

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: THOUSAND SPRINGS VALLEY HERRILL SIDING-BRUSH CR AREA
Manner of Use: CONSTRUCTION
Period of Use: November 1st to October 31st
Priority Date: 08/11/2009

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 78816 is issued subject to the terms and conditions imposed in said Permit 78816 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.

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.

(Continued on Page 2)

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 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 0.05 cubic feet per second or 5.156 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:

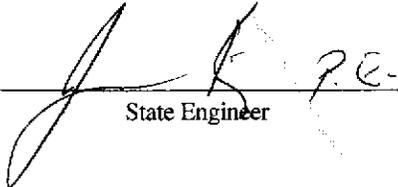
N/A

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

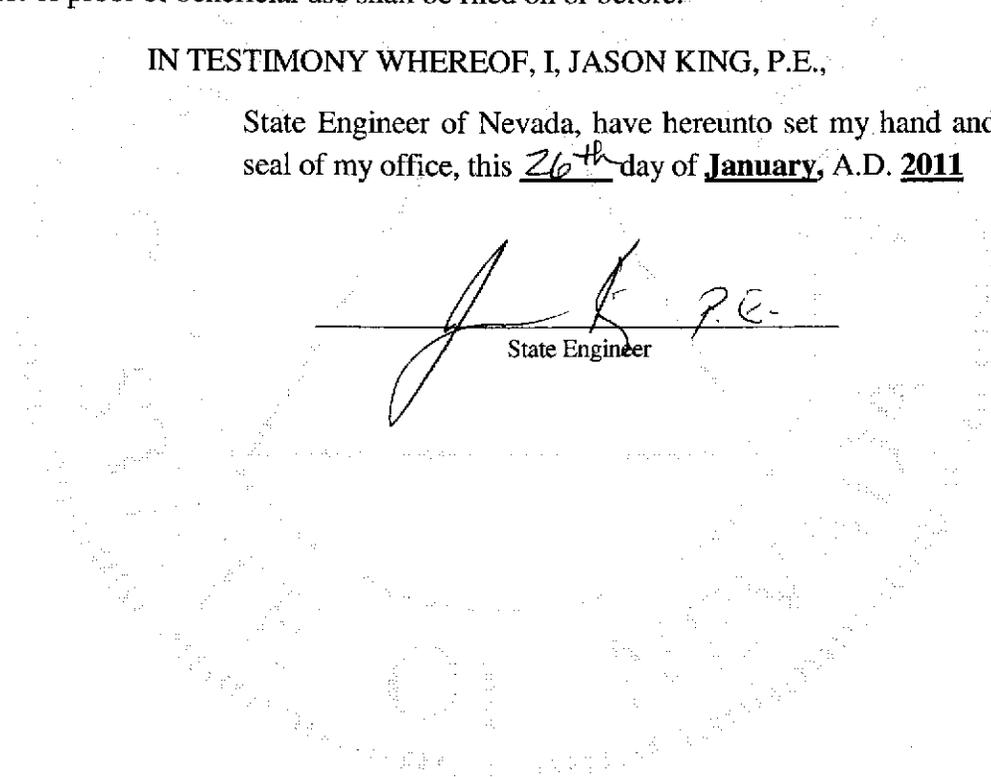
N/A

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 January, A.D. 2011



State Engineer



TEMPORARY
TEMPORARY

Application No. 80193T

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 OCT 12 2010
Returned to applicant for correction
Corrected application filed Map filed June 25, 1951 under 12230

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. [x] 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 78816

1. The source of water is, Underground well - MP 270
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed, 0.05 cfs (5.156 af)
Second foot, acre-foot. One second foot equals 448.83 gallons per minute.

3. The water to be used for, same as heretofore.
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, pipeline construction.
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 1 or the NE 1/4 NE 1/4 Sec 3, T.40 N., R.64 E., MDB&M, or at a point from which the NE corner of Sec 34, T.41 N., R.64 E., bears N. 30° 20' E., 6,484.00 feet.

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

Within the SE 1/4 SW 1/4 of Sec 29, T.41 N., R.64 E., MDB&M or at a point from which the S 1/4 corner of said Sec 29, bears S. 68° 13' 30.0" E. a distance of 618.55 feet.

183A-EL

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

...Same as heretofore.....
.....
.....
.....

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.)

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

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

10. Use permitted from.....January 1st.....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.) (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, pump, motor and haul trucks.....
.....

12. Estimated cost of works.....\$50,000.....

13. Estimated time required to construct works.....one (1) month.....
If well completed, describe well.

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

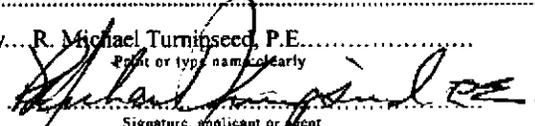
15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

...See Exhibit "A".....
.....
.....
.....

16. Miscellaneous remarks:

...Permit 78816 was proposed to be a "new drill" but is being moved to an existing well under Permit 12231, C-3692.....
.....

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

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
OCT 12 11 14

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Attachment A – MP 270.56

T. 41 N., R. 63 E.

Sections: 25, 31, 32, 33, 34, 35, 36

T. 41 N., R. 64 E.

Sections: 29, 30, 32, 33, 34, 35, 36

T. 41 N., R. 65 E.

Sections: 28, 29, 31, 32

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 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.