

DOC # 0224445

06/19/2013

02:30 PM

Official Record

Recording requested By
NEWMONT USA LTD

Eureka County - NV

Mike Rebaleati - Recorder

Fee: **\$17.00**

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RPTT:

Recorded By: FES

Book- 550 Page- 0251

Recording Requested by:
Newmont USA Limited

When Recorded Return to:
Newmont USA Limited
Attn: Land Department
1655 Mountain City Highway
Elko, Nevada 89801



In accordance with NRS 239B.030, the undersigned person recording this document hereby affirms this document does not contain the social security number of any person.

Leslie L. Olmstead, Landman

Document Title(s)

Memorandum of Surface Lease and Agreement

Executed May 21, 2013 by

Newmont USA Limited

And

Progressive Contracting, Inc.

MEMORANDUM OF SURFACE LEASE AND AGREEMENT

NOTICE IS HEREBY GIVEN that Newmont USA Limited, a Delaware corporation ("Newmont"), and Progressive Contracting, Inc., a Utah corporation ("PCI"), have entered into a Surface Lease Agreement dated effective as of May 22, 2013 (the "Agreement") covering that certain property in Eureka County, Nevada, and more particularly described in Exhibit "A" attached hereto (the "Property").

The Agreement, in consideration of the payments and other covenants and agreements set forth therein, provides that Newmont has leased to PCI all of the surface of the Property, to mill, prepare for market, store, market, sell, and dispose of barite ores.

Copies of the Agreement are in the possession of Newmont at its address of 1655 Mountain City Highway, Elko, NV 89801 and PCI at its address of PO Box 1930, 230 E. Tabernacle, St. George, Utah 84771.

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

PCI:

NEWMONT:

PROGRESSIVE CONTRACTING, INC.

NEWMONT USA LIMITED

By: 

Name: Russell Limb

Title: President

By: 

Name: Richard J. Matthews

Title: Vice President



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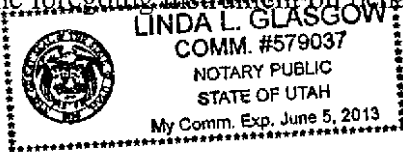
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STATE OF UTAH)
) ss.
COUNTY OF WASHINGTON)

On this 21 day of May, 2013, personally appeared before me, a Notary Public, Russell Limb, the CEO president of PROGRESSIVE CONTRACTING, INC., a Utah corporation, who acknowledged to me that he executed the foregoing instrument on behalf of the company.



Linda L. Glasgow
Notary Public

My commission expires: 6-5-13

STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

On this 22 day of May, 2013 personally appeared before me, a Notary Public, Richard J. Matthews, Vice President of Newmont USA Limited, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of said corporation.

Carole T. Smith
Notary Public

My commission expires: 8/24/15



EXHIBIT A
TO
MEMORANDUM OF
SURFACE LEASE AND AGREEMENT

DESCRIPTION OF PROPERTY

A parcel of land located within Government Lots 2 and 3 of Section 2, Township 34 N., Range 51 E., M.D.M., Eureka County, Nevada, bounded by existing fence lines, being more particularly described as follows:

Beginning at the most Easterly corner of the Property, an existing two-way fence corner from which the N¼ Corner of said Section 2 bears approximately N 82°24' W, 697 feet;

Thence S 31°45'06" W, 1002 feet along an existing barbed wire fence to a two-way fence corner;

Thence N 57°20'42" W, 923 feet along an existing barbed wire fence to a three-way fence corner;

Thence N 34°07'15" E, 526 feet along an existing barbed wire fence to a two-way fence corner;

Thence N 89°40'54" E, 900 feet along an existing barbed wire fence to a two-way fence corner;

Thence S 51°40'24" E, 139.40 feet along an existing barbed wire fence to the said point of beginning at the most Easterly corner of the Property, containing 16.83 Acres, more or less.

This Property is a portion of Eureka County Assessor's Parcel Number 004-190-26. Reference is hereby made to Exhibit B, Map of Property, attached hereto and made a part hereof.

The Property also includes the following described access and area for the purpose of installing, repairing, maintaining and operating, for the life of the Agreement, a water well and water pipeline described as follows:

That certain water well and standpipe situated approximately 200 feet Easterly of the point of beginning, together with an area described as a circle with a radius of 100 feet from the said standpipe, together with a 20 foot wide strip of land between and perpendicular to Eureka County Road M-117, and said standpipe.



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