

181721

Recorded at the request and return to:
Newmont Mining Corporation
PO Box 669
Carlin, NV 89822

MEMORANDUM OF MINING LEASE AND AGREEMENT

NOTICE IS HEREBY GIVEN that **Jon A. Hill and B. Roxann Hill**, husband and wife; **Wells Fargo Bank, N.A., Successor Trustee of the Roland G. Hill Trust; Roland D. Hill**, a single man; **Robert M. Hill**, a single man; **Jacqueline Winters**, a single woman; **Me R. Fish (a/k/a Merle Fish) and Joanie M. Fish**, husband and wife; **Laurence Borelli (a/k/a Larry Borelli) and Linda Jean Borelli**, husband and wife; **Doretha Junbox**, a single woman; **Robert Fish and Karin Fish**, husband and wife; and **Rollie Jean Graye (a/k/a Rolie Jean Graye) (f/k/a Rollie Dickinson) and Gene I. Graye**, husband ("Owner"), and **Newmont USA Limited**, a Delaware corporation, d/b/a Newmont Mining Corporation ("Newmont"), as lessee, have entered into a Mining Lease and Agreement dated as of October 30, 2002 covering that certain property in Eureka County, Nevada described in Exhibit "A" attached hereto (the "Property").

Said Mining Lease and Agreement, in consideration of the royalty referred to below and other covenants and agreements set forth therein, provides that Owner has leased exclusively Newmont all of Owner's right, title and interest in and to the Property.

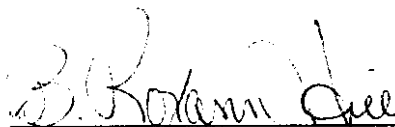
Further, said Mining Lease and Agreement reserves to Owner a royalty from the production of any and all ores and minerals of every kind in, on, or under, and that may be produced from, Property.

Copies of said Mining Lease and Agreement are in the possession of Newmont at its address at 1700 Lolo Street, Denver, Colorado 80203, and Owner at its address at Bradley and Drendel, Trust Account, 401 Flint Street, Reno, Nevada 89801.

IN WITNESS WHEREOF, this Memorandum of Mining Lease and Agreement has been executed effective as of the date first above written.

OWNER:


Name: Jon A. Hill


Name: B. Roxann Hill

Successor
Wells Fargo Bank, A Trustee of the Roland G. Hill Trust

By: Elizabeth B Lauer
Name: Elizabeth B Lauer
Title: Asst VI

By: Randall D Howard
Name: Randall D. Howard
Title: Trust Officer

Name: Roland D. F

Name: _____

Name: Robert M. F

Name: _____

Name: Jacqueline Wters

Name: _____

Name: Merle R. Fi

Name: _____

Name: Laurence Belli

Name: _____

Name: Doretha Jurnox

Name: _____

Name: Robert Fish

Name: _____

Name: Rollie Jean aye

Name: _____

NEWMONT:

Newmont USA Lined, a Delaware corporation, d/b/a Newmont Mining Corporation

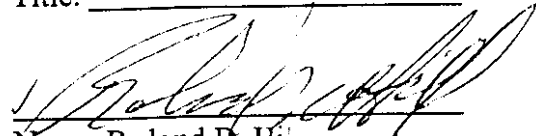
By: _____
Name: _____
Its: _____

Wells Fargo Bank, N. Trustee of the Roland G. Hill Trust

By: _____

Name: _____

Title: _____



Name: Roland D. Hill

Name: Robert M. Hill

Name: Jacqueline Wiers

Name: Merle R. Fish

Name: Joanie M. Fish

Name: Laurence Boni

Name: Linda Jean Borrelli

Name: Doretha June x

Name: Robert Fish

Name: Karin Fish

Name: Rollie Jean Gye

Name: Gene I. Graye

NEWMONT:

Newmont USA Ltd, a Delaware corporation, d/b/a Newmont Mining Corporation

By: _____

Name: _____

Its: _____

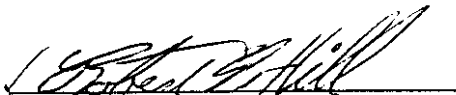
Wells Fargo Bank, A., Trustee of the Roland G. Hill Trust

By: _____

Name: _____

Title: _____

Name: Roland D. Hill


Name: Robert M. Hill

Name: Jacqueline Hill

Name: Merle R. Fish

Name: Joanie M. Fish

Name: Laurence Hill

Name: Linda Jean Borrelli

Name: Doretha Johnson

Name: Robert Fish

Name: Karin Fish

Name: Rollie Jearney

Name: Gene I. Graye

NEWMONT:

