

1 BEFORE THE STATE OF NEVADA, STATE ENVIRONMENTAL COMMISSION

2 In Re:

3 Appeal of Dayton Consolidated Exploration )  
4 Project, Permit No. 0315 Compliance Scheduled )  
5 Sampling and Analysis Plan )  
6 )

ORDER REGARDING BRIEFING  
SCHEDULE

7 On February 8, 2012, Comstock Residents Association (CRA) filed an appeal following  
8 the Nevada Division of Environmental Protection's (NDEP's) approval on February 2, 2012 of  
9 a Sampling and Analysis Plan required by Permit No. 0315 issued to Comstock Mining Inc.

10 On February 16, 2012 the State Environmental Commission (SEC) granted Comstock  
11 Mining's request for leave to intervene in the above-referenced appeal and approved its  
12 request to associate local counsel. The SEC also requested briefs to be filed.

13 Pursuant to NAC 445B.8925, it is hereby ORDERED that CRA file an opening brief with  
14 the SEC on or before March 20, 2012 and serve a copy of the brief on all parties to the appeal  
15 as listed in the attached certificate of service. The brief, not to exceed 20 pages in length,  
16 should contain a detailed statement of the issue(s) to be raised during the appeal hearing,  
17 including legal authorities CRA alleges NDEP violated in the implementation of the Sampling  
18 and Analysis Plan contained in Permit No. 0135. A list of proposed witnesses should also be  
19 included. It is also ORDERED that NDEP and Comstock Inc. shall each file responsive briefs,  
20 not to exceed 20 pages, on or before April 4, 2012. CRS's reply brief in response to NDEP's  
21 and Comstock Inc. briefs, which is optional, is due on or before April 18, 2012. The response  
22 brief should not exceed 10 pages. It is further ORDERED that the appeal hearing in this  
23 matter is scheduled for April 27, 2012.

24 Dated this 5 day of March 5, 2012.

25  
26  P.E.  
27 E. James Gans, Chairman  
28 State Environmental Commission

CERTIFICATE OF SERVICE

The undersigned, an employee of the State of Nevada, State Environmental Commission, does hereby certify that on the date shown below, a true and correct copy of the foregoing ORDER REGARDING BRIEFING SCHEDULE was duly mailed, postage prepaid, to the following:

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An employee of the State Environmental Commission

DATED: March 5, 2012