Nakota Energy LLC
4905 Whitner Drive
Wilmington NC 28409
910-794-8289
psutton@kdpenergyfunds.com

RECEIVED
OCT 2 2 2010
DEPT OF ENVIRONMENT & NATURAL RESOURCES - RAPID CITY

October 20, 2010

By UPS

Fred V. Steece
Supervisor
Oil & Gas Section
Dept of the Environment and Natural Resources
2050 West Main, Suite #1
Rapid City SD 57702-2493

Tel: 605-394-2229
Fax: 605-394-5317
fred.steece@state.sd.us

Re: Case No. 17-2010

Dear Mr. Steece:

Please find enclosed herewith AFFIDAVIT OF SERVICE BY MAIL, certified mail return receipts, and returned envelopes in regard to the captioned matter.

I trust you will call if you have a question or an explanation is required.

Yours truly,

W.J. Sutton.

W.J. Sutton
Managing Member

STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
BOARD OF MINERALS AND ENVIRONMENT

IN THE MATTER OF THE APPLICATION OF NAKOTA ENERGY LLC, LITTLETON COLORADO, FOR AN ORDER TO ESTABLISH A FIELD FOR THE PRODUCTION OF OIL AND GAS CONSISTING OF ALL OF SECTION 14 AND THE NORTH HALF OF SECTION 23, TOWNSHIP 6 NORTH, RANGE 5 EAST, MEADE COUNTY, SOUTH DAKOTA, WITH SPACING OF ONE WELL PER 40-ACRE TRACT, EACH WELL TO BE LOCATED NOT CLOSER THAN 500 FEET FROM THE SPACING UNIT BOUNDARY, AND NOT CLOSER THAN 1,000 FEET TO THE NEAREST WELL DRILLED TO OR PRODUCING FROM THE STRATIGRAPHIC INTERVAL DESCRIBED AS FROM THE TOP OF THE SUNDNANCE TO THE BASE OF THE MINNELUSA FORMATIONS.

CASE NO. 17-2010

RECEIVED
OCT 22 2010
DEPT OF ENVIRONMENT & NATURAL RESOURCES - RAPID CITY

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NORTH CAROLINA)
) ss.
COUNTY OF NEW HANOVER)

Walter J. Sutton, being first duly sworn, deposes and says that on the 8th day of October, 2010, he served the attached:

PETITION AND APPLICATION OF NAKOTA ENERGY LLC and NOTICE OF HEARING

by placing a true and correct copy thereof in an envelope addressed as follows:

See attached Exhibit A

and depositing the same, with postage prepaid, certified mail, return receipt requested, in the United States mail at Wilmington, North Carolina.

W. J. Sutton

Subscribed and sworn to before me this 20th day of October, 2010.

SATISH SHAH NOTARY PUBLIC NEW HANOVER CO., NC

Satish Shah
Notary Public
New Hanover County, North Carolina
My Commission expires: 9-1-2014.

Exhibit A October 20, 2010

Barbara L. Aker
20745 Storey Lane
Sturgis SD 57785

Thad D. Olson
20160 Bear Butte Road
Whitewood SD 57793

Fred R. Riley
20148 Bear Butte Road
Whitewood SD 57793

Johna K. Rovere
PO Box 608
Sturgis SD 57785

Scott K. Rovere
PO Box 61
Sturgis SD 57785

Mark A. Norstegaard
PO Box 923
Sturgis SD 57785

Steven C. Neuverth
4378 Country Rd 29
Kennard NE 68034

Raymond Traub
63 Bayhorse Creek Road
Broadus MT 59317

Todd J. Loftus
866 Lazelle Street
Sturgis SD 57785

Kenton K. Kreutz
1147 4th Street
Sturgis SD 57785

Jack H. Seymour
1321 Davenport Street
Sturgis SD 57785