



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: SWAN LAKE VALLEY
 Period of Use: ONE YEAR FROM DATE OF ISSUANCE
 Manner of Use: CONSTRUCTION
 Priority Date: 03/23/2009

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 place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 78177 is issued subject to the terms and conditions imposed in said Permit 78177 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 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.

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 0.1 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:

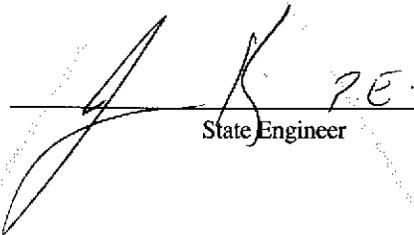
N/A

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

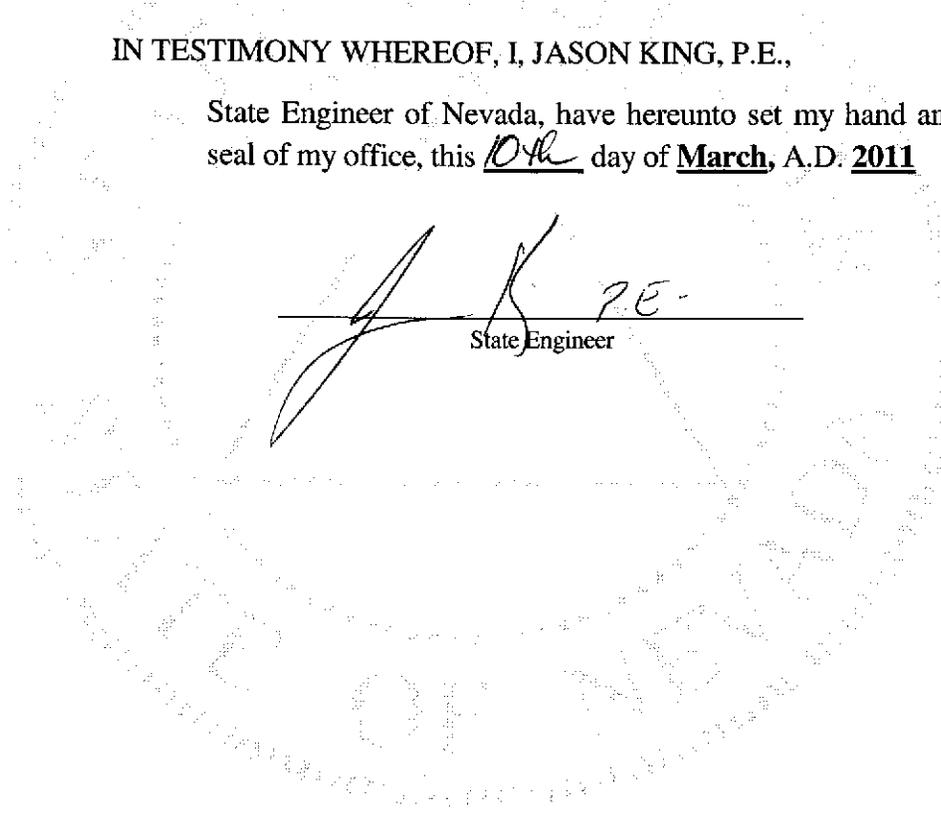
N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 10th day of March, A.D. 2011



State Engineer



TEMPORARY

Application No.

80218 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 APR 03 2009 under 78177

The applicant... Ruby Pipeline LLC c/o Dan Gredvig...

...P.O. 1087... of... Colorado Springs...
Street and No. or P.O. Box No. City or Town

...Colorado... 80944... hereby make... application for permission to change the
State and Zip Code No.

... Point of diversion... Place of use... Manner of use... All of a portion

REL per phone call

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 78177...

1. The source of water is... Underground -well MP 539...
Name of stream, lake, underground, spring or other sources.

0.10

2. The amount of water to be changed... 0.22 cfs (5.156 afa)
Second foot, acre-foot One second foot equals 448.83 gallons per minute.

0.22

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.

Pipeline Construction

4. The water heretofore used for... Domestic and irrigation...
If for stock state number and kind of animals.

Domestic and irrigation

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.)

... Situate in the SW 1/4 SE 1/4 of Sec 10, T.44 N., R.23 E., MDB&M, or at a point from which the W 1/4 corner of...

... Sec 31, T.45 N., R.24 E., MBD&M bears N. 44° 01' 00" E., a distance of 17,703 feet. For a map of the proposed...

... POD, use map on file under 78177...

REL

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

... Same as heretofore...

007-22

REL

7. Proposed place of use: (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.) T.42 N., R.24 E., portions of Secs. 10, 11, 13, 14, 15, 16, 17 and 18; T.42 N., R.23 E., portions of Secs 1, 2, 3, 4, 5, 6 and 12; T.42 N., R.22 E., portions of Secs 1, 2, 3, 4, 5 and 6. For a map of proposed 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) SW 1/4 SE 1/4 Sec 10, T.44 E., R.23 E., MDB&M. For a map of existing POU, use map on file under 78177.

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

10. Existing use permitted from January 1st to December 31st of each year.

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 well, pump, motor, standpipe and haul trucks.

12. Estimated cost of works: \$10,000.

13. Estimated time required to construct works: one (1) months.

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): See Exhibit "A"

16. Miscellaneous remarks: 1.66 acres in the SW 1/4 SE 1/4 Sec 10, T.44 N., R.23 E., MDB&M, will not be irrigated in 2011 based on 3.1 af/ac.

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

By R. Michael Turnipsced, 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

RECEIVED
OCT 19 11:24

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$200 FILING FEE MUST ACCOMPANY APPLICATION

Protested: November 2, 2010, by Amy Atwood, Center for Biological Diversity

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.

This application is for water in addition to that granted in Permit 79021.

3.33 acres will not be irrigated in 2011.

12/15/10
2010 OCT 19 PM 2:24
STATE ENGINEER'S OFFICE