

DOC # 0211718

03/20/2008

08:13 AM

Official Record

Recording requested By
NEWMONT MINING CORP

Eureka County - NV
Mike Rebaleati - Recorder

Fee: \$23.00

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RPTT:

Recorded By: FS

Book- 0471 Page- 0045



0211718

**APNs: Portions of 004-150-01, 004-130-07,
004-140-02 and 004-210-03**

After recording return original to:
Newmont Nevada Energy Investment LLC
c/o Newmont Mining Corporation
Attn: Land Dept.
555 Fifth Street
Elko, Nevada 89801

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

**GRANT OF EASEMENT
FOR TRANSMISSION LINE**

This EASEMENT is made and entered into this 19 day of March, 2008, by and between Elko Land and Livestock Company, a Nevada corporation ("Grantor") and Newmont Nevada Energy Investment LLC, a Delaware limited liability company ("Grantee").

WHEREAS, Grantor is the owner of a portion of Section 18, Township 34 North, Range 49 East, Sections 13, 24, 25, 26 and 35, Township 34 North, Range 48 East and Section 2, Township 33 North, Range 48 East, all of the MDM, in Eureka County, Nevada (the "Property"); and,

WHEREAS, Grantee is the owner of Sections 10, 11, 12 and 14, Township 33 North, Range 48 East, MDM in Eureka County, Nevada, upon which Grantee owns, is constructing and soon will operate an electrical power generating facility known as the "TS Power Plant"; and,

WHEREAS, it is necessary for the operation of the TS Power Plant that Grantee construct, install, operate, maintain, repair, remove, replace or improve a Transmission Line upon the Property; and,

WHEREAS, pursuant to that certain Agreement for Purchase and Sale of Easements, entered into between Grantor and Grantee, the Grantor desires to convey and grant to Grantee an easement upon the terms and conditions set forth below.

NOW, THEREFORE, Grantor, for and in consideration of the mutual covenants herein contained, and other good and valuable consideration, receipt of which is hereby acknowledged by the parties, does by these presents, grant, subject to the terms and conditions contained herein, an exclusive easement in favor of Grantee, its successors and assigns, for the purpose of operating, maintaining, repairing, removing, replacing or improving and using the Transmission Line over and across the Property, as depicted and described on Exhibit A, hereto, together with the rights of ingress and egress for the aforesaid purposes, subject to existing rights.


The easement herein granted ("Easement") shall be subject to the following terms and conditions:

1. The grant of this Easement shall commence on the date first above written and shall remain in full effect during the time the TS Power Plant generates electrical power and for a period of five years of continuous non-generation of electrical power at the TS Power Plant, after which the Easement shall be deemed to be abandoned by Grantee and shall revert to Grantor, its successors or assigns.
2. Grantee, its successors and assigns shall indemnify Grantor at all times and hold harmless Grantor, its successors and assigns, from any and all demands, claims, causes of action or judgments and all expenses (including, without limitation, attorneys' fees, fines, penalties, liens or expert witness fees) incurred in investigating or resisting the same, by reason of any injury or loss of life to any person, damage to any property, or violation of any law or regulation caused by or arising out of the Grantee's or Grantee's agents' use of the Easement herein granted.
3. Grantee, its successors and assigns shall comply with all laws, statutes, ordinances, rules and regulations, applicable judicial or agency orders that may apply and environmental regulations.
4. Grantor, its successors or assigns, shall not erect or construct any building or structure that, in the reasonable judgment of Grantee, is inconsistent with Grantee's use of the easement.
5. This Grant of Easement is binding upon the successors and assigns of Grantor and Grantee. This Grant of Easement shall not be assigned without Grantor's prior written consent which will not be unreasonably withheld where assignment is sought in connection with continuing operation of the TS Power Plant.

IN WITNESS WHEREOF, the parties hereto have caused these presents duly to be executed the day and year first above written.


GRANTOR:

Elko Land and Livestock Company,

By: 
Robert L. Chapman
Title: Vice President

GRANTEE:

Newmont Nevada Energy Investment LLC,

By: 
Richard J. Matthews
Title: Vice President of Newmont USA
Limited, a Delaware corporation, Managing
Member

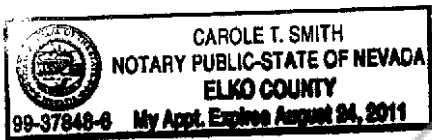


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STATE OF NEVADA)
) SS.
COUNTY OF ELKO)

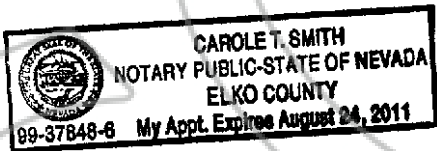
On this 19 day of March, 2008, personally appeared before me, a Notary Public, Richard J. Matthews, known or proved to me to be said person, who acknowledged that he executed the foregoing instrument as Vice President of Newmont USA Limited, Managing Member of Newmont Nevada Energy Investment LLC.



