When Recorded, Return to:

Land Department Newmont USA Limited 555 Fifth Street Elko, NV 89801 BOOK 396 PAGE 64-66
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## MINING CLAIM MAINTENANCE FEE FILING AND AFFIDAVIT AND NOTICE OF INTENT TO HOLD MINING CLAIMS AND SITES

State of Nevada )
) ss.
County of Elko )

Richard J. Moorhead, first being duly sworn, deposes and says:

I am the duly authorized agent of Newmont USA Limited, a Delaware corporation, dba Newmont Mining Corporation, (the "COMPANY"), and am personally acquainted with the matters described herein.

The COMPANY, whose address is 555 Fifth Street, Elko, Nevada 89801, owns the unpatented mining claim(s) and/or mill site(s) described in Exhibit A attached hereto (the "Claim(s)").

It is the intention of the COMPANY to maintain, develop and hold the Claim(s) as is provided for by law.

Pursuant to 30 U.S.C. Section 28f to 28k and 43 C.F.R. Part 3830 (and, to the extent applicable to any of the Claim(s), the Act of August 11, 1955, 69 Stat. 681 and 43 C.F.R. Part 3730, and the Act of April 8, 1948, 62 Stat. 162 and 43 C.F.R. Subpart 3821), in lieu of the suspended assessment work and filing requirements of 30 U.S.C. Section 28-28e and 43 U.S.C. Section 1744(a) and (c):

- 1. The maintenance fee was paid and the federal fee requirements were met for each of the Claim(s) for the assessment year ending September 1, 2004.
- 2. With this filing to the Bureau of Land Management, the COMPANY submits the maintenance fee for the assessment year ending September 1, 2005 in the amount of one hundred twenty-five dollars (\$125.00) for each of the Claim(s).

All such maintenance fees are paid on behalf of the COMPANY.

This affidavit is made as of the date set forth below, pursuant to N.R.S. Section 517.230 and any applicable federal laws.

Richard J. Moorhead Manager of Lands, US

Subscribed and sworn to before me on this by Richard J. Moorhead.

day of

, 2004,

Notary Public

P. J. GLASS

NOTARY PUBLIC • STATE of NEVADA

Elko County • Nevada

CERTIFICATE # 94-3533-6

APPT. EXP. APR. 11, 2006

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