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Recording requested by:
SBC
645 E. Plumb Ln. Rm. C259
P.O. Box 11010
Reno, NV 89520

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OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Newmont USA Ltd
2006 JAN 12 AM 10:09

EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES 17⁰⁰

203125

GRANT OF EASEMENT

THIS GRANT OF EASEMENT is by and between NEWMONT USA LIMITED, d/b/a NEWMONT MINING CORPORATION, a Delaware corporation, "Grantor"; and NEVADA BELL TELEPHONE COMPANY d/b/a SBC NEVADA, a Nevada corporation, "Grantee";

For good and valuable consideration, the undersigned Grantor hereby grants to Grantee, its successors and assigns, the nonexclusive right from time to time to construct, place, inspect, maintain, replace and remove communication facilities consisting of underground conduits, pipes, manholes, service boxes, wires, cables, other electrical conductors, aboveground markers, risers, pedestals and terminal equipment cabinets, and other appurtenances, together with an easement therefore and the right of ingress thereto and egress therefrom, across, upon, in and under the described real property in Exhibit "A", attached hereto and incorporated herein, in the County of Eureka, State of Nevada;

Grantor also grants to Grantee the right to trim foliage and to cut such limbs or roots on said property as may be reasonably necessary for the protection of said facilities.

With the prior consent of Grantor, which will not be unreasonably withheld, Grantor also grants to Grantee the right to cut, fill or otherwise change the grade of said property and to place such drainage and retaining structures thereon, as Grantee may determine to be reasonably necessary for the protection of such communications facilities.

Grantee, its successors and assigns, shall indemnify and hold harmless Grantor, its officers, directors, employees, stockholders, successors and assigns, from and against any and all losses, costs (including without limitation attorney's fees), damages, expenses, liability, claims, awards, demands, causes of action, and judgements for injury to, or death of, persons, and damage to, or loss or destruction of, property caused by or resulting from the construction, maintenance, operation or repair of the communications facilities or the exercise by Grantee, its employees or agents, of any other rights herein set forth, except injury or damage which occurs as a result of the negligence or willful misconduct of Grantor, its employees or agents or caused by other Grantees.

AGREED TO AND ACCEPTED this _____ day of December, 2005.
NEVADA BELL TELEPHONE COMPANY

By: *Brent Howerton*

Name: *Brent Howerton*

Title: *Manager, Right-of-Way*

STATE OF NEVADA)
) SS.
COUNTY OF WASHOE)

On this *29th* day of December in the year 2005, before me, a

Notary Public in and for the said state, personally appeared *Brent Howerton*,
who is *Manager, Right-of-Way* of NEVADA BELL TELEPHONE COMPANY,
personally known to me to be the person who executed the above instrument on behalf of said
Corporation, and acknowledged to me that he executed the same for the purposes therein stated.

Mike L. Kinkel
NOTARY PUBLIC



EXHIBIT "A"

AN EASEMENT for the purposes of constructing and maintaining a telecommunications line over and under the lands within Sections 24, 23, 14 and 11, Township 33 North, Range 48 East, Eureka County, Nevada, 45 feet in width, and being 22 ½ feet on each side of the centerline, more particularly described as follows:

Commencing at the U.S. Government, National Geodetic Survey, monument TURN from which the Southeast corner of Section 25, Township 33 North, Range 48 East bears S49°22'44"E, 6184.99'; thence S80°53'47"E, 820.13' to the POINT OF BEGINNING, also being a telecommunications pedestal inscribed with the name "Nevada Bell" on the exterior; thence along the centerline of said easement, N7°37'30"W, 725.22'; thence N16°17'49"W, 945.11'; thence N39°27'23"W, 448.50'; thence N30°18'44"W, 197.37' to a point on a non-tangent curve to the right; thence along the arc of said curve, tangent bearing N32°43'48"W, radius 5441.08', 1009.21' to a fenceline bearing southerly to northerly; thence continuing along said curve, 559.60' to the end of the curve; thence N16°09'01"W, 1004.42' to a fenceline bearing southeasterly to northwesterly; thence N15°39'13"W, 699.91' to a 5' wide irrigation channel bearing southeasterly to northwesterly; thence N15°39'13"W, 517.20'; thence N6°58'37"W, 624.73' to a 5' wide irrigation channel bearing easterly to westerly; thence N6°58'37"W, 441.18'; thence N0°00'E, 661.73' to a 5' wide irrigation channel bearing easterly to westerly; thence N0°00'E, 1064.52' to a fenceline bearing easterly to westerly; thence N0°00'E, 3738.04' to a fenceline bearing easterly to westerly; thence N0°00'E, 1432.80'; thence N90°00'W, 1390.54' and there terminating.

Containing a total length of 15,460 feet, more or less.

Prepared by David Hough, Chilton Engineering, 421 Court St., Elko, Nevada.

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