

# FILING FOR WATER IN THE STATE OF UTAH

Rec. by \_\_\_\_\_

Fee Amt. \$ \_\_\_\_\_

Receipt # \_\_\_\_\_

*See original*

## APPLICATION TO APPROPRIATE WATER

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of Title 73, Chapter 3, Utah Code Annotated 1953, as amended.

WATER RIGHT NUMBER: 92 - 674

APPLICATION NUMBER: A79183

(TJPRUE) COUNTY TAX ID: 00-00-00

\*\*\*\*\*

### 1. OWNERSHIP INFORMATION:

LAND OWNED? No

A. NAME: Pinnacle Potash International, Ltd.  
ADDRESS: 111 Congress Avenue, Suite 2020  
Austin, TX 78701

B. PRIORITY DATE: September 30, 2011

FILING DATE: September 30, 2011

### 2. SOURCE INFORMATION:

A. QUANTITY OF WATER: 20,000.0 acre-feet

B. SOURCE: Underground Wells (16)

COUNTY: Grand

#### C. POINTS OF DIVERSION -- UNDERGROUND:

- (1) N 100 feet W 1,100 feet from E $\frac{1}{4}$  corner, Section 22, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (2) S 2,100 feet W 2,200 feet from NE corner, Section 22, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (3) S 4,500 feet W 1,000 feet from NE corner, Section 22, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (4) S 1,000 feet E 1,000 feet from NW corner, Section 23, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (5) S 1,000 feet E 4,000 feet from NW corner, Section 23, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (6) S 4,000 feet E 1,000 feet from NW corner, Section 23, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (7) S 4,000 feet E 4,000 feet from NW corner, Section 23, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (8) S 1,000 feet E 1,000 feet from NW corner, Section 25, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (9) S 1,000 feet E 4,500 feet from NW corner, Section 25, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (10) S 4,500 feet E 4,500 feet from NW corner, Section 25, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (11) S 3,500 feet W 1,000 feet from NE corner, Section 26, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (12) S 1,000 feet E 1,500 feet from NW corner, Section 27, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet

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- (13) S 3,000 feet E 4,500 feet from NW corner, Section 27, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (14) S 300 feet E 300 feet from N¼ corner, Section 36, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (15) S 1,000 feet E 2,000 feet from N¼ corner, Section 36, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet
- (16) S 4,500 feet E 2,000 feet from N¼ corner, Section 36, T 22S, R 19E, SLBM  
WELL DIAMETER: 6 inches WELL DEPTH: 1,000 to 3,000 feet

D. COMMON DESCRIPTION: 18 miles SE of Greenriver Utah

### 3. WATER USE INFORMATION:

OTHER: from Jan 1 to Dec 31. Mining

The Acre Foot SOLE SUPPLY contributed by 92-674 for this OTHER use in this group is UNEVALUATED.

Mining in the Crescent Project for muriate of potash, potash, potassium chloride, potassium compounds, potassium salts, or other useful minerals.

PLACE OF USE: (which includes all or part of the following legal subdivisions:)

----- Northwest Quarter -----*----- Northeast Quarter -----*----- Southwest Quarter -----*----- Southeast Quarter -----																				Section				
BS	TOWN	RANG	SC	NW	NE	SW	SE	*	NW	NE	SW	SE	*	NW	NE	SW	SE	*	NW	NE	SW	SE	Totals	
SL	22S	19E	03	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	19E	04					*X	X	X			*					*					*	0.0000
SL	22S	19E	09					*	X		X		*					*	X			X	*	0.0000
SL	22S	19E	10	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	19E	11	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	19E	14	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	19E	15	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	19E	16	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	19E	21					*X	X	X	X		*					*X	X	X	X	X	*	0.0000
SL	22S	19E	22	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	19E	23	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	19E	24	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	19E	25	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	19E	26	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	19E	27	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	19E	36	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	22S	20E	32	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
SL	23S	19E	23	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*X	X	X	X	X	*	0.0000
Group Total:																						0.0000		

\*=====\*

### 4. EXPLANATORY:

Pinnacle Potash Internations, Ltd. proposes to mine potash in the area located south of Crescent Junction, Utah, through a lease of School and Institutional Trust Lands Asministration (STILA) property. A solution mining process will be used to extract the mined material and bring it to the surface for processing. Water under this right will be injected through Class III injection wells to the target mined material. Three injection well locations are currently proposed for solution mining. Additional injection wells will be added in the future. The requested water right will be used in the mining process for a fixed amount of time of at least 30 years. The combination of

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all withdrawals will not exceed the volumetric depletion limit of the water right as stated in Section 3 of the Application. The number of wells developed under this right will be limited to match the production necessary to meet the public demands. Water usage will initially be much less than that requested, but will gradually increase through the 30 year time, yet not to exceed the volumetric limit in Section 3.

