

TEMPORARY
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Serial No. 80615T

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
FEB 25 2011

Date of filing in State Engineer's Office.....

Returned to applicant for correction

Corrected application filed Map filed **DEC 05 1989** under
54207

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 Decree, give title of Decree and identify right in Decree)

.. Permit 35316 C-12593.....

1. The source of water is..... Underground - well MP 293.2.....
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed..... 5.57 cfs (128.89 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.....
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 section corner. If an unsurveyed land, it should be stated.)

...NW¼ SW¼ Sec 36 T.40 N., R.60 E., MDB&M, or at a point from which the SW corner of said Sec 36 bears S. 0° 59'.....

... W. a distance of 2548.0 feet. For a map of proposed POD, use map on file under 35315.....

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

...Same as heretofore.....

4-42
62

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

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

9. Use will be from March 1, 2011 to February 28, 2012 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.)

Existing 16" well 332 feet deep, pumps and haul trucks

12. Estimated cost of works \$50,000

13. Estimated time required to construct works three (3) months. 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.)

32.22 acres in the SW 1/4 SE 1/4 Sec 35, T.40 N., R.60 E. will not be irrigated in 2011

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

Signature of applicant or agent

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

Carson City, Nevada 89703 City, State, ZIP Code

STATE ENGINEERS OFFICE RECEIVED 2011 FEB 25 AM 11:31

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Protested: March 25, 2011, by the Shoshone Paiute Tribe of the Duck Valley Indian Reservation

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 3/1/2011 to 2/328/2011. 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.

These applications are being filed to replace Permits 79041T & 79042T. Ruby Pipeline was late in getting some of the approvals therefore was late getting started. They will finish in 2011.

PROPOSED POU MP 293.2

T.41 N., R.70 E., portions of Secs 4, 5, 6, 7, 8 and 9; T.41 N., R.69 E., portions of Secs 5, 6, 7, 8, 9, 10, 11 and 12; T.42 N., R.68 E., portions of Secs 33, 34, 35 and 36; T.41 N., R.68 E., portions of Secs 1, 3, 4, 8, 9, 17 and 18; T.41 N., R.67 E., portions of Secs 13, 14, 19, 20, 21, 22, 23 and 24; T.41 N., R.66 E., portions of Secs 19, 20, 21, 22, 23, 24 and 30; T.41 N., R.65 E., portions of Secs 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33; T.41 N., R.64 E., portions of Secs 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; T.41 N., R.63 E., portions of Secs 25, 31, 32, 33, 34, 35 and 36; T.40 N., R.62 E., portions of Secs 1, 2, 3, 7, 8, 9 and 10; T.40 N., R.61 E., portions of Secs 12, 13, 14, 15, 21, 22, 23, 27, 28, ~~32~~ and ~~33~~; T.40 N., R.60 E., portions of Secs 35 and 36; T.39 N., R.60 E., portions of Secs 2, 3, 4, 8, 9, 10, 17 and 18.

