

177126

After Recording Return  
SIERRA PACIFIC POWER COMPANY  
Land Operations – S4B2  
P. O. Box 10100  
Reno, NV 89520

A.P.N.  
04-220-11; 04-300-16;  
04-310-04; 04-310-07  
SPPCo. Project #: 18212E

**GRANT OF EASEMENT  
FOR ELECTRIC TRANSMISSION AND COMMUNICATION**

THIS INDENTURE made and entered into this 18 day of September, 2001, by and between **NEWMONT MINING CORPORATION**, a Delaware corporation, whose address is P.O. Box 66 Carlin, NV 89822-0669 (hereinafter referred to as "Grantor"), and **SIERRA PACIFIC POWER COMPANY**, a Nevada corporation, (hereinafter referred to as "Grantee"),

**WITNESSETH:**

GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00), in hand paid by Grantee, and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant to Grantee, its successors, assigns and agents, non-exclusive easements and rights of way to construct, alter, maintain, inspect, repair, reconstruct and operate one or more electric transmission and communication facilities, consisting of one or more circuits, together with the appropriate poles, towers, necessary guys and anchors, supporting structures, insulators and cross-arms, underground foundations, markers, fixtures, and other necessary or convenient appurtenances connected therewith (hereinafter called "Utility Facilities"), across, over, upon, under, and through the following described property situated in the County of EUREKA, State of NEVADA, to-wit:

**AS DESCRIBED ON EXHIBITS "A-1", "A-2", "A-3", and "A-4", AND  
DEPICTED ON EXHIBITS "B-1", "B-2", "B-3", and "B-4", ALL ATTACHED  
HERETO AND MADE A PART HEREOF.**

IT IS FURTHER AGREED:

1. Grantee shall have at all times ingress and egress to the above-described land for the purpose of constructing, altering, maintaining, inspecting, repairing, reconstructing and operating said Utility Facilities.

2. Grantee shall be responsible for any damage to personal property or improvements, suffered by Grantor by reason of constructing, altering, maintaining, inspecting, repairing, reconstructing and operating said Utility Facilities by Grantee.

3. Grantee will at all times save and hold harmless Grantor with respect to any and all loss, damage or liability incurred or sustained by reason of any injury or damage to any person or property, caused by the constructing, altering, maintaining, inspecting, repairing, reconstructing and operating of said Utility Facilities by Grantee.

4. Grantor shall not erect or construct, nor permit to be erected or constructed any buildings, fences or structures, nor permit any activity which in the reasonable judgment of Grantee is inconsistent with Grantee's use of said easement.

5. Grantee shall have the right to remove or clear any and all buildings, fences, structures, combustible materials, trees, brush, debris, or any other obstruction from said easement, which in the reasonable judgment of Grantee may interfere with or endanger the constructing, altering, maintaining, inspecting, repairing, reconstructing and operating of said Utility Facilities.

6. Grantee, with reasonable written notice, shall relocate the facilities constructed pursuant to this easement to a suitable location upon the Grantor's property, provided Grantor furnishes the necessary Right-of-Way at no cost to the Grantee and Grantor shall bear all costs of relocation.

7. Grantee shall have the right to cut down or trim all trees within, adjacent to and outside said easement which may in the reasonable judgment of Grantee endanger the constructing, altering, maintaining, inspecting, repairing, reconstructing and operating of said Utility Facilities.

8. Grantee shall have and hold the rights granted herein for so long as it uses and maintains the Utility Facilities on the lands described above, and the rights herein granted shall terminate upon Grantee's discontinuance of such use and maintenance for a period of one (1) year and all such shall revert to Grantor, its successors or assigns.

9. Grantee shall coordinate its construction activities with Dan Galian, TS Ranch Manager, Elko Land and Livestock Company, P.O. Box 669, Carlin, Nevada 89822 (775-778-2855) and Bill Malone, Manager of Utilities, Newmont Mining Corporation, P.O. Box 669, Carlin, Nevada 89822 (778-4734).

THIS GRANT COVENANT and the terms contained herein shall be binding upon the successors, agents and assigns of Grantor and Grantee, and all rights herein granted may be assigned.

TO HAVE AND TO HOLD all and singular the said premises, granted together with the appurtenances, unto said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused these presents duly to be executed the day and year first above writ.

