

STATE OF SOUTH DAKOTA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

BOARD OF MINERALS AND ENVIRONMENT

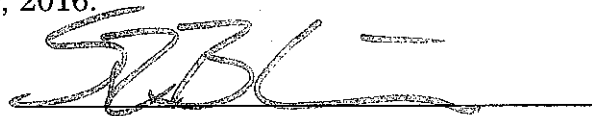
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IN THE MATTER OF	)	
QUARTZ OPERATIONS, LLC.	)	MOTION FOR APPOINTMENT OF
NORTHERN POINTS 1 WELL; DENR	)	HEARING CHAIR
PETITION TO REVOKE PERMIT	)	
AND PETITION TO FORFEIT	)	
SURETY	)	
	)	
(O & G Permit No. 2026)	)	

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The Department of Environment and Natural Resources (DENR), pursuant to ARSD § 74:09:01:08, hereby moves for the appointment of a member of the Board of Minerals and Environment to sit as hearing chair for any proceedings involving the above captioned matter.

Dated this 19<sup>th</sup> day of October, 2016.



Steven R. Blair  
Ellie J. Bailey  
Assistant Attorneys General  
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STATE OF SOUTH DAKOTA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

BOARD OF MINERALS AND ENVIRONMENT

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IN THE MATTER OF	)	
QUARTZ OPERATIONS, LLC.	)	
NORTHERN POINTS 1 WELL; DENR	)	APPOINTMENT
PETITION TO REVOKE PERMIT	)	OF
AND PETITION TO FORFEIT	)	HEARING CHAIR
SURETY	)	
	)	
(O & G Permit No. 2026)	)	

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TO: **QUARTZ OPERATIONS, LLC**, 920 East Highway 50, Yankton, South Dakota, 57078, through their counsel of record, **MARK A. ESKE**, Hagen, Wilka & Archer, LLP, 600 South Main Ave, Suite 102, P.O. Box 964, Sioux Falls, South Dakota 57104; and all other parties of record:

Notice is hereby given that, in accordance with ARSD 74:09:01:08, the Chairman of the Board of Minerals and Environment has appointed Bob Morris as Hearing Chair in the above entitled matter.

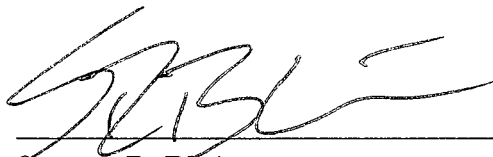
Mr. Morris' address and contact information is as follows: P.O. Box 370, 704 7<sup>th</sup> Ave., 2<sup>nd</sup> Floor, Suite 2, Belle Fourche, SD 57717; telephone 605-723-7777.

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 telephone 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 Binegar, 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 the Department by and through its counsel as noted below.

Dated this 10<sup>th</sup> day of October 2016.



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*Counsel for Department of Environment  
and Natural Resources*

STATE OF SOUTH DAKOTA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

BOARD OF MINERALS AND ENVIRONMENT

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IN THE MATTER OF	)	
QUARTZ OPERATIONS, LLC.	)	CERTIFICATE OF SERVICE
NORTHERN POINTS 1 WELL; DENR	)	
PETITION TO REVOKE PERMIT	)	
AND PETITION TO FORFEIT	)	
SURETY	)	
	)	
(O & G Permit No. 2026)	)	

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The undersigned hereby certifies that the original of the Department's Notice of Appointment of Hearing Chair were filed with:

Brenda Binegar  
DENR Minerals & Mining Program  
523 E. Capitol Ave.  
Pierre, SD 57501

Further, the undersigned certifies that true and correct copies of the above referenced document was served by United States Mail, first class, postage prepaid upon the following:

Quartz Operations, LLC  
Attn. Mark Ekse  
Hagen, Wilka & Archer  
600 S. Main, Suite 102  
P.O. Box 964  
Sioux Falls, SD 57104

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

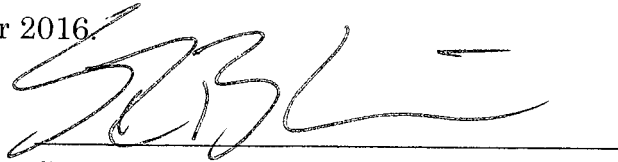
Craig Perry  
Craig K. Perry & Associates  
8010 W. Sahara Ave., Suite 260  
Las Vegas, NV 89117

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

And hand delivered to:

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

On this 26 day of October 2016.



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Ellie Bailey  
Assistant Attorneys General  
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