

BOOK 395 PAGE 001-005
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Barrick Goldstrike Mines
2004 SEP 20 PM 2:56

**FIRST AMENDMENT TO
GRANT OF ROADWAY EASEMENT**

EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES 18.00

192531

THIS FIRST AMENDMENT TO GRANT OF ROADWAY EASEMENT ("Amendment"), made effective as of August 10, 2004, is between Newmont USA Limited, a Delaware corporation d/b/a Newmont Mining Corporation, (successor in interest to Newmont Gold Company), whose address is 1700 Lincoln Street, Denver, Colorado 80203 ("Grantor"), and Barrick Goldstrike Mines Inc., a Colorado corporation, whose address is P. O. Box 29, Elko, Nevada 89803 ("Grantee").

RECITALS

A. Grantor is the owner of certain lands within Section 3, T. 35N., R. 50E. and Sections 28 and 33, T. 36N., R. 50E., M.D.M., Eureka County, Nevada.

B. By Grant Of Roadway Easement agreement dated April 29, 1988 ("Easement Agreement"), Grantor granted to Grantee, its successors and assigns, an easement right to construct and maintain an access roadway ("Access Roadway") across, and upon portions of said lands, subject to the terms and conditions of the Easement Agreement, and as more particularly described by Exhibit A attached thereto.

C. The parties now desire to amend the Easement Agreement in order to have the easement description more accurately reflect the as built location and cut and fill extents of the Access Roadway.

AGREEMENT

In consideration of the covenants and agreements contained herein and in the Easement Agreement, Grantor and Grantee agree as follows:

1. Exhibit A to the Easement Agreement, describing the easement for the Access Roadway, is hereby replaced and substituted in its entirety by the Exhibit A "Description of Easement" and map Exhibit B "Map of Easement Description", that are attached to, and made a part of this Amendment.

2. Integration. This Amendment constitutes the complete and entire understanding and agreement among the parties with respect to the amendment set forth in Section 1 above and supersedes all other understandings, either written or oral, relating to such amendment.

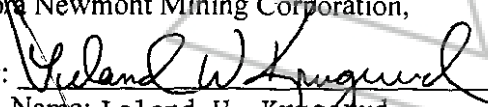
3. Ratification. Except as expressly set out in this Amendment, no other provision of the Easement Agreement is revoked or amended. The Agreement, as amended hereby, is ratified and confirmed by the parties and remains in full force and effect.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Amendment to be effective as of the date first above written.

Grantor:

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

By:

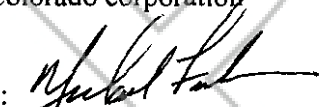

Name: Leland W. Krueger

Title: Vice President-Business Affairs

Grantee:

Barrick Goldstrike Mines Inc.,
a Colorado corporation

By:


Name: MICHAEL FERRAN

Title: GENERAL MANAGER

STATE OF NEVADA)

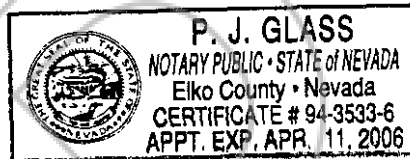
COUNTY OF ELKO)

On this 11th day of August, 2004, personally appeared before me, a Notary Public, Leland Krugerud Vice President of 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 Newmont Mining Corporation.

P. J. Glass
Notary Public

My Commission Expires:

April 11, 2006



STATE OF NEVADA)

COUNTY OF ELKO)

On this 2nd day of September, 2004, personally appeared before me, a Notary Public Michael Fisher, a General Manager of Barrick Goldstrike Mines Inc., 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 Barrick Goldstrike Mines Inc.

Roberta Mingolla
Notary Public

My Commission Expires:

March 1, 2005



EXHIBIT A

DESCRIPTION OF EASEMENT

05/24/04

A portion of land within Section 3, T. 35N., R. 50E. and Sections 33 and 28, T. 36N., R. 50E., M.D.M., Eureka County, Nevada, being a strip of land one hundred fifty (150) feet in width and also including the existing cut and fill limits of the roadway known as the Barrick Access Road, lying in excess of seventy five (75) feet each side of the centerline of said 150 feet wide strip, the centerline of which being further described as follows:

Commencing at the Southeast corner of said Section 3, from which the South $\frac{1}{4}$ Corner of said Section 3, a PLS 6203 aluminum cap, bears S89°45'03"W, 2633.61 feet, also from which the East $\frac{1}{4}$ corner of said Section 3, a 1914 GLO brass cap, bears N00°08'52"W, 2641.49 feet;

Thence S89°45'03"W 100 feet along the south line of said Section 3 to the true point of beginning;

Thence N00°09'23"W, 9463.10 feet to a point of curve;

