



# TEMPORARY

## THE STATE OF NEVADA

### PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

**Name of applicant:** RUBY PIPELINE, LLC  
**Source:** UNDERGROUND  
**Basin:** PARADISE VALLEY  
**Manner of Use:** CONSTRUCTION  
**Period of Use:** September 1st to August 31st  
**Priority Date:** 05/04/1965

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#### 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 point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 65849, is issued subject to the terms and conditions imposed in said Permit 65849, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening 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. 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.

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 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit. This temporary change of an existing right is issued solely for construction and related purposes for the Ruby Gas 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.

(Continued on Page 2)

The approval of this temporary permit reduces the annual duty of water in the base right, 65849, by 18.41 acre-feet for a period of one year from the date of approval, and the total combined duty of all of the related permits set forth in the permit terms of 65849 is also similarly reduced by 18.41 acre feet.

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 0.44 cubic feet per second or 18.41 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:

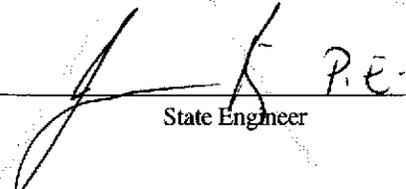
N/A

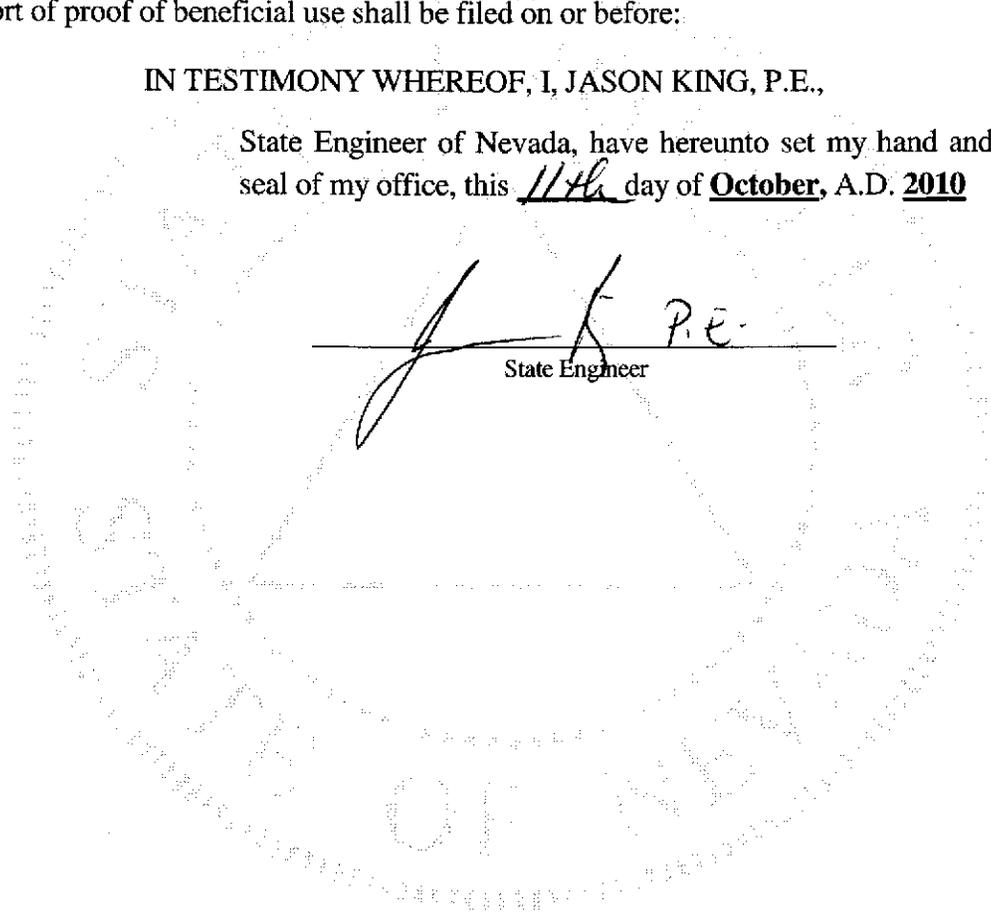
Map in support of proof of beneficial use shall be filed on or before:

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 11th day of **October**, A.D. **2010**

  
\_\_\_\_\_  
State Engineer



**TEMPORARY  
TEMPORARY**

Serial No. **80127T**

**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 02 2010** .....

Returned to applicant for correction.....

Corrected application filed ..... Map filed **APR 18 1972** under  
**26645**

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 65849.....  
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 434.12.....  
Name of stream, lake, underground spring or other sources
  2. The amount of water to be changed.....0.44 cfs (10.31 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.....  
If for stock state number and kind of animals.
  5. The water is to be diverted at the following point...NW¼ SW¼ Sec 17 T.38 N., R.39 E., MDB&M, or at a point from.....  
Describe as being within a 40-acre subdivision of public survey and by course
- ... which the NW corner of said Sec 17 bears N 1° 07' W. 3070 feet. For a map of the proposed POD, use map on file.....  
and distance to a section corner. If on unsurveyed land, it should be stated.
- ... under 26645.....
6. The existing point of diversion is located within...SW¼ NW¼ Sec 23, T.37 N., R.39 E., MDB&M or at a point from.....  
If point of diversion is not changed, do not answer.
- ... which the NW corner of said Sec 23 bears N. 5° 48' W. a distance of 2435 feet. For a map of the existing.....
- ...POD, use map on file under 65823.....

*L & POU*  
*25/9/2*

4-69  
HV

7. Proposed place of use... T.38 N., R.39 E., portions of Secs 3, 4, 10, 11, 14, and 15; T.39 N., R.39 E., portions of .....  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
... Secs 19, 20, 28, 29, 30 and 33; T.39 N., R.38 E., portions of Secs 22, 23, 24, 25, 26 and 27. For a map of the.....  
...proposed POU, use map on file under 79041T.....

8. Existing place of use... NE¼ and S½ Sec 12, all Sec 13, NE¼ and S½ Sec 14, NE¼ and S½ Sec 21, all of Secs 22, 23.....  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of  
... and 27, NW¼ NW¼ Sec 28, NE¼ and S½ Sec 29, all in T.37 N., R.39 E., MDB&M (3300 acres).....  
use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

*An Additional 5,75 acres to be removed in the NE¼ Section 12 at the rate of 3.2 AFAA*

9. Use will be from... *Sep* *Rut* *Aug*  
December 1, 2010 to November 30, 2011 of each year.  
Month and Day Month and Day

10. Use permitted from... January 1<sup>st</sup> to December 31<sup>st</sup> 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 16" well 404 feet deep, tanks and haul trucks.....  
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.....\$50,000.....

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.....one (1) year.....

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. This water will be in addition to water granted in Permit 78987T.....

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

By... R. Michael Turnipsed, P.E.  
*R. Michael Turnipsed, 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

STATE ENGINEERING

2010 SEP -2 AM 9:36

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 9/1/2010 to 8/31/2011. 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.