

155153

QUITCLAIM DEED

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, HOMESTAKE MINING COMPANY OF CALIFORNIA, a California corporation having its principal place of business at 650 California Street, San Francisco, California 94108-2788 ("Homestake"), hereby quitclaims to NEWMONT GOLD COMPANY, a Delaware corporation having its principal place of business at 1700 Lincoln Street - 29th Floor, Denver, Colorado 80203 ("Newmont") the unpatented mining claims more particularly described in Exhibit A hereto, together with all ores and minerals lying in or under such claims, and all dips, spurs, angles, extensions, tailings, mine dumps, water rights, surface rights and other rights appurtenant or incident thereto, as well as all buildings, improvements, fixtures, and personal property thereon and therein ("Mining Property") RESERVING to Homestake, a royalty of one and one-half percent of Net Smelter Returns.

"Net Smelter Returns" means all consideration derived by Newmont from the sale or disposition of ores and minerals mined and removed from the Mining Property (and all products derived therefrom in whatever form) and thereafter sold or disposed of less, but only to the extent actually incurred and borne by Newmont, only:

1. Sales, use, gross receipts, severance, ad valorem and other taxes, if any, payable with respect to production, removal, sale or disposition of such ores, minerals or products, but excluding taxes on net income;

2. Charges and costs, if any, for transportation to places where such ores, minerals or products are smelted, refined and sold; and

3. Charges, costs and penalties, if any, for smelting and refining.

In the event smelting or refining are carried out in facilities owned or controlled, in whole or in part, by Newmont, charges, costs and penalties for such smelting and refining, and any deductible transportation, shall mean the amount actually incurred or borne by Newmont, but not to exceed the amount that Newmont would have incurred if such smelting and refining were carried out at facilities not owned or controlled by Newmont then offering comparable custom services for comparable products on

prevailing terms. Consideration received shall include all interest or other allowance for deferred payment or deferred settlement or long-term commitment received by Newmont.

In the calculation of the Royalties, Newmont shall not be entitled to deduct any charge or cost for mining, milling, treatment, processing or other beneficiation, nor for transportation other than transportation to a smelter or refinery and from the smelter or refinery to the final place of sale or disposition, nor any fees, costs or charges of any kind for any marketing, administration or overhead, nor any allowance for reclamation, remediation or environmental cost.

Royalties shall be paid on or before the forty-fifth day after the last day of the first calendar quarter in which Newmont receives or has the right to receive consideration for sale of ores, minerals or products. If all information necessary to calculate the Royalties is not then known, Newmont shall then make a provisional payment based on information then known. Such payment shall be adjusted within forty-five days after the end of the quarter in which all such information becomes known.

Within ninety days after the end of each calendar year, Newmont shall deliver to Homestake a detailed audited statement of royalties paid to Homestake. Each year-end statement shall be deemed true and correct one year after presentation, unless within that period Homestake delivers notice to Newmont specifying grounds for exception. Homestake shall be entitled at Homestake's expense to an annual audit of royalties, but only if Homestake delivers a demand for audit to Newmont within one year after presentation of the related year-end statement.

Newmont may commingle ores, minerals and products from the Mining Property with other ores, minerals or products. Before commingling, Newmont shall weigh (or calculate by volume), sample, and assay such ores and minerals in accordance with sound mining and metallurgical practices for payable content and for factors that may affect the cost or the efficiency of treatment, smelting, refining or other recovery. Newmont shall keep records of such determinations for two years after the end of the calendar year in which such determinations are made.

At reasonable times, Homestake may at Homestake's risk and expense enter locations where relevant records are maintained to inspect records necessary to substantiate Newmont's payment of the Royalty in accordance with this Deed.

All notices, payments and other communications to either party shall be in writing and delivered personally, sent by prepaid mail, or by telecopy. Notices sent by ordinary mail shall be effective five days after mailing. Notices sent by certified or registered mail or telecopy shall be effective on

the next business day after the date of actual delivery. Until a change of address is so given, notices shall be addressed to Newmont and Homestake, respectively:

Newmont:

Newmont Gold Company
1700 Lincoln Street
29th Floor
Denver, CO 80203
Attn:

Homestake:

Homestake Mining Company
of California
650 California Street
San Francisco, CA 94108-2788
Attn: Land Administrator

All covenants, conditions and terms of this Deed shall be of benefit to and run with the land and claims constituting the Mining Property and any other form of tenure covering the same land obtained by Newmont from the United States of America pursuant to any law now existing or hereafter amended or enacted and shall bind and inure to the benefit of the parties hereto, their respective successors and assigns.

IN WITNESS WHEREOF, Homestake has executed this Deed effective as of August 29, 1994.

HOMESTAKE MINING COMPANY
OF CALIFORNIA

By *Dennis B. Goldstein*
Dennis B. Goldstein
Asst. Secretary

AGREED TO AND ACCEPTED BY:

NEWMONT GOLD COMPANY

By *William H. Claff*

STATE OF Colorado)
COUNTY OF DENVER)
ss.)

On September 7, 1994 before me, Diane M. DeBar, a duly commissioned Notary Public for said state, personally appeared Stephen M. Clark, Jr., personally known to me to be the Se. Vice President of Newmont Gold Company, a Delaware corporation, and personally known to me to be the person who executed the within instrument on behalf of said corporations, and acknowledged to me that both of said corporations executed such instrument.

IN WITNESS WHEREOF, I have signed my name and affixed my official seal.



