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

When Recorded, Return to:

Land Department Newmont USA Limited 555 Fifth Street Elko, NV 89801 DOC # 0213661

7/05/2009 03/2

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Record

Recording requested By NEWMONT MINING CORP

Eureka County - NV Mike Rebaleati - Recorder

Fee: \$77.50

Page 1 of 3 Recorded By. FES

Book- 0490 Page- 0

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MINING CLAIM MAINTENANCE FEE FILING AND AFFIDAVIT AND NOTICE OF INTENT TO HOLD MINING CLAIMS AND SITES

State of Nevada)) ss.
County of Elko)

Brian G. Iverson, first being duly sworn, deposes and says:

I am the duly authorized agent of Newmont Capital Limited, a Nevada corporation, (the "COMPANY"), and am personally acquainted with the matters described herein.

The COMPANY, whose address is 555 Fifth Street, Elko, Nevada 89801, owns the unpatented mining claim(s) and/or mill site(s) described in Exhibit A attached hereto (the "Claim(s)").

It is the intention of the COMPANY to maintain, develop and hold each Claim since its date of location as is provided for by law.

Pursuant to 30 U.S.C. Section 28f to 28k and 43 C.F.R. Part 3830 (and, to the extent applicable to any of the Claim(s), the Act of August 11, 1955, 69 Stat. 681 and 43 C.F.R. Part 3730, and the Act of April 8, 1948, 62 Stat. 162 and 43 C.F.R. Subpart 3821), in lieu of the suspended assessment work and filing requirements of 30 U.S.C. Section 28-28e and 43 U.S.C. Section 1744(a) and (c):

- 1. The maintenance fee was paid and the federal fee requirements were met for each of the Claim(s) for the assessment year ending September 1, 2009.
- 2. With this filing to the Bureau of Land Management, the COMPANY submits the maintenance fee for the assessment year ending September 1, 2010 in the amount of one hundred and twenty-five dollars (\$125,00) for each of

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the Claim(s).

All such maintenance fees are paid on behalf of the COMPANY.

This affidavit is made as of the date set forth below, pursuant to N.R.S. Section 517.230 and any applicable federal laws.

Brian G. Iverson

Manager of Lands, US

Subscribed and sworn to before me on this

by Brian G. Iverson.

day of_

_, 2009,

Notary (Public

P.J. GLASS

MOTARY PUBLIC - STATE OF NEVADA

EIKO COUNTY - Nevada

CERTIFICATE # 94-3533-6

APPT, EXP. APRIL 11, 2010

EVOLVING GOLD - NCL 2009/2010 Filing

REPORT: EXHIBITA

EXHIBIT A

Prepared:

26-MAR-09

51E 12 MDM

Page:

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1 of 1

Company Name: NEWMONT CAPITAL LIMITED

State:

NEVADA

Project : Block Name :		EVOLVING GOLD 29-508-0001/EVGOLD/NCL		Book & Page or		Amended Book & Page or			
BLM Serial #		Claim Name	County	Documen	t#	Document #	Twp	Rge Sec	Mer
NMC	698090	LUXEMBOURG #33	EUREKA	267	591		34N	51E 12	MDM
NMC	698091	LUXEMBOURG #34	EUREKA	267	592		34N	51E 12	MDM
NMC	698092	LUXEMBOURG #35	EUREKA	267	593		34N	52E 18 07	MDM MDM
NMC	698093	LUXEMBOURG #36	EUREKA	267	594		34N	52E 07	MDM
NMC	698094	LUXEMBOURG #37	EUREKA	267	595		34N	18 52E 07 18	MDM MDM MDM
NMC	701233	LUXEMBOURG #39	EUREKA	270	352		34N	51E 12	MDM

270

353

Total Count for Claim Block:

NMC 701234 LUXEMBOURG #40

7

EUREKA

Count of Claims by County

EUREKA

7

Total County

Count

EUREKA

71

Total Claim count for this Exhibit:

7

EVOLVING GOLD - NCL 2009/2010 Filing