State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 657-2170, FAX: (916) 657-1485, Web: http://www.waterrights.ca.gov

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information. Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000

OWNER OF RECORD: U S TUNGSTEN CORP

PACIFICA DEVELOPMENT
~~3090 PULLMAN ST~~
~~COSTA MESA, CA 92626~~

3350 Shelby St., St 200
Ontario, CA. 91764

STATEMENT NO: S002162

S 0 0 2 1 6 2

SOURCE: MORGAN CREEK
TRIBUTARY TO: PINE CREEK
COUNTY: INYO
DIVERSION WITHIN: NW¼ OF NE¼ SECTION 8, T7S, R30E, MB&M.

TELEPHONE NUMBER: (909) 944 - 2552
YEAR OF FIRST USE: 1943
PARCEL NO:

A. Water is used under: Riparian claim _____ Pre 1914 right X Other (explain): _____

B. Year of first use (Please provide if missing above) 1890

C. Amount of Use – Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons _____ Acre-feet XX Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1997													0.0
1998													0.0
1999													0.0

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic _____;

Other (specify) Morgan Creek

E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) none

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Are you now employing water conservation efforts? YES ___ NO X
   Describe any water conservation efforts you have initiated: _____

   b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

   Reductions in Diversions

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

   Reductions in consumptive use:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

   I have data to support the above surface water use reductions due to conservation efforts. YES ___ NO ___

JUL 5 2000

S002162

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO X.

b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)
I have data to support the above surface water use reductions due to wastewater reclamation. YES ___ NO ___

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES _____ NO X.

b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)
I have data to support the above surface water use reductions due to conjunctive use efforts. YES ___ NO ___

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 30, 20 00 at Inyo, California

SIGNATURE: Ben F Barlow VP

PRINTED NAME: Ben (first name) F. (middle init.) Barlow, VP (last name)

COMPANY NAME: Pacifica Development, Inc.

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATE WATER RESOURCES CONTROL BOARD
98 JUL -3 PM 2: 23
DIV. OF WATER RIGHTS SACRAMENTO

If the information below is inaccurate, please line it out in red and provide current information. Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1998

OWNER OF RECORD: U S TUNGSTEN CORP

U S TUNGSTEN CORP c/o PACIFICA DEVELOPMENT
~~ROUTE 2~~ 3090 PULLMAN STREET
~~BISHOP, CA 93514~~ COSTA MESA, CA 92626

STATEMENT NO: S002162

S 0 0 2 1 6 2

SOURCE: MORGAN CREEK
TRIBUTARY TO: PINE CREEK
COUNTY: INYO
DIVERSION WITHIN: NW¼ OF NE¼ SECTION 8, T7S, R30E, MB&M.

TELEPHONE NUMBER: (619) 387-2501
YEAR OF FIRST USE: 1943
PARCEL NO:

A. Water is used under: Riparian claim _____; Pre 1914 right X; Other (explain): _____

B. Year of first use (Please provide if missing above) ~~1890~~.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) _____

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1995													0.00
1996													0.00
1997													0.00

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic _____

Other (specify) ~~Morgan Creek~~

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

N/A

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

N/A

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: JUN 3 0 1998, 19__ at Orange County/Costa Mesa, California

SIGNATURE: Jeffrey K. Francis

PRINTED NAME: Jeffrey K. Francis, President
(FIRST NAME) (MIDDLE INIT.) (LAST NAME)

COMPANY NAME: U.S. Tungsten Corporation, By: Pacifica Development, Inc., Agent

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

WR 40-1

WRIMS UPDATED 7/9/98 KRB

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

U S TUNGSTEN CORP
ROUTE 2
PINE CREEK OPERATIONS
BISHOP, CA 93514

STATEMENT NO: 002162

TELEPHONE NUMBER:
(619) 387-2501

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: MORGAN CREEK

TRIBUTARY TO: PINE CREEK

COUNTY: INYO

YEAR OF FIRST USE: 1943

DIVERSION
WITHIN: NW1/4 OF NE1/4 SECTION 08, T07S, R30E, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim _____; Pre 1914 right X; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) _____

STATE WATER RESOURCES CONTROL BOARD
1994 MAR 11 PM 3:
DIV. OF WATER RIGHTS
SACRAMENTO

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991	None												None
1992	None												None
1993	None												None

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering _____; Domestic _____
Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Diversion abandoned in 1991. Previous usage converted to internal mine source which is diverted to 002162 source. New source is developed water from mining operation.

