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OCT 28 2010
DEPT OF ENVIRONMENT & NATURAL RESOURCES - RAPID CITY

Capital Journal

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Hughes

Ona Arnold of said county, being, first duly sworn, on oath, says: That he/she is the publisher or an employee of the publisher of the Capital Journal, a daily newspaper published in the City of Pierre in said County of Hughes and State of South Dakota; that he/she has full and personal knowledge of the facts herein stated, that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive, that said newspaper has been published within the said County of Hughes and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the legal/display advertisement headed Notice of Hearing Case 17-2010

a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for two successive week(s) to wit:

October 6	2010		20
October 13	2010		20
	20		20
	20		20
	20		20

That the full amount of the fee charged for the publication of the attached public notice inures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are: $ 82.66.

Signed: Ona Arnold

subscribed and sworn to before me this 26 day of October 2010

Mary L. Baker

Notary Public in and for the County of Hughes, South Dakota.
My Commission expires 2-19, 2015.

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OCT 2 1 2010

DEPT OF ENVIRONMENT & NATURAL RESOURCES - RAPID CITY

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF MEADE

Pam Buhler, being duly sworn, says: That the Meade County Times Tribune i during all times hereinafter mentioned, is a legal newspaper as defined in SDC as amended, published in Sturgis, Meade County, South Dakota, by Lee Enter affidavit is and during all of said times, is employed as an Office Manager by publisher of such newspaper and has personal knowledge of the facts stated in affidavit, that the notice, order or advertisement, a printed copy which is attacl published in said newspaper for successive issues, bearing the following dates:

Oct 13	2010		201___
Oct 20	2010		201___
	201___		201___
	201___		201___
	201___		201___

that the full amount of the fee charged for publishing the same, to-wit, the sum $ 65.48, insures solely to the benefit of the publisher of said newspaper: agreement or understanding for the division of the fee has been made with any and that no part of the fee has been agreed to be paid to any other person.

Pam Buhler

Subscribed and sworn to before me this

19th day of Oct. 2010

Brice Rock

Notary Public, South Dakota
My Comm. Expires: My Commission Expires February 1, 2011

SEAL BRICE ROCK NOTARY PUBLIC State of South Dakota SEAL

Account No. # 20514575 # 20514579

Total Amount $ 65.48

NOTICE OF HEARING

CASE NO. 17-2010

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 SUNDANCE TO THE BASE OF THE MINNELUSA FORMATIONS.

Notice is hereby given that the Board of Minerals and Environment will hold a contested case hearing on the above described matter on Thursday, November 18, 2010, at 10:15 a.m. CST in the Matthew Environmental Education and Training Center, 523 East Capitol Avenue, Pierre, SD 57501. The case involves oil and gas interests in the following land: all of Section 14 and the north half of Section 23, Township 6 North, Range 5 East, Meade County, South Dakota.

The board has jurisdiction and legal authority to issue orders for the development of the oil and gas resources of the state pursuant to South Dakota Codified Laws (SDCL) Chapter 45-9 and Chapter 1-26 and further pursuant to Administrative Rules of South Dakota (ARSD) 74:09 and 74:10. The hearing is an adversary proceeding and any

The applicant's application and notice of hearing are also posted on the department's website at: http://denr.sd.gov/des/og/oghome.aspx. Additional information about this petition is available from Fred V. Steece, Oil and Gas Supervisor, Department of Environment and Natural Resources, 2050 West Main Street, Suite #1, Rapid City, SD 57702, telephone 605.394.2229, email fred.steece@state.sd.us.

Dated: September 23, 2010

/s/ Steven M. Pirner, Secretary

Published twice at the total approximate cost of $65.48.

Published Wed., Oct. 13 and Wed., Oct. 20, 2010
Meade County Times Tribune

Oct. 6, 13 L20514977

NOTICE OF HEARING
STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT
& NATURAL RESOURCES

CASE NO. 17-2010

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If the amount in controversy exceeds two thousand five hundred dollars or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17.

Any person who wishes to intervene in this proceeding as a party must file a petition to intervene pursuant to ARSD 74:09:01:04 on or before November 2, 2010.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Environment and Natural Resources at least 48 hours before the public hearing if you have a disability for which special arrangements must be made at the hearing by calling the telephone number listed below.

The applicant's application and notice of hearing are also posted on the department's website at: *http://denr.sd.gov/des/og/oghome.aspx*. Additional information about this petition is available from Fred V. Steece, Oil and Gas Supervisor, Department of Environment and Natural Resources, 2050 West Main Street, Suite #1, Rapid City, SD 57702, telephone (605) 394-2229, email *fred.steece@state.sd.us*.

Dated: September 23, 2010

/s/ Steven M. Pirner
Secretary

(Published twice at the total approximate cost of $151.96.)

Affidavit of Publication

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OCT 27 2010
DEPT OF ENVIRONMENT & NATURAL RESOURCES - RAPID CITY

STATE OF SOUTH DAKOTA
County of Pennington

SS

Patricia K. Van Patten, *being first duly sworn, upon her oath says: That she is now and was at all times hereinafter mentioned, an employee of the RAPID CITY JOURNAL COMPANY, a corporation, of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said RAPID CITY JOURNAL, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each* week *for* two *successive* weeks, *the first publication thereof being on the* sixth *day of* October, 2010, *that the fees charged for the publication thereof are* One hundred fifty-one *Dollars and* ninety-six *cents.*

Patricia K. Van Patten

Subscribed and sworn to before me this 13th *day of* October, 2010.

Kathy L. Graff
Notary public.

April 29, 2016
My commission expires

KATHY L. GRAFF
NOTARY
SEAL
PUBLIC
STATE OF SOUTH DAKOTA