

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 40)

Date

11/17/2010

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>Approval for the following: -Commence use and widening of access roads in the locations noted here and in referenced alignment and quadrangle sheets.</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>The Elko District Office has the following stipulations:</p> <p>Do NOT use Access Road E7A. It should be signed as "Closed for All Use."</p> <p>The BLM and Far Western have marked off a 15 foot wide corridor on the portions of Redacted Text that pass through Redacted Text. Plastic snow fencing attached to T-posts is to be installed using the 15 foot wide corridor, and extending to 100 yards beyond Redacted Text. All road traffic is to be confined to the corridor.</p> <p>Monitors and Traffic Control personnel must be present during use of Redacted Text. The narrow corridor through Redacted Text will permit only a single lane of one-way traffic at a time. Any pulling off or parking should be done in wider portions of the access roads beyond the sites. The intersection of E-7 and E-5 can be widened up to 100' to facilitate turnarounds.</p> <p>Watering and/or blading of Redacted Text is NOT permitted within Redacted Text. Instead, the road segments through Redacted Text shall be graveled using a loader or grader.</p> <p>Prior to graveled, a 20 to 30 ml layer of HPDE material, or</p>	<p>This NTP applies only to roads on federal lands located within the following mileage range:</p> <p>1. Elko District Office, NV In Spread: 3</p> <p>Access Roads: MP 254.0 to 258.0 E-6 E-7</p> <p>Alignment Sheets Referenced: 300A-105 and 300A-106</p> <p>Quadrangle Sheets Referenced: 43, 43A, 44, and 45</p>

approved equivalent, is to be placed on the portions of the roadway that pass through **Redacted Text** and must be secured in such a way that gravel will not extend past the 15' corridor. This is necessary in order to protect **Redacted Text** beneath the road surface and also to help identify the gravel layer when removing the gravel at the end of the project.

Additionally, **Redacted Text** may have eligible deposits outside of the Area of Potential Effect and the sites must be monitored while working in this area to ensure these sites remain intact

Monitors must be on site during any maintenance of **Redacted Text**.

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)

Authorized Officer's or Representative's Signature

Holder's acknowledgement when notice is delivered in person.

November 16, 2010

Date

/s/ Mark Mackiewicz

Signature of Recipient

Ruby Pipeline, LLC

Firm Name

Daniel G. Gredvig

Name of Recipient

November 17, 2010

Date