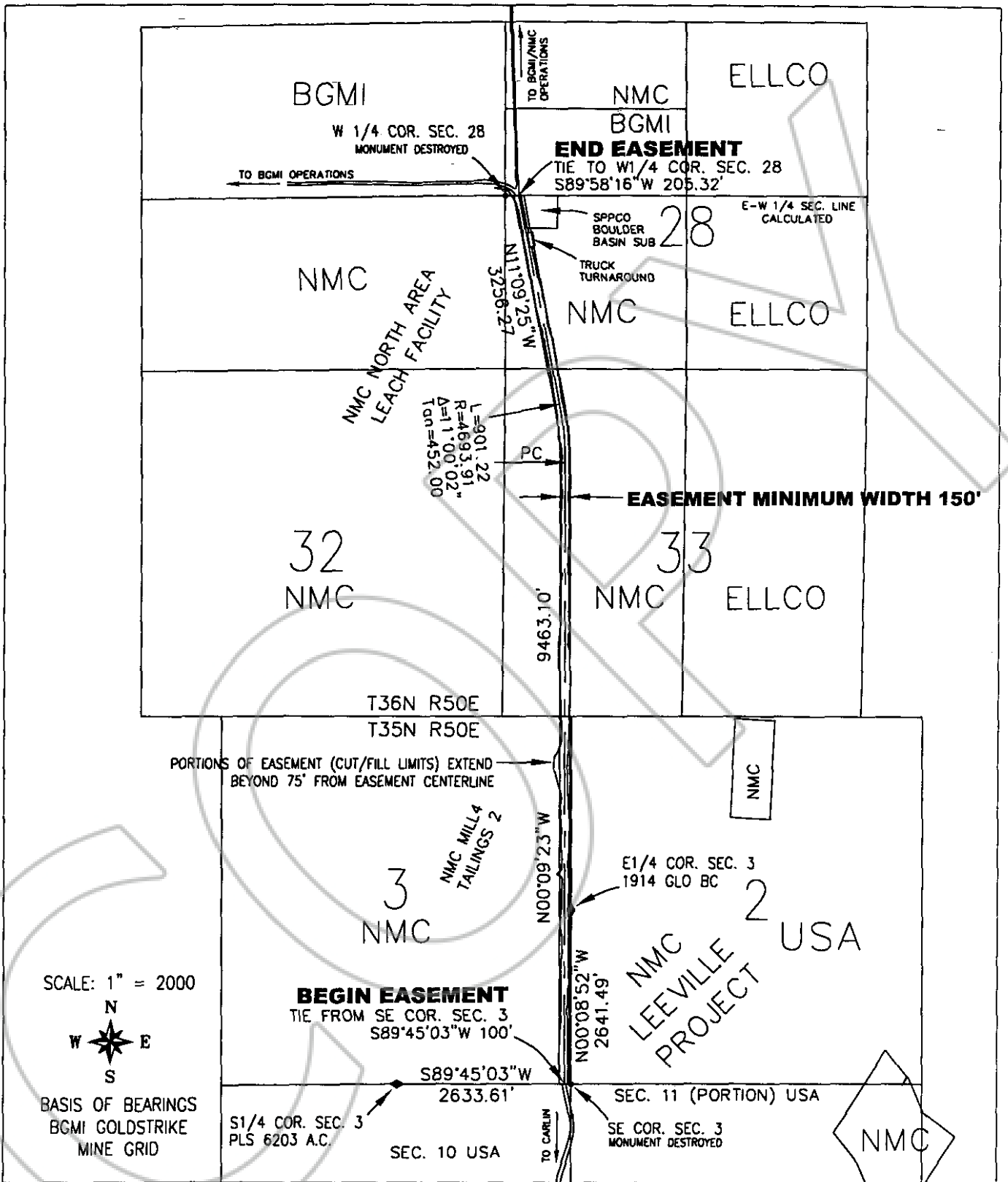
Thence northerly along a curve concave westerly, said curve having a length of 901.22 feet, a radius of 4693.91 feet, , and a central angle of 11°00'02";

Thence N11°09'25"W, 3256.27 feet to the point of ending on the north line of the Southwest one quarter (SW $\frac{1}{4}$) of said Section 28, from which the West $\frac{1}{4}$ Corner of said Section 28 bears S89°58'16"W, 205.32 feet;

The sidelines of said 150 feet wide strip being extended or shortened to terminate on the south line of said Section 3 and the north line of the Southwest one quarter (SW $\frac{1}{4}$) of said Section 28;

Said 150 feet wide strip contains 46.90 Acres, more or less and is further depicted on Exhibit B, Map of Easement Description, attached hereto and made a part hereof.





SCALE: 1" = 2000



BASIS OF BEARINGS
BGM GOLDSTRIKE
MINE GRID

BEGIN EASEMENT
TIE FROM SE COR. SEC. 3
 $S89^{\circ}45'03''W$ 100'
 $S89^{\circ}45'03''W$ 2633.61'
S1/4 COR. SEC. 3
PLS 6203 A.C.
SEC. 10 USA

PORTIONS OF EASEMENT (CUT/FILL LIMITS) EXTEND
BEYOND 75' FROM EASEMENT CENTERLINE

**EXHIBIT B
MAP OF EASEMENT DESCRIPTION**

Located in Sec. 3, T.35N., R.50E. and Secs. 33 and 28, T.36N., R.50E., M.D.M., Eureka County, Nevada

05/24/04