

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office AUG 26 2009

Returned to applicant for correction

Corrected application filed Map filed OCT 03 1974 under 28763...

The applicant...Ruby Pipeline, LLC., c/o Dan G. Gredvig.....

.....P.O. Box 1087.....of.....Colorado Springs.....
Street and No. or P.O. Box No. City or Town

.....Colorado.....80944.....hereby make(s) application for permission to appropriate
State and Zip Code No.

the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.).....

.....Nov. 14, 2007, Delaware.....

1. The source of water is.....underground - well.....
Name of stream, lake, underground, spring or other sources.

2. The amount of water applied for is0.022 cfs (5.156 af).....second feet.
One second foot equals 448.83 gallons per minute.

(a) if stored in reservoir give number of acre-feet.....

3. The water to be used for.....Pipeline Construction.....
Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.

4. If use if for:

(a) Irrigation, state number of acres to be irrigated.....

(b) Stockwater, state number and kind of animals.....

(c) Other use (describe fully under No. 12)....Dust control.....

(d) Power:

(1) Horsepower developed.....

(2) Point of return in water to stream.....

66-414

Per 7/31/09

Per 8/31/09

5. The water is to be diverted from its source at the following point: (Describe as being within a 40-acre subdivision of public survey, and by a course and distance to a found section corner. If on unsurveyed land, it should be so stated.)

NE 1/4 SE 1/4 Sec 10; T.37 N., R.42 E., MDB&M, or at a point from which the N 1/4 corner of said Sec 10 bears 0° 05' 12" E., a distance of 3954 feet. For a map of the proposed POD, use map on file under Permit No 28767.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

Portions of Secs 2, 3, 4, 5, and 7; T.37 N., R.43 E., Secs 11, 12, 13, 14, 15, 16, 17, 19, 20, and 21; T.37 N., R.42 E., Secs 24 and 25; T. 37 N., R.41 E. All MDB&M. For a map of POU, use map on file under 78493.

REL per phone

7. Use will begin about January 1st and end about December 31st of each year.

8. Description of proposed works: (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, and flumes, drilled well with pump and motor, etc.)

Existing well 20.5" diameter 320 feet deep.

9. Estimated cost of works: \$10,000.

10. Estimated time required to construct works: one (1) year.

11. Estimated time required to complete the application of water to beneficial use: two (2) years.

12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):

See attached sheet.

13. Miscellaneous remarks:

2009 AUG 26 PM 3:03
STATE ENGINEERING OFFICE

E-mail Address
Phone No. (775)885-2101

By R. Michael Turnipseed, P.E.
Signature, applicant or agent

204 North Minnesota Street
Carson City, Nevada 89703

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

EXHIBIT " A "

This application is one of several to provide construction water for compaction, dust control and hydrostatic testing. The total project consists of 670 miles of 42 inch Natural Gas Pipeline from Opal, Wyoming to Malin, Oregon passing through Elko Co., Humboldt Co. and Washoe County Nevada. This application is being filed pursuant to NRS 533.371 for a maximum of 2 years and shall expire upon completion of the project. The diversion rate on some of the applications is unusually high because during the hydrostatic test they need to fill the pipe as quickly as possible.