

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 23a)

Date

10/21/2010

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. Surprise Field Office, CA</b> In Spread: 6</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>This NTP specifically grants widening up to 30 feet as necessary for the following Access Roads:  MP 567.5 to 577.0 – W-9, W-14, and W-14A</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>Alignment Sheets Referenced: 300A-233 through 300A-237</p>
<p>Ruby shall comply with all stipulations listed in NTP 23.</p>	<p>Quadrangle Sheets Referenced: 97 through 99</p>
<p><b>The Surprise Field Office has the following stipulations.</b> Access Road W-9: In order to reduce the amount of damage to the soft soil on this road and to limit dust production along this route, Ruby is authorized to crown, gravel, and make other reasonable improvements (e.g., filling of potholes) as necessary to this road to better facilitate project access and protect the integrity of the road during the rainy season.</p>	
<p>Access Road W-14: This access road climbs a steep grade as it leaves the Cow Head Ranch Road before it reaches the summit of Mosquito Rim. Any improvement Ruby makes to this route shall include water bars or other similar erosion control methods to prevent excessive water and sediment from destroying the road grade and slope. These erosion control features must not direct water into or onto sensitive sites (e.g., cultural, wildlife, etc.) along the road.</p>	
<p>Access Road W-14A: At the beginning of W14-A the grade is steep and the potential for erosion is high. Ruby shall install water bars and/or other erosion control features along this portion of the route. These erosion control features must not direct water</p>	

into or onto sensitive sites (e.g., cultural, wildlife, etc.) along the road.

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 21, 2010

Date

Signature of Recipient

Ruby Pipeline, LLC

Firm Name

Daniel G. Gredvig

Name of Recipient

October 21, 2010

Date