

**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:** MARYS RIVER AREA  
**Manner of Use:** CONSTRUCTION  
**Period of Use:** September 1st to August 31st  
**Priority Date:** 04/18/1978

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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 place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 35317, Certificate 12594, is issued subject to the terms and conditions imposed in said Permit 35317, Certificate 12594, 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 change of an existing certificated right is issued solely for construction and related purposes for the Ruby Gas Pipeline Project and will expire one year from the date of approval, 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 duty of water associated with the circle located in the SE¼ Section 35, T. 40 N., R. 60 E., MDM by 9.21 acre feet for a period of one year.

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 0.22 cubic feet per second or 9.21 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:

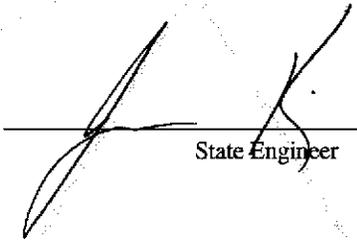
N/A

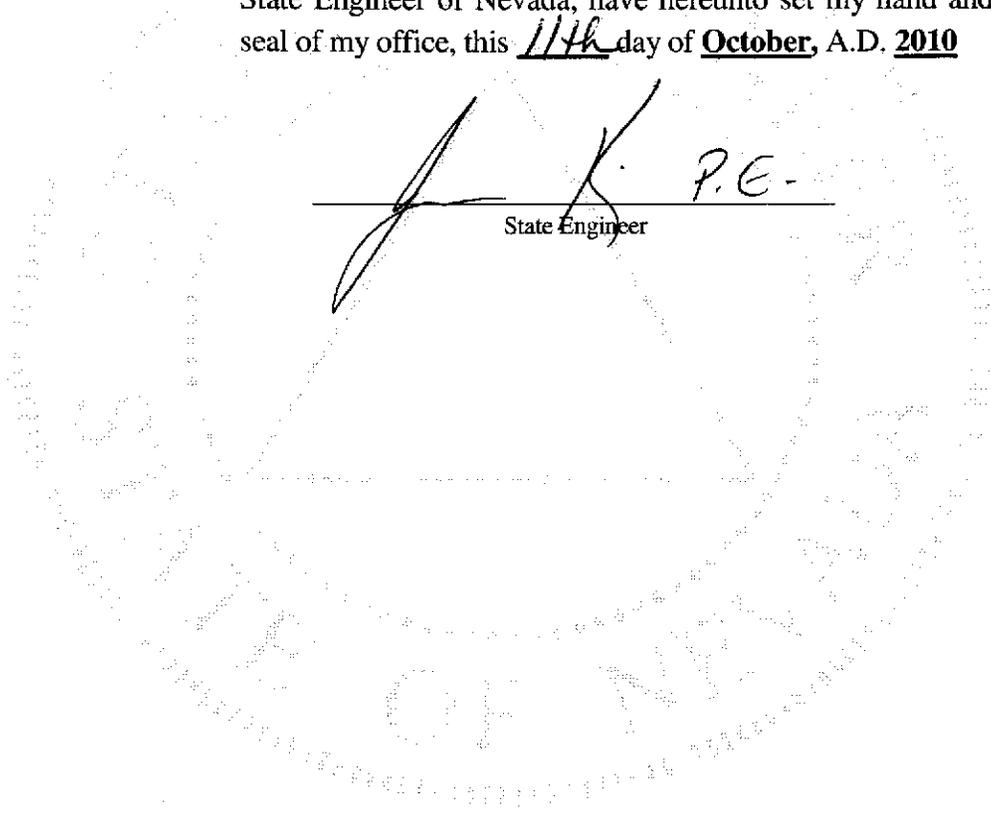
Map in support of proof of beneficial use shall be filed on or before:

