



THE STATE OF NEVADA

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

Name of Permittee: COMSTOCK MINING, INC
Source: UNDERGROUND (GASH REPLACEMENT WELL WS - 4)
Basin: DAYTON VALLEY
Manner of Use: MINING, MILLING, AND DOMESTIC
Period of Use: JANUARY 1ST THROUGH DECEMBER 31ST
Priority Date: 11/29/2012

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 and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 82337, is issued subject to the terms and conditions imposed in said Permit 82337 and with the understanding that no other rights on the source will be affected by the change proposed herein. The amount of water herein granted is only a temporary allowance issued under the provisions of NRS 533.371 for a finite period of time and will expire on March 25, 2023 and all rights herein will revert back to the source. 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 the records must be submitted to the State Engineer on an annual basis on or before February 15th of the following year.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the point of diversion, manner and/or place of use granted under this permit will be subject to additional determination and evaluation with respect to permanent effects on existing rights and the resource within the ground water basin.

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

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.8 cubic feet per second or 100.0 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:

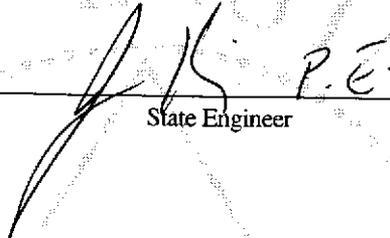
February 6, 2018

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

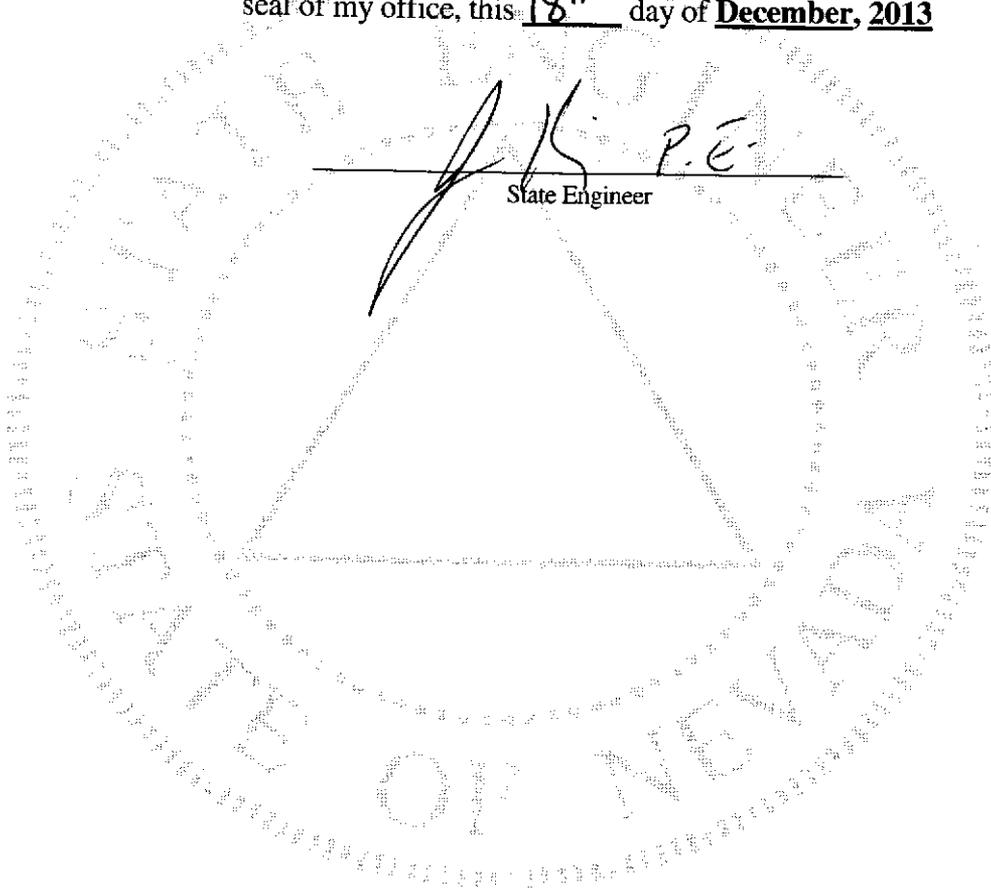
N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 18th day of **December, 2013**



State Engineer



AMENDED

Application No. 82970

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 07/16/2013

Returned to applicant for correction _____

Corrected application filed _____ Map filed **AUG 01 2013**

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 82337

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.80 cfs, 100 acre feet
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining, Milling, and Domestic
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.)
SE 1/4 SW 1/4 of Section 6, T.16N., R.21E., MDB&M, or at a point from which the SW corner of said Section 6 bears S86°46'13"W a distance of 1,353.19 feet. (Well WS-4). See map accompanying this application.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
NE 1/4 SW 1/4 of Section 6, T.16N, R.21E, MDB&M, or at a point from which the SW corner of said Section 6 bears S55°W a distance of 2,834 feet. (Well WS-3). Reference is made to the map filed under Permit 81582 for the existing point of diversion.

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

See attached Exhibit A. See map filed under Permit 81582 for the proposed place of use.

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.)

No Change.

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 well equipped with a pump, meter and distribution system.

12. Estimated cost of works \$250,000.00

13. Estimated time required to construct works 1 year

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 5 years

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.)

Water is to continue to be used for dust suppression, crushing and screening operations, uses associated with the milling facilities, heap leach pad, offices and related mining uses.

Permit 82337 is a finite period permit to expire on March 25, 2023, and this application is requested subject to all terms and restrictions on the base right.

Total combined duty of this Application and Permits 82336 and 82337 is not to exceed 300 afa.

16. Miscellaneous remarks:

Note: WS-4 is a replacement well for WS-2 as noted in Permit 82336.

GeorgeT@tecreno.com
E-mail Address
775-722-5380
Phone No. Ext.

George Thiel, P.E., S.W.R.S.

Type or print name clearly

[Signature]
Signature, applicant or agent

Thiel Engineering Associates, Inc.

Company Name

2801 Tamara Court

Street Address or PO Box

Minden, NV 89423

City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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Exhibit "A"#6-Proposed Place of Use

Portions of the following:

SECTION 6:

NW1/4SW1/4
 NE1/4SW1/4
 SW1/4SW1/4
 SE1/4SW1/4
 SW1/4NE1/4
 NE1/4NE1/4
 SE1/4NE1/4
 NE1/4SE1/4
 SE1/4SE1/4
 SW1/4SE1/4

SECTION 5:

W1/2W1/2
 SE1/4SW1/4
 SW1/4SE1/4
 SE1/4SE1/4
 NE1/4SE1/4

SECTION 4:

W^{1/2}
~~E1/2~~SW1/4 *SNC E-MAIL*

SECTION 8:

E1/2NW1/4
 NE1/4SW1/4
 NE1/4
 N1/2SE1/4

All within T.16N., R.21E., M.D.B.&M.

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