OK
Revised
2/9/11

MUTUAL AID AGREEMENT

Comes now the undersigned, David Moody, Carlsbad Area Office Manager, U.S. Department of Energy, Carlsbad, NM; Leonard Kaskiw, General Manager, Intrepid Potash NM LLC, Carlsbad, NM; Don Purvis, General Manager, Mosaic Potash Carlsbad Inc., Carlsbad, NM; being true and authorized representatives for the above mentioned facilities only, to enter into the following agreement:

> Whereas, DOE agrees that the Waste Isolation Pilot Plant is required to comply with the Federal Mine Safety and Health Act and the MSHA regulations at 30 CFR 49.2 (a) require that every mine operator shall have two mine rescue teams available at all times when miners are underground, and backup rescue capability is deemed desirable.
>
> And whereas, in the event of a mine disaster or any circumstances that should require a mine rescue team for emergency procedures at any of the three above mentioned facilities only (includes HB Potash owned by Intrepid Potash NM LLC), at such times as those facilities are operating, the undersigned pledge aid and assistance in the form of their mine rescue team or teams to one another. It is understood that neither company will assume responsibility or liability if a team member or members feel that conditions warrant refusal to enter any of the mines.

This agreement shall be binding upon these three facilities until such time as any of the parties elect to terminate the agreement. Termination will require a thirty (30) day notice in writing.

11/05/09
David Moody — Date
Manager, Carlsbad Area Office
U.S. Department of Energy

8/14/09
Leonard Kaskiw — Date
General Manager
Intrepid Potash NM LLC

8/10/09
Don Purvis — Date
General Manager
Mosaic Potash Carlsbad Inc.