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. 80129T

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 DEC 05 1989 under 54207

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. [x] MOU. [x] of a portion. [x]  
of water heretofore appropriated under Permit 35317 C-12594  
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 293.2  
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.22 cfs (9.21 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 NW 1/4 SW 1/4 Sec 36 T.40 N., R.60 E., MDB&M, or at a point from  
Describe as being within a 40-acre subdivision of public survey and by course

... which the SW corner of said Sec 36 bears S. 3° 19' W, a distance of 2551.0 feet. For a map of proposed POU, use  
POD exist POU  
R 9/2

... map on file under 35317 54207

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

EVS  
9/2/10

4-42  
EL

7. Proposed place of use.....See attached sheet. For a map of proposed POU, use map on file under 79041T.....  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use... 31.4 ac NE¼ SE¼, 31.4 ac NW¼ SE¼, 31.4 ac SW¼ SE¼, 31.4 ac SE¼ SE¼ Sec 35 T.40 N.;.....  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of  
...R.60 E., will not be irrigated.  
use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from..... September December 1, 2010..... to..... August 31, 2011 November 30, 2010..... 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

REC  
PER  
PHONE

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 332 feet deep, pumps 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.....

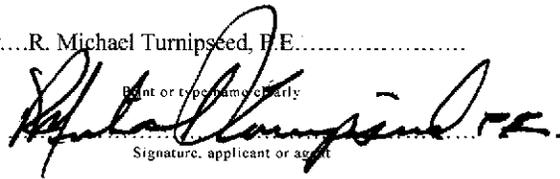
13. Estimated time required to construct works..... three (3) months.....  
If well completed, describe well.

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.....

.....(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

STATE ENGINEER OFFICE  
2010 SEP -2 AM 9:59

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

\$100 FILING FEE MUST ACCOMPANY APPLICATION

## Proposed Place of Use Tabor Well

T.41 N., R.64 E., portions of Secs 28, 29, 30, 31, 32 and 33; T.41 N., R.63 E., portions of Secs 25, 31, 32, 33, 34, 35 and 36; T.40 N. R.62 E., portions of Secs 1, 2, 3, 7, 8, 9 and 10, T.40 N., R.61 E., portions Secs 12, 13, 14, 15, 21, 22, 23, 28, 29, 30 and 31; T.40 N., R.60 E., portions of Secs 35 and 36; T.39 N., R.60 E., portions of Secs 2, 3, 4, 8, 9, 10, 17 and 18; T.39 N., R.59 E., portions of Secs 13, 14, 22, 23, 24, 27, 28, 29, 31 and 32; T.39 N., R.58 E., portions of Secs 18, 19, 20, 21, 26, 27, 28, 29, 35 and 36; T.39 N., R.57 E., portions of Secs 13, 14, 15, 16, 17, 19 and 20; T.39 N., R.56 E., portions of Secs 19, 20, 21, 22, 23, 24 and 30; T.39 N., R.55 E., portions of Secs 25, 26, 27, 28, 29 and 30; T.39 N., R.54 E., portions of Secs 25, 31, 32, 33, 34, 35 and 36; T.39 N., R.53 E., portions of Secs 34, 35 and 36; T.38 N. R.53 E., portions of Secs 3, 4, 5 and 6; T.38 N., R.52½ E., portion of Sec 1; T.38 N., R.52 E., portions of Secs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; T.38 N., R.51 E., portions of Secs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; T.39 N., R.50 E., portions of Secs 31, 32, 33 and 34; T.38 N., R.50 E., portions of Secs 3, 4, 5 and 6; T.39 N., R.49 E., portions of Secs 31, 32, 33, 34, 35 and 36; T.38 N., R.49 E., portions of Secs 3, 4 and 5; T.39 N., R.48 E., portions of Secs 28, 29, 30, 31, 32, 33, 34, 35 and 36; T.39 N., R.47 E., portions of Secs 25, 33, 34, 35 and 36.

For a map of the proposed POU, use map on file under 79014T.

**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.