

APN #: N/A (water rights)

Recorded at the request of, and  
when recorded, return to:

Nevada Gold Mines LLC  
1655 Mountain City Highway  
Elko, Nevada 89801  
Attention: Land Manager

Mail Tax Statement to: N/A (water rights)



00012067202102446610060069

LISA HOEHNE, CLERK RECORDER E09

Space Above for County Recorder's Use

*Affirmation Statement:* The undersigned affirms that this document does not contain any social security numbers or other personal information of any person (Per NRS 239B.030).

### **WATER RIGHTS DEED**

This Water Rights Deed (this "Deed"), entered into effective as of 12:01 a.m. Pacific Daylight Time on July 1, 2019, is from Barrick Cortez LLC, a Delaware limited liability company formerly known as Barrick Cortez Inc., a Delaware corporation, whose address is 905 West Main St., Elko, Nevada 89801 ("Grantor"), to Nevada Gold Mines LLC, a Delaware limited liability company, whose address is 1655 Mountain City Highway, Elko, Nevada 89801 ("Grantee").

#### **Recitals**

1. Grantor's parent company, Barrick Gold Corporation, and Newmont Goldcorp Corporation, formerly known as Newmont Mining Corporation, are parties to that certain Implementation Agreement dated March 10, 2019, as amended (the "Agreement").
2. Pursuant to the Agreement, Grantor's parent company, Barrick Gold Corporation, agreed, among other things, to cause Grantor to convey to Grantee all of Grantor's right, title and interest in and to in the water rights described in Exhibit A to this Deed (the "Water Rights").
3. In the course of preparing the conveyances necessary to fulfill the Agreement, certain of the Water Rights were omitted.
3. Grantor now executes this Deed with respect to the Water Rights in order to correct the omission and fulfill, in part, its obligations under the Agreement.

#### **Conveyance**

For good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, Grantor grants, bargains and sells to Grantee, free and clear of all Encumbrances other than Permitted Encumbrances all of Grantor's right, title and interest in and

to the Water Rights, including all permits, proofs, certificates and changes, and all and singular the tenements, hereditaments, appurtenances, fixtures, buildings, wells, pipelines, ditches, impoundments and other improvements thereon or thereunto belonging to or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

To have and to hold unto Grantee, its successors and assigns forever.

This Deed incorporates by reference the representations and warranties, and associated limitations and disclaimers, made in the Agreement with respect to the Properties. This Deed incorporates by reference and is subject to the Permitted Encumbrances set out in the Agreement.

This Deed and the covenants contained herein shall extend to and be binding upon and every benefit hereof shall inure to the parties hereto, their respective successors and assigns. This Deed is intended to and does convey any after acquired title or interest in and to the Water Rights that Grantor or an Affiliate of Grantor may hereafter acquire, excluding any title or interest in and to any of the Water Rights acquired by Grantor or an Affiliate of Grantor in connection with or following Grantee's abandonment or other divestiture of an interest in the Water Rights pursuant to the JV Agreement.

This Deed, being further documentation of the transactions contemplated by the Agreement, is subject in all respects to the terms and conditions of the Agreement. In the event of a conflict between any provision of this Deed and any provision of the Agreement, the provisions of the Agreement shall control. Capitalized terms used but not defined in this Deed shall have the meanings ascribed to them in the Agreement.

This Deed shall be governed by the laws of the State of Nevada.

[Signature Page Follows]

This Deed is executed and delivered effective on the date first written above.

Grantor:

Barrick Cortez LLC,  
a Delaware limited liability company

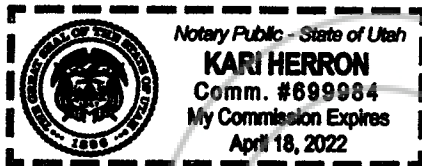
By: Paul Judd

Name: Paul Judd

Title: Tax Director

State of Utah                     )  
  ) ss.  
County of Salt Lake         )

This instrument was acknowledged before me on March 16, 2021, by Paul Judd as Tax Director of Barrick Cortez LLC.



