TEMPORARY

Serial No. 78892 T

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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office SEP 14 2009

Returned to applicant for correction.....

Corrected application filed ..... Map filed APR 10, 1962 under 15919 PBU

The applicant.....Ruby Pipeline, LLC c/o Dan Gredrig.....

.....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 change the
State and Zip Code No.

.....POD..☐ .....POU..■.....MOU..■.....of a portion..■.....

of water heretofore appropriated under..... Permit 15919 C-5358.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree

.....
and identify right in Decree.

.....

.....

1. The source of water is.....Underground well MP 452.85.....
Name of stream, lake, underground, spring or other sources

2. The amount of water to be changed.....0.44 cfs (7.734 afa).....
Second feet, acre-feet One second foot equals 448.83 gallons per minute.

3. The water to be used for.....Pipeline construction.....
Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.

4. The water heretofore used for.....Irrigation.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following point.....NE¼ SE¼ Sec 29 T.41 N., R.37 E., MDB & M, or at a point.....
Describe as being within a 40-acre subdivision of public survey and by course

..... from which the E¼ corner of said Sec 29 bears N 56°01' 15" E., a distance of 1395 feet. For a map of POD,.....
and distance to a section corner, If on unsurveyed land, it should be stated.

...use map on file under 15919.....

6. The existing point of diversion is located within.....same as heretofore.....
If point of diversion is not changed, do not answer.

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33A-HLJ

7. Proposed place of use.....T.40 N., R.38 E., portions of Secs 7, 17, 18, 19 and 20; T.40 N., R.37 E., portions of .....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

.....Secs 1, 2, 3, 11, 12 and 13; T.41 N., R.37 E., portions of Secs 31, 32, 33, 34 and 35; T.41 N. R.36 E., portions of.....

.....Secs 27, 28,29, 33, 34, 35, and 36. For a map of the PPOU, use map on file under 78493.....

.....

8. Existing place of use.....2.03 ac SE¼ NW¼, 38.11 ac SW¼ NE¼, 14.5 ac SE¼ NE¼, 9.37 ac NE¼ SE¼, 40 ac.....
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of

... NW¼ SE¼, 26.75 ac NE¼ SW¼, all Sec 29, T.41 N., R.37 E., MDB&M 130.76 acres.....
use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

.....3.867 acres to be removed from irrigation per Exhibit A.
.....NE¼ SW¼ Section 29.....

.....

9. Use will be from.....January 1, 2010 .....to.....December 31, 2010.....of each year.
Month and Day Month and Day

10. Use permitted from.....January 1st .....to.....December 31st.....of each year.
Month and Day Month and Day

11. 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.).....Existing 14" casing 138 feet deep.....
State manner in which water is to be diverted, i.e. diversion structure, ditches,

.....
pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works.....$10,000.....

13. Estimated time required to construct works.....three (3) months.....
If well completed, describe well.

.....

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

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

.....See attached sheet.....

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.....(775)885-2101.....
Phone No.

By....R. Michael Turnipseed, P.E.....
Print or type name clearly

Signature, applicant or agent

..204 North Minnesota Street.....
Street and No., or P.O. Box No.

....Carson City, Nevada 89703.....
City, State, Zip Code

RECEIVED
2009 SEP 14 PM 2:16
STATE ENGINEERS OFFICE

REC

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

$100 FILING FEE 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. The period of use will be from 1/1/2010 to 12/31/2010. 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.

An area 900 ft. by 187.16 ft. consisting of 3.867 acres in NE1/4SW1/4 Section 29 will not be irrigated for the 2010 irrigation season. 3.867 acres times a consumptive use factor of 2.0 AF/AC equals the amount of water applied for.