



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: PARADISE VALLEY
Manner of Use: CONSTRUCTION
Period of Use: ONE YEAR FROM DATE OF ISSUANCE
Priority Date: 05/04/1965

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 65849, is issued subject to the terms and conditions imposed in said Permit 65849, 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. 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. This temporary change of an existing right is issued solely for construction and related purposes for the Ruby Gas 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 approval of this temporary permit reduces the annual duty of water in the base right, 65849, by 3.468 acre-feet for a period of one year from the date of approval, and the total combined duty of all of the related permits set forth in the permit terms of 65849 is also similarly reduced by 3.468 acre feet.

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 0.083 cubic feet per second or 3.468 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:

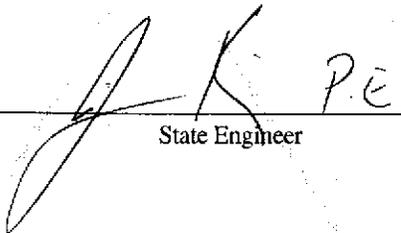
N/A

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

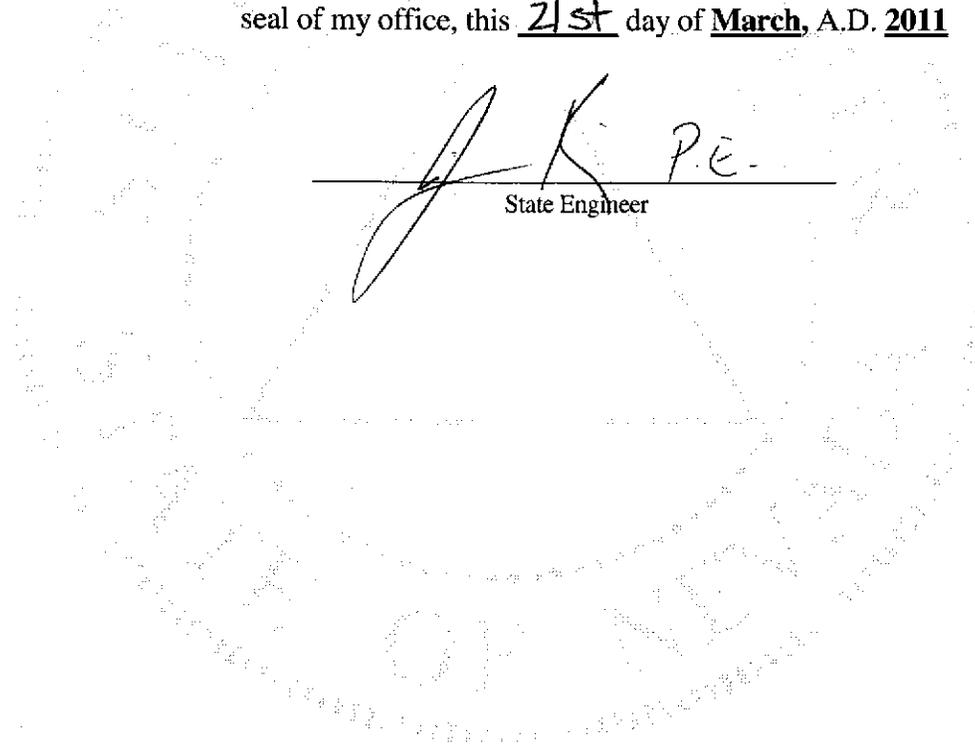
N/A

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 March, A.D. 2011



State Engineer



TEMPORARY

Application No. 80486 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... JAN. 20 2011
Returned to applicant for correction
Corrected application filed Map filed FEB 02 2000 under 65823 Sheet 1

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 801277 65849

- 1. The source of water is... Underground - well MP 425...
2. The amount of water to be changed... 0.083 cfs (3.468 af)...
3. The water to be used for... same as heretofore Pipeline Construction...
4. The water heretofore used for... Pipeline construction 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. If on unurveyed land, it should be stated.)

...SE 1/4 SE 1/4 Sec 12, T.37 N., R.39 E., MDB&M, or at a point from which the SE corner of said Sec 12 bears S. 43° 43'...
...E. a distance of 250.00 feet. For a map of proposed POD, use map on file under 65823...

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer)
SW 1/4 NW 1/4 37
NW 1/4 SW 1/4 Sec 17, T.38 N., R.39 E., MDB&M, or at a point from which the NW corner of said Sec 17 bears N. 07'...
...W. 3,070 feet. For a map of existing POD, use map on file under 26645...
2045 23 50486W
2435 65849 65823

69-HU

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

.....T.37 N., R.40 E., portions of Secs 5, 6, 7, 8, 9, 10, 13, 14, 15 and 16; T.37 N., R.39 E., portion of Sec 1; T.38 N.,.....
...R.40 E., portion of Sec 31; T.38 N., R.39 E., portions of Secs 3, 4, 10, 11, 14, 15, 23, 24, 25, 26 and 36; T.39 N.,.....
...R.39 E., portions of Secs 19, 20, 28, 29, 30, 33 and 34; T.39 N., R.38 E., portions of Secs 3, 4, 9, 10, 15, 22, 23, 24,.....
...25, 26 and 27.....

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.)

~~...T.38 N., R.39 E., portions of Secs 3, 4, 10, 11, 14 and 15; T.39 N., R.39 E., portions of Secs 19, 20, 28, 29, 30 and 33;.....~~
~~...T.39 N., R.38 E., portions of Secs 22, 23, 24, 25, 26 and 27. For a map of the proposed POU, use map on file under.....~~

~~79041T~~ *38 Ac to be stopped - the NE 1/4 Section 12 T37N R39E MDRM*

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

10. Use permitted from..... September 1, 2010.....to..... August 31, 2011.....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.)

...Existing 18" well 600 feet deep, pump, motor tap for hydro test.....

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 Exhibit "A"
Upon Approval w/D 3.468 AF from 80127 TR

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16. Miscellaneous remarks:

.....(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

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.

11/1/2011 to 11/2/31/2011

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