

**Official Record**Recording requested By  
NEWMONT USA LTD

Eureka County - NV

Mike Rebaleati - Recorder

Fee \$21.00

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RPTT:

Recorded By: FES

Book- 517 Page- 0027



0217666

After recording return to:

Newmont USA Limited  
1655 Mountain City Highway  
Elko, NV 89801  
Attn: Land Dept.

The undersigned hereby confirm that  
this instrument does not contain the  
personal information of any person.

29-498-0003-B

AMENDMENT NO. 1  
TO SITE LEASE AND ACCESS AGREEMENT

This Amendment NO. 1 to Site Lease and Access Agreement ("Amendment ") is made effective the 15<sup>th</sup> day of May, 2011, by and between **METRO TRANSLOADING NEVADA, LLC**, ("Metro"), and **NEWMONT USA LIMITED**, a Delaware corporation, doing business in Nevada as Newmont Mining Corporation ("Newmont").

## RECITALS

A. Newmont and Metro previously entered into a Site Lease and Access Agreement dated June 19<sup>th</sup>, 2001, (the "Lease") with respect to certain lands located in Eureka County, Nevada, and

B. The parties desire to amend the Lease as set forth below.

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree that the Lease is amended in the following respects:

1. Terms used herein and not otherwise defined shall have the meaning ascribed to them in the Lease.
2. Section 4 of the Lease is hereby amended to extend the term of the Lease until December 31, 2012.
3. The legal descriptions for the Premises, set forth in Exhibits A, A1, B and B1 of the Lease, are hereby deleted and replaced by the new Exhibits A, A1, B and B1 hereto attached.
4. Except as expressly modified by this Amendment, the Lease remains in full force and effect in accordance with its terms.

Executed to be effective as of the date first set forth above.

NEWMONT USA LIMITED

By: Richard J. Matthews  
Richard J. Matthews  
Vice President

METRO TRANSLOADING NEVADA, LLC

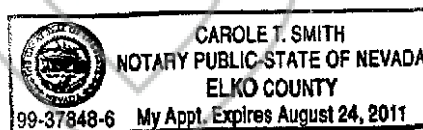
By: Mark Bond  
Name: Mark Bond  
Its: Manager

STATE OF NEVADA     )  
                                  ) ss.  
COUNTY OF ELKO     )

This instrument was acknowledged before me on 6-6, 2011, by Richard J. Matthews, a Vice President of Newmont USA Limited doing business in Nevada as Newmont Mining Corporation.

Witness my hand and official seal.

My commission expires: 8/24/11



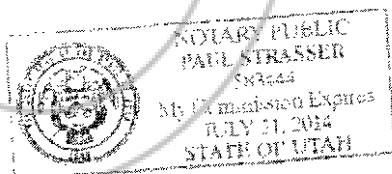
Carole T. Smith  
Notary Public

STATE OF UTAH     )  
                                  ) ss.  
COUNTY OF San-Jake     )

This instrument was acknowledged before me on May 31, 2011, by Mark Bond, the Manager of Metro Transloading Nevada, LLC.

Witness my hand and official seal.

My commission expires: July 21, 2014



Paul Strasser  
Notary Public

**EXHIBIT A**  
**METRO TRANSLOADING NEVADA, LLC LEASE PREMISES**  
**AMENDMENT NO. 1**

May 10, 2011

A parcel of land located in Section 32, T. 33 N., R. 48 E., M.D.B. & M., Eureka County, Nevada, more particularly described as follows:

Commencing at the Southeast corner of said Section 32, a point from which the South 1/4 corner of said Section 32 bears N 89° 07' 58" W, 2579.20 feet, thence N 40° 25' 14" W, 3019.49 feet to Corner No. 1, the true point of beginning;

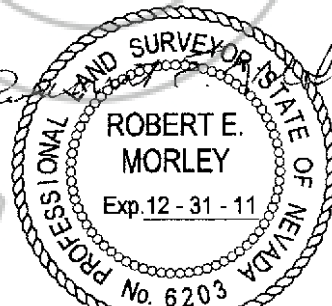
Thence N 21° 01' 50" W, 75.00 feet to Corner No. 2;

Thence N 68° 58' 10" E, 943.00 feet to Corner No. 3;

Thence S 21° 01' 50" E, 75.00 feet to Corner No. 4;

Thence S 68° 58' 10" W, 943.00 feet to Corner No. 1, the point of beginning, containing 1.624 acres, more or less.