Kari Herron  
Notary Public in and for the State of Utah  
Residing at: SLC, UT  
Commission Expires: 4-18-22

**Exhibit A**  
to  
**WATER RIGHTS DEED**  
**(Eureka and Lander Counties)**

The following water rights permits, certificates, and proofs of vested claims on file with the Nevada Division of Water Resources, Office of the State Engineer:

Permit	POD County	POU County
1579	Eureka	Eureka
40302	Eureka	Eureka
45972	Eureka	Eureka
47174	Eureka	Eureka
47175	Eureka	Eureka
47176	Eureka	Eureka
47177	Eureka	Eureka
84241	Eureka	Eureka/Lander
86208E	Lander	Lander
87055	Lander	Eureka/Lander
87056	Lander	Eureka/Lander
89007	Eureka	Eureka
89008	Eureka	Eureka
89009	Eureka	Eureka
89010	Eureka	Eureka
89011	Eureka	Eureka
89012	Eureka	Eureka
89013	Eureka	Eureka
89014	Eureka	Eureka
V02093	Eureka	Eureka
V02094	Eureka	Eureka
V02095	Eureka	Eureka
V02096	Eureka	Eureka
V02097	Eureka	Eureka
V02098	Eureka	Eureka
V02099	Eureka	Eureka
V03687	Eureka	Eureka
V03688	Eureka	Eureka
V03689	Eureka	Eureka
V03690	Eureka	Eureka
V03691	Eureka	Eureka

V03692	Eureka	Eureka
V03693	Eureka	Eureka
V03694	Eureka	Eureka
V03695	Eureka	Eureka
V04008	Eureka	Eureka
V04009	Eureka	Eureka
V04010	Eureka	Eureka
V04011	Eureka	Eureka
V04012	Eureka	Eureka
V04015	Eureka	Eureka
V09593	Eureka	Eureka
V09597	Eureka	Eureka

**STATE OF NEVADA  
DECLARATION OF VALUE FORM**

**1. Assessor Parcel Number(s)**

- a) N/A  
b) \_\_\_\_\_  
c) \_\_\_\_\_  
d) \_\_\_\_\_

**2. Type of Property:**

- a) ☐ Vacant Land      b) ☐ Single Fam. Res.  
c) ☐ Condo/Twnhse      d) ☐ 2-4 Plex  
e) ☐ Apt. Bldg      f) ☐ Comm'l/Ind'l  
g) ☐ Agricultural      h) ☐ Mobile Home  
☒ Other Water Rights

**FOR RECORDER'S OPTIONAL USE ONLY**

Book: \_\_\_\_\_ Page: \_\_\_\_\_

Date of Recording: \_\_\_\_\_

Notes: Exhibit 9 verified

**3. Total Value/Sales Price of Property**

\$ 243a

Deed in Lieu of Foreclosure Only (value of property) (\_\_\_\_\_)

Transfer Tax Value: \$ \_\_\_\_\_

Real Property Transfer Tax Due \$ 0

**4. If Exemption Claimed:**

- a. Transfer Tax Exemption per NRS 375.090, Section 9  
b. Explain Reason for Exemption: \_\_\_\_\_

**5. Partial Interest: Percentage being transferred: \_\_\_\_\_ %**

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature [Signature]

Capacity Grantor Agent - Landman

Signature \_\_\_\_\_

Capacity \_\_\_\_\_

**SELLER (GRANTOR) INFORMATION  
(REQUIRED)**

Print Name: Barrick Cortez LLC  
Address: 905 West Main St.  
City: Elko  
State: NV Zip: 89801

**BUYER (GRANTEE) INFORMATION  
(REQUIRED)**

Print Name: Nevada Gold Mines LLC  
Address: 1655 Mountain City Hwy  
City: Elko  
State: NV Zip: 89801

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

Print Name: \_\_\_\_\_ Escrow #: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED