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March 7, 2012

Nevada Division of Environmental Protection
Bureau of Corrective Actions
901 S. Stewart Street, Suite 3005
Carson City, Nevada 89701-5249

VIA: Electronic Mail

ATTN: Jack Yates

CC: Cindi Byrns (Comstock), Joe McGinley (MGA), Carolyn McIntosh (Patton Boggs), David Friedman (NDEP), Jeff Collins (NDEP)

RE: ADDENDUM #5 TO THE COMSTOCK MINING INC., CARSON RIVER MERCURY SUPERFUND SITE SAMPLING AND ANALYSIS PLAN

Dear Mr. Yates:

On behalf of Comstock Mining Inc. (Comstock), McGinley and Associates (MGA) are providing this revised Addendum #5 for the Gold Creek Canyon area.

This sampling is being conducted in reference to the riprap material placed to armor an approximate 300 foot in length section of the east bank of Gold Canyon Creek, an ephemeral drainage, located at approximately NE1/4 Section 8, T16N R21E MDB&M, Latitude: 39° 16' 15" and Longitude: 119° 38' 55"W, that material was riprap purchased from Canyon Creek Construction. Riprap material from Canyon Creek Construction was also placed to make a designated riprap waterway crossing installation across a then dry drainage of Gold Canyon Creek. These riprap installations were done pursuant to, and in full compliance with, Temporary Permit TNEV2011453, Authorization to Work in Waterway, issued by NDEP on June 6, 2011. The riprap installation work was completed on June 16, 2011, thereby fully resolving a May 11, 2011 NDEP Cease and Desist Order (Order). By letter dated June 25, 2011, NDEP released Comstock from the Order. Comstock is sampling the referenced rip-rap materials and areas downgradient of these materials to address concerns raised by the community.

In addition, as a service to the community, Comstock proposes to collect samples at locations in and around areas which were believed to be former mill sites. Comstock's archaeological survey indicated no evidence of any historic activities, however, to be conservative, Comstock proposes to collect samples at and around these locations as detailed below under Action Items and on Figure 1.

Comstock also would like to install additional geotechnical borings to support future exploration and or mining efforts. Comstock proposes to clear these locations for drilling consistent with previous requests by collecting a 0-6" bgs sample. The roads in this area have been previously sampled and the data will be presented to NDEP with the new data. These locations are shown on the attached Figure 2.

Action Items

1. Gold Creek Canyon Area, Comstock proposes to collect samples at the locations shown on the attached Figure 1.
 - a. Consistent with the SAP, these samples will be 5-point composite samples and will be collected from 0-2' below ground surface (bgs) in six inch increments. These are shown on Figure 1 with the symbol "Proposed CRMS Sampling Locations (5-Point Composite)"
 - b. Based upon Comstock's understanding of the region, it is expected that the depth of the materials in these areas, if present, will be 10' or less. To address these potential fill materials Comstock has added 12 sampling locations as shown on Figure 1 with the symbol "Single Point Sample Location". These locations will be installed to the full depth of fill materials.
 - i. Consistent with the SAP Section 4, Item 2.d., Comstock will treat these materials in a manner similar to suspected tailings. Specifically, per the SAP:
 1. Tailings piles will be sampled from 0-6" bgs.
 2. Additional samples will be collected at the 2' bgs interval and every 2' thereafter for tailings piles up to 10' in depth.
 3. Additional samples will be collected at the 4' bgs interval and every 4' thereafter for tailings piles 10' - 20' in depth.
 4. For tailings piles greater than 20' in depth samples will be collected at 0-6" bgs, at the 10' bgs depth interval and every 10' thereafter.
 5. In addition, for all tailings piles, a sample will be collected at the interface with native land surface and 2' below this contact (if feasible).
2. Geotechnical holes, as shown on the attached Figure 2, Comstock proposes to collect samples at the locations shown on the attached Figure 2. Consistent with previous efforts to support geotechnical and exploration borings, samples will be collected from 0-6" bgs.

