



OCT 16 2008
OCD-ARTESIA



Intrepid Potash, Inc.
700 17th Street, Suite 1700
Denver, CO 80202
303.296.3006
303.298.7502 fax

October 10, 2008

Via First Class Mail and Email

James Bruce, Esq.
Post Office Box 1056
Santa Fe, NM 87504

Re: Parkway "26" State Com. Well No. 1

30-015-36650

Dear Mr. Bruce:

I am writing in response to your letter of October 2, 2008.

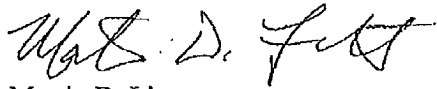
In your letter, you advise that Mewbourne Oil Company is seeking an Order from the New Mexico Oil Conservation Division authorizing the drilling of the referenced well. You also advise that Mewbourne Oil Company is seeking approval of future oil and gas drilling in the west half of Section 26, Township 19 South, Range 29 East, NMPM, Eddy County, New Mexico without the necessity of going to a hearing.

As we have previously indicated, the proposed well site location is within Intrepid's life of mine reserve under New Mexico Oil Conservation Division Order R-111-P and is less than one mile from Intrepid's open mine workings. Notwithstanding the foregoing, and based on further review of this matter, Intrepid is willing to agree not to object to the drilling of the referenced well and further oil and gas drilling in the west half of Section 26. This should dispense with the need for a hearing before OCD on October 30, 2008. We would appreciate your so informing OCD and confirming that to me.

By its non-objection, Intrepid does not agree to or assume the risks of any release of oil or gas or other substance from the Parkway "26" well or any other well drilled in the west half of Section 26 into the environment, including into underground mine workings, arising out of or attributable to Mewbourne's drilling, operation, plugging and abandoning of the Parkway "26" well or any other well drilled in the west half of Section 26, or the effect on the Parkway "26" well or any other well drilled in the west half of Section 26 of any condition created by existing or future potash mining.

Please contact me should you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Martin D. Litt". The signature is fluid and cursive, with the first name "Martin" being more prominent and the last name "Litt" following in a similar style.

Martin D. Litt
Executive Vice President and General Counsel

Megan Kinsman

From: System Administrator
To: Martin Litt
Sent: Friday, October 10, 2008 11:23 AM
Subject: Delivered: Letter from Martin Litt

Your message

To: jamesbruc@aol.com
Cc: Martin Litt
Subject: Letter from Martin Litt
Sent: 10/10/2008 11:23 AM

was delivered to the following recipient(s):

Martin Litt on 10/10/2008 11:23 AM

Megan Kinsman

From: Martin Litt
To: Megan Kinsman
Sent: Friday, October 10, 2008 3:53 PM
Subject: Read: Letter from Martin Litt

Your message

To: jamesbruc@aol.com
Cc: Martin Litt
Subject: Letter from Martin Litt
Sent: 10/10/2008 11:23 AM

was read on 10/10/2008 2:55 PM.

Megan Kinsman

From: Megan Kinsman
Sent: Friday, October 10, 2008 11:23 AM
To: 'jamesbruc@aol.com'
Cc: Martin Litt
Subject: Letter from Martin Litt
Attachments: Letter from Martin Litt.pdf

Mr. Bruce – attached please find a letter of today's date from Martin Litt. Thank you.

Megan Lee Kinsman
Assistant to Martin D. Litt
Intrepid Potash, Inc.
700 17th Street, Suite 1700
Denver, CO 80202
303-820-4475 direct
303-296-3006 main
303-298-7502 fax
megan.kinsman@intrepidpotash.com

10/10/2008