Pinnacle Potash International, Ltd. has a lease for the project site through the School and Institutional Trust Lands Administration (SITLA) property.

5. SIGNATURE OF APPLICANT(S):

The applicant(s) hereby acknowledge(s) that he/she/they are citizen(s) of the United States of America or intend(s) to become such a citizen(s). The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purposes herein described. The undersigned hereby acknowledges that even though he/she/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of information contained herein, at the time of filing, rests with the applicant(s).

*See original for Signature*

\_\_\_\_\_  
Pinnacle Potash International, Ltd.

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# FILING FOR WATER IN THE STATE OF UTAH

Receipt by: SC  
Fee Rec. \$ 1000-  
Receipt # 11-04004

## APPLICATION TO APPROPRIATE WATER

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements to Title 73, Chapter 3 of the Utah Code Annotated (1953, as amended).

\*WATER RIGHT NO. 92-674 \*APPLICATION NO. A 79183

1. \*PRIORITY OF RIGHT: 9-30-11 \*FILING DATE: 9-30-11

2. OWNER INFORMATION County Tax ID \_\_\_\_\_

Name(s): Pinnacle Potash International, Ltd. Interest: 100 %  
Address: 111 Congress Avenue, Suite 2020  
City: Austin State: Texas Zip Code: 78701  
Phone Number (512) 628-2835  
Is the land owned by the applicant? Yes \_\_\_\_\_ No X (If "No", please explain in EXPLANATORY section)

3. QUANTITY OF WATER: \_\_\_\_\_ cfs and/or 20,000 ac-ft.

4. SOURCE: Groundwater DRAINAGE: Tenmile Canyon (HU-10)  
which is tributary to The Lower Green (HU-8)  
which is tributary to \_\_\_\_\_  
POINT(S) OF DIVERSION: COUNTY: Grand County  
See attached Additional Explanatory \_\_\_\_\_

Description of Diverting Works: \_\_\_\_\_  
COMMON DESCRIPTION: Groundwater Wells 18 miles SE of Greenriver

5. POINT(S) OF REDIVERSION \_\_\_\_\_ at a point: \_\_\_\_\_  
Description of Diverting Works: \_\_\_\_\_

6. POINT(S) OF RETURN \_\_\_\_\_  
The water will be returned to the natural stream/source at a point(s): \_\_\_\_\_

7. STORAGE  
Reservoir Name: \_\_\_\_\_ Storage Period: from \_\_\_\_\_ to \_\_\_\_\_  
Capacity: \_\_\_\_\_ ac-ft. Inundated Area: \_\_\_\_\_ acres.  
Height of dam: \_\_\_\_\_ feet  
Legal description of inundated area by 40 acre tract(s): \_\_\_\_\_

updated  
per customer  
at time of  
receipt.  
TSP

\*These items are to be completed by the Division of Water Rights

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8. List any other water rights which will supplement this application \_\_\_\_\_

9. NATURE AND PERIOD OF USE

Irrigation:	From _____	to _____
Stockwatering:	From _____	to _____
Domestic:	From _____	to _____
Municipal:	From _____	to _____
Mining:	From _____	January 01 _____ to December 31 _____
Power:	From _____	to _____
Other:	From _____	to _____

10. PURPOSE AND EXTENT OF USE

Irrigation: \_\_\_\_\_ acres. Sole supply of \_\_\_\_\_ acres.  
Stockwatering (number and kind): \_\_\_\_\_  
Domestic: \_\_\_\_\_ Families.  
Municipal (name): \_\_\_\_\_  
Mining: 20,000 ac-ft \_\_\_\_\_ Mining District in the Crescent Project \_\_\_\_\_ Mine.  
Ores mined: Muriate of potash, potash, potassium chloride, potassium compounds, potassium salts, or other useful minerals.  
Power Plant name: \_\_\_\_\_ Type: \_\_\_\_\_ Capacity: \_\_\_\_\_  
Other (describe): \_\_\_\_\_

11. PLACE OF USE

Legal description of place of use by 40 acre tract(s):  
The areas within Township 22 S Range 19 E, Township 22 S Range 20 E, and Township 23 S Range 19 E.  
See attached map and Additional Explanatory.  
\_\_\_\_\_  
\_\_\_\_\_

12. EXPLANATORY

The following is set forth to define more clearly the full purpose of this application. (Use additional pages of the same size if necessary):  
See additional Attached Additional Explanatory.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*  
The applicant(s) hereby acknowledges that he/she/they are citizen(s) of the United States of America or intends to become such a citizen(s). The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purposes herein described. The undersigned hereby acknowledges that even though he/she/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained herein, including any maps and other documents attached, at the time of filing, rests with the applicant(s).

