TEMPORARY
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Application No. 80262 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 NOV 0 2 2010

Returned to applicant for correction

Corrected application filed ..... Map filed FEB 2 0 1968 under 18530

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

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

.....Colorado.....80944 (State and Zip Code No.), 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 right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree, give title of Decree and identify right in Decree.)

.....Permit 40184 Certificate 15191

1. The source of water is.....Underground -well MP 502.38
(Name of stream, lake, underground, spring or other sources.)

2. The amount of water to be changed.....0.2 cfs (7.73 afa)
(Second feet, acre-fee[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 & 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 corner. If on unsurveyed land, it should be stated.)

.....SE¼ NE¼ Sec 11, T.41 N., R.28 E. MDB&M, or at a point from which the SE corner of said Sec 11 bears S. 06°.....

...2' E. a distance of 3091.6 feet. For a map of the proposed POD, use map on file under 18530

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

..... Lot 4 (NW¼ NW¼) Sec 13, T.41 N., R.~~38~~ 28 E., MDB&M, or at a point from which the NW corner of Sec 14,..... RGL

...T.41 N., R.~~38~~ 28 E., MDB&M, bears N. 86° 26' 02" W., a distance of 5,868.28 feet, situated in Humboldt County,.....

...State of Nevada

28-HW

7. Proposed place of use: (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.).....T.42 N., R.31 E., portions of Secs.....
...20, 21, 29 and 30; T.42 N., R.30 E., portions of Secs 25, 31, 32, 33, 34, 35 and 36; T.41 N., R.29 E., portions of Secs.....
...7, 8, 17 and 18; T.41 N., R.28 E., portions of Secs 2, 3, 4, 5, 10, 11, 12 and 13; T.42 N., R.28 E., portions.....
...of Secs 19, 20, 29, 30 and 32. All MDB&M. For a map of the 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.)

... See attached sheet. For a map of the existing POU, use map on file under 40184.....
...2.42 acres to be removed from irrigation in Lot 12 Sec. 13 T41N R28E REV

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.)
...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) 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. Miscellaneouse remarks:

...This application will be for water in addition to Permit 78858.....

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

.....mike_turnipseed@sbcglobal.net.....
E-mail

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

R. Michael Turnipseed 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

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

$200 FILING FEE MUST ACCOMPANY APPLICATION

Description of land to which water is appurtenant:

80262T

PERMIT 40184	PLACE OF USE PERMIT 40184						SUPPLEMENTAL ACREAGE		
							9888	24083	28532
ACRES	LOT	¼	¼	SEC	(N)	(R)			
32.00		SW	SE	11	41	28	3778	7255	10500
39.96		SE	SE	11	41	28	32.00	32.00	32.00
31.59		SW	SW	12	41	28	39.96	35.81	36.86
29.78	4	NW	NW	13	41	28	31.59	2.09	
38.30	5	SW	NW	13	41	28		0.44	0.44
35.09	12	NW	SW	13	41	28			
38.82		NW	NE	14	41	28			
51.61	1	NE	NE	14	41	28		38.82	38.82
8.82		SW	NE	14	41	28		44.82	44.82
47.04	2	SE	NE	14	41	28		9.60	9.60
12.92		NE	SE	14	41	28		27.58	27.58
386.93							103.55	191.06	188.82

*The total combined duty of water under this certificate and Permit 15059, Certificate 4620; Permit 24083, Certificate 7255 and Permit 28532, Certificate 10500, shall not exceed 2,582.32 acre-feet annually for the irrigation of 645.58 acres.

This certificate is issued subject to the terms of the permit with the understanding that the total duty of water shall not exceed 4.0 acre-feet per acre annually from any and/or all sources.

*8 Existing Pod

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.