



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: LONG VALLEY
 Manner of Use: QUASI-MUNICIPAL
 Period of Use: January 1st to December 31st
 Priority Date: 12/08/2009

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 of the waters of an underground source as heretofore granted under Permit 79071 is issued subject to the terms and conditions imposed in said Permit 79071 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 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. The State retains the right to regulate the use of the water herein granted at any and all times.

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

The total combined duty of water under Permits 78901, 80156T, and 80157T shall not exceed 150 acre-feet.

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 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.

(Continued on Page 2)

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 0.5 cubic feet per second or 150.0 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:

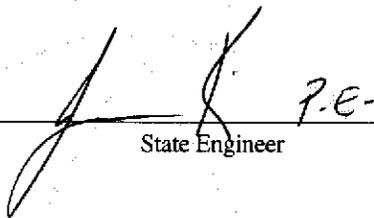
N/A

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

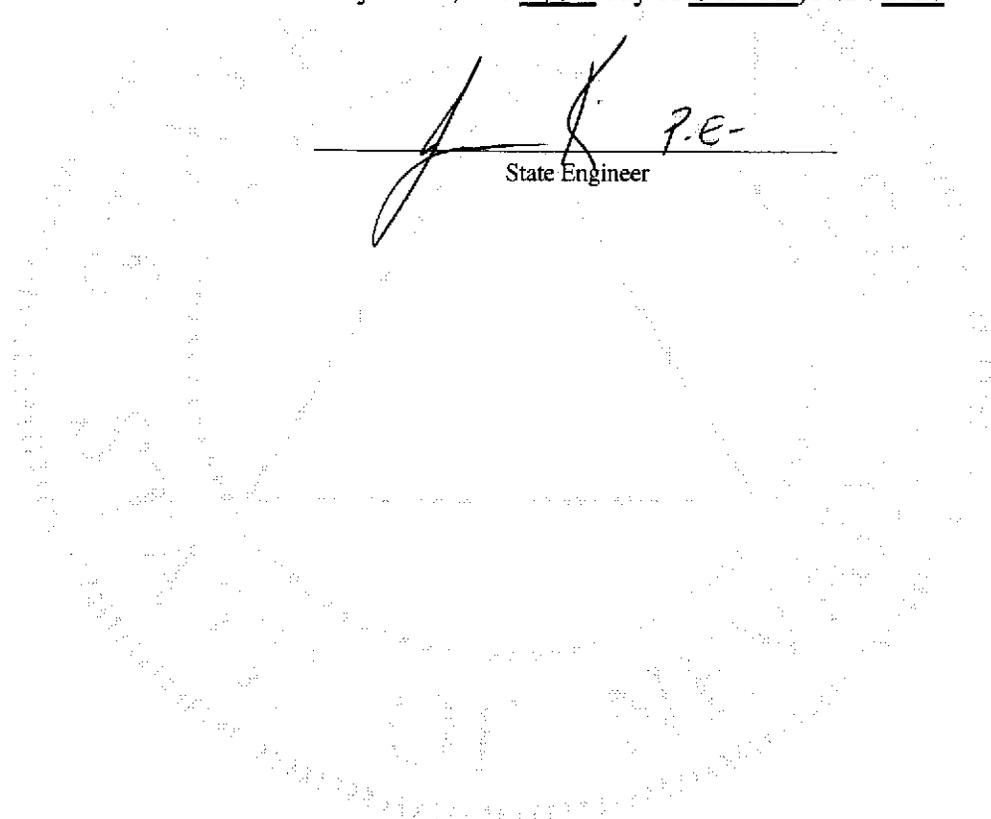
N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 26th day of **October**, A.D. **2010**



State Engineer



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 16 2010
Returned to applicant for correction _____
Corrected application filed _____ Map filed SEP 16 2010 under

80157T

The applicant Ruby Pipeline, LLC c/o Dan Gredrig
P.O. Box 1087 of Colorado Springs
Street Address or PO Box City or Town
Colorado 80944 State and ZIP Code
hereby make(s) application for permission to change the

- Point of diversion Place of use Manner of use of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

ILWC 9/20/10

Permit 79071

1. The source of water is Underground Well [Temp Well 2]
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.5 cfs (150 af)
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Quasi-Municipal
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 Quasi-Municipal
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 corner. If on unsurveyed land, it should be stated.)

WITHIN THE NW 1/4 SW 1/4 OF SECTION 10, T. 42 N., R. 19 E., M.D.B.&M. OR AT A POINT FROM WHICH THE SW CORNER OF SECTION 9, T. 42 N., R. 19 E., M.D.B.&M. BEARS S. 74° 04' 48.0" W., A DISTANCE OF 6,232.19 FEET. FOR A MAP OF PROPOSED POD [TEMP WELL 2], USE MAP TO ACCOMPANY APPLICATION NUMBER

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

WITHIN THE NW 1/4 SW 1/4. OF SECTION 10 T. 42 N., R. 19 E., M. D.B. & M. OR AT A POINT FROM WHICH THE SW CORNER OF SECTION 9, T. 42 N., R. 19 E., M. D.B. & M. BEARS S. 77° 44' 50.7" W. A DISTANCE OF 6,550.1 FEET SEE MAP FILED UNDER APPLICATION 79071

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

UNCHANGED - SW 1/4, SECTION 10, T. 42 N., R. 19 E., M. D.B. & M.

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.)

A PORTION OF THE SW 1/4, SECTION 10, T. 42 N., R. 19 E., M. D.B. & M. SEE MAP FILED UNDER APPLICATION 79071

9. Proposed use will be from September 20, 2010 to September 19, 2011 of each year. *2011*
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 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.)

Drilled Well, Pump and Motor, and Pipes.

12. Estimated cost of works \$100,000.00

13. Estimated time required to construct works 60 Days

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Two Years

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 Exhibit A

16. Miscellaneous remarks:

RECEIVED
2010 SEP 15 11:11:29
STATE ENVIRONMENTAL DIVISION

david@stankaconsulting.com
E-mail Address
775-885-9283
Phone No. Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

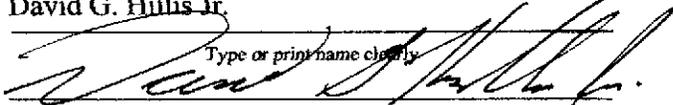
David G. Hillis Jr.
Type or print name clearly

Signature, applicant or agent
Stanka Consulting, LTD
Company Name
301 West King Street
Street Address or PO Box
Carson City, Nevada 89703
City, State, ZIP Code

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.

This particular application is being filed to provide water for a construction Man-Camp that will house 600 workers including showers, a kitchen and laundry. The diversion rate on this application is unusually high because in large part the water will be used before and after work hours.