

**Official Record**Recording requested By  
NEWMONT MINING CORP

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$16.00

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RPTT:

Recorded By: FES

Book- 519 Page- 0134



0218326

RECORDING REQUESTED BY AND RETURN TO:

NEWMONT MINING CORPORATION

Attn: Land Department

1655 Mountain City Highway

Elko, Nevada 89801

# 29-488-0011

The undersigned hereby confirms that this instrument  
Does not contain the personal information of any person.

MEMORANDUM OF SAND AND GRAVEL LEASE

NOTICE IF HEREBY GIVEN that Elko Land and Livestock Company, a Nevada corporation ("Lessor"), and Elko Sand and Gravel, Inc., a Nevada corporation ("Lessee"), have entered into a Sand and Gravel Lease ("Lease") effective as of the 7<sup>th</sup> day of July, 2011, covering certain sand and gravel rights in and to those certain lands situated in Eureka County, Nevada and more specifically described on Exhibit "A" attached hereto and made a part hereof, (the "Lands").

Pursuant to the agreement, Lessor granted to Lessee, and Lessee accepted from Lessor, the exclusive right to lease the Lands upon the terms and conditions set forth in the Lease.

The purpose of this Memorandum is to give notice of the existence of the Lease and the need for all interested parties to inquire further about the terms and conditions of the Lease. Except as otherwise defined herein, the terms used in this Memorandum shall have the meaning as set forth for those terms in the Lease. If there is any inconsistency between any provisions of this Memorandum and any provisions of the Lease, the provisions of the Lease shall control.

Copies of said Lease are in the possession of Lessor at its address of 1655 Mountain City Highway, Elko, Nevada 89801, and Lessee.

IN WITNESS WHEREOF, this Memorandum of Sand and Gravel Lease has been executed effective as of the date first above written.

ELKO LAND AND LIVESTOCK COMPANY

By: TKName: THOMAS KERR  
Vice President

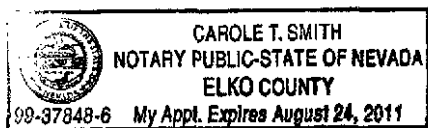
ELKO SAND AND GRAVEL, INC.

By: Dale StierelName: Dale Stierel  
Title: owner

STATE OF NEVADA

COUNTY OF ELKO

This instrument was acknowledged before me on this \_\_\_\_ day of July, 2011, by  
Tom Kerr, as Vice President. of ELKO LAND AND LIVESTOCK  
COMPANY.



Carole T. Smith  
Notary Public  
My commission expires: 8/24/11

STATE OF NEVADA

COUNTY OF Elko

This instrument was acknowledged before me on this 8<sup>th</sup> day of July, 2011, by  
Dale Stitzel, as Owner of ELKO SAND AND GRAVEL,  
INC.



Catherine J. Hassett  
Notary Public  
My commission expires: 1/5/2014

**EXHIBIT A**

**Leased Premises**

**Eureka County, Nevada**

**Township 31 North, Range 49 East**

**Section 5: a portion of the SE4NW4 (horseshoe) and SW4NE4 between the river and the RR tracks.**

**Section 8: NE4NE4**