*[Signature]*, Pres  
of Sabine International, Inc., General Partner of Minnack Potash International Ltd.  
\*If applicant is a corporation or other organization, signature must be the name of such corporation or organization by its authorized agent, or in the name of the partnership by one of the partners.

\_\_\_\_\_  
Authorized Agent (please print)

\_\_\_\_\_  
Authorized Agent (signature)

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## ADDITIONAL EXPLANATORY RELATED TO THE APPLICATION TO APPROPRIATE WATER

- 2) PINNACLE POTASH INTERNATIONAL, LTD. has a lease for the project site through the SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION (SITLA) property.

### 4) POINT OF DIVERSION

Wells have been located to provide management flexibility. The number of wells drilled will be limited to match the production necessary to meet project demands.

Well 1 S 2,100 ft and W 2,200 ft from the NE Corner of Section 22, T 22 S, R 19 E, SLBM.  
 Well 2 S 300 ft and E 300 ft from the N4 Corner of Section 36, T 22 S, R 19 E, SLBM.  
 Well 3 N 100 ft and W 1,100 ft from the E4 Corner of Section 22, T 22 S, R 19 E, SLBM.  
 Well 4 S 4,500 ft and W 1,000 ft from the NE Corner of Section 22, T 22 S, R 19 E, SLBM.  
 Well 5 S 1,000 ft and E 1,000 ft from the NW Corner of Section 23, T 22 S, R 19 E, SLBM.  
 Well 6 S 1,000 ft and E 4,000 ft from the NW Corner of Section 23, T 22 S, R 19 E, SLBM.  
 Well 7 S 4,000 ft and E 1,000 ft from the NW Corner of Section 23, T 22 S, R 19 E, SLBM.  
 Well 8 S 4,000 ft and E 4,000 ft from the NW Corner of Section 23, T 22 S, R 19 E, SLBM.  
 Well 9 S 1,000 ft and E 1,500 ft from the NW Corner of Section 27, T 22 S, R 19 E, SLBM.  
 Well 10 S 3,000 ft and E 4,500 ft from the NW Corner of Section 27, T 22 S, R 19 E, SLBM.  
 Well 11 S 3,500 ft and W 1,000 ft from the NE Corner of Section 26, T 22 S, R 19 E, SLBM.  
 Well 12 S 1,000 ft and E 1,000 ft from the NW Corner of Section 25, T 22 S, R 19 E, SLBM.  
 Well 13 S 1,000 ft and E 4,500 ft from the NW Corner of Section 25, T 22 S, R 19 E, SLBM.  
 Well 14 S 4,500 ft and E 4,500 ft from the NW Corner of Section 25, T 22 S, R 19 E, SLBM.  
 Well 15 S 1,000 ft and E 2,000 ft from the N4 Corner of Section 36, T 22 S, R 19 E, SLBM.  
 Well 16 S 4,500 ft and E 2,000 ft from the N4 Corner of Section 36, T 22 S, R 19 E, SLBM.

### 11) PLACE OF USE

Township 22 S, Range 19 E	NW 1/4				NE 1/4				SW 1/4				SE 1/4			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
Section 03	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Section 04					X	X	X									
Section 09						X		X						X		X
Section 10	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Section 11	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Section 14	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Section 15	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Section 16	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Section 21					X	X	X	X					X	X	X	X
Section 22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Section 23	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Section 24	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Section 25	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Section 26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

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Township 22 S, Range 19 E	NW 1/4				NE 1/4				SW 1/4				SE 1/4			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
Section 27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Section 36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Township 22 S, Range 20 E	NW 1/4				NE 1/4				SW 1/4				SE 1/4			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
Section 32	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

