

DOC # 0220278

04/19/2012

01:06 PM

Official Record

Recording requested By
ENERGY OPERATIONS MGMT INC

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$19.00

Page 1 of 6

RPTT:

Recorded By: FES

Book- 531 Page- 0053

Recording Requested by and
When Recorded Return to:

ENERGY OPERATIONS MANAGEMENT, INC.
2981 Gold Canal Drive
Rancho Cordova, CA 95670

Elko County AP #s: 004-720-001, 004-720-002, 004-730-003
Eureka County AP #s: 004-030-08, 004-030-07, 004-030-04



0220278

MEMORANDUM OF RIGHT OF WAY OPTION

This document is being recorded again because it is in two Counties

COPY

Official Record

Requested By
ENERGY OPERATIONS MANAGEMENT

Elko County - NV

D. Mike Smales - Recorder

Page 1 of 5 Fee: \$18.00

Recorded By: NR RPTT:

Recording Requested by and
When Recorded Return to:

ENERGY OPERATIONS
MANAGEMENT, INC.
2981 Gold Canal Drive
Rancho Cordova, California 95670



Portions of APN's:

Elko County: 004-720-001, 004-720-002, 004-730-003

Eureka County: 004-030-08, 004-030-07, 004-030-04

MEMORANDUM OF RIGHT OF WAY OPTION

For and in consideration of the sum of One Dollar and other valuable consideration to the undersigned, the receipt whereof is hereby acknowledged, NEWMONT USA LIMITED and ELKO LAND AND LIVESTOCK COMPANY, hereinafter called Grantor, hereby grant(s) an easement and right of way to Energy Operations Management, Inc., a California corporation, hereinafter called Grantee, for gas transmission purposes across the lands of Grantor situated in Elko and Eureka Counties, Nevada, and described on Exhibit "A" and shown by a solid line on Exhibit "B."

This Memorandum of Right of Way Option is subject to the terms and conditions of that certain Right of Way Option of even date between the parties hereto, covering the lands described herein, and said right of way is hereby incorporated by reference with the same force and effect as though herein set forth at length.

In Witness Whereof, this 27th day of February, 2012

GRANTOR

GRANTEE

NEWMONT USA LIMITED

ENERGY OPERATIONS MANAGEMENT, INC

Richard J. Matthews
Richard J. Matthews, Vice President

Derek C. Jones
Derek C. Jones, President

ELKO LAND AND LIVESTOCK COMPANY

Thomas R. Kerr
Thomas R. Kerr, President



EXHIBIT "A"
Legal description

Attached to and made a part of that certain Memorandum of Right of Way Option by and between Newmont USA Limited and Elko Land and Livestock Company, and Energy Operations Management, Inc.

Lands owned by Newmont USA Limited, Newmont Mining Corporation, or Elko Land and Livestock situated in Elko County, Nevada, and described as follows:

T. 37 N., R. 50 E., MDM.:
Section 31; S2SW4

T. 36 N., R. 50 E., MDM.:

Section 6; NW4, SW4, SW4SE4
Section 7; N2NW4, SE4NW4, N2NE4
Section 8; N2N2, SE4NE4, NESE4
Section 9; W2NW4, W2SW4

Lands owned by Newmont USA Limited, Newmont Mining Corporation, or Elko Land and Livestock situated in Eureka County, Nevada, and described as follows:

