DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES
Minerals & Mining Program
Oil & Gas Office
2050 West Main Street, Suite #1
Rapid City, SD 57702-2493
Telephone: 605-394-2229
Fax: 605-394-5317

October 4, 2010

W.J. Sutton
Nakota Energy LLC
4905 Whitner Drive
Wilmington, North Carolina 28409

Dear Mr. Sutton:

Enclosed is a copy of the notice of hearing for your application, Case No. 17-2010, in Meade County, South Dakota. The notice of hearing has been sent to the following newspapers for publication two times on or before October 13, 2010: Rapid City Journal, Capital Journal (Pierre), and the Meade County Times-Tribune (Sturgis).

The purpose of this letter is to advise you that it is your responsibility to serve notice on those persons "....whose property may be affected..." as specified in South Dakota Codified Laws 45-9-58.

Please file with this office the following:

1. Affidavit of Notification
2. Certified mail return receipts – at least 10 days prior to the intervention date
3. A list of persons notified

Thank you for your cooperation.

Sincerely,

Fred V. Steece
Oil and Gas Supervisor

Enclosure