

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

**IN THE MATTER OF THE APPLICATION
OF FASKEN OIL AND RANCH LTD. FOR
AN ORDER AUTHORIZING AN ADDITIONAL
WELL IN THE "POTASH AREA" AT AN
UNORTHODOX WELL LOCATION, LEA
COUNTY, NEW MEXICO**

**CASE NO. 14116
Order No. R-12955-Q**

**ORDER ON INTREPID POTASH-NEW MEXICO LLC'S
EMERGENCY APPLICATION TO PREVENT PUBLICATION OF
TRANSCRIPT**

This matter came before the Commission on Intrepid Potash-New Mexico LLC's ("Intrepid") Emergency Application to Prevent Publication of Transcript ("Application"). On March 11, 2010 the Commission heard argument on the matter. The Commission, having heard argument and reviewed papers submitted by the parties, hereby

FINDS THAT:

1. No motion to seal the transcript of the October 21, 2009 hearing was made during that hearing.
2. No order to seal the transcript of the October 21, 2009 hearing was entered during or after that hearing.
3. Documents that were discussed during the October 21, 2009 hearing had been redacted for confidential material by Intrepid before distribution; therefore no confidential material was exposed as a result of discussing those documents at the October 21, 2009 hearing.
4. Based on the arguments of counsel at the March 11, 2010 hearing and related papers submitted by counsel, and on Fasken Oil and Ranch Ltd.'s lack of opposition to the Application, the Commission finds that the transcript of the October 21, 2009 hearing should be sealed.

IT IS THEREFORE ORDERED THAT:

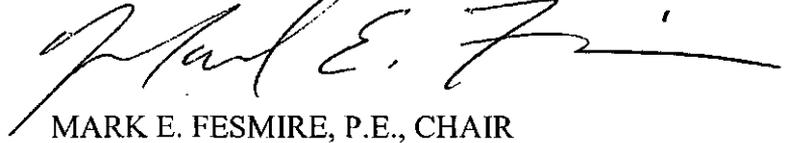
1. The transcript of the October 21, 2009 hearing be sealed, effective as of March 11, 2010.

DONE at Santa Fe, New Mexico, on this 8th day of April, 2010.

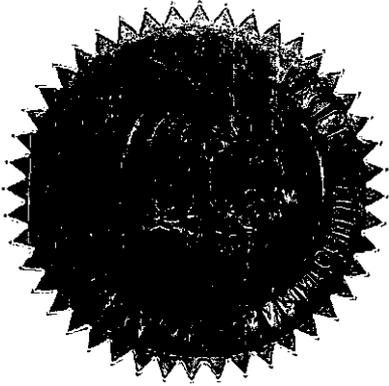
STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION



WILLIAM C. OLSON, MEMBER



MARK E. FESMIRE, P.E., CHAIR



SEAL