GRANTOR:

NEWMONT MINING CORPORATION  
a Delaware corporation

By: *Leland W Krugerud*

Print Name: *Leland W Krugerud*

Title: *VP Business Affairs - NA Operations*

ACCEPTED and agreed by Sierra Pacific Power Company, a Nevada corporation, on this  
13<sup>th</sup> day of September, 2001.

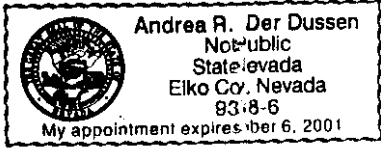
By: *William Roullier*

Print Name: *WILLIAM ROULLIER*

Title: *MANAGER, LAND OPERATIONS*

STATE OF NEVADA)  
COUNTY OF ELKO )

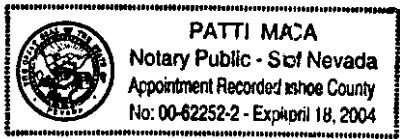
On SEPTEMBER 1 2001, this instrument was acknowledged before me, a Notary Public, by LELAND I. KRUGERUD as VICE PRESIDENT of NEWMONT MINING CORPORATION, a Delaware corporation.



Andrea R. Der Dussen  
Notary Signature

STATE OF NEVADA  
COUNTY OF WASHOE

On September 2001, this instrument was acknowledged before me, a Notary Public, by Willie ROULLIER as MANAGER, Land Operations dept of SIERRA PACIFIC POWER COMPANY, a Nevada corporation.



Patti Maruca  
Notary Signature

**EXHIBIT A-1  
PROPERTY DESCRIPTION**

August 29, 2001  
Project No. 804000

Legal Description:  
SIERRA PACIFPOWER COMPANY

**OWNER: NEWONT MINING CORPORATION  
APN: 04-220-11**

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The following decribes the centerline of a one hundred and sixty (160) foot wide parcel of land, situate win portions of Sections 24 and 25, T33N, R48E, MDM, lying eighty (80) feet on each e of the following described centerline.

**BEGINNING** at point on the easterly line of said Section 24, from which a 5/8" rebar capped PLS 527 marking the east one-quarter corner of said Section 24, bears South 00°32'02" East, 91 feet distant;

Thence departing said section line, South 40°41'51" West, 2,675.33 feet to a point hereinafter referred to as Point "A";

Thence South 31°53" West, 5,092.80 feet to a point hereinafter referred to as Point "B";

Thence South 19°44" West, 1,859.66 feet to the southerly line of said Section 25, and the Point of Ternus for this description, from which a GLO brass cap marking the southwest corner said Section 25, bears South 88°36'39" West, 296.80 feet distant.

TOGETHER WITH the area up to 160.00 feet from the aforementioned Point "A", lying northwesterly of and adjacent to the above described 160.00 foot wide parcel.

TOGETHER WITH the area up to 160.00 feet from the aforementioned Point "B", lying northwesterly of and adjacent to the above described 160.00 foot wide parcel.

EXCEPTING THEREFROM any land lying within the Union Pacific Railroad rights-of-way.

**CONTINUED**

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**EXHIBIT "A-1" CONTINUED**

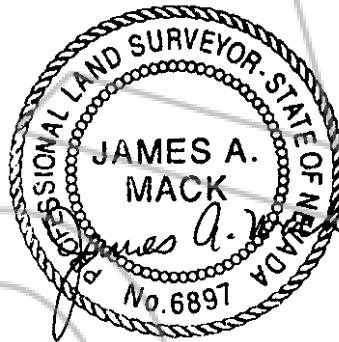
EXCEPTING THEREFROM any land lying within Interstate Highway 80 right-of-way.

EXCEPTING THEREFROM any land lying within U.S. Highway 40 right-of-way.

The sidelines of above described easements shall be lengthened or shortened so as to terminate upon the lines.

Containing an area of 30.90 acres of land, more or less.

Basis Of Bearing: AD 1983 (94 Harn Adjustment), UTM Zone 11.



