

Recording requested by, and to be returned to:

Newmont USA Limited  
1700 Lincoln Street, Suite 3600  
Denver, CO 80203  
Attn: Land Department

BOOK **435** PAGE **194-196**  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
**Newmont USA Ltd**  
2006 APR 26 PM 12:29  
EUREKA COUNTY, NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. **204546**  
FEES **16.00**

**SPECIAL WARRANTY DEED**  
**WITH RESERVATION**  
**OF ROYALTY**

PHELPS DODGE EXPLORATION CORPORATION, a Delaware corporation, with its principal office at One North Central Avenue, Phoenix, AZ 85004 ("Grantor"), hereby CONVEYS and SPECIALLY WARRANTS, SUBJECT TO the royalty reservation set forth below, to NEWMONT USA LIMITED, d/b/a Newmont Mining Corporation, a Delaware corporation, with its principle office at 1700 Lincoln Street, Suite 3600, Denver, CO 80203 ("Grantee"), for and in consideration of Ten Dollars (\$10.00) and other valuable consideration paid to it by Grantee, the receipt of which is hereby acknowledged, all of Grantor's right, title, estate, and interest in and to all minerals of any kind and nature whatsoever, excepting Excluded Minerals (the conveyed minerals being referred to herein as "Minerals"), existing upon or beneath the surface of, or within that certain real property which is described on Exhibit A attached hereto and by this reference made a part hereof ("Property");

TOGETHER WITH all right, title, and interest in and to the rights, privileges, royalties, reversions, remainders, rents, issues, and profits which are appurtenant to or obtained from the Minerals;

SPECIFICALLY EXCLUDING FROM "MINERALS", HOWEVER, AND EXCEPTING AND RESERVING UNTO GRANTOR all right, title, estate, and interest in and to all coal, oil, gas, and other hydrocarbons of any kind and nature whatsoever ("Excluded Minerals"), together with all right, title and interest, privileges, royalties, reversions, remainders, rents, issues, and profits which are appurtenant to or obtained from the Excluded Minerals, including without limitation the right to enter in and upon the Property to explore for, develop, mine, drill, remove, extract, produce, process, beneficiate or otherwise treat, and market Excluded Minerals and to use so much of the surface and construct such structures and improvements as may be reasonably necessary or convenient for such purposes but only to the extent the exercise of such reserved right does not unreasonably interfere with Grantee's ownership of and operations with respect to the Minerals; and

SPECIFICALLY RESERVING UNTO GRANTOR, HOWEVER, a perpetual production royalty on all Minerals produced and sold or otherwise disposed of from the Property at a rate equal to 2% Net Smelter Returns, as such term is defined and as such amounts are determined in accordance with the provisions of that certain Royalty Agreement of even date herewith between Grantor and Grantee.

Grantor warrants title to the Minerals to Grantee against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise, subject, however, to all matters of record disclosed by the real property records of Eureka County, Nevada.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed effective the 20th day of April, 2006.

PHELPS DODGE EXPLORATION CORPORATION

By: 

Name: Richard A. Leveille

Title: President

APPROVED AS TO FORM  
000538

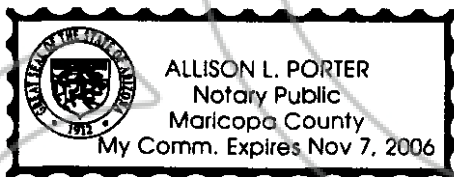
  
INITIALS


STATE OF ARIZONA )

) ss.

COUNTY OF MARICOPA )

On this 20<sup>th</sup> day of April, 2006, personally appeared before me, a Notary Public, Richard A. Leveille, President of Phelps Dodge Exploration 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 in the above said capacities.



  
NOTARY PUBLIC

My Commission Expires:

Nov. 7, 2006

**EXHIBIT A  
TO WARRANTY DEED  
WITH RESERVATION OF ROYALTY**

PROPERTY

The land, situated in the State of Nevada, County of Eureka, and more particularly described as follows:

TOWNSHIP 30 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 1: All  
Section 3: All  
Section 11: All  
Section 13: All  
Section 15: All  
Section 23: All  
Section 25: All  
Section 27: All  
Section 35: All

TOWNSHIP 30 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 3: All  
Section 5: All  
Section 7: All  
Section 9: All  
Section 15: All  
Section 17: All  
Section 19: All  
Section 21: All  
Section 23: All  
Section 25: All  
Section 27: All  
Section 29: All  
Section 31: All  
Section 33: All

**204546**

# STATE OF NEVADA DECLARATION OF VALUE

## FOR RECORDERS OPTIONAL USE ONLY

Document/Instruments #: 204546Book: 435 Page: 194-196Date of Recording: 4/27/2006

Notes: \_\_\_\_\_

### 1 Assessor Parcel Number (s)

- a) See attached  
 b) \_\_\_\_\_  
 c) \_\_\_\_\_  
 d) \_\_\_\_\_

### 2. Type of Property:

- a) ☒ Vacant Land      b) ☐ Single Fam Res.  
 c) ☐ Condo-Twnhse      d) ☐ 2-4 Plex  
 e) ☐ Apt. Bldg      f) ☐ Comm'l/Ind'l  
 g) ☐ Agricultural      h) ☐ Mobile Home  
 i) ☐ Other: \_\_\_\_\_

### 3. Total Value/Sales Price of Property:

Deed in Lieu of Foreclosure Only (value of property)

Transfer Tax Value:

Real Property Transfer Tax Due:

\$ NA  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_

### 4. If Exemption Claimed:

- a. Transfer Tax Exemption, per NRS 375.090, Section: 8  
 b. Explain Reason for Exemption:  
Transfer of mineral interests only.

### 5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature [Signature] Capacity Senior Landman  
 Signature \_\_\_\_\_ Capacity \_\_\_\_\_

### SELLER (GRANTOR) INFORMATION

(REQUIRED)

### BUYER (GRANTEE) INFORMATION

(REQUIRED)

Print Name: Phelps Dodge Exploration Corp.  
 Address: One North Central Ave.  
 City: Phoenix  
 State: AZ Zip: 85004

Print Name: Newmont USA Limited  
 Address: 555 Fifth St.  
 City: Elko  
 State: NV Zip: 89801

### COMPANY/PERSON REQUESTING RECORDING

(REQUIRED IF NOT THE SELLER OR BUYER)

Print Name: \_\_\_\_\_ Escrow # \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED)

APN list for Special Warranty Deed Book 435, Page 194, Doc. #204546

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05-27-18 thru 23  
05-28-01 thru 08  
05-32-01 thru 14  
05-33-06 Ptn.  
05-33-08  
05-33-12 Ptn.  
05-34-01  
05-34-03 Ptn.  
05-34-07 thru 10  
05-34-12 thru 15  
05-34-17 thru 26  
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