

HOLLAND & HART



Ocean Munds-Dry

omundsdry@hollandhart.com

January 29, 2008

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

TO: INTREPID POTASH COMPANY

Re: Amended Application of Marbob Energy Corporation for an order authorizing the drilling of a well in the Potash Area, Lea County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that Marbob Energy Corporation has filed the enclosed amended application with the New Mexico Oil Conservation Division seeking an order approving the drilling of its proposed Magnum Pronto State Com Well No. 2 at a location 1980 feet from the South and West lines of Section 32, Township 19 South, Range 32 East, NMPM, Lea County, New Mexico. Marbob is also seeking approval of this section for future oil and gas drilling without the necessity of going to hearing.

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This application has been set for hearing before a Division Examiner at 8:15 a.m. on February 21, 2008. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint 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 challenging the matter at a later date.

Parties appearing in cases are 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 at the Division's Santa Fe office at the above specified address and should include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Very truly yours,

Ocean Munds-Dry

ATTORNEY FOR MARBOB ENERGY CORP.

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico

Case No. 14026..... Exhibit No. 12

Submitted by:

MARBOB ENERGY CORPORATION

Hearing Date: February 21, 2008

Holland & Hart LLP

Phone: (505) 988-1421 Fax: (505) 988-6043 www.hollandhart.com

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address: P.O. Box 2208 Santa Fe, NM 87504-2208

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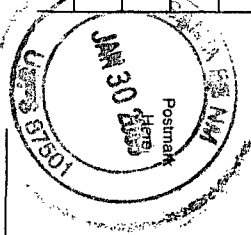
7006 2760 0001 6392 8458

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For delivery information, visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 5.58
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.38



Intrepid Potash Company
Attention: Land Department
700 17th Street Suite 1700
Denver, Colorado 80202

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 Potash Company
Attention: Land Department
700 17th Street Suite 1700
Denver, Colorado 80202

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent ☒ Addressee

B. Received by (Printed Name) Ph Kelleher C. Date of Delivery 2-1-08

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) **7006 2760 0001 6392 8458**

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1940

Affidavit of Publication

STATE OF NEW MEXICO)
) ss.
COUNTY OF LEA)

Joyce Clemens being first duly sworn on oath deposes and says that she is Advertising Director of **THE LOVINGTON LEADER**, a daily newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled

Legal Notice

was published in a regular and entire issue of **THE LOVINGTON LEADER** and not in any supplement thereof, for

one (1) day, beginning with the issue of February 2, 2008 and ending with the issue of February 2, 2008.

And that the cost of publishing said notice is the sum of \$ 66.28 which sum has been (Paid) as Court Costs.

Joyce Clemens

Subscribed and sworn to before me this 13th day of February 2008

Debbie Schilling

Debbie Schilling

Notary Public, Lea County, New Mexico

My Commission Expires June 22, 2010

LEGAL NOTICE PUBLICATION

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

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on February 21, 2008 in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact: Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by February 11, 2008. Public documents including the agenda and minutes can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed.

STATE OF NEW MEXICO
TO:
All named parties and persons having any right, title, interest or claim in the following cases and notice to the public:

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

CASE NO. 14026:

(Re-advised) Amended Application of Marbob Energy Corporation for an order authorizing the drilling of a well in the Potash Area, Lea County, New Mexico. Applicant seeks an order approving the drilling of its proposed Magnum Pronto State

Com Well No. 2 to test the Morrow Formation, Lusk-Morrow Gas Pool within the Potash Area at a location 1980 feet from the South and West lines (Unit K) of Section 32, Township 19, South, Range 32 East, NMPM, Lea County, New Mexico. Applicant also seeks approval of future oil and gas drilling in this section without necessity of going to hearing. This well will be drilled to an approximate depth of 12,700' to test the Morrow formation. Said location is within the Potash Area and approximately 19 miles south southwest of Maljamar, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 29th day January 2008.

STATE OF NEW MEXICO
OIL CONSERVATION
DIVISION

Mark E. Fesmire, P.E.,
Director
Published in the Lovington Leader February 2, 2008.