

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

**RIGHT-OF-WAY NOTICE TO PROCEED**

Certified/Registered Mail-Return Receipt Requested

Right-of-Way or Temporary Use Permit (TUP) Serial Number

NVN-084650 (NTP No 29)

Date

10/26/2010

Issuing Office

Nevada State Office

Right-of-Way or TUP name

Ruby Pipeline

INSTRUCTIONS — Use Certified or Registered Mail or hand deliver. Send or give original to Holder. Distribute other copies as indicated after receipt date.

Holder:

In accordance with the terms and conditions of the above referenced right-of-way grant or TUP you are hereby authorized to proceed with the activities noted below in the locations specified. Map(s) are attached.  Yes  No

| Activity  | Location   |
|---|--|
| <p>Approval of Ruby's Implementation Plan 2 and authorization to commence construction in the areas specified under location heading. Ruby will file at a later date for authorization to commence construction in those areas presently excluded due to pending cultural mitigation.</p> | <p>This NTP applies only to federal lands located within the following mileage ranges:</p> <p><b>1. Elko District Office, NV</b><br/>In Spreads: 3 and 4</p>                                 |
| <p>Approval for the following:<br/>Use and widening of access roads in the locations noted here and in referenced alignment and quadrangle sheets.</p>  | <p>Access Roads:<br/>(Related to MPs)</p>  |
| <p>All activity shall comply with the stipulations and mitigation measures detailed in the Record of Decision and Right-of-Way Grant (July 12, 2010).</p>   | <p>MP 230.0 to 239.0: Access Roads E-1, E-1A, E-2 (See <b>Elko Stipulations</b>)</p>   |
| <p><b>The Elko District Office has the following stipulations:</b></p>  | <p>MP 239.0 to 267.0: Access Roads E-4 (See <b>Elko Stipulations</b>), E-5, E-8 (See <b>Elko Stipulations</b>), E-9A (See <b>Elko Stipulations</b>), E-9B (See <b>Elko Stipulations</b>)</p> |
| <p>Access Road E-40A is a Category 5 Road and requires a Level 3 Variance prior to any improvements.</p>  | <p>MP 276.0 to 289.0: Access Roads E-14, E-14A (See <b>Elko Stipulations</b>), E-14B</p>   |
| <p>No use or blading is allowed on Access Roads E-6 and E-7 under this NTP.</p>   | <p>MP 319.0 to 328.8: Access Roads E-29, E-31, E-36 (See <b>Elko Stipulations</b>)</p>   |
| <p>The following <b>Redacted Text</b> shall be monitored by a qualified archaeological monitor during blading of segments of roads as follows:</p>  | <p>MP 330.4 to 339.0: Access Road E-39</p>   |
| <p>E-1: <b>Redacted Text</b></p>  | <p>MP 339.5 to 351.0: Access Roads E-42A, E-44, E-45A (See <b>Elko Stipulations</b>), E-45B (See <b>Elko Stipulations</b>)</p>   |
| <p>E-1A: <b>Redacted Text</b></p>   | <p>(Unrelated to MPS)</p>  |
| <p>E-2: <b>Redacted Text</b></p>  | <p>225/226 Pipeyard Access Road (also labeled as E-40 [This road requires a Level 3 Variance prior to any improvements])</p>   |
| <p>E-4: <b>Redacted Text</b></p>  | <p>Alignment Sheets Referenced:<br/>300A-95 through 111; 300A-116 to 119.1; 300A-132; 300A-133; 300A-135; 300A-140 through 143</p>   |
| <p>E-8: <b>Redacted Text</b></p>  | <p>Quadrangle Sheets Referenced:<br/>40-45, 47-49, 55-57, 58, 58A, 59-60</p>   |
| <p>E-9A: <b>Redacted Text</b></p>   |  |
| <p>E-9B: No blading across <b>Redacted Text</b> where the road crosses, avoid area for greater than 300 m (greater than</p>   |  |

1,000ft)

E-14A: **Redacted Text**

E-36: **Redacted Text**

E-45A: **Redacted Text**

E-45B: **Redacted Text**

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Authorized officer is:

Ron Wenker

Name

Director, BLM, Nevada State Office

Title

Onsite inspection and compliance of the Right-of-Way or TUP stipulations will be conducted by the authorized officer's representative

Mark Mackiewicz, National Project Manager, WO-350

Name of Authorized Officer's Representative

Price Field Office, 125 South 600 West, Price, Utah 84501

Office, Street, Address, City, State, Zip

(435) 636-3616

Office Phone Number

Home Phone Number (Optional)

/s/ Mark Mackiewicz

Authorized Officer's or Representative's Signature

Holder's acknowledgement when notice is delivered in person.

October 26, 2010

Date

Signature of Recipient

Ruby Pipeline, LLC

Firm Name

Daniel G. Gredvig

Name of Recipient

October 26, 2010

Date