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MARTY J. JACKLEY
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September 7, 2018

SENT VIA CERTIFIED MAIL & E-MAIL

March Kimmel
Spyglass Cedar Creek, LP
110 Broadway, Suite 215
San Antonio, TX 78205
mkimmel@xanthuscapital.com

Tim Granger
Prosperity Bank
401 Main Plaza
New Braunfels, TX 78310
Timothy.Granger@prosperitybankusa.com

James E. Davis-McCutcheon
Tuggey McCutcheon, LLP
1122 Colorado, Suite 1202
Austin, TX 78701
jmccutcheon@icloud.com

Re: *In the Matter of Spyglass Cedar Creek, LP's Violations of SDCL Chapter 45-9 and ARSD Article 74:12*

Gentlemen:

Enclosed please find a copy of the signed Order Appointing Hearing Chair and Certificate of Service.

If you have any questions or concerns, please feel free to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard M. Williams", written over a horizontal line.

Richard M. Williams
Deputy Attorney General

*Counsel for Department of Environment
And Natural Resources*

RMW/jm
Enclosures

Cc: Brenda Binengar
Lucy Dahl

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

IN THE MATTER OF)	
SPYGLASS CEDAR CREEK, LP'S)	ORDER APPOINTING HEARING
VIOLATIONS OF)	CHAIR.
SDCL CHAPTER 45-9 AND)	
ARSD ARTICLE 74:12)	

TO: ALL PARTIES OF RECORD:

In accordance with ARSD § 74:09:01:08, Rexford A. Hagg has been appointed as Hearing Chair in the above entitled matter. Mr. Hagg's address and contact information are as follows:

PO Box 8008
Rapid City, South Dakota 57709
(605) 348-1125
rex.hagg@amatteroflaw.com

The Hearing Chair is responsible for conducting any prehearing conference and for conducting the hearing before the Board. The Hearing Chair may rule on all prehearing motions. Any prehearing decision made by the Hearing Chair is a final decision of the Board unless the Board overrules said decision.

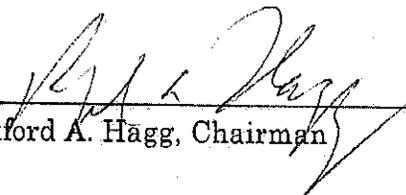
A prehearing conference, as set forth in ARSD § 74:09:01:10, may be scheduled upon the motion of a Party.

In accordance with ARSD § 74:09:01:07, the original of all pleadings, motions, and other documents filed in this contested case proceeding shall be filed with Brenda Binigar, Secretary of the Board, Department of Environment & Natural

Resources, 523 E. Capitol Ave., Pierre, SD 57501-3182. A copy of all pleadings, motions, and other documents filed in this matter shall be served upon the Hearing Chair at the address noted above and shall also be served upon all parties of record.

Dated this 6th day of September 2018.

BOARD OF MINERALS & ENVIRONMENT



Rexford A. Hagg, Chairman

STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

BOARD OF MINERALS AND ENVIRONMENT

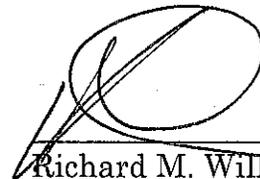
IN THE MATTER OF)
SPYGLASS CEDAR CREEK, LP'S) CERTIFICATE OF SERVICE
VIOLATIONS OF)
SDCL CHAPTER 45-9 AND)
ARSD ARTICLE 74:12)

The undersign hereby certifies that on September 7, 2018, a true and correct copy of the signed Order Appointing Hearing Chair was sent by U.S. certified mail upon:

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Richard M. Williams
Deputy Attorney General