



Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Michael J. Linder
Director

Suite 400, The Atrium
1200 'N' Street
P.O. Box 98922
Lincoln, Nebraska 68509-8922
Phone (402) 471-2186
FAX (402) 471-2909
website: www.deq.state.ne.us

DEC 18 2009

Mr. Tom Young
Crow Butte Resources, Inc.
141 Union Boulevard, Suite 330
Lakewood, Colorado 80228

Dear Mr. Young:

On December 16, 2009 the Nebraska Department of Environmental Quality received an amendment to the Irrevocable Standby Letter of Credit [REDACTED] from the Bank of Montreal on behalf of Crow Butte Resources, Inc. for the amount of \$28,902,051.00 USD. The Standby Letter of Credit was deemed sufficient to cover costs associated with plugging and abandonment, and decommissioning the facility as required by the UIC Permit NE0122611.

The Department has reviewed the Irrevocable Standby Letter of Credit No. [REDACTED] and found it to be acceptable and compliant with the requirements of Title 122 *Rules and Regulations for Underground Injection and Mineral Production Wells*, Chapter 13. The Department hereby approves the Irrevocable Standby Letter of Credit with the Bank of Montreal, Chicago, Illinois on behalf of Crow Butte Resources, Inc.

If you have any questions concerning this matter, please contact Jennifer Abrahamson of my staff at (402) 471-4290.

Sincerely,

Michael J. Linder
Director

ML/jla
C:/MyDocuments/CBR/Surety/Surety2010/LOC_BMOamendment1.doc

Cc: Dave Carlson, NDEQ
Jim Stokey, CBR
Ron Burrows, US NRC – Fuel Cycle Licensing Branch Mail Stop T8-F5 Washington, D.C. 20555-0001
Tom Lancaster, US NRC – Fuel Cycle Licensing Branch Mail Stop T8-F5 Washington, D.C. 20555-0001