8-29-01

Stantec Consulting, Inc.  
6980 Sierra Centerway, Suite 100  
Reno, NV 89511

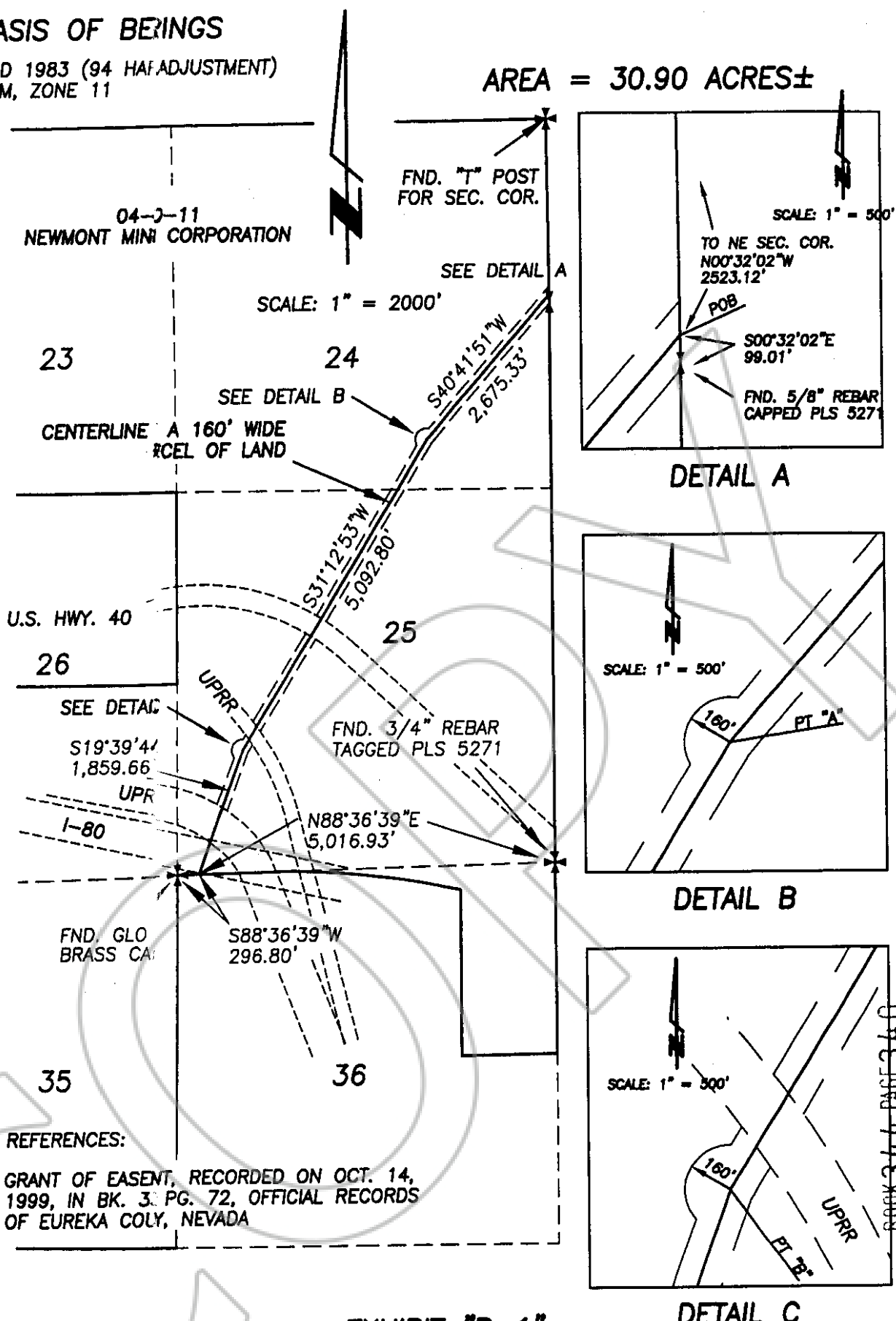
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**BASIS OF BEINGS**

NAD 1983 (94 HAF ADJUSTMENT)  
UTM, ZONE 11

**AREA = 30.90 ACRES ±**



**EXHIBIT "B-1"**

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Stanlec Consulting Inc.  
950 Industrial Way  
Sparks, Nevada 89431 USA  
Tel: (775) 358-8931  
Fax: (775) 358-8954  
www.stanlec.com

