 30 days of the date of this decision.

**PUBLIC SERVICE COMMISSION**

  
**Sheri Haugen-Hoffart**  
**Commissioner**

**Commissioner**

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**NAFK-9601**  
**Final Bond Release 7**

**Metes and Bounds Description**

**MINING BOND RELEASE SUBTRACT #7A**

A tract of land for MINING BOND RELEASE in Section 25, Township 146 North; Range 82 West of the Fifth Principal Meridian, McLean County, North Dakota.

Being further described as follows:

Beginning at the east 1/4 corner of said Section 25, T146N, R82W;  
thence N 89°50'51" W a distance of 2640.52 feet to the center 1/4 corner of said Section;  
thence N 00°27'41" E a distance of 1065.38 feet on the north-south 1/4 line of said Section;  
thence N 89°59'41" E a distance of 657.00 feet;  
thence N 00°00'09" E a distance of 228.02 feet;  
thence N 25°54'19" W a distance of 720.55 feet;  
thence N 89°59'48" E a distance of 2303.08 feet to the east line of said Section;  
thence S 00°23'33" W a distance of 1948.79 feet to the Point of Beginning.

Said tract contains 107.06 acres.

The Basis of Bearings is the North Dakota State Plane Coordinate System, North Zone; 1927 Datum.

**MINING BOND RELEASE SUBTRACT #7B**

A tract of land for MINING BOND RELEASE in Section 36, Township 146 North; Range 82 West of the Fifth Principal Meridian, McLean County, North Dakota.

Being further described as follows:

Beginning at the southeast corner of said Section 36, T146N, R82W;  
thence N 00°34'37" E a distance of 1322.80 feet to the E1/16SE corner of said Section;  
thence N 00°34'37" E a distance of 1322.80 feet to the east 1/4 corner of said Section;  
thence N 89°38'07" W a distance of 2648.04 feet to the center 1/4 corner of said Section;  
thence S 00°29'15" W a distance of 2642.01 feet to the south 1/4 corner of said Section;  
thence S 89°33'28" E a distance of 2643.91 feet to the Point of Beginning.

Said tract contains 160.57 acres.

The Basis of Bearings is the North Dakota State Plane Coordinate System, North Zone; 1927 Datum.

**MINING BOND RELEASE SUBTRACT #7C**

A tract of land for MINING BOND RELEASE in Section 31, Township 146 North; Range 81 West of the Fifth Principal Meridian, McLean County, North Dakota.

Being further described as follows:

Commencing at the southwest corner of said Section 31, T146N, R81W;  
thence N 00°34'37" E a distance of 1322.80 feet to the W1/16SW corner of said Section,  
which is also the Point of Beginning;  
thence N 00°34'37" E a distance of 1322.80 feet to the west 1/4 corner of said Section;  
thence S 89°34'48" E a distance of 584.26 feet on the east-west 1/4 line of said Section;  
thence S 00°50'25" W a distance of 1322.68 feet;  
thence N 89°35'43" W a distance of 578.18 feet to the Point of Beginning.

Said tract contains 17.65 acres.

The Basis of Bearings is the North Dakota State Plane Coordinate System, North Zone; 1927 Datum.