

TEMPORARY

Application No. 80217 T

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 19 2010
Returned to applicant for correction
Corrected application filed Map filed

The applicant... Ruby Pipeline LLC c/o Dan Gredvig...
P.O. 1087 of Colorado Springs
Colorado 80944 hereby make... 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 right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree, give title of Decree and identify right in Decree)
Permit 78834

- 1. The source of water is... Underground -well MP 381
2. The amount of water to be changed... 0.05 cfs (5.156 afa)
3. The water to be used for... Same as heretofore
4. The water heretofore used for... Pipeline Construction
5. The water is to be diverted at the following point... Within the SW 1/4 SE 1/4 of Sec 35, T.39 N., R.46 E., MDB&M, or at a point from which the S 1/4 corner of said Sec 35... bears S. 76° 54' 55.0" W., a distance of 1,148.45 feet. For a map of the proposed POD, use map on file under 78862...
6. The existing point of diversion is located within... Within the SE 1/4 NE 1/4 of Sec 18, T.38 N., R.45 E., MDB&M, or at a point from which the E 1/4 corner of said Sec 18... bears S. 79° 11' 23.0" E., a distance of 777.47 feet. For a map of existing POD, use map on file under 78834...

63-EL

7. Proposed place of use: (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)..... T.38 N., R.44 E., portions of Secs.....
...25, 26, 32, 33, 34, and 35; T.38 N., R.45 E., portions of Secs 24, 25, 26, 27, 28, 29 and 30; T.38 N., R.46 E., portions.....
...of Secs 19, 20, 21 and 22; T.38 N., R.45 E., portions of Secs 24, 25 and 26; T.38 N., R.46 E., portions of.....
...Secs 19, 20, 21, 22, 23 and 24; T.38 N., R.47 E., portions of Secs 10, 11, 13, 14, 15, 16, 17, 19 and 20; T.38 N.,.....
...R.48 E., portion of Sec 18 For a map of proposed and existing POU, use map on file under 79041T.....

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.)
... T.38 N., R.44 E., portions of Secs 25, 26, 32, 33, 34, and 35; T.38 N., R.45 E., portions of Secs 24, 25, 26, 27, 28, 29.....
...and 30; T.38 N., R.46 E., portions of Secs 19, 20, 21 and 22.....

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

10. Existing use permitted from.....January 1st.....to.....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.)
...Drilled well, pump, motor, standpipe and haul trucks.....

12. Estimated cost of works:.....\$100,000.....

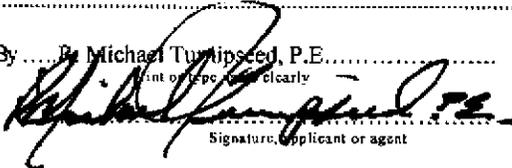
13. Estimated time required to construct works:.....two (2) months.....
If well completed, describe well.

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:
...The well at MP391 is not going to be drilled. This application moves Permit 78834 to MP381, under Permit 78862.....

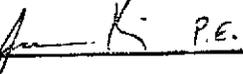
.....(775)885-2101.....
Phone No.
.....mike_turnipseed@sbcglobal.net.....
E-mail

By.....E. 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

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

WITHDRAWN BY AGENT OCT 22 2010 \$200 FILING FEE MUST ACCOMPANY APPLICATION
 P.E. STATE ENGINEER

STATE ENGINEER
RECEIVED
OCT 22 2010

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 11/01/2010 to 10/31/2011. 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.

RECEIVED

2010 OCT 19 PM 2:24

STATE ENGINEER OFFICE