

APN's: 004-021-01, 004-021-02
004-022-01, 004-014-02

After recording return original to:
Newmont Mining Corporation
Attn: Land department
555 Fifth Street
Elko, Nevada 89801

BOOK 441 PAGE 311-312
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Newmont Mining
2006 AUG 29 PM 3:36

EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES 15⁰⁰

205947

The undersigned hereby affirm this document submitted for recording does not contain a social security number.

MEMORANDUM OF LEASE AGREEMENT

THIS MEMORANDUM is made and entered into this 24 day of AUGUST 2006, by and between Elko Land and Livestock Company, a Nevada corporation (ELLCo), and Newmont Nevada Energy Investment LLC, a Delaware limited liability company (NNEI), with reference to the following facts;

Recitals

NNEI is the owner of Sections 10, 11, 12 and 14 of Township 33 North, Range 48 East, MDM, and ancillary easements, appurtenances and improvements generally known as the TS Power Plant, an electricity generating plant, and referred to hereafter as the "Facility"; and,

ELLCo is the owner of lands in the vicinity of and surrounding the Facility in Eureka County, Nevada, which are described as:

Township 33 North, Range 48 East, MDM:

Sections 1, 2, 3, 4, 9, 13, 15, 16, 21, 22, 23 and 24;

Township 34 North, Range 48 East, MDM:

Sections 33, 34, 35 and 36, (hereafter described as the "Subject Property").

NNEI and ELLCo desire that NNEI control all public access and activity upon the Subject Property and, to the extent that ELLCo's cattle ranching activities do not interfere with NNEI's use and control, that ELLCo continue to conduct such activities on the Subject Property;
NOW THEREFORE,

NOTICE is hereby given that NNEI and ELLCo have entered into that certain Lease Agreement dated the 24 of AUGUST, 2006, having an initial term of fifty years and providing for renewal terms thereafter. The parties to the Lease Agreement may be contacted for further particulars.

This Memorandum is signed as of the date first above written,

Newmont Nevada Energy Investment, LLC:

Leland W. Krugerud
LELAND W. KRUGERUD, Vice President of
Newmont USA Limited, a Delaware limited liability
Company, Managing Member of Newmont Nevada
Energy Investment LLC

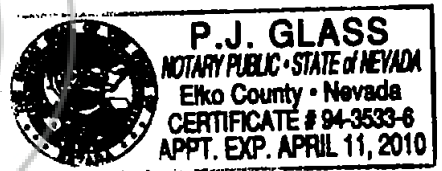
Elko Land and Livestock Company:

Dan L. Gralian
DAN L. GRALIAN, Vice President and
General Manager

STATE OF NEVADA)
) SS.
COUNTY OF ELKO)

On this 28th day of August, 2006, personally appeared before me, a Notary Public, Leland W. Krugerud, known or proved to me to be said person, who acknowledged that he executed the foregoing instrument as the Vice President of Newmont USA Limited, a Delaware limited liability company, Managing Member of Newmont Nevada Energy Investment LLC.

P. J. Glass
NOTARY PUBLIC



STATE OF NEVADA)
) SS.
COUNTY OF ELKO)

On this 24 day of August, 2006, personally appeared before me, a Notary Public, Dan L. Gralian, known or proved to me to be said person, who acknowledged that he executed the foregoing instrument as the Vice President and General Manager Elko Land and Livestock Company.

A. R. Van Der Dussen
NOTARY PUBLIC