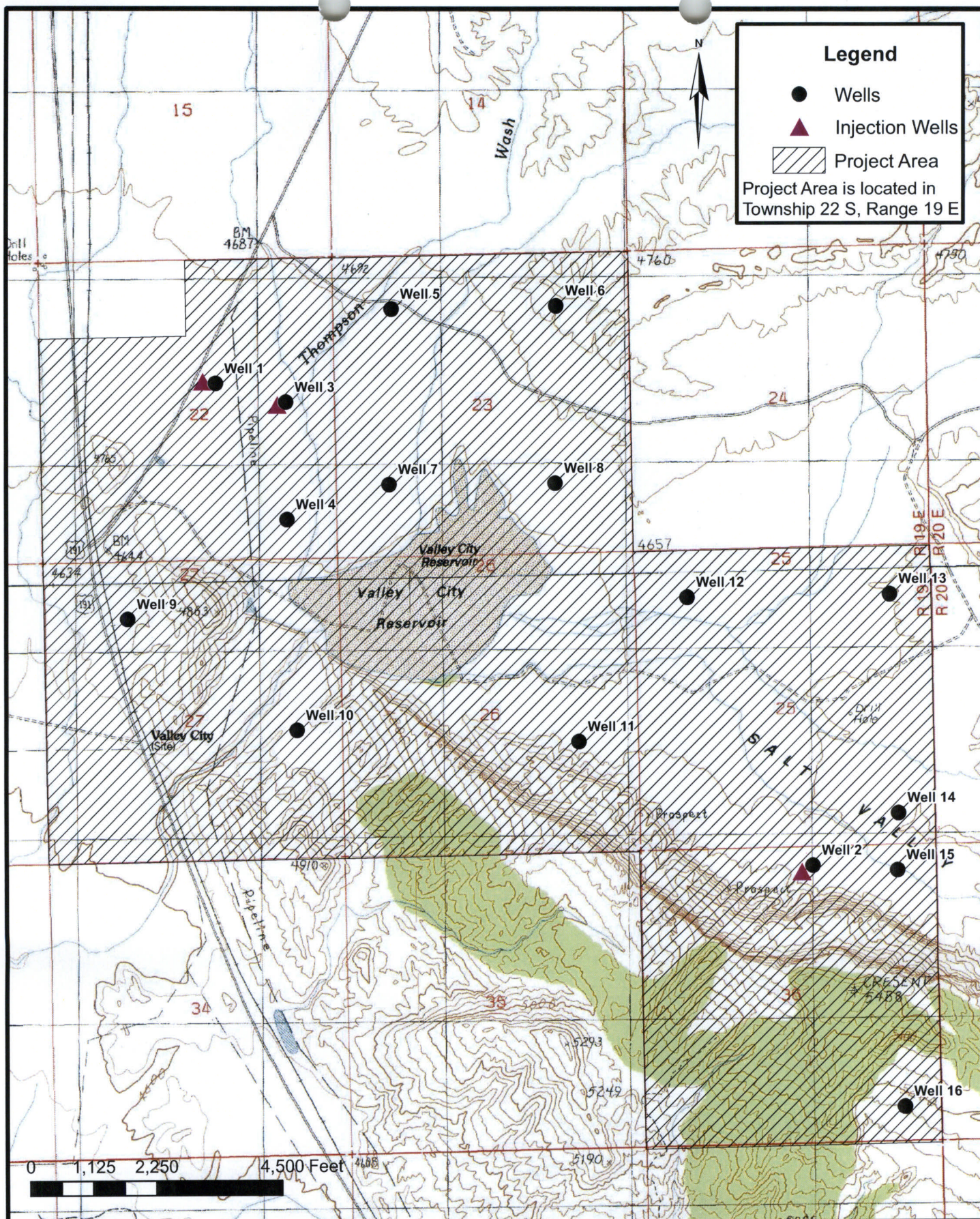
Township 23 S, Range 19 E	NW 1/4				NE 1/4				SW 1/4				SE 1/4			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
Section 02	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

## 12) EXPLANATORY

Pinnacle Potash International, Ltd. proposes to mine potash in the area located south of Crescent Junction, Utah, through a lease of School and Institutional Trust Lands Administration (SITLA) Property. A solution mining process will be used to extract the mined material and bring it to the surface for processing. Water under this right will be injected through Class III injection wells to the target mined material. Three injection well locations are currently proposed for solution mining. Additional injection wells will be added in the future. The requested water right will be used in the mining process for a fixed amount of time of at least 30 years. The combination of all withdrawals will not exceed the volumetric depletion limit of the water right as stated in Section 3 of the Application. The number of wells developed under this right will be limited to match the production necessary to meet project demands. Water usage will initially be much less than that requested, but will gradually increase throughout the 30 year time, yet not to exceed the volumetric limit in Section 3.

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**Legend**

- Wells
- ▲ Injection Wells
- Project Area

Project Area is located in Township 22 S, Range 19 E

**HANSEN  
ALLEN  
& LUCE, INC.**  
ENGINEERS

**PINNACLE POTASH INTERNATIONAL, L.T.D.**  
**APPLICATION TO APPROPRIATE WATER MAP**

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**FIGURE 1**

**WATER HEIGHT  
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