Newmont USA Ltd, a Delaware corporation, d/b/a Newmont Mining Corporation

By: _____

Name: _____

Its: _____

Wells Fargo Bank. A., Trustee of the Roland G. Hill Trust

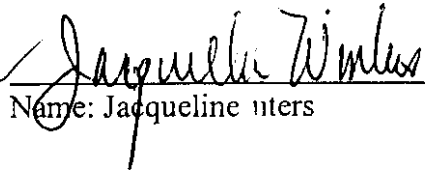
By: _____

Name: _____

Title: _____

Name: Roland D. Hill

Name: Robert M. Hill


Name: Jacqueline Hill

Name: Merle R. Fish

Name: Joanie M. Fish

Name: Laurence Belli

Name: Linda Jean Borrelli

Name: Doretha Johnson

Name: Robert Fish

Name: Karin Fish

Name: Rollie Jean Graye

Name: Gene I. Graye

NEWMONT:

Newmont USA Limited, a Delaware corporation, d/b/a Newmont Mining Corporation

By: _____

Name: _____

Its: _____

Wells Fargo Bank, A., Trustee of the Roland G. Hill Trust

By: _____

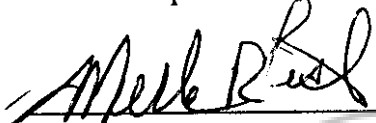
Name: _____

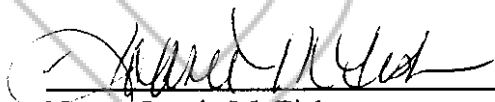
Title: _____

Name: Roland D. J

Name: Robert M. J

Name: Jacqueline nters


Name: Merle R. F


Name: Joanie M. Fish

Name: Laurence Belli

Name: Linda Jean Borrelli

Name: Doretha JuBox

Name: Robert Fish

Name: Karin Fish

Name: Rollie Jean aye

Name: Gene I. Graye

NEWMONT:

Newmont USA Lited, a Delaware corporation, d/b/a Newmont Mining Corporation

By: _____

Name: _____

Its: _____

Wells Fargo Bank, A., Trustee of the Roland G. Hill Trust

By: _____

Name: _____

Title: _____

Name: Roland D. []

Name: Robert M. []

Name: Jacqueline Inters

Name: Merle R. F

Name: Joanie M. Fish

Laurence Borrelli

Name: Laurence Borrelli

Linda Jean Borrelli

Name: Linda Jean Borrelli

Name: Doretha Ju Box

Name: Robert Fis

Name: Karin Fish

Name: Rollie Jearraye

Name: Gene I. Graye

NEWMONT:

Newmont USA Lined, a Delaware corporation, d/b/a Newmont Mining Corporation

By: _____

Name: _____

Its: _____

Wells Fargo Bank, A., Trustee of the Roland G. Hill Trust

By: _____

Name: _____

Title: _____

Name: Roland D. E

Name: Robert M. E

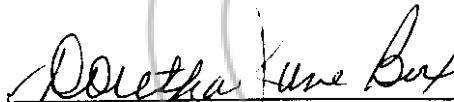
Name: Jacqueline Eters

Name: Merle R. F

Name: Joanie M. Fish

Name: Laurence Belli

Name: Linda Jean Borrelli


Name: Doretha June Box

Name: Robert Fish

Name: Karin Fish

Name: Rollie Jean aye

Name: Gene I. Graye

NEWMONT:

Newmont USA Ltd., a Delaware corporation, d/b/a Newmont Mining Corporation

By: _____

Name: _____

Its: _____

Wells Fargo Bank, A., Trustee of the Roland G. Hill Trust

By: _____

Name: _____

Title: _____

Name: Roland D. F

Name: Robert M. F

Name: Jacqueline uters

Name: Merle R. Fi

Name: Joanie M. Fish

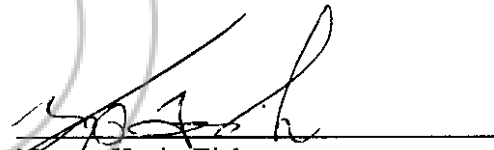
Name: Laurence Belli

Name: Linda Jean Borrelli

Name: Doretha JutBox



Name: Robert Fish



Name: Karin Fish

Name: Rollie Jean aye

Name: Gene I. Graye

NEWMONT:

