

180685

Recorded at the request of return to:
Newmont USA Limited
d/b/a Newmont Mining Corporation
PO Box 669
Carlin, NV 89822
Attention: Land Department

AMENDMENT TO AGREEMENT AND EASEMENTS

THIS AMENDMENT is made effective as of August 1, 2002, between Newmont USA Limited, a Delaware corporation ("NEWMONT"), d/b/a Newmont Mining Corporation, and its subsidiary company, Land and Livestock Company, a Nevada corporation ("ELLCO"), and the United States of America ("the USA").

RECITALS

WHEREAS, Newmont Mining Corporation, a Delaware corporation and its subsidiary company, ELLCO, entered into an Agreement and Deed of Conservation and Access Easements ("Agreement") with the USA dated September 27, 2000, which Agreement was recorded on November 1, 2000 in Book 338 at page 476 of the Official Records of Eureka County, Nevada;

WHEREAS, NEWMONT is successor through merger and name change to Newmont Mining Corporation;

WHEREAS, NEWMONT, ELLCO and the USA desire to amend the Agreement;

THEREFORE, for valuable consideration, NEWMONT, ELLCO and the USA agree to amend the Agreement as follows.

AGREEMENT

Section 1.6 Term of Easement to the Agreement is deleted in its entirety and replaced with the following:

"Section 1.6 Term of Easement. The Easement conveyed by this Article I shall terminate in the year 2120 or at such time as Maggie Creek flow augmentation required under the South Operations Area Project 1993 Environmental Impact Statement Mitigation Plan, if any, ceases, whichever is later; provided that in no event shall the term of this Easement extend beyond 2161."

Except as expressly amended hereby, the Agreement shall remain unaltered by this Amendment.

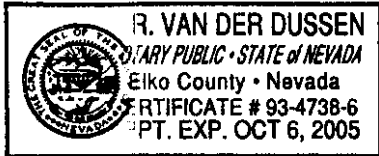
STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

Subscribed and sworn to before me this 22 day of OCTOBER, 2002,
by R M PERRY, as VICE PRESIDENT N.A. OPERATIONS
of Newmont USA Lincd, a Delaware corporation, on behalf of the corporation.

Witness my hand and official seal.

A R Van Der Dussen

Notary Public



[S E A L]

My commission expires: OCT 6, 2005

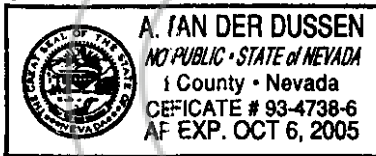
STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

Subscribed and sworn to before me this 13 day of NOVEMBER, 2002,
by R M PERRY, as DIRECTOR
of Elko Land and Liveck Company, a Nevada corporation, on behalf of the corporation.

Witness my hand and official seal.

A R Van Der Dussen

Notary Public



[S E A L]

My commission expires: OCT 6, 2005

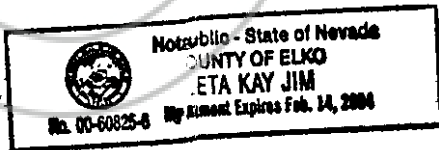
STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

Subscribed and sworn to before me this 3rd day of December, 2002,
by Helen Hanks, as Field Manager
of the Bureau of Land Management, United States of America.

Witness my hand and official seal.

Jeta Kay Jimi

Notary Public



[S E A L]

My commission expires: Feb 14, 2004

NOW THEREFORE, this Amendment is executed effective as of the date set forth above.

**NEWMONT USA LITED
d/b/a NEWMONT MING COPORATION**

By: *RMPerry*
Name: Richard Perry
Title: VP, NA Operations

ELKO LAND AND LIVESTOCK COMPANY

By: *RMPerry*
Name: Richard Perry
Title: Director

**UNITED STATES OF AMERICA, by
Bureau of Land Management**

By: *Helen Hankins*
Name: Helen Hankins
Title: Field Manager

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OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Newmont
03 JAN -6 PM 1:42

ELK COUNTY NEVADA
GEN. REG. & RECD. RECORDER
FILE NO. FEES *16.00*

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