

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: WILLOW CREEK VALLEY
Period of Use: ONE YEAR FROM DATE OF ISSUANCE
Manner of Use: CONSTRUCTION
Priority Date: 07/29/2009

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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 78764 is issued subject to the terms and conditions imposed in said Permit 78764 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.

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.

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.

(Continued on Page 2)

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 0.32 cubic feet per second or 3.99 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:

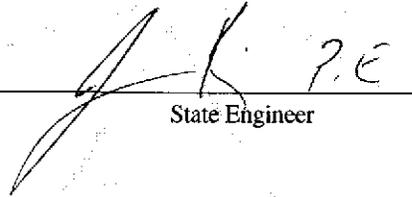
N/A

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

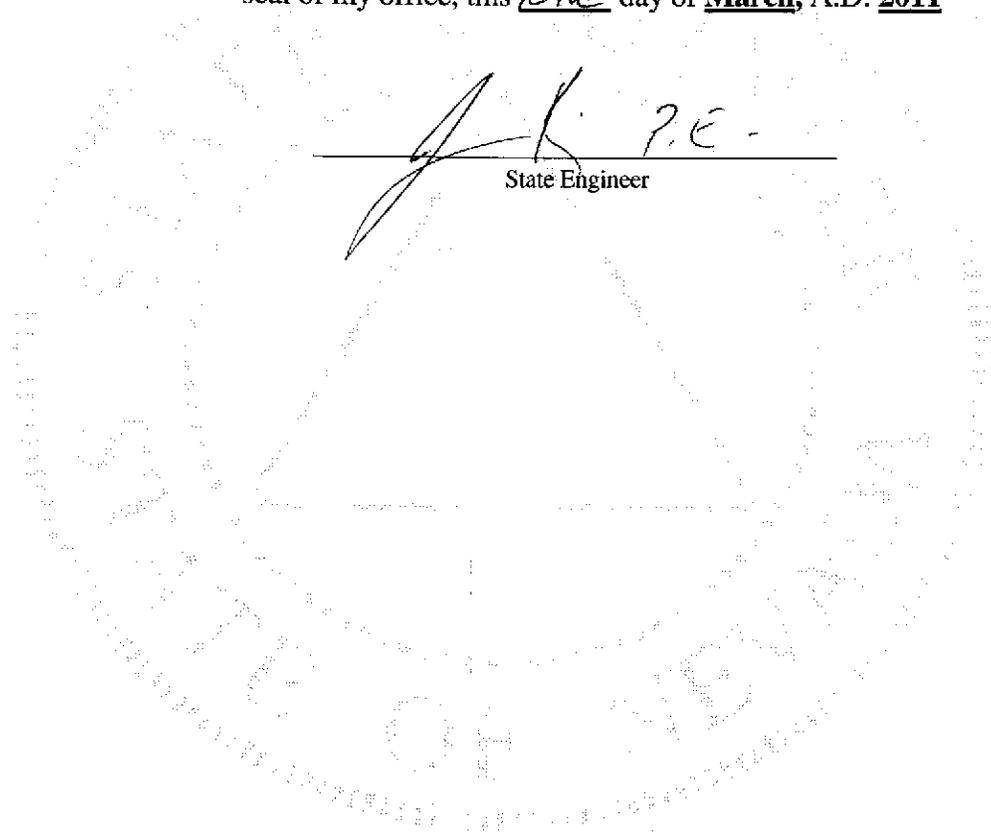
N/A

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

Serial No. 80338 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 DEC 17 2010
Returned to applicant for correction
Corrected application filed Map filed AUG 28 2009 under 78862

The applicant Ruby Pipeline, LLC c/o Dan Gredrig
P.O. Box 1087 of Colorado Springs
Colorado 80944, hereby make.s application for permission to change the

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 35316-12593-78704 RWA 12/17

- 1. The source of water is Underground - well MP 381
2. The amount of water to be changed 0.20 cfs (2.46 af)
3. The water to be used for Pipeline construction
4. The water heretofore used for same as heretofore
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...
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer)
NW 1/4 NE 1/4 Sec 5, T.38 N., R.47 E., MDB&M, or at a point from which the NW corner of Sec 6, T.38 N., R.47 E., bears...
N. 86° 51' W., a distance of 8,022 feet. For a map of existing POD, use map on file under 45107

63-EL

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

...See attached sheet. For a map of proposed POU, use map under 79041T... 5088

8. Existing place of use (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

...See attached sheet 79041T 5088

9. Use will be from January 1, 2011 to December 31, 2011 of each year.

10. 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.) (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, stand pipe 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:

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

... mike_turnipseed@sbcglobal.net E-mail

By 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

PROP 704

~~78862~~

80338 T

Attachment A - MP 381

T. 38 N., R. 45 E.

Sections: 24, 25, 26

T. 38 N., R. 46 E.

Sections: 19, 20, 21, 22, 23, 24

T. 38 N., R. 47 E.

Sections: 10, 11, 13, 14, 15, 16, 17, 19, 20

T. 38 N., R. 48 E.

Sections: 18

2010 DEC 17 09:10:10
DATE TIME

EXISTING POU

Amended Place of Use (POU) Application No. 78764

T.39 N., R.47 E., portions of Secs 31, 32, 33, 34, 35 and 36; T.38 N., R.46 E., portions of Secs 1, 2, 3, 4 and 5; T.39 N., R.46 E., portions of Secs 31, 32, 33, 34, 35 and 36; T.38 N., R.45 E., portions of Secs 2, 3, 8, 9, 10, 17, 18 and 19; T.39 N., R.45 E., portions of Secs 35 and 36; T.38 N., R.44 E., portions of Secs 13, 22, 23, 24, 27, 28, 29, 31 and 32; T.38 N., R.43 E., portions of Secs 34, 35 and 36; T.37½ N., R.43 E., portions of Sec 3; T.37 N., R.43 E., portions of Secs 3, 4, 5, 6 and 7; T.37 N., R.42 E., portions of Secs 10, 11, 12, 14, 15, 16, 17, 19, 20 and 21; For a map of Amended POU, use map on file under 79041T.

STATE ENGINEER
2009 DEC 17 AM 10:10

STATE ENGINEER
2009 DEC 18 AM 10:00

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 1/1/2011 to 12/31/2011. 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.

Ruby Pipeline, LLC has more water than it needs at MP 377.88 under Permit 78764 but is short of water at MP 381 under Permit 78862. The purpose of this application is to move a portion of Permit 78764 to MP 381

RECEIVED
2010 SEP 17 6:10 PM
SANTA CLARA COUNTY