



The State of Utah
 Division of Forestry, Fire and State Lands

Great Salt Lake Operations Application Form

Pursuant to R652-21-700, the purpose of the Operations Application is to substantiate the information generated through a Feasibility Assessment and to determine the terms which will govern the proposed extraction or production of a nominated Great Salt Lake Element or Mineral. All submitted information in support of the Operations Application shall list the collection date of said information and the exact location of said information in any attached documentation or report, where applicable. Definitions for terms used throughout this Form are found in R652-21-200.

Pursuant to Utah Code Section 65A-6-4 and R652-21-702, Division of Forestry, Fire & State Lands (“DFFSL”) approval of an Operations Application is required to obtain an Operations Royalty Agreement.

1. Applicant Information:		Date:	
Operator’s Legal Name:			
Permanent Address:			
Phone Number:		Email Address:	
Name of Operator’s Registered Agent in Utah:		Registered Agent’s Permanent Address in Utah:	

Primary Contact Name:			
Address:			
Phone Number:		Email Address:	

Date of Final Feasibility Report submission to DFFSL and Utah Division of Water Quality (“DWQ”)	
Date of pre-filing meeting with DFFSL and DWQ (pre-filing meeting must occur at least 30 (thirty) days prior to Operations Application submission)	

	Reference Location for the Information
<input type="checkbox"/> Description of the Operator’s experience and knowledge predicating the operator’s ability to commercially produce elements or minerals from the brined of Great Salt Lake.	
<input type="checkbox"/> Information regarding the nature and status of any existing contractual disputes with the State, regulatory actions, or alleged noncompliance, including plans to resolve or remedy such disputes or alleged noncompliance	

2. Proof of a Sampling Royalty Agreement	Reference Location for the Information
<input type="checkbox"/> Reconciliation of all payments associated with the feasibility assessment including sampling royalty rate payments, independent sampling and monitoring costs, cost of third-party reviews, and any other reasonable costs incurred by FFSL, under R652-20-700	

3. Evidence supporting Operator Certification of No Negative Impacts for the proposed commercial operation (R652-21-705)	Reference Location for the Information
<input type="checkbox"/> Self-certification the proposed project will not Negatively Impact the Biota or Chemistry of Great Salt Lake	
<input type="checkbox"/> Provide all data and data analysis related to Biota and Chemistry derived from the Feasibility Assessment	
<input type="checkbox"/> Provide a signed memorandum jointly approved by FFSL and the Utah Department of Environmental Quality ("DEQ")	
<input type="checkbox"/> Revise and submit the information submitted as part of the feasibility assessment, under R317-16-3(4), to reflect the commercial scale of operations and any design changes	
<input type="checkbox"/> Information regarding Returned Water and Mitigation Water utilized during the feasibility assessment with prescriptions for expected volumes of Returned Water and Mitigation Water to be utilized during commercial scale operation to maintain non-consumptive status	
<input type="checkbox"/> Names of waters where discharge or delivery may occur in latitude and longitude to the fifth decimal place in decimal degrees or to the tenth of a degree in d-m-s notation	
<input type="checkbox"/> List of the sources, volume, and timing of the discharges or deliveries during planned, routine plant Operations	

4. Project Information	Reference Location for the Information
<input type="checkbox"/> Type of Great Salt Lake Element or Mineral to be extracted and the first marketable product(s) to be sold at an arm's-length transaction	
<input type="checkbox"/> Type of operations to be conducted, including the types of technology, and a description of how, including in what sequence, they are to be employed through all stages of operations	
<input type="checkbox"/> Detailed description of the Operator's plan and operations for extraction including estimated dates when operations may begin and end and the dates withdrawals or discharges may take place	
<input type="checkbox"/> A comprehensive inventory list of chemicals to be stored, used or disposed of at the Operation including, but not limited to, solvents, reactants, acids and bases, specialty chemicals, water treatment chemicals, gases, polymers and plastics, catalysts, surfactants and detergents, and any other additives	
<input type="checkbox"/> Provide a plan for compliance with Utah Code Section 73-33-203	
<input type="checkbox"/> Identification of the Royalty Rate Deduction the Operator desires to obtain and all data, information, and reporting required for the division's analysis of such Royalty Rate Deduction	
<input type="checkbox"/> Surface use occupancy and ownership thereof, including a description of any infrastructure to be placed on Great Salt Lake sovereign land and upland development necessary for operations including:	
<input type="checkbox"/> Commercial Plant coordinates in latitude and longitude to the fifth decimal place in decimal degrees or to the tenth of a degree in d-m-s notation	
<input type="checkbox"/> Commercial Plant areal extent (in figure and as a GIS file)	

