TEMPORARY

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Serial No. 80616T

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 FEB 25 2011

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

Colorado 80944 (State and Zip Code No.), hereby makes 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 35317 C-12594

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 on 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. 3° 19' W. a distance of 2551 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
6.2

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.
Month and Day Month and Day

10. 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 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 SW¼ SE¼ 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, 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
2011 FEB 25 AM 11:31
RECEIVED

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

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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.

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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

Sam 8/1/2011

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CULTURE TABULATION

1/4 1/4	SECTION	T	R	ACREAGE/CROP
NW1/4 NW1/4	35	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 SE1/4	34	40	60	31.4 ALFALFA
NE1/4 SE1/4	34	40	60	31.4 ALFALFA
SW1/4 SE1/4	34	40	60	31.4 ALFALFA
SE1/4 SE1/4	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 SE/14	35	40	60	31.4 ALFALFA
NW1/4 NW1/4	36	40	60	31.4 ALFALFA
NE1/4 NW1/4	36	40	60	31.4 ALFALFA
SW1/4 NW1/4	36	40	60	31.4 ALFALFA
SE1/4 NW1/4	36	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 SE1/4	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