

DOC # 0213167

03/06/2009

11:31 AM

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- 0486 Page- 0016

Recording Requested by and to be Returned to:

Newmont USA Limited

555 5th Street

Elko, Nevada 89801

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



0213167

MEMORANDUM OF MINING LEASE

Under the terms of that certain Mining Lease (the "Lease") dated effective as of the 2nd day of February, 2009, by and between Nevada Land and Resource Company, LLC, a Nevada limited liability company (therein and hereinafter referred to as "Owner", whether one or more) and Newmont USA Limited, a Delaware corporation, doing business in Nevada as Newmont Mining Corporation (therein and hereinafter referred to as "Lessee"), Owner has granted, demised, leased and let and does hereby grant, demise, lease and let unto Lessee, its successors and assigns, that property described in Exhibit A attached hereto and made a part hereof (the "Leased Premises"), together with certain water rights, with the exclusive right and privilege to explore for develop, mine (by open pit, strip, underground, solution mining or any other methods, including any method hereafter developed), extract, mill, store, process, remove and market therefrom all ores, minerals and materials of whatsoever nature or sort, except Excluded Substances which are defined in the Lease to mean oil, natural gas, casinghead gas, condensates and associated hydrocarbons; sulphur produced in association with hydrocarbons; helium; carbon dioxide; and geothermal brines, solutions, materials and other geothermal resources; all on the terms and conditions and subject to the payments to be made to Owner, as fully set forth in the Lease which Lease is by this reference incorporated herein. Unless sooner terminated in the manner therein provided, the term of the Lease is for a period of twenty (20) years commencing on the effective date thereof and for a continuing term as long thereafter as any mining, development or processing operations are being conducted thereunder or the Lease term is extended pursuant to the force majeure and suspensions of operations provisions thereof, all as more fully set forth in the Lease. Copies of the Lease are in the

possession of Owner, Nevada Land and Resource Company, LLC, 3480 GS Richards Boulevard, Suite 101, Carson City, Nevada 89703, and in possession of Lessee, Newmont USA Limited, 555 5th Street, Elko, Nevada 89801, Attn: Land Department.

IN WITNESS WHEREOF, this Memorandum of Mining Lease has been executed effective as of the date first set forth.

OWNER:
Nevada Land and Resource Company, LLC

By: [Signature]
Name: Stephen D. Hartman
Its: Vice President

LESSEE:
Newmont USA Limited

By: [Signature]
Name: Richard G. Matthews
Its: Vice President

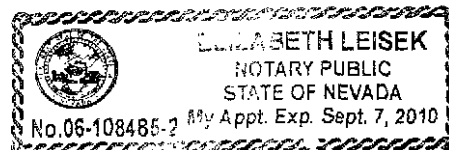
STATE OF NEVADA)
COUNTY OF Carson City)

The foregoing instrument was acknowledged before me this 2ND day of February, 2009, by Stephen D. Hartman, Vice President of Nevada Land and Resource Company, LLC, on behalf of such limited liability company.

[Signature]
Notary Public

My Commission Expires:

9/7/2010



STATE OF NEVADA)
)
COUNTY OF ELKO)

The foregoing instrument was acknowledged before me this 8th day of January, 2009, by Richard J. Matthews, Vice President of Newmont USA Limited, on behalf of such corporation.

P.J. Glass
Notary Public

My Commission Expires:
4-11-10

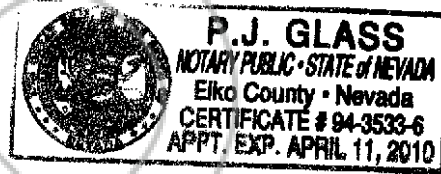


EXHIBIT A

EXHIBIT A to Memorandum of Mining Lease by and between Nevada Land and Resource Company, LLC (as "Owner") and Newmont USA Limited, (as "Lessee") and pertaining to the following described real property situated in Eureka County, State of Nevada.

| <u>COUNTY</u> | <u>TOWNSHIP</u> | <u>RANGE</u> | <u>SECTION</u> | <u>DESCRIPTION</u> | <u>ACRES</u> |
|---------------|-----------------|--------------|----------------|--------------------|--------------|
| Eureka | 34 North | 48 East | 9 | NW¼ | 160.00 |
| Eureka | 35 North | 48 East | 1 | All | 652.93 |
| Eureka | 36 North | 48 East | 25 | SE¼ | 160.00 |
| Eureka | 36 North | 48 East | 35 | SE¼ | 160.00 |
| Eureka | 36 North | 49 East | 19 | All | 646.76 |
| Eureka | 36 North | 49 East | 31 | NW¼ | 160.17 |
| TOTAL | 1,939.86 ACRES | | | | |

SUBJECT TO:

Taxes, if any, which may constitute a lien, but which are not yet due and payable; and rights-of-way, if any, for roads, telephone and telegraph lines and pipelines of record in the office of the Clerk or Recorder of the county in which the above described property is situated; and

Reservations contained in the United States Patents thereto.

[Other encumbrances of record at the time the Lease is executed.]

Initial for Identification



RJM