29, 30, 31

SMA
3/1/2011

CULTURE FABULATION

1/4 1/4	SECTION	P	R	AGREEMENT/CRIP
NW1/4 NW1/4	25	40	60	31.4 ALFALFA
NE1/4 NW1/4	25	40	60	31.4 ALFALFA
SW1/4 NW1/4	25	40	60	31.4 ALFALFA
SE1/4 NW1/4	25	40	60	31.4 ALFALFA
NW1/4 NE1/4	25	40	60	31.4 ALFALFA
NE1/4 NE1/4	25	40	60	31.4 ALFALFA
SW1/4 NE1/4	25	40	60	31.4 ALFALFA
SE1/4 NE1/4	25	40	60	31.4 ALFALFA
NW1/4 SW1/4	25	40	60	31.4 ALFALFA
NE1/4 SW1/4	25	40	60	31.4 ALFALFA
SW1/4 SW1/4	25	40	60	31.4 ALFALFA
SE1/4 SW1/4	25	40	60	31.4 ALFALFA
NW1/4 SE1/4	25	40	60	31.4 ALFALFA
SW1/4 SE1/4	25	40	60	31.4 ALFALFA
NE1/4 SE1/4	25	40	60	31.4 ALFALFA
SE1/4 SE1/4	25	40	60	31.4 ALFALFA
NW1/4 NE1/4	34	40	60	31.4 ALFALFA
NE1/4 NE1/4	34	40	60	31.4 ALFALFA
SW1/4 NE1/4	34	40	60	31.4 ALFALFA
SE1/4 NE1/4	34	40	60	31.4 ALFALFA
NW1/4 SW1/4	34	40	60	31.4 ALFALFA
NE1/4 SW1/4	34	40	60	31.4 ALFALFA
SW1/4 SW1/4	34	40	60	31.4 ALFALFA
SE1/4 SW1/4	34	40	60	31.4 ALFALFA
NW1/4 NW1/4	35	40	60	31.4 ALFALFA
NE1/4 NW1/4	35	40	60	31.4 ALFALFA
SW1/4 NW1/4	35	40	60	31.4 ALFALFA
SE1/4 NW1/4	35	40	60	31.4 ALFALFA
NW1/4 NE1/4	35	40	60	31.4 ALFALFA
NE1/4 NE1/4	35	40	60	31.4 ALFALFA
SW1/4 NE1/4	35	40	60	31.4 ALFALFA
SE1/4 NE1/4	35	40	60	31.4 ALFALFA
NW1/4 SW1/4	35	40	60	31.4 ALFALFA
NE1/4 SW1/4	35	40	60	31.4 ALFALFA
SW1/4 SW1/4	35	40	60	31.4 ALFALFA
SE1/4 SW1/4	35	40	60	31.4 ALFALFA
NW1/4 SE1/4	35	40	60	31.4 ALFALFA
NE1/4 SE1/4	35	40	60	31.4 ALFALFA
SW1/4 SE1/4	35	40	60	31.4 ALFALFA
SE1/4 SE1/4	35	40	60	31.4 ALFALFA
NW1/4 NW1/4	38	40	60	31.4 ALFALFA
NE1/4 NW1/4	38	40	60	31.4 ALFALFA
SW1/4 NW1/4	38	40	60	31.4 ALFALFA
SE1/4 NW1/4	38	40	60	31.4 ALFALFA
LOT 2	3	39	60	31.4 ALFALFA
LOT 1	3	39	60	31.4 ALFALFA
SW1/4 NE1/4	3	39	60	31.4 ALFALFA
SE1/4 NE1/4	3	39	60	31.4 ALFALFA
LOT 4	2	39	60	31.4 ALFALFA
LOT 3	2	39	60	31.4 ALFALFA
SW1/4 NW1/4	2	39	60	31.4 ALFALFA
SE1/4 NW1/4	2	39	60	31.4 ALFALFA
LOT 2	2	39	60	31.4 ALFALFA
LOT 1	2	39	60	31.4 ALFALFA
SW1/4 NE1/4	2	39	60	31.4 ALFALFA
SE1/4 NE1/4	2	39	60	31.4 ALFALFA
NW1/4 SW1/4	2	39	60	31.4 ALFALFA
NE1/4 SW1/4	2	39	60	31.4 ALFALFA
SW1/4 SW1/4	2	39	60	31.4 ALFALFA
SE1/4 SW1/4	2	39	60	31.4 ALFALFA
NW1/4 SE1/4	2	39	60	31.4 ALFALFA
NE1/4 SE1/4	2	39	60	31.4 ALFALFA
SW1/4 SE1/4	2	39	60	31.4 ALFALFA
SE1/4 SE1/4	2	39	60	31.4 ALFALFA
NW1/4 NW1/4	11	39	60	31.4 ALFALFA
NE1/4 NW1/4	11	39	60	31.4 ALFALFA
SW1/4 NW1/4	11	39	60	31.4 ALFALFA
SE1/4 NW1/4	11	39	60	31.4 ALFALFA
NW1/4 NE1/4	11	39	60	31.4 ALFALFA
NE1/4 NE1/4	11	39	60	31.4 ALFALFA
SW1/4 NE1/4	11	39	60	31.4 ALFALFA
SE1/4 NE1/4	11	39	60	31.4 ALFALFA
NW1/4 SW1/4	11	39	60	31.4 ALFALFA
NE1/4 SW1/4	11	39	60	31.4 ALFALFA
SW1/4 SW1/4	11	39	60	31.4 ALFALFA
SE1/4 SW1/4	11	39	60	31.4 ALFALFA
NW1/4 SE1/4	11	39	60	31.4 ALFALFA
NE1/4 SE1/4	11	39	60	31.4 ALFALFA
SW1/4 SE1/4	11	39	60	31.4 ALFALFA
SE1/4 SE1/4	11	39	60	31.4 ALFALFA