McGinley and Associates, Inc. appreciates the opportunity to submit this addendum and we look forward to working with you on this project. Should you have any questions regarding this addendum, please contact us at (702) 260-4961 or at brakvica@mcgin.com. If this addendum is acceptable to you, please advise us at brakvica@mcgin.com.

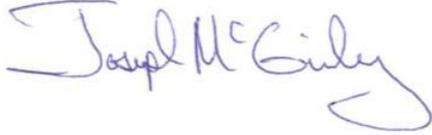
Respectfully submitted,
McGinley and Associates, Inc.



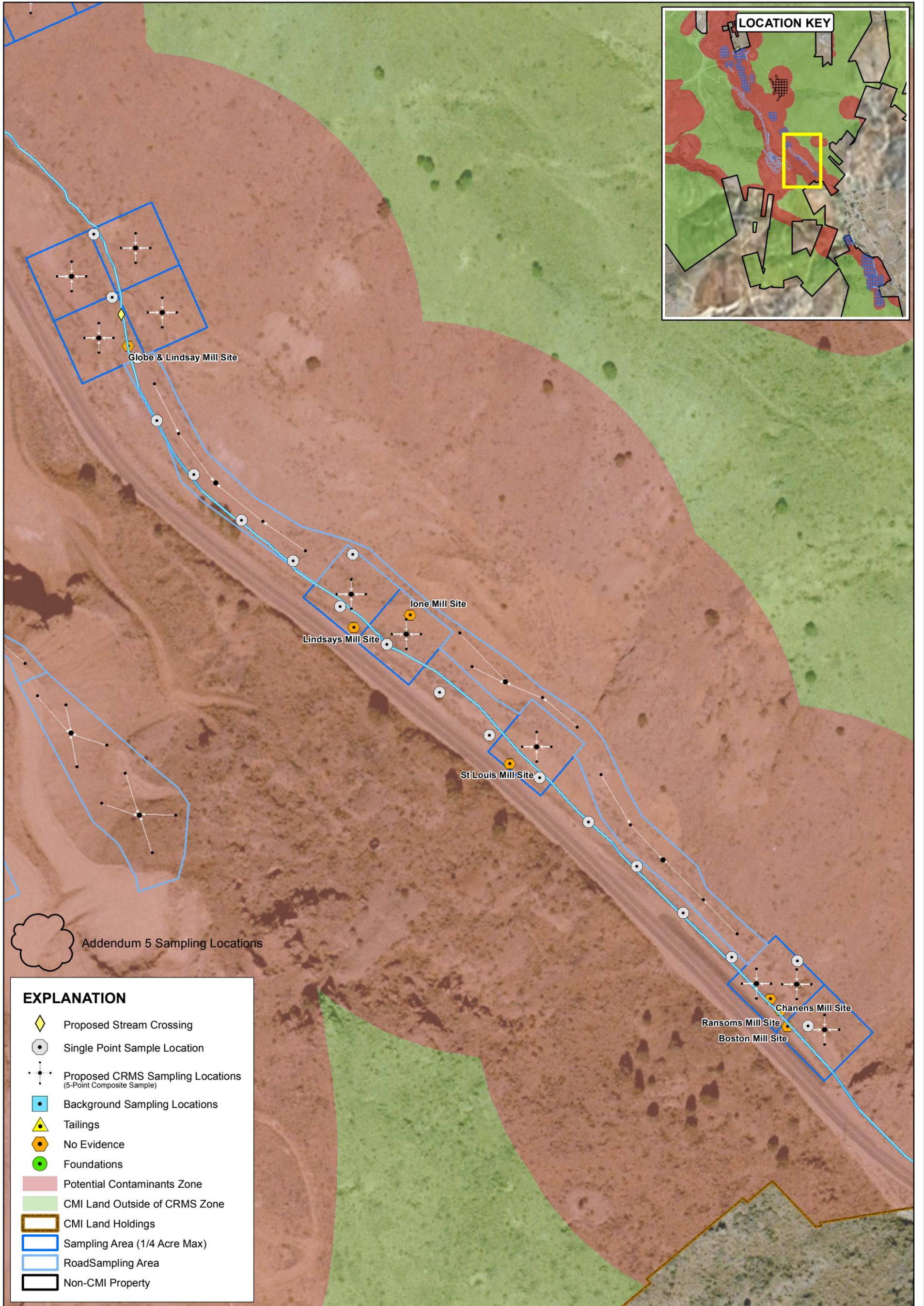
Brian A. Rakvica, P.E., C.E.M. #2260, Exp. Date 09/21/12
Senior Project Manager

