

DOC # 0220153

03/15/2012

01:50 PM

Official Record

Recording requested By
TASHA CAPLE

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$18.00

Page 1 of 5

RPTT.

Recorded By: FES

Book- 530 Page- 0173



0220153

When Recorded Return To:
Barrick Gold of North America, Inc.
Attn: Tasha Caple
293 Spruce Road
Elko, NV 89801

MEMORANDUM OF WATER RIGHT LEASE

THIS MEMORANDUM OF WATER RIGHTS LEASE dated as of March 6, 2012 ("Effective Date") between Gary G. and Melody I. Garaventa, husband and wife, whose address is PO Box 65, Eureka, NV 89316 ("Lessors") and Homestake Mining Company of California, a California corporation, whose address is 136 East South Temple, Suite 1800, Salt Lake City, UT 84111 ("Lessee") shall provide notice that the parties shown above have entered into a Water Rights Lease as of the Effective Date. The pertinent terms of the Water Rights Lease are:

1. Lease and Term. (a) Lessors are the owners of Permit 18908, Certificate No. 6468 (the "Water Rights") for irrigation of land located in the same groundwater basin as the Ruby Hill Mine. These water rights are further described in Exhibit A.

(b) Lessors are willing to lease the Water Rights to Lessee, and Lessee is willing to lease the Water Rights from Lessors pursuant to the terms and conditions of the Water Rights Lease as summarized herein.


(c) Subject to the terms and provisions of this Agreement, Lessors have leased to the Lessee, Lessors' right title and interest in Four Hundred and Forty-Five (445) acre feet of the Water Rights (the "Leased Water") with a pro rata diversion rate of 1.8294 cfs, and hereby reserve two and five hundred seventy six one thousandths (2.576) acre feet with a diversion rate of 0.0106 cfs for Lessors' use from Permit 18908, Certificate No. 6468.

(d) This Agreement shall commence on the Effective Date and continue for an initial term of ten (10) years.


(e) Lessee may give notice to extend the Water Right Lease for an additional ten year term subject to the terms and conditions provided in the Water Right Lease.


2. Modification of Agreement. The Water Right Lease may be amended or varied only by a writing signed by both parties.
3. Additional Terms. Additional terms and conditions are contained in the Water Right Lease between parties. This Memorandum of Water Right Lease shall not modify said agreement.

Homestake Mining Company of California

By: 
Print Name: Steve Yopp
Title: General Manager

LESSORS


Gary G. Garaventa


Melody I. Garaventa



STATE OF NEVADA)
) ss.
COUNTY OF Elko)

On March 13, 2012, before me, the undersigned officer, personally appeared Stue Yopps, personally known to me to be the General Manager, and personally known to me to be the person who executed the within instrument and on said oath stated that he was authorized to do so on behalf of said corporation.

IN WITNESS WHEREOF, I have signed my name and affixed my official seal.



Tasha Caple
Notary Public
My Commission Expires: 2.25.2013

STATE OF NEVADA)
) ss.
COUNTY OF EUREKA)

On March 6, 2012 before me, the undersigned officer, personally appeared Gary G. Garaventa, personally known to me to be the person who executed the within instrument.

IN WITNESS WHEREOF, I have signed my name and affixed my official seal.



Tasha Caple
Notary Public
My Commission Expires: 2.25.13



STATE OF NEVADA)
) ss.
COUNTY OF EUREKA)

On March 6, 2012 before me, the undersigned officer, personally appeared Melody I. Garaventa, personally known to me to be the person who executed the within instrument.

IN WITNESS WHEREOF, I have signed my name and affixed my official seal.



Tasha Caple
Notary Public
My Commission Expires: 2.25.13

EXHIBIT A

WATER RIGHTS

Nevada Division of Water Resources Water Right Permit 18908, Certificate 6468

Permit 18908	Issued December 15, 1960
Certificate 6468	Issued January 17, 1968
Use	Irrigation and Domestic
Diversion rate	1.84 c.f.s. (cubic feet per second)
Amount of appropriation	447.576 acre-feet per season
Appurtenant land	111.894 acres within the NE $\frac{1}{4}$ of Section 30, T. 20N., R. 53E., M.D.M.
Lessors reserve	0.0106 c.f.s., 2.576 acre-feet of water rights within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 30, T.20N, R.53E.,M.D.M. Refer to Water Right Application 81614 filed 2/24/2012 for stockwater purposes.
Lessee leases	1.8294 c.f.s., 445.0 acre-feet of water rights For use at the Ruby Hill Mine in Eureka, Nevada Refer to Water Rights Applications 81610T, 81611T, 81612, and 81613 filed 2/24/2012 for mining, milling, and dewatering purposes.

