



THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee: COMSTOCK MINING, INC
Source: OTHER GROUND WATER
Basin: DAYTON VALLEY
Manner of Use: MINING AND MILLING
Period of Use: JANUARY 1ST THROUGH DECEMBER 31ST
Priority Date: 07/16/1934

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit, to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 81582, is issued subject to the terms and conditions imposed in said Permit 81582 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and all other permitted wells and/or groundwater sources associated with Comstock Mining, Inc. and the records submitted to the State Engineer on a yearly basis within 30 days after the end of each calendar year.

(Continued on Page 2)

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.00553 cubic feet per second or 4.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

February 6 2014

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

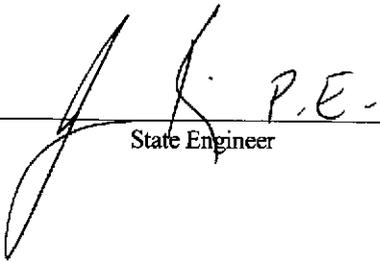
February 6 2014

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 6th day of **February, 2013**



State Engineer

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office OCT 19 2012

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUN 24 2004 UNDER 71296T

The applicant Comstock Mining, Inc
1200 American Flat Road, PO Box 1118 of Virginia City
Street Address or PO Box City or Town
Nevada 89440 hereby make(s) application for permission to change the
State and ZIP Code

- Point of diversion Place of use Manner of use of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 81582

1. The source of water is other groundwater
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.00553 ~~0.0055~~ cubic feet per second or 4.0 acre-feet annually REL
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for mining and milling
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
4. The water heretofore used for mining and milling
If for stock, state number and kind of animals.
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
Within the SE 1/4 SW 1/4 of Section 6, T. 16 N., R. 21 E., M.D.M., or at a point from which the south west corner of said Section 6 bears S 89° 14' 27" W. a distance of 1,368.7 feet. "Gash Well" site.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
Within the NE 1/4 SW 1/4 of Section 6, T. 16 N., R. 21 E., M.D.M., or at a point from which the south west corner of said Section 6 bears S 55° W. a distance of 2,834 feet.

103-ST

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

N/A

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

See the attached sheet for existing place of use.

9. Proposed use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

Existing "Gash Well"

12. Estimated cost of works Existing

13. Estimated time required to construct works 6 5/8 inch dia well with depth of 254 feet (Well Log No. 94557)
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 1 year

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

The proposed point of diversion is existing "Gash Well" within the SE 1/4 SW 1/4 of Section 6, T. 16 N., R. 21 E., MDM. Please see the map filed under Permit 71246T dated June 24, 2004 for the location of the proposed point of diversion. Water will be pumped to the existing places of use via pipeline located within portions of Section 5 and 6 of T. 16 N., R. 20 E., MDM. Please see the map filed under Permit 81582 dated February 14, 2012 for the locations of the existing places of use and pipeline.

16. Miscellaneous remarks:

lroy@broadbentinc.com
E-mail Address
(702) 563-0600 102
Phone No. Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Lonnie C. Roy, P.E.

Type or print name clearly

Signature, applicant or agent

Broadbent and Associates, Inc.

Company Name

8 W. Pacific Avenue

Street Address or PO Box

Henderson, Nevada, 89015

City, State, ZIP Code

RECEIVED
2012 FEB 19 AM 10:54
STATE ENGINEERS OFFICE

ATTACHMENT TO THE APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Proposed Place of Use

Portions of

The NW 1/4 SW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, SW 1/4 SW 1/4, NE 1/4 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 SE 1/4, SE 1/4 SE 1/4 of Section 6. The SW 1/4 NW 1/4, SW 1/4 SW 1/4, NW 1/4 SW 1/4, SE 1/4 SW 1/4, NE 1/4 SE 1/4, SE 1/4 SE 1/4, SW 1/4 SE 1/4 of Section 5. The NW 1/4 SW 1/4 AND SW 1/4 SW 1/4 of Section 4. The NE 1/4 NW 1/4, SE 1/4 NW 1/4, NW 1/4 NE 1/4, NE 1/4 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4, NE 1/4 SE 1/4 of Section 8, all within T. 16 N. R. 21 E. M.D.M.

*SWC
SER
E-MMC*

The pipeline crosses portions of the SW 1/4 SE 1/4, SE 1/4 SE 1/4, NE 1/4 SE 1/4, SE 1/4 NE 1/4 of Section 6. The NW 1/4 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4, AND SW 1/4 SW 1/4 of Section 7, all within T.16 N., R. 21 E., M.D.M.