

127964

MEMORANDUM OF MINING LEASE AND AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

For valuable consideration, JULIAN TOMERA RANCHES, INC.,
STONE HOUSE DIVISION, a Nevada corporation and THOMAS TOMERA and
PATSY TOMERA, as Owner has leased to NEWMONT EXPLORATION LIMITED,
a Delaware corporation, for the purpose of prospecting for, mining
and removing all minerals, those certain lands situated in Eureka
and Elko County, Nevada, more particularly described in Exhibit A
hereto annexed and by this reference made a part hereof (the
"Property").

IN WITNESS WHEREOF, the parties hereto have executed this
Memorandum of Mining Lease and Agreement as of July 27, 1989.

OWNER:

Thomas J. Tomera Pres.
JULIAN TOMERA RANCHES, INC.
STONE HOUSE DIVISION

Thomas Tomera
Thomas Tomera

Patsy Tomera
Patsy Tomera

NEWMONT EXPLORATION LIMITED

By: [Signature]
Land Manager

1

DEC 1 98 REC 384

8/6/2001 Quitclaim under Book 342 Pg 322

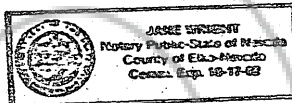
STATE OF Nevada)
COUNTY OF Elko) ss.

On this 26 day of June, 1989, personally appeared before me, a Notary Public, Thomas Tomera, the President of JULIAN TOMERA RANCHES, INC., STONE HOUSE DIVISION, who acknowledged to me that he executed the foregoing instrument on behalf of said corporation.

My Commission Expires:

10-17-92

James Wright
Notary Public



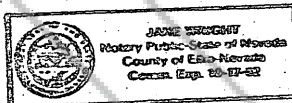
STATE OF Nevada)
COUNTY OF Elko) ss.

On this 26 day of June, 1989, personally appeared before me, a Notary Public, Thomas Tomera and Patsy Tomera, husband and wife, who acknowledged to me that they executed the above instrument.

My Commission Expires:

10-17-92

James Wright
Notary Public



STATE OF *Nevada* }
COUNTY OF *Elko* } ss.

On this *30th* day of *June*, 1989, personally appeared before me, a Notary Public, G. Neil Hall, the Land Manager of NEWMONT EXPLORATION LIMITED, who acknowledged to me that he executed the foregoing instrument on behalf of said corporation.

My Commission Expires:



Linda H. Vasey
Notary Public

LINDA H. VASEY
Notary Public, State of Nevada
Elko County, Nevada
Comm. Exp. 10-3-92

3

BOOK 98 PAGE 386

NEWMONT EXPLORATION LIMITED/JULIAN TOMERA RANCHES, INC.
STONE HOUSE DIVISION

EXHIBIT A

All surface and mineral interests of Owner in Elko and Eureka Counties, Nevada.

EXCEPTION THEREFROM all interests of Owner acquired pursuant to that certain Quitclaim Deed, dated December 16, 1985, between JULIAN TOMERA and MALFISA TOMERA, First Parties, and PETER H. TOMERA and TONI LYNN TOMERA, THOMAS J. TOMERA and PATSY SUE TOMERA, ELEANOR TOMERA, LUCY HIGHTOWER, JULIANA DIAZ, and JULIAN TOMERA and MALFISA TOMERA, Second Parties.

Owner understands that Newmont has requested from Frontier Title Company, of Elko, Nevada, a Preliminary Title Report describing all surface and mineral interests of Owner in Elko and Eureka Counties, Nevada. Owner and Newmont agree that upon approval thereof by Owner and Newmont the description of Owner's surface and mineral interests contained in said Preliminary Title Report, together with the above exception, shall constitute the description of the Property.

In the event title to the Damsel Property has not vested in Owners as of the date of the Preliminary Title Report, then upon such vesting the Damsel Property shall be subject to this Agreement and, for all purposes other than the calculation of production royalties, the meaning of the "Property" shall thereafter be understood to have been modified to include the same.

RECORDED AT THE REQUEST OF

BOOK 198 PAGE 384
Frontier Title Co
20 JAN 28 AM 54

OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
H.M. NEBALLAH, RECORDER
FILE NO. FEE \$8.00

127961

20

BOOK 198 PAGE 387