Permit No. 82995T

TEMPORARY

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**
Basin:	**DAYTON VALLEY**
Manner of Use:	**MINING AND MILLING AND DOMESTIC**
Period of Use:	**ONE YEAR FROM DATE OF ISSUANCE**
Priority Date:	**11/29/2012**

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(Continued on Page 2)

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on an annual basis on or before February 15th of the following year.

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 0.2 cubic feet per second or 25.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**N/A**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**N/A**
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 19th day of **August, 2013**

P.E.

State Engineer

TEMPORARY Application No. 82995 T

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 AUG 0 1 2013

Returned to applicant for correction _____

Corrected application filed _____ Map filed AUG 0 1 2013

The applicant Comstock Mining, Inc.

1200 American Flat Road, PO Box 1118 (Street Address or PO Box) of Virginia City (City or Town)

Nevada 89440 (State and ZIP Code) hereby make(s) application for permission to change the

☑ 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

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1. The source of water is Underground
   Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.20 cfs, 25 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.)

   SW 1/4 NW 1/4 of Section 16, T.16N, R.21E., MDB&M, or at a point from which the W 1/4 corner of said Section 16 bears S22°00'02"W a distance of 50.23 feet. See map accompanying this application for the proposed point of diversion.

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.

D.V 8-103

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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 (Month and Day) to December 31 (Month and Day) of each year.

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

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. Water will be pumped into trucks to the place of use.

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 use; water will be pumped into trucks to the place of use and primarily used for dust control and exploration drilling.

Total combined duty of this Application, Application 82970, and Permit 82336 is not to exceed 300 afa.

16. Miscellaneous remarks:

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George Thiel, P.E., S.W.R.S.
Type or print name clearly

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

GeorgeT@tecreno.com
E-mail Address

775-722-5380
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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Revised 07/13 $180 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

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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:

E1/2SW1/4

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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