MAP OF EASEMENT PARCEL  
**SIERRA PACIFIC POWER COMPANY**  
POR. SECS. 24 AND 25, T33N, R48E, MDM  
EUREKA COUNTY NEVADA

PROJECT NO.  
80400400  
AUGUST 2001

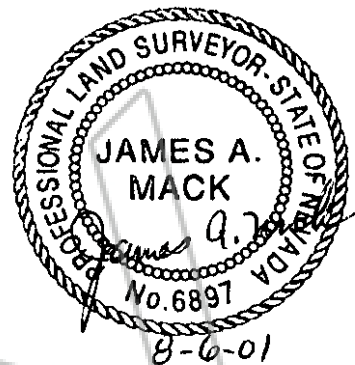
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**EXHIBIT A-2  
PROPERTY DESCRIPTION**

August 6, 2001  
Project No. 804000

Legal Description:  
SIERRA PACIFPOWER COMPANY

**OWNER: NEWONT MINING CORPORATION**  
**APN: 04-300-16**



The following describes the centerline of a one hundred and sixty (160) foot wide parcel of land, situate with a portion of Section 13, T32N, R48E, MDM, lying eighty (80) feet on each side of following described centerline:

**BEGINNING** at point on the east-west Section line common to Sections 12 and 13, T32N, R48E, M4, from which a basalt stone, 12" x 9" x 2", plainly marked with 4 notches on the S edge, in a mound of stone, marking the northwest corner said Section 13, bears South 89°01' West, 472.87 feet distant;

Thence depart said section line, South 00°15'32" West, 3776.10 feet to a point hereinafter refer to as Point "A";

Thence South 37°14' West, 716.34 feet to the west line of said Section 13 and the Point of Termination of this description, from which a basalt stone, 16" x 12" x 6", marked with 3 notches on south edge, in a mound of stone, marking the southwest corner of said Section 13, bears South 00°40'42" East, 882.65 feet distant.

TOGETHER WITH the area up to 160.00 feet from the aforementioned Point "A", lying southeasterly of and adjacent to the above described 160.00 foot wide parcel.

The sidelines of above described easements shall be lengthened or shortened so as to terminate upon trendlines.

Containing an area of 17.00 acres of land, more or less.

Basis Of Bearing AD 1983 (94 Harn Adjustment), UTM Zone 11.

Stantec Consulting Inc.  
6980 Sierra Center Parkway, Suite 100  
Reno, NV 89511

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**BASIS OF BEARINGS**

NAD 1983 (94 HARN ADJUSTMENT)  
UTM, ZONE 11

**AREA = 17.00 ACRES±**

SCALE: 1" = 1000'

SEC. 12

S89°39'01"W  
472.87'

N89°39'01"E  
2155.65'

FND. MKD. STONE  
IN A MOUND OF STONE

FND. MKD. STONE  
IN A MOUND OF STONE

POB

04-300-16  
NEWMONT MINING CORPORATION

CENTERLINE OF A 160' WIDE  
PARCEL OF LAND

3776.10'

S00°15'32"W

SEC. 13

FND. MKD. STONE  
IN A MOUND OF STONE

N00°40'42"W  
1698.70'

PT "A"

160'

S36°47'14"W  
716.34'

S00°40'42"E  
882.65'

FND. MKD. STONE  
IN A MOUND OF STONE

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**EXHIBIT "B-2"**



Stantec Consulting Inc.  
950 Industrial Way  
Sparks, Nevada 89431 USA  
Tel: (775) 358-6931  
Fax: (775) 358-6954  
www.stantec.com

MAP OF EASEMENT PARCEL  
**SIERRA PACIFIC POWER COMPANY**

POR. SEC. 13, T32N, R48E, MDM

YREKA COUNTY

NEVADA

PROJECT NO.

80400400

AUGUST 2001

**EXHIBIT A-3  
PROPERTY DESCRIPTION**

August 6, 2001  
Project No. 804000

Legal Description:  
SIERRA PACIFPOWER COMPANY

**OWNER: NEWONT MINING CORPORATION**  
**APN: 04-310-04**

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The following describes the centerline of a one hundred and sixty (160) foot wide parcel of land, situate within a portion of Section 23, T32N, R48E, MDM, lying eighty (80) feet on each side of the following described centerline:

**BEGINNING** at point on the east-west Section line common to Sections 14 and 23, T32N, R48E, ME, from which a basalt stone, 16"x 12"x 6", marked with 3 notches on the south edge, in a mound of stone, marking the northeast corner said Section 23, bears South 89°57'22" East, 670.02 feet distant;

Thence departing said section line, South 36°47'14" West, 6590.21 feet to the south line of said Section and the Point of Terminus for this description, from which a 2 1/2" GLO brass cap, in a mound of stone to the west, marking the southwest corner of said Section 23, bears South 89°49'51" West, 652.39 feet distant.

