

# 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:** DESERT VALLEY  
**Manner of Use:** CONSTRUCTION  
**Period of Use:** November 1st to October 31st  
**Priority Date:** 08/31/1962

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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 point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 23315, Certificate 7381 is issued subject to the terms and conditions imposed in said Permit 23315, Certificate 7381 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 temporary permit.

The approval of this temporary permit reduces the total duty of water under the base right by 7.73 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 0.2 cubic feet per second or 7.73 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:

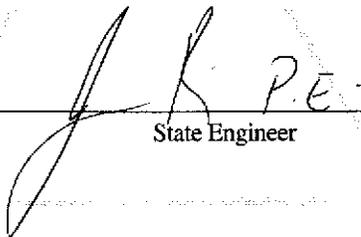
N/A

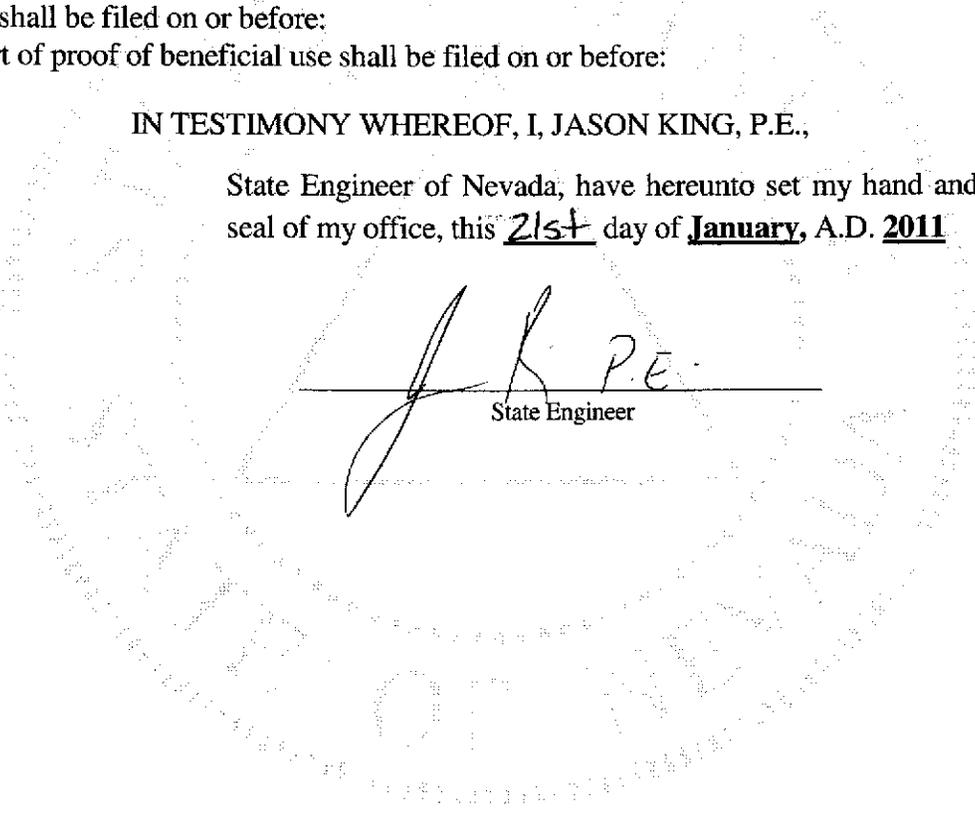
Map in support of proof of beneficial use shall be filed on or before:

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 21st day of January, A.D. 2011

  
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State Engineer



**TEMPORARY**  
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Application No. **80255T**

**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 27 2010

Returned to applicant for correction .....

Corrected application filed ..... Map filed MAY 15 2009 under **78381**

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..■.....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 23315 Cert 7381.....

1. The source of water is.....Underground well - MP 476.3.....  
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed.....0.2 cfs (7.73 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 and Domestic.....  
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.)

...SE ¼ NE¼ of Sec 9, T.41 N., R.33 E., MDB&M, or at a point from which the SW corner of ~~said~~ Sec 31, T.41 N., R.34.....  
...E., bears S, 32° 53' 08" E., a distance of 2,8331.55 feet. For a map of proposed POD, use map on file under 78381.....

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

...NE¼ NE¼ Sec. 15, T.40 N., R.33 E., MDB&M, or at a point from which the NE corner of said Sec. 15 bears N, 1° 13'.....  
...40" E. a distance of 1,282 feet. ....

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

...T.41 N., R.33 E., portions of Secs 5, 6, 7, 8, 9, 10, 11, 12 and 13; T.42 N., R.33 E., portion of Sec 31; T.41 N.,  
...R. 32 E., portion of Sec 1; T.42 N., R.32 E., portion of Secs 17, 18, 19, 20, 21, 22, 25, 26, 27 and 36; T.42 N.,  
...R.31 E., portions of Secs 13, 14, 20, 21, 22, 23, 28, 29 and 30; T.42 N., R.30 E., portions of Secs 25, 31, 32, 33, 34,  
...35 and 36. 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.)

...14.3 acres in the NW¼ NE¼ of Sec 15, T.40 N., R.33 E.; 26.3 acres in the SW¼ NE¼ of Sec 15, T.40 N., R.33 E.;  
...80.0 acres in the E½ NE¼ of Sec 15, T.40 N., R.33 E.; 160.0 acres in the NW¼ of Sec 14, T.40 N., R.33 E., for a  
...total of 280.6 acres, all MDB&M. For a map of existing POU, use map on file under 27123.....

REL

2.5 acres within NE¼ NE¼ section 15 being removed from irrigation see paper map w/ this application

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 1<sup>st</sup>.....to.....December 31<sup>st</sup>.....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, pump, motor, standpipe and haul trucks.....

12. Estimated cost of works.....complete.....

13. Estimated time required to construct works.....complete.....  
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.....  
.....  
.....  
.....  
.....

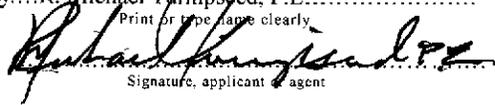
16. Miscellaneous remarks:

...This water will be additional to the water permitted under 79224.....  
.....  
.....

.....(775)885-2101.....  
Phone No.

.....mike\_turnipseed@sbcglobal.net.....  
E-mail

By.....R. Michael Turnipseed, P.E.....  
Print or type name clearly



Signature, applicant agent

...204 North Minnesota Street.....  
Street and No., or P.O. Box No.

.....Carson City, Nevada 89703.....  
City, State, ZIP Code

2010 OCT 27 PM 4:52

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION

**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.