Newmont USA Lied, a Delaware corporation, d/b/a Newmont Mining Corporation

By: _____

Name: _____

Its: _____

Wells Fargo Bank, A., Trustee of the Roland G. Hill Trust

By: _____

Name: _____

Title: _____

Name: Roland D. []

Name: Robert M. []

Name: Jacqueline nters

Name: Merle R. F

Name: Joanie M. Fish

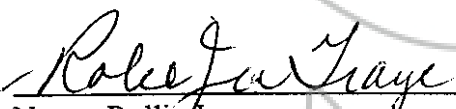
Name: Laurence Belli

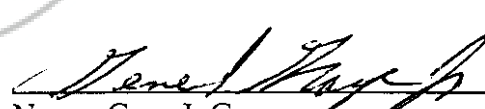
Name: Linda Jean Borrelli

Name: Doretha JuBox

Name: Robert Fisl

Name: Karin Fish


Name: Rollee Jean aye


Name: Gene I. Graye

NEWMONT:

Newmont USA Lined, a Delaware corporation, d/b/a Newmont Mining Corporation


By: 

Name: 

Its: 

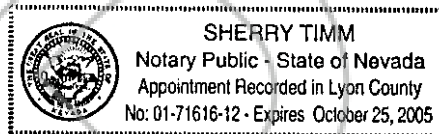
STATE OF NEVADA
COUNTY OF LYON) ss.

On this 14th day of JANUARY, 2003 personally appeared before me, a Notary Public, A. Hill, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

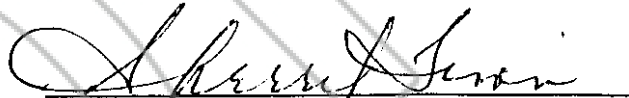

Notary Public

My commission expires: October 25, 2005

STATE OF NEVADA
COUNTY OF LYON) ss.

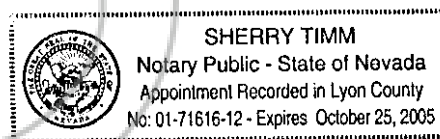


On this 14th day of JANUARY, 2003 personally appeared before me, a Notary Public, Roxann Hill, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that she executed the above instrument.


Notary Public

My commission expires: October 25, 2005

STATE OF _____)
COUNTY OF _____) ss.



On this _____ day of _____, 2002 personally appeared before me, a Notary Public, _____ a duly qualified and acting officer of Wells Fargo Bank, N.A., Trustee of the Roland G. Hill Trust, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of said trust.

Notary Public

My commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2002 personally appeared before me, a Notary Pub. Jon A. Hill, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

Notary Public

My commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2002 personally appeared before me, a Notary Public _____, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that she executed the above instrument.

Notary Public

My commission expires: _____

STATE OF COLORADO)
) ss.
COUNTY OF DEER)

On this 25TH day NOVEMBER, 2002 personally appeared before me, a Notary Public Elizabeth B. Lauer & ~~Randall D. Howard~~ a duly qualified and acting ~~Successor~~ officer of Wells Fargo Bank, N.A., Trustee of the Roland G. Hill Trust, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of said trust.

CAROLYN THOMSON
NOTARY PUBLIC
STATE OF COLORADO

My commission expires: _____
My Commission Expires 10/10/2005

CAROLYN THOMSON
NOTARY PUBLIC
STATE OF COLORADO

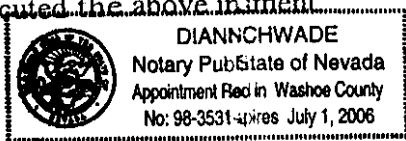
My Commission Expires 10/10/2005

Carolyn Thomson

Notary Public
Carolyn Thomson
1700 Lincoln - 7th Floor
Denver, CO 80203

STATE OF Nevada
COUNTY OF Washoe) ss.

On this 13th day of January, 2003 personally appeared before me, a Notary Public, land D. Hill, personally known or proved to me to be the person whose name is subsoed to the above instrument who acknowledged to me that he executed the above in ument.



Diann Schwade
Notary Public

My commission expi: 7-1-06

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day c _____, 2003 personally appeared before me, a Notary Public, bert M. Hill, personally known or proved to me to be the person whose name is subibed to the above instrument who acknowledged to me that he executed the above irument.

Notary Public

My commission exps: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Public, Jacqueline Winters, personally known or proved to me to be the person whose name subscribed to the above instrument who acknowledged to me that she executed the abc instrument.