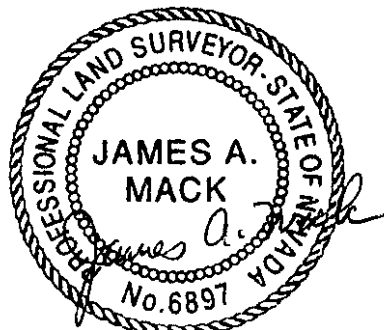
The sidelines of the above described easements shall be lengthened or shortened so as to terminate upon the endlines.

Containing an area of 24.21 acres of land, more or less.

Basis Of Bearing AD 1983 (94 Harn Adjustment), UTM Zone 11.

Stantec Consulting Inc.  
6980 Sierra Center Parkway, Suite 100  
Reno, NV 89511

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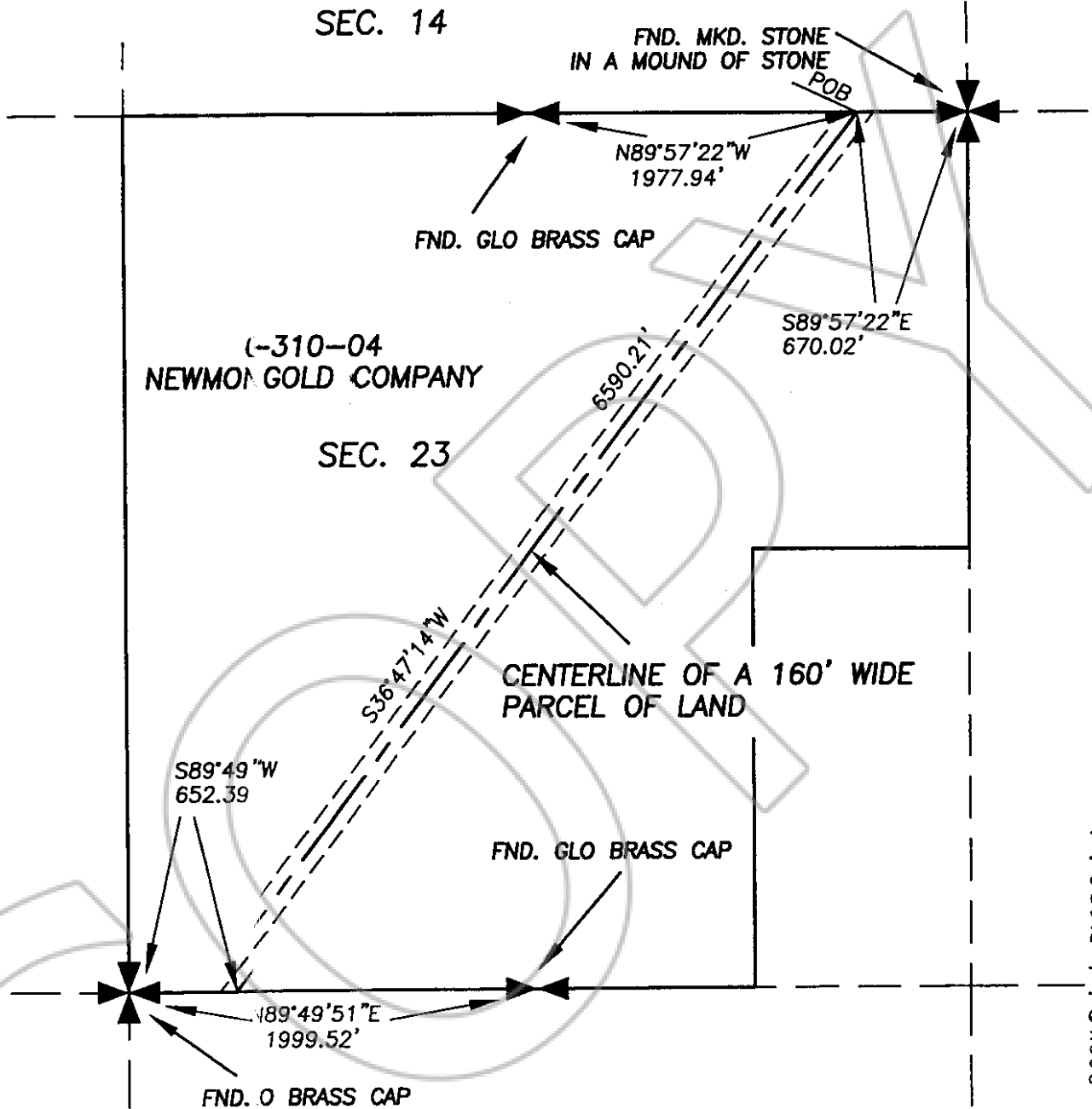
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**BASIS OF BEARINGS**