Carole T. Smith
NOTARY PUBLIC

STATE OF NEVADA)
) SS.
COUNTY OF ELKO)

On this 19 day of March, 2008, personally appeared before me, a Notary Public, Robert L. Chapman, known or proved to me to be said person, who acknowledged that he executed the foregoing instrument as Vice President of Elko Land and Livestock Company.



Carole T. Smith
NOTARY PUBLIC



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EXHIBIT A
ELKO LAND AND LIVESTOCK COMPANY
TRANSMISSION LINE EASEMENT

A parcel of land located in Section 18, Township 34 North, Range 49 East, M. D. B. & M., Sections 13, 24, 25, 26, and 35, Township 34 North, Range 48 East, M. D. B. & M., and Section 2, Township 33 North, Range 48 East, M. D. B. & M., Eureka County, Nevada, being 90.00 feet in width, lying 45.00 feet on each side of the following described centerline:

Commencing at the Northwest Corner of Section 6, Township 34 North, Range 49 East, M. D. B. & M. a point from which the Southwest Corner of Section 31, Township 34 North, Range 49 East, M. D. B. & M., bears S 00° 10' 52" W, 32,044.73 feet, thence S 04° 33' 38" E, 14,984.94 feet to Corner No. 1, a point on the West line of Parcel No. 2 as shown on a Map of Division into Large Parcels for Elko Land and Livestock Company recorded in the office of the Eureka County Recorder, Eureka, Nevada as File No. 154663, the True Point of Beginning;

Thence S 89° 56' 35" W, 983.16 feet to Corner No. 2;

Thence S 27° 40' 29" W, 1380.20 feet to Corner No. 3;

Thence S 10° 39' 26" W, 2453.96 feet to Corner No. 4;

Thence S 32° 58' 10" W, 13,575.84 feet to Corner No. 5;

Thence S 00° 01' 53" E, 7223.87 feet more or less to Corner No. 6, a point on the South line of said Section 2, the Point of Ending, containing 53.78 acres, more or less.

Continued on Page 2

Page 1

Prepared by Robert E. Morley
High Desert Engineering, LLC

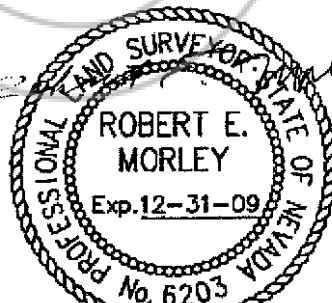
640 Idaho Street
Elko, Nevada 89801

Elko Land and Livestock Company
Transmission Line Easement
Continued from Page 1

The sidelines of the above described easement are to be shortened or lengthened so as to begin on the West line of said Elko Land and Livestock Company Parcel No. 2, File No. 154663 and terminate on the South line of said Section 2.

TOGETHER WITH an area lying within a 100.00 foot radius arc with its center point located at Corner No. 2, Corner No. 3, Corner No. 4, and Corner No. 5, of the above described easement centerline. Said arc areas lie Northwesterly of said Corner No. 2, Northwesterly of said Corner No. 3, Southeasterly of said Corner No. 4 and Northwesterly of said Corner No. 5. The limits of said arc areas are subtended by the Northerly and Northwesterly sidelines of the above described easement at Corner No. 2, the Northwesterly sidelines of the above described easement at Corner No. 3, the Southeasterly sidelines of the above described easement at Corner No. 4 and the Northwesterly sidelines of the above described easement at Corner No. 5, as shown on Exhibit B, Map of Transmission Line Easement for Elko Land and Livestock Company, consisting of five sheets, attached hereto and made a part hereof.

Reference is hereby made to Exhibit B, Map of Transmission Line Easement for Elko Land and Livestock Company, consisting of five sheets attached hereto and made a part hereof.



