

Recording Requested by and

When Recorded Return to:

PROSPECTOR PIPELINE COMPANY
2981 Gold Canal Drive
Rancho Cordova, California 95670

A portion of AP # 004-030-19



**MEMORANDUM OF SECOND AMENDMENT TO SURFACE FACILITY AND
RIGHT OF WAY AGREEMENT**

For and in consideration of the sum of One Dollar and other valuable consideration to the undersigned, the receipt whereof is hereby acknowledged, Barrick Goldstrike Mines, Inc. hereinafter called Grantor, and Prospector Pipeline Company, a Nevada corporation, hereinafter called Grantee, hereby amend for a second time that certain Surface Facility and Right of Way Agreement dated July 13, 2012 (the "Agreement"), by and between Grantor and Grantee, a Memorandum of Surface Facility and Right of Way Agreement (the "First Memorandum") of which was recorded October 15, 2012 as Document No. 0221699 in the Official Records of Eureka County, Nevada ("Official Records"), which Agreement was amended December 5, 2012, a Memorandum of Amendment to Surface Facility and Right of Way Agreement of which was recorded April 24, 2013 as Document No. 0224165 in the Official Records (the "Second Memorandum"), and re-recorded with an "As Built" description and drawings August 19, 2014 as Document No. 0227706 in the Official Records (the "As Built Memorandum"), according to the terms and conditions of that certain Second Amendment to Surface Facility and Right of Way Agreement of even date (the "Second Amendment") between the parties hereto, covering the lands described herein, and said Second Amendment to Surface Facility and Right of Way Agreement is hereby incorporated by reference with the same force and effect as though herein set forth at length; and

For the same consideration, Grantor hereby grants, leases, lets and demises, without warranty of title, that certain additional property described on Exhibit "A" and shown on Exhibit "B-1" for Grantee's pipeline a right of way on the terms and conditions, together with the right of ingress and egress, as set forth in the above unrecorded Second Amendment. The legal description described on Exhibit "A" and shown on Exhibit "B-1" to this Memorandum and the legal descriptions described on Exhibit "A" and shown on Exhibits "B-1" and "B-2" in the As Built Memorandum supersede and replace in their entirety the descriptions and plats that previously existed in earlier versions of the Agreement, the First Memorandum and the Second Memorandum.

In Witness Whereof, this is effective September 17, 2013.

BARRICK GOLDSTRIKE MINES INC.

PROSPECTOR PIPELINE COMPANY

By: 

By: 

Name: Andrew G. B

Name: Derek C. Jones

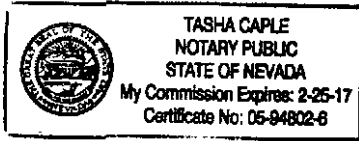
Its: General Manager

Its: President

STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

The forgoing instrument was acknowledged before me on 15th day of October, 2014 by Andrew Cole as General Manager.

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

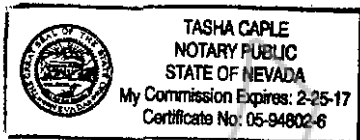


Tasha Caple
Notary Public in and for said State
My Commission Expires: 2-25-17

STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

The forgoing instrument was acknowledged before me on 14th day of October, 2014 by Derek C. Jones as President.

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



Tasha Caple
Notary Public in and for said State
My Commission Expires: 2-25-17



0228030

Book: 573
Page: 162

10/30/2014
Page: 2 of 5

EXHIBIT "A"

Lands

Attached to and made a part of that certain Memorandum of Second Amendment to Surface Facility and Right of Way Agreement by and between Barrick Goldstrike Mines, Inc., and Prospector Pipeline Company

**EXHIBIT A
GOLDSTRIKE METER STATION EXIT RIGHT OF WAY
AND BARRICK SECTION TWENTY-EIGHT CROSSING
LEGAL DESCRIPTION
BEING A PORTION OF APNs 004-030-19 & 004-030-07**

That certain land situated in Eureka County, Nevada, described as the Exit Right of Way from the Goldstrike Meter Station and the Barrick Section Twenty-Eight Crossing as described below, and a permanent right-of-way (easement), measuring the uniform width of fifteen feet (15'), and lying seven and one-half feet (7 1/2') on each side of a proposed gas pipeline, together with a temporary right of way (easement) as to the Section 28 land, measuring the uniform width of one-hundred twenty-five feet (125'), and lying sixty-two and one-half feet (62 1/2') on either side of the centerline, which is described as follows:

GOLDSTRIKE METER STATION EXIT RIGHT OF WAY

All that certain real property situate within a portion of the Northeast One-Quarter (NE 1/4) of Section Twenty-Nine (29), Township Thirty-Six (36) North, Range Fifty (50) East, Mount Diablo Meridian, Eureka County, Nevada, being a portion of APN 004-030-19, beginning in an area enclosed by a chain link fence encompassing a gas pipeline metering station, the direction and length of the proposed pipeline being more particularly described as follows; and

COMMENCING from Nevada State Plane Coordinate (henceforth known as NSPC) North: 28513298.25 East: 448052.86, also being the angle point of an existing gas pipeline; **THENCE** South 82°12'48" East a distance of 27.24 feet, more or less, to the intersection of the proposed pipeline with the easterly boundary of said Meter Station, also being the **POINT OF BEGINNING**; **THENCE** departing the easterly line of said Metering Station, South 89°22'28" East a distance of 3.68 feet, more or less, to a point on the easterly line of said Section Twenty-Nine;

The sidelines of said permanent right of way are to be prolonged or shortened so as to terminate at the perimeter of the existing metering station fence and the easterly line of Section Twenty-Nine as described;

Containing 56 square feet of land, more or less.

See Exhibit "B-1", plat, attached hereto and made a part hereof.

BARRICK SECTION TWENTY-EIGHT CROSSING

All that certain real property situate within a portion of the Northwest One-Quarter (NW 1/4) of Section Twenty-Eight (28), Township Thirty-Six (36) North, Range Fifty (50) East, Mount Diablo Meridian, Eureka County, Nevada, being a portion of APN 004-030-19, and

BARRICK
PAGE 1 OF 3



0228030

Book: 573
Page: 163

10/30/2014
Page: 3 of 5

**EXHIBIT A
GOLDSTRIKE METER STATION EXIT RIGHT OF WAY
AND BARRICK SECTION TWENTY-EIGHT CROSSING
LEGAL DESCRIPTION
BEING A PORTION OF APNs 004-030-19 & 004-030-07**

BEGINNING from Nevada State Plane Coordinate (henceforth known as NSPC)
North: 28513253.23 East: 449484.50, being the intersection of the proposed Eureka Pipeline
with the northerly line of said Section Twenty-Eight;
THENCE departing said northerly line, South 00°33'03" West a distance of 1326.86 feet, more
or less, to the southerly line of said Northwest One-Quarter of Section Twenty-Eight (28), and
the **POINT OF TERMINUS** for this description, point having an NSPC value of North:
28511926.43 East: 449471.75

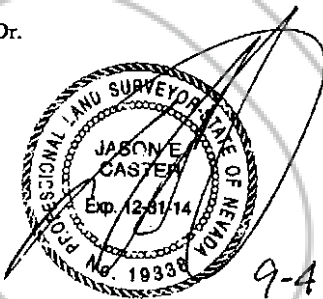
The sidelines of said easements are to be prolonged or shortened so as to terminate at the south
line of said Northwest One-Quarter of Section Twenty-Eight (28).

Containing 19,903 square feet of land, more or less (Permanent Right of Way); and 3.81 Acres
of land (Temporary Right of Way).

The basis of bearings for this description was determined by Static GPS observations of on-site control
constrained and adjusted to CORS stations in the surrounding area, and verified using the NGS OPUS
website. Bearings and distances shown hereon are NAD 83/94, Nevada East 2701, State Plane Grid
values. The property lines shown hereon are from a combination of Eureka County GIS linework and
found monumentation in the area. In areas of found monuments, the GIS property lines were adjusted to
match the PLSS lines.

See Exhibit "B-1", plat, attached hereto and made a part hereof.

Prepared by:
Wood Rodgers, Inc.
5440 Reno Corporate Dr.
Reno, NV 89511
(775) 823-4068



Jason E. Caster, PLS
Nevada Certificate No. 19338

BARRICK
PAGE 2 OF 3



0228030

Book: 573
Page: 164

10/30/2014
Page: 4 of 5

EXHIBIT "B-1"

Plat

Attached to and made a part of that certain Memorandum of Second Amendment to Surface Facility and Right of Way Agreement by and between Barrick Goldstrike Mines, Inc., and Prospector Pipeline Company

