

Correction: This Order for Continuance incorrectly lists O&G Case No. 2-2015 in the caption box. The Order pertains to the Enforcement Hearing regarding O&G Permit No. 2026, not Case No. 2-2015. Apart from the incorrect case number, the Order is correct, and grants approval for continuance of the Enforcement Hearing originally scheduled for November 17, 2016.

STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES

BOARD OF MINERALS AND ENVIRONMENT

IN THE MATTER OF
QUARTZ OPERATIONS, LLC.
NORTHERN POINTS 1 WELL; DENR
PETITION TO REVOKE PERMIT AND
PETITION TO FORFEIT SURETY

(O & G Permit No. 2026)

O&G Case No. 2-2015

**ORDER FOR CONTINUANCE
OF HEARING**

Presently this matter is pending before the Board of Minerals and Environment and Robert L. Morris, appointed Hearing Chair. A hearing is scheduled for November 17, 2016.

Quartz Operations, LLC, by and through its counsel, has submitted a Motion for Continuance of the November 17, 2016 hearing due to a scheduling conflict and has requested that the hearing be continued to January 19, 2017. Parties of record have indicated that they have no objection to the Motion for Continuance.

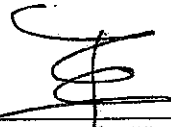
The Hearing Chair, after being fully advised in the premises, and good cause shown, it is therefore:

ORDERED that the Motion for Continuance is **GRANTED**; and its further

ORDERED that the hearing in this matter is rescheduled for January 19, 2017 at 10:15 am CST; and it is further

ORDERED that Counsel for the Department of Natural Resources (DENR) is requested to issue and serve an Amended Notice of Enforcement Hearing on all Parties of Record, according to the applicable statutory law and applicable administrative regulations.

Dated this 17th day of November, 2016.



Robert L. Morris, Hearing Chair
Board of Minerals and Environment



600 South Main Ave, Ste 102 | PO Box 964 | Sioux Falls, SD 57101-0964
Phone 605 | 334 | 0005 Fax 605 | 334 | 4814
E-Mail: mark@hwalaw.com

November 3, 2016

Bob Morris
P.O. Box 370
704 7th Ave., 2nd Floor, Suite 2
Belle Fourche, SD 57717

**Re: In The Matter Of Quartz Operations, LLC, Northern Points 1 Well; DENR Petition
to Revoke Permit and Petition to Forfeit Surety (O & G Permit No. 2026)
O&G Case No. 2-2015**

Dear Mr. Morris:

Enclosed please find a Motion for Continuance of Hearing. Per the Certificate of Service, a true and correct copy of the Motion is being provided to all parties. Thank you.

Best regards,

HAGEN, WILKA & ARCHER, LLP



Mark A. Ekse

MAE:ch

Enclosure

cc: Brenda Binegar (w/encl.)
Steven R. Blair/Ellie Bailey (w/encl.)
Rex Hagg (w/encl.)
Charles D. McGuigan (w/encl.)
Tom Brady (w/encl.)
Craig Perry (w/encl.)

**STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES**

BOARD OF MINERALS AND ENVIRONMENT

IN THE MATTER OF

QUARTZ OPERATIONS, LLC.
NORTHERN POINTS 1 WELL; DENR
PETITION TO REVOKE PERMIT AND
PETITION TO FORFEIT SURETY

(O & G Permit No. 2026)

O&G Case No. 2-2015

**MOTION FOR CONTINUANCE
OF HEARING**

Comes now Quartz Operations, LLC (“Quartz Operations”), by and through its attorney of record, Mark A. Ekse, Hagen, Wilka & Archer, LLP, and respectfully moves the Department of Environmental and Natural Resources Board of Minerals and Environment to continue the hearing scheduled for November 17, 2016, to January 19, 2017, due to a scheduling conflict.

Dated this 3 day of November, 2016, at Sioux Falls, South Dakota.

HAGEN, WILKA & ARCHER, LLP

By



Mark A. Ekse
600 S. Main Avenue, Suite 102
P.O. Box 964
Sioux Falls, SD 57101-0964
(605) 334-0005
Attorneys for Quartz Operations, LLC

CERTIFICATE OF SERVICE

The undersigned, attorney for Quartz Operations, LLC, above named, hereby certifies that a true and correct copy of **Motion For Continuance of Hearing** was served by mail, first-class postage prepaid, upon:

Bob Morris
P.O. Box 370
704 7th Ave., 2nd Floor, Suite 2
Belle Fourche, SD 57717

Charles D. McGuigan
Chief Deputy Attorney General
1302 East Highway 14, Suite 1
Pierre, SD 57501


Steven R. Blair
Ellie Bailey
Assistant Attorneys General
1302 East Highway 14, Suite 1
Pierre, SD 57501-8501

Tom Brady
Lynn, Jackson, Shultz & Lebrun
135 East Colorado Blvd.
P.O. Box 8250
Spearfish, SD 57783

Rex Hagg
S.D. Board of Minerals and Environment
P.O. Box 8008
Rapid City, SD 57709

Craig Perry
Craig K. Perry & Associates
8010 W. Sahara Avenue, Suite 260
Las Vegas, NV 89117

on this 3 day of November, 2016.



Mark A. Ekse