Reviewed by:

I hereby certify that I am responsible for the services described in this document and for the preparation of this document. The services described in this document have been provided in a manner consistent with the current standards of the profession, and to the best of my knowledge, comply with all applicable federal, state and local statutes, regulations and ordinances.

A handwritten signature in blue ink that reads "Joseph M. McGinley". The signature is written in a cursive style with a large, sweeping initial "J" and a long, trailing flourish at the end.

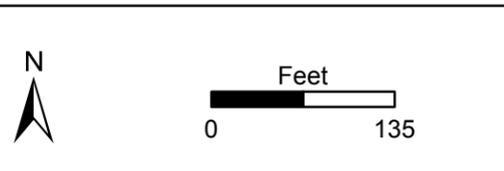
Joseph M. McGinley, C.E.M. #1036, Exp. Date 11/12
Principal



 Addendum 5 Sampling Locations

EXPLANATION

-  Proposed Stream Crossing
-  Single Point Sample Location
-  Proposed CRMS Sampling Locations (5-Point Composite Sample)
-  Background Sampling Locations
-  Tailings
-  No Evidence
-  Foundations
-  Potential Contaminants Zone
-  CMI Land Outside of CRMS Zone
-  CMI Land Holdings
-  Sampling Area (1/4 Acre Max)
-  RoadSampling Area
-  Non-CMI Property

