

EXHIBIT 3



THOMASINA REAL BIRD
1900 Plaza Drive
Louisville, Colorado 80027
T: (303) 673-9600
F: (303) 673-9155
E: trealbird@ndnlaw.com
www.ndnlaw.com

May 1, 2015

VIA EMAIL

Brett Koenecke
May, Adam, Gerdes & Thompson LLP
P.O. Box 160
Pierre, SD 57501
Brett@magt.com

Re: HP14-002 Dakota Access, LLC

Mr. Koenecke:

Thank you for the update concerning Dakota Access' discovery production. While we typically would file a motion to compel production with the Commission at this point, we understand that it may be a more prudent use of resources to see if we can resolve this matter amicably. To that end, we would agree to accept late production of discovery responses from Dakota Access no later than May 8, 2015; however, we would require your stipulated approval to amend the scheduling order. I suspect you can appreciate the compact nature of the current schedule, as evidenced by your email message announcing you will require additional time to respond. Please let me know your thoughts and we can discuss dates for an amended schedule if you agree. Please contact me with your response by noon tomorrow, Saturday, May 2, 2015, so that I can prepare a motion to compel if needed.

Sincerely,

Thomasina Real Bird

Thomasina Real Bird