T. 36 N., R. 50 E., MDM.:

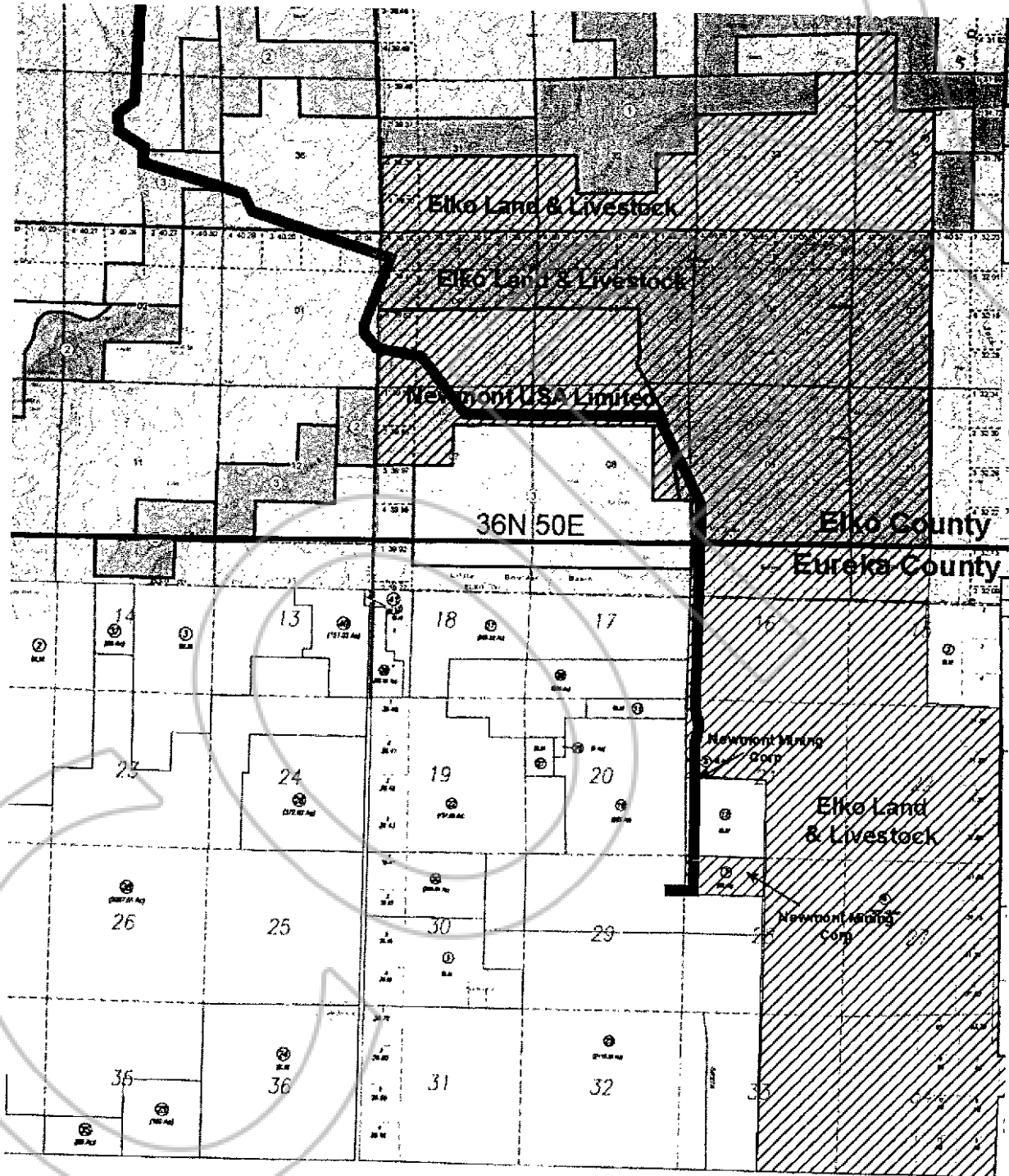
Section 16; W2W2
Section 21; W2NW4
Section 28; NW4NW4



EXHIBIT "B"
Plat

Attached to and made a part of that certain Memorandum of Right of Way Option by and between Newmont USA Limited and Elko Land and Livestock Company, and Energy Operations Management, Inc.

(Grantor's lands are delineated by diagonal lines below)



033394

03/29/2012
003 of 5

Acknowledgment of Individual/Trustee

STATE OF NEVADA

COUNTY OF ELKO

This instrument was acknowledged before me on 3/6/2012 (date) by Thomas R. Kerr, President of Elko Land and Livestock company.

Carole T. Smith

Signature of Notary Public

Printed Name: Carole T. Smith

(Seal)



My Commission Expires:

8/24/2015

03/29/2012
004 of 5
653594

Acknowledgment of Individual/Trustee

STATE OF NEVADA

COUNTY OF ELKO

This instrument was acknowledged before me on 3/6/2012 (date) by Richard J. Matthews, Vice President, Newmont USA Limited.

Carole T. Smith

Signature of Notary Public

Printed Name: Carole T. Smith

(Seal)



My Commission Expires:

8/24/2015





CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Sacramento)

On February 27, 2012 before me, Kimberly A. Lopez, Notary Public (insert name and title of the officer) personally appeared Derek C. Jones, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kimberly A. Lopez (Seal)