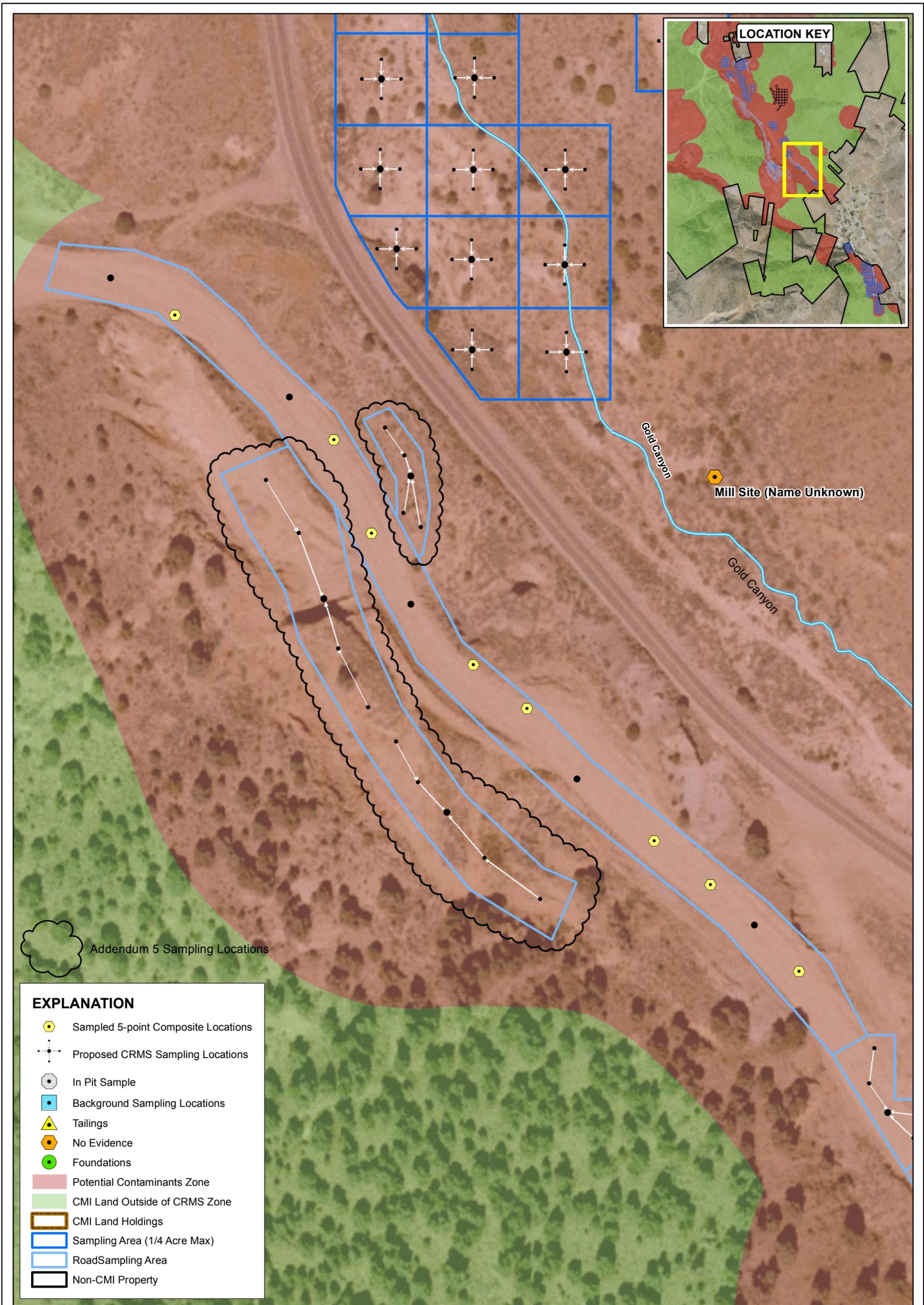


COMSTOCK MINING INC <i>Revitalizing the Comstock</i>		
Comstock		
DESIGN: -	DRAWN: BCH	REVIEWED: -
SCALE: 1 inch = 135 feet	DATE: 3/7/2012	
FILE: Addendum_Fig1_20120302_BCH.mxd		

DRAWING TITLE:

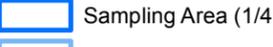
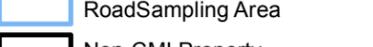
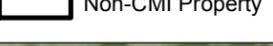
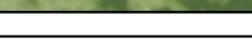
Gold Creek Canyon/Hartford Proposed Sampling

Comstock Mining, Inc.	
CRMS Sample & Analysis Plan	
ISSUED FOR: -	
DRAWING NO. Figure 1	REVISION NO.
SRK JOB NO. 360000.020	A



 Addendum 5 Sampling Locations

EXPLANATION

-  Sampled 5-point Composite Locations
-  Proposed CRMS Sampling Locations
-  In Pit Sample
-  Background Sampling Locations
-  Tailings
-  No Evidence
-  Foundations
-  Potential Contaminants Zone
-  CMI Land Outside of CRMS Zone
-  CMI Land Holdings
-  Sampling Area (1/4 Acre Max)
-  Road Sampling Area
-  Non-CMI Property

 N

Feet
0 100

COMSTOCK MINING INC
Revitalizing the Comstock

Comstock

DESIGN: -	DRAWN: BCH	REVIEWED: -
SCALE: 1 inch = 100 feet	DATE: 3/2/2012	
FILE: Addendum_Fig2_20120302_BCH.mxd		

DRAWING TITLE:

**Justice Pit Area
Proposed Sampling**

Comstock Mining, Inc.
CRMS Sample & Analysis Plan

ISSUED FOR: -

DRAWING NO. Figure 2	REVISION NO.
SRK JOB NO. 360000.020	A