



STATE OF NEVADA
Department of Conservation & Natural Resources
DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor
Leo M. Drozdoff, P.E., Director
Colleen Cripps, Ph.D., Administrator

December 20th, 2011

Comstock Mining Inc.
Attn: Scott Jolcover
P.O. Box 1118
Virginia City, Nevada 89440

Certified Mail 7010106000050488938
Return Receipt Requested

RE: Dayton Consolidated Project surety decision letter; Permit # 0315.

Dear Mr. Jolcover,

The Bureau of Mining Regulation Reclamation (BMRR) under the authority of the Nevada Division of Environmental Protection (NDEP) has reviewed the September 22nd, 2011 project application with the associated reclamation cost estimate. The notice of final decision (NOFD) is included with this surety decision letter. Based upon BMRR's review, the surety amount required for the surface reclamation of the proposed activity has been determined to be **\$ 106,936.00**. The surety amount shall be approved and posted with BMRR within 30 days of receipt this decision letter and *before* any exploration activity may begin.

Please note the following specific conditions in the permit to maintain compliance:

9. Specific Requirements

A. The permittee shall submit to the Division – Bureau of Corrective Actions, Superfund Branch, for review and approval, a Sampling and Analysis plan (SAP) which includes a standard operating procedure in the Long Term Sampling and Response Plan (LTSRP) guidance document for exploration activities that may disturb mine wastes and/or mill tailings within the Carson River Mercury Superfund Site (CRMS). The Division approved SAP shall be implemented prior to any mineral exploration activities within the CRMS.

Page 1 of 2



10. Schedule of Compliance

The permittee shall achieve compliance in accordance with the following schedule:

A. On or before April 15th of every calendar year, the Permittee shall provide a map which accurately depicts the exploration disturbance status of the project to include all constructed exploration access roads, drill pads, sumps and super sumps that have been developed as of December 31st of the prior year. Permittee shall provide an acreage disturbance summary report with the corresponding map to include any concurrent reclamation completed.

B. On or before July 31st, 2012, the Permittee will provide a site-specific baseline vegetation report using transects located on undisturbed land that will provide for the re-vegetation release criteria in accordance with the Attachment B Guideline document included with this permit.

Please contact me with any questions at 687-9408.

Sincerely,



Todd Process
Environmental Geoscientist
Bureau of Mining Regulation and Reclamation

Enclosure: permit and NOFD

CC: Dan Erbes – BLM- Carson City w/ enclosures