4. Project Information	Reference Location for the Information
<input type="checkbox"/> Access Roads, Improvements, including pumps, intake pipes, outtake pipes, and any other infrastructure on sovereign lands and upland (in figure and as separate GIS files e.g. "roads", "pumps", etc.)	
<input type="checkbox"/> Provide and attach all necessary surface use permits, easements, or other authorizations required for Operations from appropriate agencies	
<input type="checkbox"/> Completed applications for surface use authorization from DFFSL for the extraction of Great Salt Lake Elements or Minerals with respect to the utilization of Great Salt Lake sovereign lands for evaporation ponds, dikes, pipelines, processing equipment, facilities, roads, or any other improvements or structures requiring surface use or disturbance	
<input type="checkbox"/> Proof that sufficient Bonding is in place with DFFSL and the Utah Division of Oil, Gas & Mining	
<input type="checkbox"/> Proof of a reclamation plan negotiated with and approved by DFFSL	
<input type="checkbox"/> Detailed description of the location, processing, and storage of Great Salt Lake Elements or Minerals	
<input type="checkbox"/> Estimated amounts of Great Salt Lake Element or Mineral to be produced annually and Life of Mine	
<input type="checkbox"/> Anticipated operational recovery rate for the Great Salt Element or Mineral per acre-foot of brine	
<input type="checkbox"/> Detailed description of the anticipated operational changes necessary to mitigate seasonal fluctuations of lake conditions including changes in brine density, temperature, amount of organic matter, lake levels, natural precipitants and any other anticipated variable conditions	
<input type="checkbox"/> Estimated amounts and descriptions of Operational Waste to be produced annually and Life of Mine	
<input type="checkbox"/> Provide and attach copies of any easements, permits, approvals, agreements, applications or other documents required for initiation of operations	
<input type="checkbox"/> Proof of all pending or acquired water rights and related appropriations necessary for operations or a detailed plan demonstrating how the Applicant will acquire water rights necessary to perform operations once in receipt of an Operations Royalty Agreement	
<input type="checkbox"/> A detailed description of any agreements, contracts, options, and other financial arrangements entered into by the Operator and a third-party relating to Operations	
<input type="checkbox"/> Evidence and supporting documentation establishing Commercial Viability for the Life of Mine, including both the method and the data used in such evaluation and market analysis including, but not limited to:	
<input type="checkbox"/> Cost to produce first marketable product or commodity	
<input type="checkbox"/> Market price of commodity	
<input type="checkbox"/> Profitability analysis	

5. Other Agreements and Self-certifications	Reference Location for the Information
<input type="checkbox"/> Proof of an executed Cooperative Agreement with other GSL operator(s)	
<input type="checkbox"/> Proof of a Voluntary Agreement with DFFSL to curtail water usage under the Great Salt Lake Preservation Act Utah Code Section 65A-17-101, et seq.	
<input type="checkbox"/> Self-certification that operations may not violate Utah Code Section 65A-6-1(3) with proof of a pending or accepted water appropriation for the purpose of extracting salts from the Great Salt Lake with the State Engineer	
<input type="checkbox"/> Self-certification of the information identified in Section R652-21-805 and R652-21-1200 through 1206, as well as a written plan of compliance for each identified item:	
<input type="checkbox"/> Great Salt Lake Element or Mineral Removal Certification	
<input type="checkbox"/> Right of Entry by DFFSL or its representatives	
<input type="checkbox"/> Inspection Program	
<input type="checkbox"/> Availability of Records	
<input type="checkbox"/> Compliance Conference	
<input type="checkbox"/> Notices of Violation	

****Note**** Date of pre-filing meeting with DFFSL and DWQ (at least 30-days prior to submitting application; DFFSL and DWQ may jointly agree to waive or shorten this 30-days requirement)

Applicant Acknowledgements and Signature

I hereby acknowledge submission of this Operations Application Form will initiate a review process and provides no right of priority. The Division of Forestry, Fire and State Lands reserves the right to reject this Operations Application at any time prior to the issuance of an Operations Royalty Agreement and any other necessary authorizations. The Division has exclusive discretion to approve, deny, or deem incomplete this Operations Application. Until the Division approves this Operations Application, the Applicant acquires no vested rights by submitting this Operations Application. This Operations Application may be canceled by the Division at any time prior to final approval by the Division if in the best interest of the beneficiaries of the land. Applications shall be processed in accordance with the applicable rules in effect at the time the application was accepted except that the Division may apply rule changes that become effective during the processing of an application if the application of the rule change is in the best interest of the beneficiaries of the land. If the Applicant objects to comply with changes in the rules, the Applicant may elect to withdraw the Operations Application.

I further acknowledge the information contained on this application may become a public record prior to the conclusion of the competitive period unless evidence of business confidentiality is submitted in writing (see reverse). By submitting this application, I agree to comply with the assessment and record-keeping requirements required by all relevant Utah law.

Applicant's Signature

Title

Date

Claim of Business Confidentiality

Pursuant to Utah Code § 63G-2-309, any person who provides to the Division an application (or information contained in any record) that he or she believes should be protected under Utah Code §§ 63G-2-305 (1) or (2) shall provide with the application a written claim of business confidentiality and a concise statement of reasons supporting the claim of business confidentiality. The Division shall notify the applicant if the record claimed to be protected under Utah Code §§ 63G-2-305 (1) or (2) is classified public or the Division determined the record claimed to be protected under Utah Code §§ 63G-2-305 (1) or (2) should be released after balancing interests under Utah Code §§ 63G-2-201(5)(b) or 63G-2-401(6). This submission of a claim for business confidentiality is not an absolute guarantee of the protection of records or information contained in any record under GRAMA.

For applicants claiming the information herein submitted is confidential:

- A. Please attach a copy of the application without redaction(s) *and* a copy of the application with redaction(s) indicating what specific information contained within the record the applicant believes should be protected under Utah Code §§ 63G-2-305(1) or (2). **Failure to indicate all information contained within the record believed to be confidential may result in a classification of the information as public or otherwise may result in the record being released.**
- B. Please check the applicable box and print or type a concise statement of the reasons supporting the claim of business confidentiality in the space provided below. **Failure to provide a concise statement of reasons supporting the claim of business confidentiality may result in a classification of the information as public or otherwise may result in the record being released.**
- Trade Secrets:** The submitted information is a formula, pattern, compilation, program, device, method, technique, or process, that derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use and is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.
 - Commercial Information or Nonindividual Financial Information:** Disclosure of the submitted information could reasonably be expected to result in unfair competitive injury to the person submitting the information, or would impair the ability of the Division to obtain necessary information in the future, and the applicant has a greater interest in prohibiting access than the public in obtaining access.

Statement of reasons supporting the claim of business confidentiality:

I, _____, do hereby claim that the information herein submitted as required by the Division of Forestry, Fire and State Lands, is confidential.

Signature		Date	
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