NAD 1983 (94 HARN ADJUSTMENT)  
UTM, ZONE 11

**AREA = 24.21 ACRES±**

SCALE: 1" = 1000'



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**EXHIBIT "B-3"**

 Stantec Consulting Inc.  
950 Industrial Way  
Sparks, Nevada 89431 USA  
Tel: (775) 358-6953  
Fax: (775) 358-6954  
www.stantec.com

MAP OF EASEMENT PARCEL  
**SIERRA PACIFIC POWER COMPANY**  
POR. SEC. 23, T32N, R48E, MDM  
YREKA COUNTY NEVADA

PROJECT NO.  
80400400  
AUGUST 2001

**EXHIBIT A-4  
PROPERTY DESCRIPTION**

August 6, 2001  
Project No. 804000

Legal Description:  
SIERRA PACIFPOWER COMPANY

**OWNER: NEWONT MINING CORPORATION**  
**APN: 04-310-07**

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The following describes the centerline of a one hundred and sixty (160) foot wide parcel of land, situate within a portion of Section 27, T32N, R48E, MDM, lying eighty (80) feet on each side of the following described centerline:

**BEGINNING** at point on the north-south Section line common to Sections 26 and 27, T32N, R48E, MDM, from which a 2 1/2" GLO brass cap, with a mound of stone to the west, marking the northeast corner said Section 27, bears North 00°14'14" West, 865.75 feet distant;

Thence departing said section line, South 36°47'14" West, 5537.59 feet to the south line of said Section 27 and the Point of Terminus for this description, from which a 2 1/2" GLO brass cap, with a mound of stone to the west, marking the southwest corner of said Section 27, bears South 89°40'40" West, 1952.65 feet distant.

EXCEPTING THEREFROM any area of the above described easement lying within the NE 1/4 SE 1/4 and SW 1/4 SE 1/4 of said Section 27.

The sidelines of the above described easements shall be lengthened or shortened so as to terminate upon the boundaries.

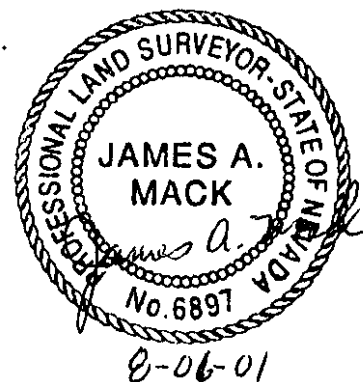
Containing an area of 18.38 acres of land, more or less.

Basis Of Bearing: AD 1983 (94 Harn Adjustment), UTM Zone 11.

