

**IN THE MATTER OF THE APPLICATION OF  
EOG RESOURCES, INC. FOR AN ORDER  
AUTHORIZING THE DRILLING OF WELLS IN  
THE POTASH AREA, EDDY COUNTY, NEW MEXICO.**

# AFFIDAVIT

Ocean Munds-Dry, attorney in fact and authorized representative of EOG Resources, Inc., the Applicant herein, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.

OFFICIAL SEAL

Olivia Ita

NOTARY PUBLIC  
STATE OF NEW MEXICO

My Commission Expires: 5-10-12

**Exhibit A**

**APPLICATION OF EOG RESOURCES, INC. FOR AN ORDER  
AUTHORIZING THE DRILLING OF WELLS IN THE POTASH AREA, EDDY  
COUNTY, NEW MEXICO.**

Intrepid Potash Company  
Attn: Tom McGuire  
6288 Hobbs Highway  
Carlsbad, New Mexico 88220

HOLLAND & HART LLP



**Ocean Munds-Dry**  
omundsdry@hollandhart.com

November 12, 2010

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Intrepid Potash Company  
Attn: Tom McGuire  
6288 Hobbs Highway  
Carlsbad, New Mexico 88220

**Re: Application of EOG Resources, Inc. for An Order Authorizing the Drilling of Wells in the Potash Area, Eddy County, New Mexico.**

Ladies and Gentlemen:

This letter is to advise you that EOG Resources, Inc. has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order approving the drilling of its proposed Parkway 23 State Com Well Nos. 2H and 3H and the Parkway 23 State Well No. 4H to test the Bone Spring formation, Turkey Track Bone Spring Pool within the Potash Area Section 23, Township 19 South, Range 29 East, NMPM, Eddy County, New Mexico. Said locations are within the Potash Area and approximately 17 miles northeast of Carlsbad, New Mexico.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on December 16, 2010. 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.

Sincerely,

Ocean Munds-Dry  
**ATTORNEYS FOR EOG RESOURCES, INC.**

**Holland & Hart LLP**

Phone [505] 988-4421 Fax [505] 983-6043 [www.hollandhart.com](http://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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Intrepid Potash Company  
Attn: Tom McGuire  
6288 Hobbs Highway  
Carlsbad, New Mexico 88220

Or Instructions

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- 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  
Attn: Tom McGuire  
6288 Hobbs Highway  
Carlsbad, New Mexico 88220

2. Article Number  
(Transfer from service label)

7006 2760 0001 6393 3391

S Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

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4. Restricted Delivery? (Extra Fee) ☐ Yes

# Affidavit of Publication

NO.

21458

STATE OF NEW MEXICO

County of Eddy:

Walter L. Green

being duly sworn, says that he is the

Publisher

of the Artesia Daily Press, a daily newspaper of general

circulation, published in English at Artesia, said county

and state, and that the hereto attached

## Legal Notice

was published in a regular and entire issue of the said

Artesia Daily Press, a daily newspaper duly qualified

for that purpose within the meaning of Chapter 167 of

the 1937 Session Laws of the state of New Mexico for

1 Consecutive weeks/days on the same

day as follows:

First Publication

November 23, 2010

## Second Publication

### Third Publication

#### Fourth Publication

### Fifth Publication

Subscribed and sworn to before me this

23rd day of

November

2010



**OFFICIAL SEAL**

**Danny Scott**

**NOTARY PUBLIC-STATE OF NEW MEXICO**

**My commission expires:**

Danny Scott,

Notary Public, Eddy County, New Mexico

**Copy of Publication:**

## LEGAL NOTICE

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 December 16, 2010, 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 December 6, 2010. 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 14584:**

**Application of EOG Resources, Inc. for an order authorizing the drilling of wells in the Potash Area, Eddy County, New Mexico.** Applicant seeks an order approving the drilling of its proposed Parkway 23 State Corn Well Nos. 2H and 3H and the Parkway 23 State Well No. 4H within the Potash Area in Section 23, Township 19 South, Range 29 East, NMPM, Eddy County, New Mexico. These wells will be drilled to an approximate depth of 8400 feet to test the Bone Spring formation, Turkey Track Bone Spring Pool. Said location is within the Potash Area and located approximately 17 miles northeast of Carlsbad, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Division at Santa Fe, New Mexico on this 17th day of November 2010.

**STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION**

**Mark E. Fesmire, P.E., Director**

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