Notary Public

My commission exps: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Public Roland D. Hill, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

Notary Public

My commission expires: _____

STATE OF Nevada)
) ss.
COUNTY OF Clark)

On this 13th day of January, 2003 personally appeared before me, a Notary Public Robert M. Hill, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

Cindy Johnson

Notary Public

My commission expires: Sept. 9, 2006



STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Public Jacqueline Winters, personally known or proved to me to be the person whose name subscribed to the above instrument who acknowledged to me that she executed the above instrument.

Notary Public

My commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Public Roland D. Hill, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

Notary Public

My commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Public Robert M. Hill, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

Notary Public

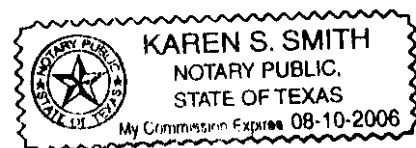
My commission expires: _____

STATE OF Texas)
) ss.
COUNTY OF Dallas)

On this 20 day February, 2003 personally appeared before me, a Notary Public Jacqueline Winters, personally known or proved to me to be the person whose name subscribed to the above instrument who acknowledged to me that she executed the above instrument.

Karen S. Smith
Notary Public

My commission expires: 8-10-06

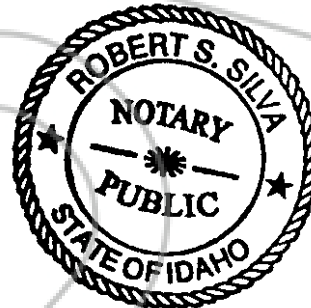


STATE OF Idaho)
) ss.
COUNTY OF Kenai)

On this 17 day March, 2003 personally appeared before me, a Notary Public Merle R. Fish, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

Robert S. Silva
Notary Public

My commission expires: 6-18-2007



STATE OF Idaho)
) ss.
COUNTY OF Kenai)

On this 11th day March, 2003 personally appeared before me, a Notary Public Joanie M. Fish, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that she executed the above instrument.



Kristine M. Bear
Notary Public

My commission expires: October 2, 2008

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Public Laurence Borrelli, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

Notary Public

My commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Public Merle R. Fish, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

Notary Public

My commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Public Joanie M. Fish, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that she executed the above instrument.

Notary Public

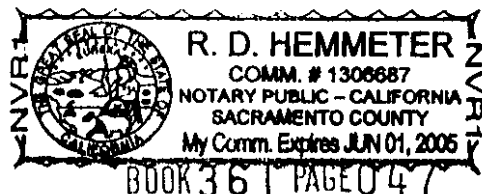
My commission expires: _____

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

On this 11 day JANUARY, 2003 personally appeared before me, a Notary Public, Laurence Borrelli, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

R. D. Hemmeter
Notary Public

My commission expires: JUNE 01, 2005

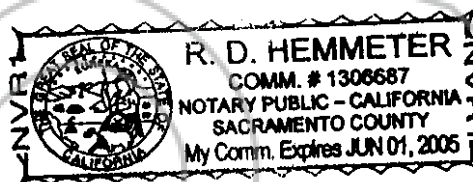


STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

On this 11 day of JANUARY, 2003 personally appeared before me, a Notary Pub. Linda Jean Borrelli, personally known or proved to me to be the person whose name subscribed to the above instrument who acknowledged to me that she executed the above instrument.

R. D. Hemmeter
Notary Public

My commission expires: JUNE 01, 2005



STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2003 personally appeared before me, a Notary Pub. Doretha June Box, personally known or proved to me to be the person whose name subscribed to the above instrument who acknowledged to me that she executed the above instrument.

Notary Public

My commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2003 personally appeared before me, a Notary Pub. Robert Fish, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

Notary Public

My commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

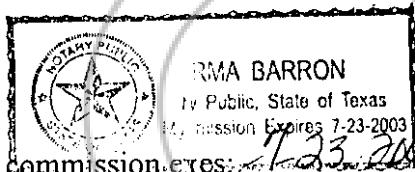
On this _____ day _____, 2003 personally appeared before me, a Notary Pub. Linda Jean Borrelli, personally known or proved to me to be the person whose name subscribed to the above instrument who acknowledged to me that she executed the above instrument.

