

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**APPLICATION OF NADEL AND GUSSMAN
HEYCO, LLC FOR AN ORDER AUTHORIZING
THE DRILLING OF A WELL IN THE POTASH
AREA, EDDY COUNTY, NEW MEXICO.**

Case No. 14,131

AFFIDAVIT OF NOTICE

COUNTY OF SANTA FE)
) ss.
STATE OF NEW MEXICO)

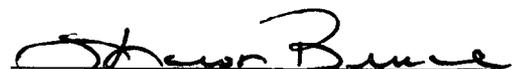
James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Nadel and Gussman HEYCO, LLC.
3. Nadel and Gussman HEYCO, LLC has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the application filed herein.
4. Notice of the application was provided to the interest owners, at their last known addresses, by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Exhibit A.
5. Applicant has complied with the notice provisions of Division Rule 1210 and Division Order No. R-111-P.


James Bruce

SUBSCRIBED AND SWORN TO before me this 27th day of May, 2008 by James Bruce.

My Commission Expires: 3/14/09


Notary Public

Oil Conservation Division
Case No. 8
Exhibit No. 8

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)
(505) 660-6612 (Cell)
(505) 982-2151 (Fax)

jamesbruc@aol.com

May 5, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Intrepid Mining NM LLC
1996 Potash Mines road
P.O. Box 101
Carlsbad, New Mexico 88220

Intrepid Potash, Inc.
Suite 1700
700 17th Street
Denver, Colorado 80202

Ladies and gentlemen:

Enclosed is a copy of an application, filed with the New Mexico Oil Conservation Division by Nadel and Gussman HEYCO, LLC, seeking an order authorizing the drilling of its proposed HEYCO State Well No. 2 at a location 1650 feet from the north line and 1980 feet from the west line of Section 32, Township 20 South, Range 30 East, NMPM, Eddy County, New Mexico. Applicant is also seeking approval of future oil and gas drilling in the W½ of Section 32 without the necessity of going to hearing.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, May 29, 2008, in Porter Hall at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting the matter at a later date.

A party appearing in a Division case is required by Division Rule 1208.B to file a Pre-Hearing Statement four days in advance of a scheduled hearing. This statement must be filed with the Division's Santa Fe office at the above address, and should include: The names of the party and its attorney; a concise statement of the case; the names of the witnesses the party will call to

EXHIBIT

A

testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that need to be resolved prior to the hearing.

Very truly yours,


James Bruce

Attorney for Nadel and Gussman HEYCO, LLC

cc: Oil, Gas and Minerals Division
Commissioner of Public Lands
P.O. Box 1148
Santa Fe, New Mexico 87504

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 Total Postage & Fees \$

Sent To
 Intrepid Mining NM LLC
 1996 Potash Mines road
 P.O. Box 101
 Carlsbad, New Mexico 88220
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7007 3020 0001 2490 9590

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Intrepid Mining NM LLC
 1996 Potash Mines road
 P.O. Box 101
 Carlsbad, New Mexico 88220

2. Article Number (Transfer from service label) 7007 3020 0001 2490 9590
 Domestic Return Receipt PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* Agent Addressee

B. Received by (Printed Name) *[Signature]* C. Date of Delivery *5-9-08*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* Agent Addressee

B. Received by (Printed Name) *[Signature]* C. Date of Delivery *5-9-08*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7007 3020 0001 2490 9606
 Domestic Return Receipt PS Form 3811, February 2004

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1. Article Addressed to:
 Intrepid Potash, Inc.
 Suite 1700
 700 17th Street
 Denver, Colorado 80202

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 Suite 1700
 700 17th Street
 Denver, Colorado 80202
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

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SENDER: COMPLETE THIS SECTION

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Oil and Gas Division
 Commissioner of Public Lands
 P.O. Box 1148
 Santa Fe, New Mexico 87504

2. Article Number

(Transfer from service label)

7007 3020 0001 2490 9583

PS Form 3811, February 2004

Domestic Return Receipt *MGP HEW*

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

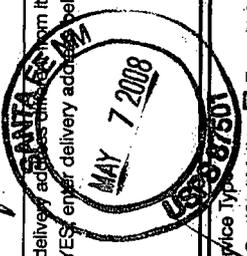
A. Signature *[Signature]* Agent
 Addressee

B. Recipient (Printed Name) _____ C. Date of Delivery _____

D. Is delivery address same as return item 1? Yes
 If YES, enter delivery address below: _____
 No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes



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Total Postage & Fees \$	

Postmark: SANTA FE, NM MAY 03 2008

Sent To
 Oil and Gas Division
 Commissioner of Public Lands
 Street, Apt. No., P.O. Box No. Santa Fe, New Mexico 87504
 City, State, Zip+4

PS Form 3800, August 2006 See Reverse for Instructions

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