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Prepared by Robert E. Morley
High Desert Engineering, LLC

640 Idaho Street
Elko, Nevada 89801



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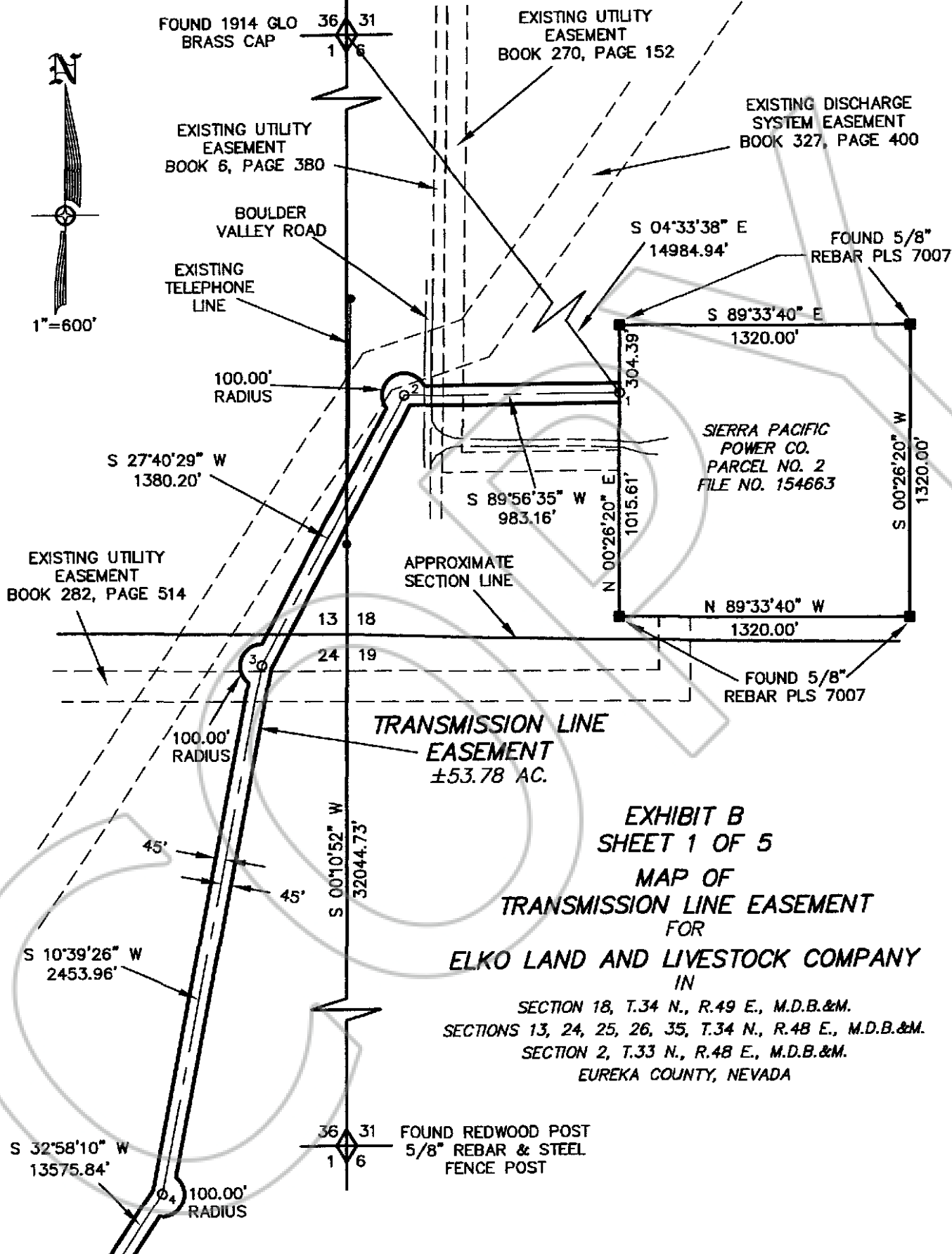
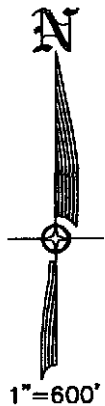


EXHIBIT B
SHEET 1 OF 5
MAP OF
TRANSMISSION LINE EASEMENT
FOR

ELKO LAND AND LIVESTOCK COMPANY
IN
SECTION 18, T.34 N., R.49 E., M.D.B.&M.
SECTIONS 13, 24, 25, 26, 35, T.34 N., R.48 E., M.D.B.&M.
SECTION 2, T.33 N., R.48 E., M.D.B.&M.
EUREKA COUNTY, NEVADA

MATCH TO SHEET 2 OF 5



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MATCH TO SHEET 1 OF 5

EXISTING DISCHARGE
SYSTEM EASEMENT
BOOK 327, PAGE 400

S 10°39'26" W
2453.96'

100.00'
RADIUS

45'

45'

TRANSMISSION LINE
EASEMENT
±53.78 AC.

