

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 27)

Date

10/14/2010

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>1. Fremont-Winema National Forests, OR In Spreads: 6 and 7</p>
<p>Approval for the following: -Commence pipeline construction in the right-of-way areas identified and use of access roads in the locations noted here and in referenced alignment and quadrangle sheets.</p>	<p>Mile Posts (MPs): MP 611.0 to 611.5 MP 627.8 to 629.7 MP 631.0 to 632.0 MP 635.0 to 635.8 MP 639.0 to 639.5 MP 645.9 to 649.3 MP 649.5 to 651.0 MP 666.3 to 666.8</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>And Access Roads:</p>
<p>There are right of way segments and roads associated with this NTP that are located on the Fremont-Winema National Forests. Some of these roads are also under Variance Request 07-011-AR (road widening). Forest Service requirements for variance request 07-011-AR were sent to Merjent 10/8/2010.</p>	<p>(Related to MPs) MP 611.0 to 611.5: L-12B MP 631.0 to 632.0: L-15E MP 635.0 to 635.8: L-15B (NOT GRANTED THIS NTP-SEE OTHER STIPULATIONS NEXT PAGE) MP 639.0 to 639.5: L-15F MP 645.9 to 649.3: CT-43, L-19C, L-19D, L-22, K-1A, K-1B, K-1C, K-1D, K-1E, MP 649.5 to 651.0: K-2, K-3A</p>
<p>The Fremont-Wimena National Forests has the following stipulations.</p>	<p>(Unrelated to MPs) L-9A (NO WIDENING PERMITTED PER FOREST SERVICE), L-18 (SEE FOREST SERVICE STIPULATION NEXT PAGE), L-20 (SEE FOREST SERVICE STIPULATION NEXT PAGE)</p>
<p>Forest Access Roads: MP 635.0 to 635.8: Road L-15B. Forest Service requirements listed under Variance Request 07-011-AR.</p>	<p>Alignment Sheets Referenced: 300A-247, 300A-248, 300A-251, 300A-261, 300A-262, 300A-264 through 300A-267; 300A-273</p>
<p>MP 645.9 to 649.3: Roads CT-43, L-19C, L-19D, L-22, K-1A, K-1B, K-1C, K-1D, K-1E. Forest Service requirements listed under Variance Request 07-011-AR.</p>	
<p>MP 649.5 to 651.0: Roads K-2, K-3A. Forest Service requirements listed under Variance Request 07-011-AR.</p>	
<p>L-9A (FS #3915-032): NO WIDENING PERMITTED. Th is road goes through Rogger Meadow wetland area and Rogger Meadow Trailhead.</p>	

L-18 (FS #4017-419): United States easement width is 33 feet on each side of centerline through private land in Township 41 South, Range 16 East, WM., Section 13 portion of East 1/2 (in between MP 641 and 642).

L-20 (FS #4017-024): Widening not requested from on-site review 10/05/2010. Shown on Forest Service requirements listed under Variance Request 07-011-AR .

Other applicable stipulations:

Three sites within the MPs specified in this NTP require barricading, monitoring, and/or avoidance during construction. The sites include 35LK3926 (MP 631.2), 35LK3983 (MP 646.1), and 35KL3297 (MP 646.3). All of the sites are rock stacks.

Use of Access Road L-15B is **NOT GRANTED**, until its relationship to Access Road L-15C is demonstrated with regard to cultural resource resources and any treatment has been completed.

MP 611.0 to 611.5
Mule Deer Winter Range (November 1 to April 1)

MP 627.8 to 629.7
Significant wetland complex and springs in this segment
Segment contains five streams identified as “fish bearing”
Mule Deer Winter Range (November 1 to April 1)

MP 631.0 to 632.0
Segment contains one stream identified as “fish bearing”
Mule Deer Winter Range (November 1 to April 1)

MP 635.0 to 635.8
Segment contains two streams identified as “fish bearing”
Elk Winter Range (November 1 to April 1)

MP 639.0 to 639.5
Elk Winter Range (November 1 to April 1)

MP 645.9 to 649.3
Segment contains one stream identified as “fish bearing”
Elk Winter Range (November 1 to April 1)

MP 649.5 to 651.0
Elk Winter Range (November 1 to April 1)

MP 666.3 to 666.8
Mule Deer Migration Corridor

Quadrangle Sheets Referenced:
104, 105, 109, 110, 111, 113A

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 14, 2010

Date

Signature of Recipient

Ruby Pipeline, LLC

Firm Name

Daniel G. Gredvig

Name of Recipient

October 14, 2010

Date