Notary Public in and for said state
Residing at:
My Commission Expires:

My Commission Expires Nov. 18, 1996

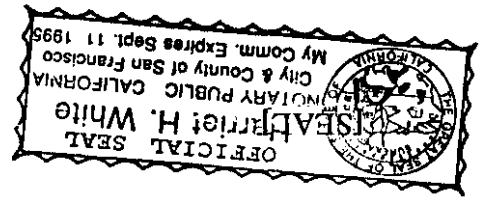
HOMESAKE CALIFORNIA NOTARY FORM ATTACHED

STATE OF California
COUNTY OF San Francisco
ss. }

On August 29, 1994, before me, Harriet H. White, a Notary Public in and for said state, personally appeared Dennis B. Goldstein

[X] personally known to me - OR - [] proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



-CAPACITY CLAIMED BY SIGNER-

[] Individual(s) signing for oneself/themselves

[X] Corporate Officer(s)

Assistant Secretary

Title(s)

Homestake Mining Company of California

Company

[] Other (Describe)

Exhibit A

All those unpatented lode mining claims located in Section 4, Township 34 North, Range 51 East, and Section 28, Township 35 North, Range 51 East, Eureka County, Nevada, and being more particularly described as follows:

Claim Name	Location Date	Recording	Serial #
CV #63 AMENDED	Mar 29, 1992	235/138	650235
CV #64 AMENDED	Mar 29, 1992	235/140	650236
CV #65 AMENDED	Mar 29, 1992	237/463	650237
CV #66 AMENDED	Mar 29, 1992	235/144	650238
CV #67 AMENDED	Mar 29, 1992	237/467	650239
CV #68 AMENDED	Mar 29, 1992	235/148	650240
CV #69 AMENDED	Mar 29, 1992	237/471	650241
CV #70 AMENDED	Mar 29, 1992	235/150	650242
CV #71 AMENDED	Mar 29, 1992	237/473	650243
CV #72 AMENDED	Mar 29, 1992	235/152	650244
CV #73 AMENDED	Mar 29, 1992	237/475	650245
CV #74 AMENDED	Mar 29, 1992	235/154	650246
CV #75 AMENDED	Mar 29, 1992	237/477	650247
CV #76 AMENDED	Mar 29, 1992	235/156	650248
CV #77 AMENDED	Mar 29, 1992	237/479	650249
CV #78 AMENDED	Mar 29, 1992	235/160	650250
CV #79 AMENDED	Mar 29, 1992	237/481	650251
CV #80 AMENDED	Mar 29, 1992	235/162	650252
CV #81 AMENDED	Mar 29, 1992	237/483	650253
CV #82 AMENDED	Mar 29, 1992	235/164	650254
CV #83 AMENDED	Mar 29, 1992	237/485	650255
CV #84 AMENDED	Mar 29, 1992	235/166	650256
CV #85 AMENDED	Mar 29, 1992	237/487	650257
CV #86 AMENDED	Mar 29, 1992	235/168	650258
CV #87 AMENDED	Mar 29, 1992	237/489	650259
CV #88 AMENDED	Mar 29, 1992	235/170	650260
CV #89 AMENDED	Mar 29, 1992	237/491	650261
CV #90 AMENDED	Mar 29, 1992	235/172	650262
CV #91 AMENDED	Mar 29, 1992	237/493	650263
CV #92 AMENDED	Mar 29, 1992	235/174	650264
CV #93 AMENDED	Mar 29, 1992	237/495	650265
CV #94 AMENDED	Mar 29, 1992	235/176	650266
CV #95 AMENDED	Mar 29, 1992	237/497	650267
CV #96 AMENDED	Mar 29, 1992	235/178	650268
CV #97 AMENDED	Mar 29, 1992	237/499	650269
CV #98 AMENDED	Mar 29, 1992	235/180	650270
CV #99 AMENDED	Mar 29, 1992	237/501	650271
CV #100 AMENDED	Mar 29, 1992	235/182	650272
CV #101 AMENDED	Mar 29, 1992	237/503	650273

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Recording

Book/Page

235/182

237/505

235/184

237/507

235/186

237/509

235/188

237/511

235/190

237/513

235/192

237/515

235/194

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235/208

237/531

235/210

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BOOK 275 PAGE 235

Location Date

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Claim Name

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CV #103

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CV #104

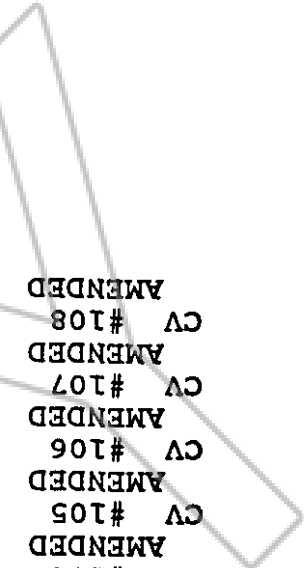
AMENDED

CV #105

AMENDED

CV #106

AMENDED



Claim Name	CV #109	AMENDED	CV #110	AMENDED	CV #111	AMENDED	Location Date	Recording	Book/Page	Serial #
							Mar 29, 1992	235/230	237/553	650281
							Mar 29, 1992	235/232	237/555	650282
							Mar 29, 1992	235/234	237/557	650283
CV #113	AMENDED						Mar 29, 1992	235/238	237/561	650285
CV #114	AMENDED						Mar 29, 1992	235/240	237/563	650286
KEN 1							May 15, 1992	235/488	237/563	652527
KEN 2							May 15, 1992	235/490	237/563	652528
KEN 3							May 15, 1992	235/492	237/563	652529
KEN 4							May 15, 1992	235/494	237/563	652530
TERRY							May 19, 1992	235/496	237/563	652522

BOOK 275 PAGE 229
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
NIMMONS GOLD COMPANY
EUREKA COUNTY NEVADA
M.N. REBAL EATL. RECORDER
FILE NO. 155153
FEE\$ 14.00

BOOK 275 PAGE 236