Reference is hereby made to Exhibit A1, Map of Lease Premises, Amendment No. 1, for Metro Transloading Nevada, LLC, attached hereto and made a part hereof.



Prepared by Robert E. Morley, PLS  
High Desert Engineering

640 Idaho Street  
Elko, Nevada 89801



**EXHIBIT B**  
**METRO TRANSLOADING NEVADA, LLC ACCESS ROAD**  
**AMENDMENT NO. 1**

May 10, 2011

A parcel of land located in Sections 32 and 33, T. 33 N., R. 48 E., M.D.B. & M., Eureka County, Nevada, more particularly described as follows:

Commencing at the Southeast corner of said Section 32, a point from which the South 1/4 corner of said Section 32 bears N 89° 07' 58" W, 2579.20 feet, thence N 15° 11' 41" E, 3276.29 feet to Corner No. 1, a point being on the Northwestern right of way line of Interstate Route 80, the true point of beginning;

Thence S 70° 14' 48" W, 120.29 feet along the said Northwestern right of way line of Interstate Route 80, to Corner No. 2;

Thence from a tangent bearing N 19° 45' 12" W, on a curve to the left with a radius of 66.71 feet, through a central angle of 90° 27' 08", for an arc length of 105.31 feet to Corner No. 3;

Thence S 69° 47' 40" W, 1026.61 feet to Corner No. 4;

Thence S 68° 57' 50" W, 469.69 feet to Corner No. 5;

Thence S 70° 03' 49" W, 1497.42 feet to Corner No. 6;

Thence S 68° 57' 50" W, 370.15 feet to Corner No. 7;

Thence S 70° 03' 49" W, 1592.95 feet to Corner No. 8;

Thence from a tangent bearing S 70° 03' 49" W, on a curve to the right with a radius of 85.39 feet, through a central angle of 201° 56' 46", for an arc length of 300.97 feet to Corner No. 9;

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High Desert Engineering

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Metro Transloading Nevada, LLC Access Road  
Amendment No. 1  
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Thence S 87° 59' 25" E, 333.38 feet to Corner No. 10;  
Thence N 70° 03' 49" E, 1251.43 feet to Corner No. 11;  
Thence N 68° 57' 50" E, 370.14 feet to Corner No. 12  
Thence N 70° 03' 49" E, 137.64 feet to Corner No. 13;  
Thence N 19° 56' 11" W, 127.14 feet to Corner No. 14;  
Thence N 68° 05' 14" E, 100.30 feet to Corner No. 15, a point being the most  
Westerly corner of the Metro Transloading Nevada, LLC ("Metro") Lease Premises;  
Thence S 21° 01' 50" E, 75.00 feet along the Westerly line of the said Metro Lease  
Premises to Corner No. 16, a point being the most Southerly corner of the said Metro  
Lease Premises;  
Thence N 68° 58' 10" E, 943.00 feet along the Southerly line of the said Metro Lease  
Premises to Corner No. 17, a point being the most Easterly corner of the said Metro Lease  
Premises;  
Thence N 21° 01' 50" W, 75.00 feet along the Easterly line of the said Metro Lease  
Premises to Corner No. 18, a point being the most Northerly corner of the said Metro  
Lease Premises;  
Thence N 69° 05' 06" E, 156.90 feet to Corner No. 19;  
Thence S 19° 56' 11" E, 151.29 feet to Corner No. 20;  
Thence N 70° 03' 49" E, 159.83 feet to Corner No. 21;  
Thence N 68° 57' 50" E, 469.60 feet to Corner No. 22;  
Thence N 69° 47' 40" E, 1106.55 feet to Corner No. 23;

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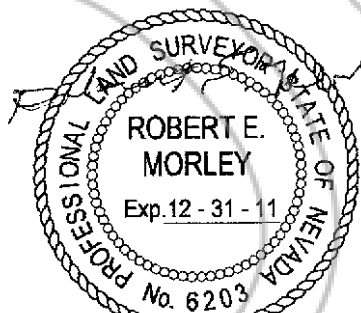
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Metro Transloading Nevada, LLC Access Road  
Amendment No. 1  
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Thence from a tangent bearing N 69° 47' 40" E, on a curve to the right with a radius of 107.34 feet, through a central angle of 90° 27' 08", for an arc length of 169.46 feet to Corner No. 1, the point of beginning, containing 7.910 acres, more or less.

Reference is hereby made to Exhibit B1, Map of Access Road, Amendment No. 1, for Metro Transloading Nevada, LLC, attached hereto and made a part hereof.



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