ASSIGNED

Serial No. 13907

AMENDED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED.

Date of first receipt and filing in State Engineer's office NOV 15 1951

Returned to applicant for correction

Corrected application filed DEC 18 1951

The undersigned Union Carbide and Carbon Corporation (Name of applicant.)

of 30 East 42nd Street, City and , County of New York

State of New York , hereby makes application for permission to change the manner of use and place of use a portion of of/water heretofore appropriated under Certificate of Appropriation (State nature of right that is the basis of this

Certificate No. 2913 subject of Permit No. 11250 application, i. e., vested, decreed or permitted right.)

1. The source of water supply is Riley Creek, Nevada

2. The quantity of water desired to be changed .15 c.f.s. (Acre feet, second feet.)

3. The water is to be used for mining and domestic purposes

4. The water heretofore used for milling purposes

5. Place of use under existing appropriation SE¼ NW¼ Section 9, (Under irrigation give number acres

T. 38 N., R. 42 E., M.D.M. and description in respect to Government Land Survey; under any other use give location as being within a 40-acre

subdivision.)

6. Proposed place of use under this application NE¼ NW¼ Section 9, (Under irrigation give number

T. 38 N., R. 42 E., M.D.M. and SE¼ NW¼ Section 9, T. 38 N., R. 42 E., of acres and description in respect to Government Land Survey; under any other use give location as being within a

M.D.M. 40-acre subdivision.)

* 7. The water is to be diverted from its source at the following point:

See Page 3 (Describe as being within a 40-acre subdivision of public survey or by course and distance to a section corner.)

8. The existing point of diversion under the former appropriation is as follows: Point of diversion not changed (If point of diversion is not changed do not answer.)

9. Number and kind of animals proposed to be watered None

10. Use will begin about Jan. 1st (Month) and end about Dec. 31st (Month) of each year.

11. The water has been used heretofore during the months of January 1st to December 31st of each year

12. Remarks This application is being submitted for the purpose of gaining the right to use at Applicant's tungsten mine, commonly known as The Riley Mine, and at domestic buildings occupied in connection therewith, a portion of water to which it is already entitled, and which it has beneficially used, under Certificate of Appropriation of

(over)

13. Description of proposed works Existing facilities (as per map attached) will be sufficient to accomplish the desired distribution of water. These consist of a 2" buried pipe line from the mill to the main portal of the mine from which point ordinary underground water line distribution to the mine is made through 2" and 1" underground pipes. **(continued below)

14. Estimated cost of works See below

15. Estimated time required to construct the works is See below

UNION CARBIDE AND CARBON CORPORATION Applicant

Compared AT-EP

By W. J. Priestley
Vice President

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the manner and place of use of a portion of the waters of Riley Creek as heretofore granted under Permit No. 11250 is issued subject to the terms and conditions imposed in said Permit No. 11250 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and weir must be installed at or near the new point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use and not to exceed 0.15 cubic foot per second.

Actual construction work shall begin on or before September 11, 1952

Proof of commencement of work shall be filed before October 11, 1952

Work must be prosecuted with reasonable diligence and be completed on or before September 11, 1952

Proof of completion of work shall be filed before October 11, 1952

Application of water to beneficial use shall be made on or before September 11, 1953. Proof of the application of water to beneficial use must be filed with State Engineer on or before October 11, 1953

Permit No. 3931 Issued Feb. 25, 1953 for 0.15 cfs
Feb. 26, 1953 Bk. A Page 331 Mining & Dom
Humboldt Bk. Page
County Records
County Records

WITNESS MY HAND AND SEAL this 13th day of March, 1952

State Engineer

Map Filed DEC. 6 1951
Proof of commencement of work filed MAY 29 1952
Proof of Completion of work filed MAY 29 1952
PROOF OF BENEFICIAL USE FILED FEB 16 1953

12. Remarks--Continued:

Water issued under date of October 30th, 1945 (Certificate Record No. 2913, Book 9, Page 2913) to Northern Nevada Mining Co., Applicant's predecessor in interest. That certificate granted Applicant the right to beneficially use .75 c.f.s. in its milling operations and Applicant now requests permission to use .15 c.f.s. of the said .75 c.f.s. for tungsten mining operations and for domestic use in the same area.

Attention is invited to the fact that at the present time tungsten is a critical metal and extremely vital to the defense effort. Applicant has been requested by the United States Government to place the Riley Mine in operation at an early date and this application is being made as part of the effort to comply with the Government's request. An indication of the necessity for the immediate production of tungsten is found in the Government's recently announced program whereunder the Government, to encourage the discovery, development and production of tungsten in the United States, has established a support price of $63.00 per short ton unit effective until July 1, 1956 or until the Government has purchased 3,000,000 units under the program, whichever occurs first.

Therefore, Applicant earnestly requests favorable and prompt consideration of the within application to the end that a supply of water, essential to the mining of tungsten, be assured so that mining operations may be commenced at the earliest possible date.

*7. In the SW¼ NW¼ Section 9, T. 38 N., R. 42 E., M.D.B.&M., or at a point from which the S.E. corner of said Section 9, bears S. 55° 15' E., 5,772 feet.

**13. A 1,500 gallon water tank located approximately 300 feet west of the mine portal is part of the mine water system and is fed by a 2" pipe from the mine. Distribution facilities for domestic use consist of a storage tank of approximately 1,000 gallons capacity approximately 200 feet NW from the housing area fed by a 1" pipe line from the diversion point, distribution being made to the dwellings by buried 1" pipe lines.

14. No further expenditures necessary. Approximately $6,000.00 has been spent in installing the works described in Paragraph 13.

15. No additional time will be required.