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: March 7, 19 94, at Bishop, California

Signature: T. Scott

T.W. Scott, General Manager

WR 40-I (1/94)
FOR0127R2

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1993

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503
(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD: STATEMENT NO: 002162

U S TUNGSTEN CORP
ROUTE 2
PINE CREEK OPERATIONS
BISHOP, CA 93514

TELEPHONE NUMBER:
(619) 387-2501

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: MORGAN CREEK

TRIBUTARY TO: PINE CREEK

COUNTY: INYO

DIVERSION
WITHIN: NW1/4 OF NE1/4 SECTION 08, T07S, R30E, MDB&M.

STATE WATER RESOURCES CONTROL BOARD
JUL -1 PM 2:47
DIV. OF WATER RIGHTS
SACRAMENTO

INSTRUCTIONS: Please complete Items A. B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988	849.6	807.2	862.9	874.6	960.8	861.7	794.4	869.5	702.5	766.8	675.8	712.6	9738.4
1989	726.1	637.2	684.9	685.7	732.5	755.7	821.9	821.9	768.9	780.8	669.5	746.6	8828.7
1990	746.6	661.9	739.7	715.9	753.4	795.4	767.1	630.1	596.6	650.7	623.1	616.5	8297.0

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering _____

Domestic 85 persons operations Tungsten Mine and Mill

Other (specify) Process water for mining and milling operation

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

N/A

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 27, 19 91, at Bishop, California

Signature: [signature]

T.W. Scott General Manager

WR 40-I (2/90)

3222 1990

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

S-2 162

** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATE WATER RESOURCES CONTROL BOARD
1995 JUL 14 PM 12: 47
DIV. OF WATER RIGHTS SACRAMENTO

STATEMENT NO: S002162
OWNER OF RECORD: U S TUNGSTEN CORP

U S TUNGSTEN CORP
ROUTE 2
BISHOP, CA 93514

SOURCE: MORGAN CREEK
TRIBUTARY TO: PINE CREEK
COUNTY: INYO
DIVERSION
WITHIN: NW¼ OF NE¼ SECTION 8, T7S, R30E, MDB&M.

TELEPHONE NUMBER: (619) 387-2501
YEAR OF FIRST USE: 1943
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

A. Water is used under: Riparian claim _____; Pre 1914 right X; Other (explain) _____

B. Year of first use (Please provide if missing above) 1943.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992													0.00
1993													0.00
1994													0.00

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____acres; Stockwatering _____; Domestic _____
Other (specify) _____

*** CONTINUE ON BACK PAGE ***

***** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS *****

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Diversion Abandoned in 1991

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 30, , 19 95 , at Bishop , California

SIGNATURE:

PRINTED NAME: T. (FIRST NAME) W. (M. NAME) Scott (LAST NAME)

COMPANY NAME: U.S. Tungsten Corp.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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"Appropriation of Water in California"

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

S 2162

A. Name of person diverting water UNION CARBIDE CORPORATION

Address BISHOP, CALIFORNIA

B. Name of body of water at point of diversion Percolating water extracted from Pine Creek Mining Operation

Tributary to Morgan Creek

C. Place of diversion ..... ¼ ..... ¼ Section ....., Township ....., Range ....., ... B&M,

See attached Inyo County, or locate it on s. section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works Union Carbide Pine Creek Tungsten Operations

E. Capacity of diversion works 15,000 ~~cubic feet per second~~ gallons per minute

Capacity of storage reservoir --- ~~gallons~~ acre-feet

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
See attached	:	:	:	:	:	:	:	:	:	:	:	:	

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.....

Maximum annual water use in recent years ..... gallons acre-feet

Minimum annual water use in recent years ..... gallons acre-feet

Type of diversion facility: gravity X , pump

Method of measurement: weir , flume , electric power meter , water meter ....., estimate See attached.

F. Purpose of use (what water is being used for) Process water for mining, milling and plant operations to recover metallic values from ores.

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) See attached.

H. Year of first use as nearly as known 1943

I. Name of person filing statement Mr. H. L. McKinley

Position Manager Organization Union Carbide Corporation

Address Route 2, Bishop, California

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed June 29, 1967 Signature H. L. McKinley

See Instructions on Reverse Side

SWRB 40 (8-65)

6-409-51-00-0