

STATE OF SOUTH DAKOTA



**OFFICE OF ATTORNEY GENERAL**

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**MARTY J. JACKLEY**  
ATTORNEY GENERAL

**BRENT K. KEMPEMA**  
CHIEF DEPUTY

September 20, 2024

Brenda Binegar  
Dept. of Agriculture & Nat. Resources  
523 E. Capitol Ave.  
Pierre, SD 57501

Re: In re Matter of Thomas L. Sunde's Violations of State Oil & Gas Regulations

Dear Ms. Binegar:

Enclosed please find the Department's Notice of Appointment of Hearing Chair intended for filing in the above referenced matter. Copies of these documents have also been served upon Mr. Sunde and Hearing Chair Morris as indicated in the attached Certificate of Service.

If you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "SRL", with a horizontal line extending to the right.

Steven R. Blair  
Deputy Attorney General

Enclosures

Cc/encl: Mike Lees – DANR Minerals, Mining, & Superfund Program (via email only)  
Tom Finley – Sompo International (via email only)

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

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IN THE MATTER OF	)	
THOMAS SUNDE'S	)	NOTICE OF APPOINTMENT OF
VIOLATIONS OF	)	HEARING CHAIR
SDCL CHAPTER 45-9 AND	)	
ARSD ARTICLE 74:12	)	
	)	
(O & G Permit Nos. 121, 340, 342, 348,	)	
416 and 2066)	)	

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TO: THOMAS SUNDE, through his counsel, and all other interested parties:

Notice is hereby given that on September 16, 2024, the Chairman of the Board of Minerals and Environment, Glenn Blumhardt, entered an Order Appointing Hearing Chair in the above captioned matter. A true and correct copy of the Order Appointing Hearing Chair is attached and hereby served upon you.

Dated this 20<sup>th</sup> day of September, 2024



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Steven R. Blair  
Deputy Attorney General  
P.O. Box 70  
Rapid City, SD 57702  
(605) 394-2258  
[steven.blair@state.sd.us](mailto:steven.blair@state.sd.us)

*Counsel for Department of Agriculture &  
Natural Resources – Minerals, Mining, &  
Superfund Program*

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

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IN THE MATTER OF	)	
THOMAS SUNDE'S	)	
VIOLATIONS OF	)	ORDER
SDCL CHAPTER 45-9 AND	)	APPOINTING HEARING CHAIR
ARSD ARTICLE 74:12	)	
	)	
(O & G Permit Nos. 121, 340, 342, 348,	)	
416 and 2066)	)	

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In accordance with ARSD § 74:09:01:08, the Chairman of the Board of Minerals and Environment, Glenn Blumhardt, hereby appoints Board member Robert Morris as Hearing Chair in the above-captioned matter. Mr. Morris' address and contact information are as follows:

Robert Morris  
P.O. Box 370  
Belle Fourche, SD 57717  
Telephone: 605-723-7777  
Email: bobmorris@westriverlaw.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.

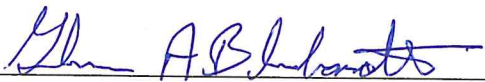
A prehearing telephone conference, as set forth in ARSD § 74:09:01:10, may be scheduled upon the motion of a Party.

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 Agriculture & 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, the Department by and through its counsel as noted below, and upon all Parties to the proceeding. Pursuant to ARSD § 74:09:01:15 service must be made by first class mail, personal service, or fax.

Dated this 16th day of September, 2024

**BOARD OF MINERALS & ENVIRONMENT**

By:   
Glenn Blumhardt, Board Chair

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original of the Department of Agriculture & Natural Resources' NOTICE OF APPOINTMENT OF HEARING CHAIR was submitted electronically, and via United States Mail, First Class, Postage Prepaid upon the following to be filed in the above captioned matter:

Brenda Binegar  
Dept. of Agr. & Nat. Resources  
523 E. Capitol Ave.  
Pierre, SD 57501  
brenda.binegar@state.sd.us  
*Secretary, Board of Minerals & Environment*

Further, the undersigned certifies that a true and correct copy of the above referenced document(s) was served electronically and via United States Mail, First Class, Postage Prepaid upon the following:

David Forsyth  
Forsyth Law Office  
121 North 6<sup>th</sup> Street  
Estherville, IA 51334  
david.forsyth@forsythlawiowa.com  
*Counsel – Thomas L. Sunde*

Robert Morris  
P.O. Box 370  
Belle Fourche, SD 57717  
bobmorris@westriverlaw.com  
*Hearing Chair – Brd. Min. & Env.*

Charles D. McGuigan  
Deputy Attorney General  
1302 E. Highway 14, Suite 1  
Pierre, SD 57501  
charles.mcguigan@state.sd.us  
*Counsel – Brd. of Min. & Env.*

Dated this 20<sup>th</sup> day of September, 2024.



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Steven R. Blair  
Deputy Attorney General