S 32°58'10" W
13575.84'

APPROXIMATE SECTION LINE

24 19

25 30

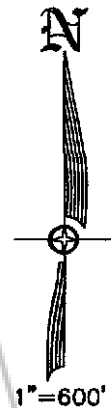


EXHIBIT B
SHEET 2 OF 5

MAP OF
TRANSMISSION LINE EASEMENT
FOR

ELKO LAND AND LIVESTOCK COMPANY
IN

SECTION 18, T.34 N., R.49 E., M.D.B.&M.

SECTIONS 13, 24, 25, 26, 35, T.34 N., R.48 E., M.D.B.&M.

SECTION 2, T.33 N., R.48 E., M.D.B.&M.

EUREKA COUNTY, NEVADA

MATCH TO SHEET 3 OF 5



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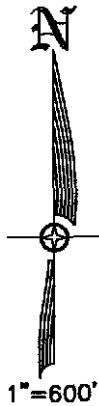
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MATCH TO SHEET 2 OF 5

23 24

26 25

APPROXIMATE SECTION LINE



EXISTING DISCHARGE
SYSTEM EASEMENT
BOOK 327, PAGE 400

TRANSMISSION LINE
EASEMENT
±53.78 AC.

S 32°58'10" W
13575.84'

45'

45'

APPROXIMATE SECTION LINE

EXHIBIT B
SHEET 3 OF 5
MAP OF
TRANSMISSION LINE EASEMENT
FOR

ELKO LAND AND LIVESTOCK COMPANY
IN

SECTION 18, T.34 N., R.49 E., M.D.B.&M.
SECTIONS 13, 24, 25, 26, 35, T.34 N., R.48 E., M.D.B.&M.
SECTION 2, T.33 N., R.48 E., M.D.B.&M.
EUREKA COUNTY, NEVADA

26 25

35 36

APPROXIMATE SECTION LINE

MATCH TO SHEET 4 OF 5



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MATCH TO SHEET 3 OF 5

APPROXIMATE SECTION LINE

26 25

35 36

EXISTING DISCHARGE
SYSTEM EASEMENT
BOOK 327, PAGE 400

S 32°58'10" W
13575.84'

TRANSMISSION LINE
EASEMENT
±53.78 AC.

APPROXIMATE LOCATION
EXISTING BELL TELEPHONE
EASEMENT BOOK 21, PAGE 264
DEED RECORDS, POSITION ESTABLISHED
BY EXTENSION OF DESCRIBED LINES
IN DEED BOOK 18, PAGE 80 DEED RECORDS

S 00°01'53" E
7223.87'

100.00'
RADIUS

EXHIBIT B
SHEET 4 OF 5

MAP OF
TRANSMISSION LINE EASEMENT
FOR
ELKO LAND AND LIVESTOCK COMPANY
IN

SECTION 18, T.34 N., R.49 E., M.D.B.&M.
SECTIONS 13, 24, 25, 26, 35, T.34 N., R.48 E., M.D.B.&M.
SECTION 2, T.33 N., R.48 E., M.D.B.&M.
EUREKA COUNTY, NEVADA

T34N-R48E

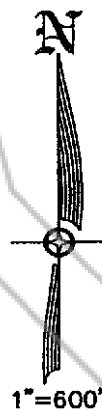
T33N-R48E

APPROXIMATE SECTION LINE

35 36

2 1

MATCH TO SHEET 5 OF 5



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MATCH TO SHEET 4 OF 5

T34N-R48E

35 36

APPROXIMATE SECTION LINE

T33N-R48E

2 1

S 00°01'53" E
7223.87'

TRANSMISSION LINE
EASEMENT
±53.78 AC.

45'

45'



APPROXIMATE SECTION LINE

EXHIBIT B
SHEET 5 OF 5

MAP OF
TRANSMISSION LINE EASEMENT
FOR

ELKO LAND AND LIVESTOCK COMPANY
IN

SECTION 18, T.34 N., R.49 E., M.D.B.&M.

SECTIONS 13, 24, 25, 26, 35, T.34 N., R.48 E., M.D.B.&M.

SECTION 2, T.33 N., R.48 E., M.D.B.&M.

EUREKA COUNTY, NEVADA

2 1

APPROXIMATE SECTION LINE

11 12