



CORRECTED PERMIT

TEMPORARY

THE STATE OF NEVADA

**PERMIT TO CHANGE POINT OF DIVERSION,
MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Name of applicant: RUBY PIPELINE, LLC
Source: UNDERGROUND
Basin: LONG VALLEY
Manner of Use: CONSTRUCTION
Period of Use: April 1st to March 31st
Priority Date: 06/26/1979

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 temporary permit to change the place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 38431, Certificate 11572 is issued subject to the terms and conditions imposed in said Permit 38431, Certificate 11572 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The permittee shall keep monthly records of the amount of water pumped from this well and the records must be submitted to the State Engineer on an annual basis within 30 days after the end of each calendar year.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

(Continued on Page 2)

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire in one year at which time all rights herein granted shall revert to the right being changed by this temporary permit.

This temporary permit is issued solely for construction and related purposes for the Ruby Gas Pipeline Project and will expire upon completion of the pipeline project, as provided in NRS 533.045 and NRS 534.120(1). The permittee shall notify the State Engineer within thirty (30) days of project completion that the diversion of water from this location for this segment of pipeline construction is no longer necessary and the State Engineer will cancel the permit and the well shall be plugged and abandoned as provided in Nevada Administrative Code 534.427.

The issuance of this temporary permit reduces the duty of Permit 38431, Certificate 11572 by 36.83 acre-feet, and decreases the southerly portion of the certificated place of use by 11.51 acres.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.19 cubic feet per second or 36.83 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

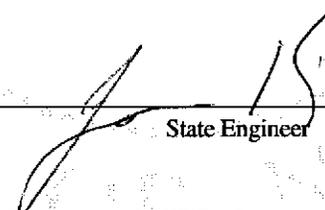
N/A

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 28th day of April, A.D. 2010



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____



See Corrected Permit

Permit No. 79675T

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THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

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The permittee shall keep monthly records of the amount of water pumped from this well and the records must be submitted to the State Engineer on an annual basis within 30 days after the end of each calendar year.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire in one year at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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This temporary permit is issued solely for construction and related purposes for the Ruby Gas Pipeline Project and will expire upon completion of the pipeline project, as provided in NRS 533.045 and NRS 534.120(1). The permittee shall notify the State Engineer within thirty (30) days of project completion that the diversion of water from this location for this segment of pipeline construction is no longer necessary and the State Engineer will cancel the permit and the well shall be plugged and abandoned as provided in Nevada Administrative Code 534.427.

The issuance of this temporary permit reduces the duty of Permit 38431, Certificate 11572 by 36.83 acre-feet, and decreases the southerly portion of the certificated place of use by 11.51 acres.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.56 cubic feet per second or 36.83 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

N/A

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of April, A.D. 2010

Jason King P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

TEMPORARY
TEMPORARY

79675T
Application No.....

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 MAR 09 2010
Returned to applicant for correction.....
Corrected application filed Map filed JUN 11 1986 under
38431

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 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)
..... Permit 38431 C-11572.....

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

2. The amount of water to be changed.....5.56 cfs (36.83 af).....
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 and domestic.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section. If on unsurveyed land, it should be stated.)
...Lot 2 Sec 4 T.43 N., R.19 E., MDB&M or at a point from which the NW corner of said Sec 4 bears N. 64° 20' W. a.....
...distance of 2984.0 feet.....

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

009-117

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

...T.42 N., R.20 E., portions of Secs 1, 2, 3 and 4; T.43 N., R.20 E., portions of Secs 7, 18, 19, 20, 28, 29 and 33;.....
...T.43 N., R.19 E., portions of Secs 1 and 12; T.44 N., R.19 E. (unsurveyed) , portions of Secs 3, 10, 11, 14, 15, 23, 26,.....
...35 and 36; T.45 N., R.19 E. (unsurveyed), portions of Secs 5, 6, 8, 16, 17, 21, 28, 33 and 34; T.46 N., R.19 E.,.....
...portions of Secs 30 and 31; T.46 N., R.18 E., portions of Secs 2, 11, 12, 13, 14, 24 and 25; T.47 N. R.18 E. portions.....
...of Secs 15, 16, 22, 26, 27 and 35.....

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation)

...40 ac. SW¼ NE¼, 39 ac Lot 2, 39 ac Lot 3, all in Sec 4 T.43 N., R.19 E., MDB&M

11.51 acres to be removed from irrigation within SW¼ NE¼ Sec 4
REC

9. Use will be from.....April 1, 2010.....to.....March 31, 2011.....of each year.
Month and Day Month and Day

10. Use permitted from.....April 1st.....to.....October 1st.....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.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

...Existing well unknown depth, stand pipe and haul trucks.....

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

13. Estimated time required to construct works.....two (2) months.....
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use.....one (1) year.....

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

...See attached sheet.....

16. Miscellaneous remarks:

...For a map of existing POD and POU, use map on file under 38431. For a map of proposed POU, use map under 79041T....
...For a map of acreage to be removed from irrigation, see map attached.....

.....(775)885-2101.....
Phone No.
...mike_turnipseed@sbcglobal.net.....
E-mail

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

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

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

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

\$200 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 4/1/2010 to 3/31/2011. 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.

11.51 acres will be stripped of irrigation at the rate of 4.0 AF/AC in order to transfer the consumptive use at the rate of 3.2 AF/AC