Notary Public

My commission expires: _____

STATE OF Texas)
) ss.
COUNTY OF Dallas)

On this 21 day January, 2003 personally appeared before me, a Notary Pub. Doretha June Box, personally known or proved to me to be the person whose name subscribed to the above instrument who acknowledged to me that she executed the above instrument.



My commission expires: _____

Irma Barron
Notary Public

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Pub. Robert Fish, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

Notary Public

My commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Pub. Linda Jean Borrelli, personally known or proved to me to be the person whose name subscribed to the above instrument who acknowledged to me that she executed the above instrument.

Notary Public

My commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Pub. Doretha June Box, personally known or proved to me to be the person whose name subscribed to the above instrument who acknowledged to me that she executed the above instrument.

Notary Public

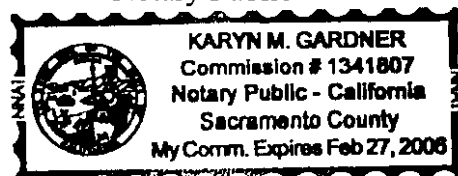
My commission expires: _____

STATE OF California)
) ss.
COUNTY OF Sacramento)

On this 13th day January, 2003 personally appeared before me, a Notary Pub. Robert Fish, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

Karyn M. Gardner
Notary Public

My commission expires: 2-27-06



STATE OF California
COUNTY OF Sacramento) ss.

On this 13th day January, 2003 personally appeared before me, a Notary Pub. Karin Fish, personally known or ~~proved to me to be the person~~ whose name is subscribed to the above instrument who acknowledged to me that she executed the above instrument.

Karyn M. Gardner
Notary Public

My commission expires: 2-27-06



STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Pub. Rollie Jean Graye, personally known or proved to me to be the person whose name subscribed to the above instrument who acknowledged to me that she executed the above instrument.

Notary Public

My commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Pub. Gene L. Graye, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

Notary Public

My commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day _____, 2003 personally appeared before me, a Notary Pub. Karin Fish, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that she executed the above instrument.

Notary Public

My commission expires: _____

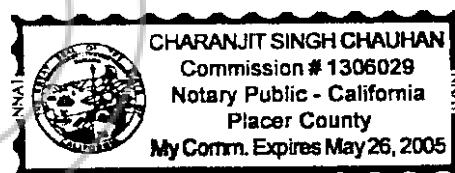
STATE OF California)
) ss.
COUNTY OF acer)

On this 22nd day March, 2003 personally appeared before me, a Notary Pub. Rollie Jean Graye, ~~personally known~~ or proved to me to be the person whose name subscribed to the above instrument who acknowledged to me that she executed the above instrument.

[Signature]
Notary Public

My commission expires: May 26th, 2005.

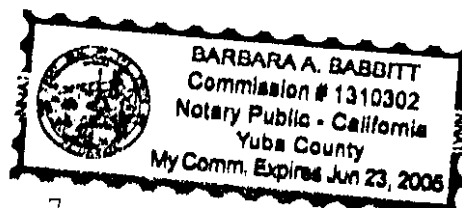
STATE OF California)
) ss.
COUNTY OF Yuba)



On this 19th day March, 2003 personally appeared before me, a Notary Pub. Gene I. Graye, ~~personally known or~~ proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

[Signature]
Notary Public

My commission expires: _____

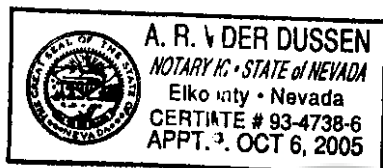


STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

On this 25 day MARCH, 2003 personally appeared before me, a Notary Public LELAND W. KRUGERUD a duly qualified and acting officer of Newmont USA Limited, a Delaware corporation, d/b/a Newmont Mining Corporation personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of said corporation.

A. R. V. DER DUSSEN
Notary Public

My commission expires: OCT 6, 2005



**EXHIBIT A
TO
MINING LEASE AND AGREEMENT**

The Property

An undivided one-quarter (1/4) interest in all minerals other than oil, gas and associated hydrocarbons in, or under the following described property in Eureka County, Nevada:

Township 35 North Range 50 East, MDB&M

Section 15: E1/2, 1/2 NW1/4, SE1/4 NW1/4, E1/2 SW1/4 NW1/4, SW1/4

Section 23: All

Township 36 North Range 50 East, MDB&M

Section 28: S1/2

BOOK 361 PAGE 31-54
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Newmont Mining Corp
2003 MAY -2 AM 9:19
EUREKA COUNTY NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES 34.00

181721