

After Recording Return to:
Newmont USA Limited
Land Department
555 5th Street
Elko, NV 89801

DOC # 0209192

05/04/2007

02 30 PM

Official Record

Recording requested By
NEWMONT USA LTD

Eureka County - NV

Mike Rebaleati - Recorder

Fee: **\$16.00**

Page 1 of 3

RPTT

Recorded By: FES

Book- 0456 Page- 0353



0209192

MEMORANDUM OF SAND AND GRAVEL LEASE

NOTICE IS HEREBY GIVEN that Elko Land and Livestock Company, a Nevada corporation ("Lessor"), and Elko Sand and Gravel, Inc., a Nevada corporation ("Lessee"), have entered into a Sand and Gravel Lease dated effective as of April 18, 2007 (the "Lease") covering that certain property in Eureka County, Nevada, and more particularly described in Exhibit "A" attached hereto (the "Property").

The Lease, in consideration of the payments and other covenants and agreements set forth therein, provides that Lessor has leased to Lessee all of Lessor's right, title and interest in and to the Material (as such term is defined in the Lease) located on, in, or under the Property.

Copies of the Lease are in the possession of Lessor at its address at 555 5th Street, Elko, Nevada 89801, and Lessee at its address at Elko Sand and Gravel, Inc., 1950 Pinion Road, Elko, Nevada 89801.

IN WITNESS WHEREOF, this Memorandum of Mineral Lease has been executed effective as of the date first above written.

Lessee:

ELKO SAND AND GRAVEL, INC.

By: Calvin Dale Fitzel
Name:
Title: Director

Lessor:

**ELKO LAND AND LIVESTOCK
COMPANY**

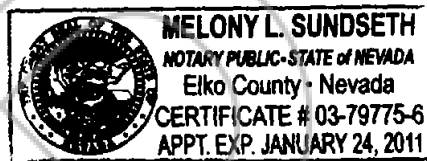
By: Leland W. Krugrud
Name: Leland W. Krugrud
Title: President

STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

On this 20th day of April, 2007 personally appeared before me, a Notary Public,
Melony Sundseth, a duly qualified and acting officer of Elko Sand and
Gravel, 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 said corporation.

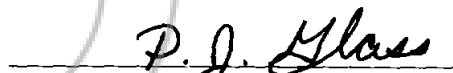

Notary Public

My commission expires: 1/24/2011



STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

On this 24th day of April, 2007 personally appeared before me, a Notary Public, Leland W.
Krugerud, a duly qualified and acting officer of Elko Land and Livestock Company,
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 said
corporation.


Notary Public

My commission expires: 4/11/10



EXHIBIT A
TO
MEMORANDUM OF SAND AND GRAVEL LEASE

The Leased Premises

Township 33 North, Range 49 East

Section 31: That portion of the S½NW¼ lying south of Interstate 80