

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 30)

Date

10/28/2010

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. Winnemucca District Office, NV In Spread: 5</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): 450.5 to 479.0</p> <p>MPs 450.50 to 451.25 and 452.35 to 458.50 ARE NOT APPROVED UNDER THIS NTP</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>MPs 465.0 to 465.5: BLM REQUIRES THAT BOTH TRIBAL MONITORS AND FAR WESTERN ARCHAEOLOGICAL MONITORS BE PRESENT DURING ALL GROUND DISTURBING ACTIVITIES.</p>
<p>The roads listed below were previously identified in Table E-3 of the Final Environmental Impact Statement ("FEIS") and in the POD (Appendix O, Table A-1). The roads listed in this request have previously been identified as requiring blading as the only improvement. Ruby is requesting a notice to proceed and to grade and widen the following access roads.</p>	<p>And</p> <p>Access Roads:</p>
<p>MP 450.5 to 479.0: H-29, H-30A, H-31, H-32, H-35</p>	<p>MP 450.5 to 479.0: H-29, H-30A (BLM REQUIRES THAT BOTH TRIBAL MONITORS AND FAR WESTERN ARCHAEOLOGICAL MONITORS BE PRESENT DURING ALL GROUND DISTURBING ACTIVITIES), H-31, H-32, H-35</p>
<p>Ruby is proposing to widen access roads up to 30 feet. Access roads will only be widened if required by terrain or other construction conditions to accommodate larger construction vehicles such as stringing trucks or lowboys hauling equipment, etc. The grading may also create a slightly crowned condition which is better for controlling dust, allowing the road to be more easily maintained. Ruby is not proposing to widen any access roads within wetlands. In accordance with the Project Environmental Impact Statement and Plan of Development, Ruby will restore all access roads to their preconstruction state (e.g. two-track) unless otherwise requested by the landowner or land management agency.</p>	<p>And the Following Pipe Yards and Related Access Roads:</p> <p>Sod House Pipe Storage Yard Midas Road Pipe Storage Yard</p> <p>Alignment Sheets Referenced: 300A-185 through 300A-197</p> <p>Quadrangle Sheets Referenced: 78-82</p>

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The Winnemucca District Office has the following stipulations:

Ruby shall not conduct ground disturbing activities between MPs 450.5 to 451.25 and 452.35 and 458.5 until a treatment plan is developed by BLM in consultation with the Nevada State Historic Preservation Office.

From MPs 465.0 to 465.5 and road widening of H-300A, Ruby shall have Tribal Monitors and Far Western Archaeological Monitors present during all ground disturbing activities.

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 28, 2010

Date

Signature of Recipient

Ruby Pipeline, LLC

Firm Name

Daniel G. Gredvig

Name of Recipient

October 28, 2010

Date