

DOC # 0210366

08/03/2007

01:21 PM

Official Record

Recording requested By
NEWMONT MINING CORP

Eureka County - NV

Mike Rebaleati - Recorder

Fee \$17.00

Page 1 of 4

RPTT:

Recorded By: FES

Book- 0461 Page- 0024

Recording requested by, and to be returned to:

NEWMONT MINING CORPORATION
555 Fifth Street
Elko, Nevada 89801



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QUITCLAIM and RELEASE

**Eureka Aggregates, LLC
and**

**Elko Land and Livestock Company,
Newmont USA Limited, d.b.a. Newmont Mining
Corporation**

Cover Page for Recording Purposes Only

DOC # 0248420

08/02/2007

03:53 PM

Official Record

Recording requested By
NEWMONT MINING CORP

Lander County - NV

Idonna Trevino - Recorder

Fee: \$16.00 Page 1 of 3

RPTT: Recorded By SN

Book- 575 Page- 0759



0248420

Recorded at the request of and return to:
Newmont Mining Corporation
555 Fifth Street
Elko, Nevada 89801
Attention: Land Department

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

QUITCLAIM AND RELEASE

This Quitclaim and Release, made this 3rd day of July, 2007, (the "Effective Date") by and between Eureka Aggregates, LLC, a Nevada limited liability company (hereinafter referred to as "Grantor"), whose address is 8555 Double R Blvd., Suite 109, Reno, Nevada 89511, and Newmont USA Limited, a Delaware corporation, doing business in Nevada as Newmont Mining Corporation, and Elko Land and Livestock Company, a Nevada corporation, whose addresses are 555 Fifth Street, Elko, Nevada 89801 ("Grantees").

RECITALS

Grantor and Grantees entered into an Option to Lease (the "Option"), with an effective date of July 29, 2005, a Memorandum of which was recorded on August 22, 2005, as Document No. 238351, in Book 544 at pages 866-869 of the Official Records of Lander County, Nevada; and on August 31, 2005, as Document No. 200935, in Book 422 at pages 246-250 of the Official Records of Eureka County, Nevada; and,

Grantor has exercised its option as to some of the lands subject of the Option, and Grantor and Grantees have therefore entered into a Sand and Gravel Lease (the "Lease"), of even date herewith, as to those lands (the "Leased Property").

Grantor now desires to quitclaim and release from the Option all lands subject of the Option which are not Leased Property (the "Released Lands").

WITNESSETH:

Grantor, pursuant to Section 3.1 of the Option, hereby releases, remises and forever quitclaims unto Grantees, respectively, all Grantor's right, title, estate and interest under the



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Option, as of the Effective Date, in and to the Released Lands, which are described in Exhibit A attached hereto.

TO HAVE AND TO HOLD the same, unto the Grantees, respectively, and to the respective successors and assigns of the Grantees, forever.

This Quitclaim and Release shall not affect Grantor's and Grantees' respective rights and obligations under the Lease as to the Leased Property.

IN WITNESS WHEREOF, Grantor has caused this Quitclaim and Release to be executed as of the day and year first above written.

GRANTOR:

Eureka Aggregates, LLC
a Nevada limited liability company

By:

Name:

Title:

James O. Parker
James O. Parker
Secy.

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

On this 30th day of July 2007 personally appeared before me, a Notary Public, James O. Parker, Secretary of Eureka Aggregates, LLC, a Nevada limited liability company, who acknowledged to me that he executed the foregoing instrument on behalf of the company.



Rhonda Shoolroy
Notary Public

My Commission Expires:

Feb. 28, 2008



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EXHIBIT A

(Attached to and forming a part of the
Quitclaim and Release from Eureka Aggregates, LLC
to Newmont USA Limited and Elko Land and Livestock)

RELEASED LANDS**EUREKA COUNTY, NEVADA****Township 33 North, Range 48 East, M.D.M.**

Section 17:	All	(640 acres, more or less)
Section 21:	S½N½	(320 acres, more or less)
Section 22:	S½N½	(320 acres, more or less)
Section 28:	All that lying south of the railroad right-of-way	(508 acres, more or less)
Section 29:	All that lying south of the railroad right-of-way	(415 acres, more or less)
Section 32:	All that lying north of the railroad right-of-way	(324 acres, more or less)
Section 33:	All that lying north of the railroad right-of-way	(62 acres, more or less)

LANDER COUNTY, NEVADA**Township 33 North, Range 48 East, M.D.M.**

Section 19:	Lots 1-4, E½, E½W½	(626.46 acres, more or less)
Section 30:	Lots 1-4, E½, E½W½	(628.80 acres, more or less)
Section 31:	Lots 1-4, E½, E½W½	(629.92 acres, more or less)

Township 33 North, Range 47 East, M.D.M.

Section 24:	All	(640 acres, more or less)
Section 25:	All	(640 acres, more or less)
Section 36:	All	(640 acres, more or less)