Stantec Consulting Inc.  
6980 Sierra Center Parkway, Suite 100  
Reno, NV 89511

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**BASIS OF BEARINGS**

NAD 1983 (94 HARN ADJUSTMENT)  
UTM, ZONE 11

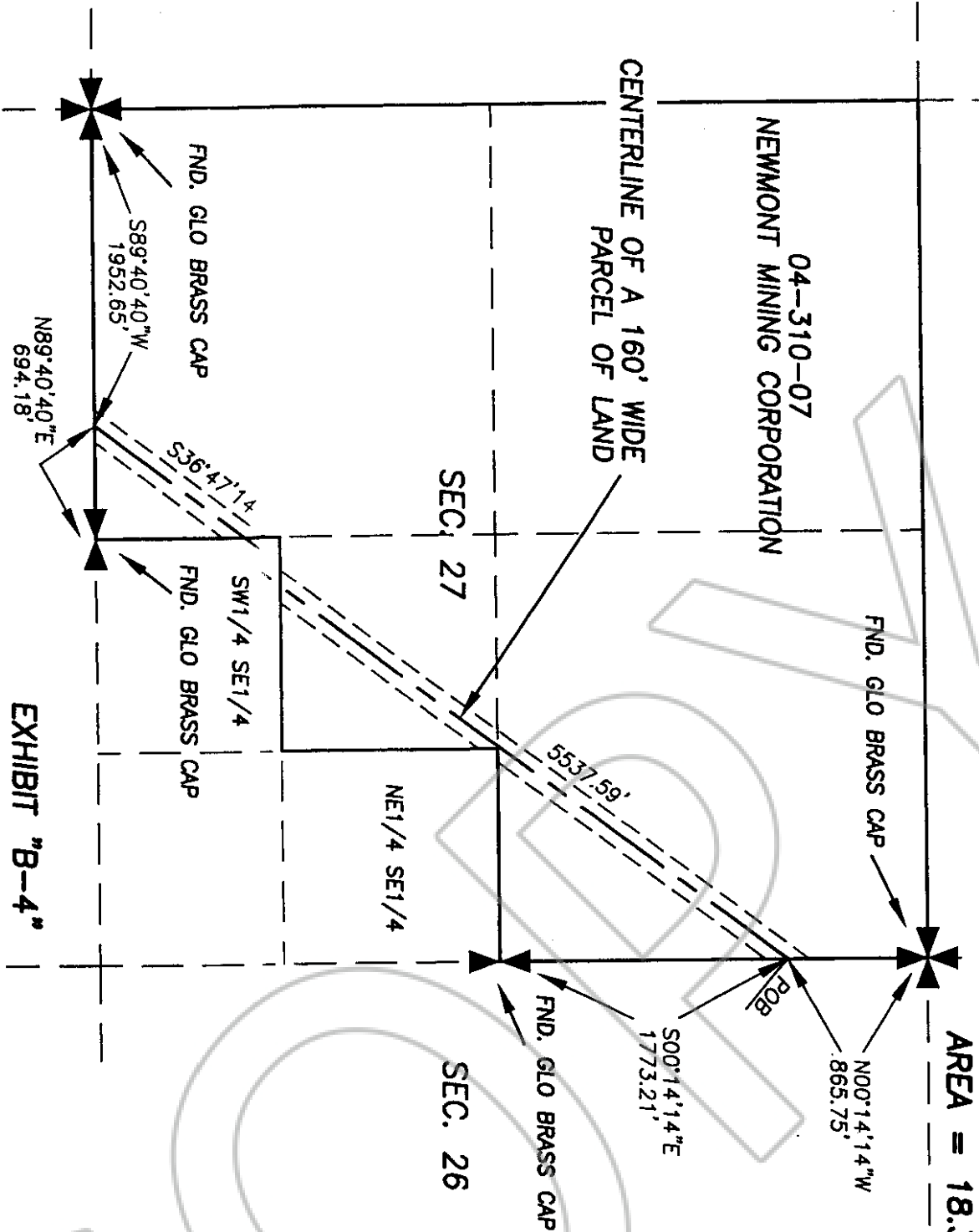
**AREA = 18.38 ACRES±**



SCALE: 1" = 1000'

04-310-07  
NEWMONT MINING CORPORATION

CENTERLINE OF A 160' WIDE  
PARCEL OF LAND



**EXHIBIT "B-4"**

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Starbuck Consulting Inc.  
920 Industrial Way  
Sparks, Nevada 89431 USA  
Tel: (775) 738-4824  
Fax: (775) 738-4824  
www.starbuck.com

MAP OF EASEMENT PARCEL  
**SIERRA PACIFIC POWER COMPANY**  
FOR SEC. 27, T32N, R48E, MDM  
EUREKA COUNTY

NEVADA  
80400400  
AUGUST 2001

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OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*Sierra Pacific*  
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EUREKA COUNTY NEVADA  
M.H. REBALEATI, RECORDER  
FILE NO. FEES 27<sup>00</sup>

**177126**

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