Mine:		New Elk					
NPDES I	D. No.:	Pond #1					
Inspecti	on Period	: <u>Third Quar</u>	ter 2022				
Inspecti	on Date:	8/10/2022		_			
Genera	l Descripti	ion or Reference to	Site Plan:				
This por pond.	nd is locat	ed West of the indus	strial building and serv	es as a mine wat	er settling and w	ater storag	e
EMBAN	KMENT						
1.	Adequac	cy of the vegetative o	over:	Excellent	Moderate	Few	Poor
2.		forming Gullies:		Extensive	Some	Few	None
3.	Is wave a	action causing erosio	n:				<u> </u>
		On the upstream en	nbankment?	Yes_			Χ
		At the principal spill	way inlet?	Yes_		No	Χ
4.	Erosion (of the downstream t	oe of the embankmen	t? Yes_		No	Х
		Cause of erosion car	n be attributed to:				
5.	Is seepag	ge occurring through	the dam?	Yes_		No	X
		Could this seepage of	cause potential instabi	lity?			
PRINICI	PAL SPILL	WAY					
1.	Is the pri	incipal spillwav svste	m in working order?	Yes	Х	No	
2.	•		restrictive material?	Yes	X		
3.			f restrictive material?	Yes_			
4.	Is erosio	n occurring at the di	scharge outlet?	Yes_			Х
	Evaluate	the severity:	Extensive	Moderate	Just Starting	None	

EMERG	RGENCY SPILLWAY					
1.	Does it appear that the emergency spillway has discharged water since the last inspection?					
	YES		NO	Х		
2.	. Is erosion occurring at any section of the emergency spill	way?				
	YES		NO	Х		
SEDMII	IIMENT STORAGE CAPACITY					
1.	Has the design storage capacity of the reservoir been sur	passed?	NO	V		
	Explain: No sediment in pond					
OTHER	R OBSERVATIONS					
	Pond liner is in good working condition at time of inspect	ion. Pond was holding	water a	it time of		
	Inspection. No issues					

NPDES ID. No.: 1

Mine:		<u>New Elk</u>		<u></u>			
NPDES	ID. No.:	Pond #4					
Inspect	ion Period:	Third Quar	ter 2022	<u>—</u>			
Inspect	ion Date:	8/10/2022					
Genera	l Descripti	on or Reference to	Site Plan:				
			of the Development W ever received sufficien			form this	
EMBAN	IKMENT						
1.		y of the vegetative o	cover:	Excellent	Moderate	Few	Poor
2.		orming Gullies:		Extensive	Some	Few	None
3.		ction causing erosic On the upstream er		Vos		No	V
		At the principal spil				No No	
		At the principal spin	iway iinet:	163_			Λ
4.	Erosion o	of the downstream t	oe of the embankmen	t? Yes_		No	X
		Cause of erosion ca	n be attributed to:				
5.	Is seenag	e occurring through	the dam?	Yes		No	Х
5.					_		
		Could this seepage	cause potential instabi	<u>. </u>			
PRINICI	PAL SPILL\	WAY					
1.	Is the pri	ncipal spillway syste	em in working order?	Yes_	Х	No	
2.			I restrictive material?	Yes_	X	No	
3.		•	f restrictive material?	Yes_	X	No	
4.	Is erosion	n occurring at the di	scharge outlet?	Yes_		No	X
	Evaluate	the severity:	Extensive	Moderate	Just Starting	None	

			NPDES ID. No.: 4
MERGE	ENCY SPILLWAY		
1.	Does it appear that the emergency spi	llway has discharged water since t	he last inspection?
		YES	NO <u>X</u>
2.	Is erosion occurring at any section of t	he emergency spillway?	
		YES	NOX
EDMIN	MENT STORAGE CAPACITY		
1.	Has the design storage capacity of the	reservoir been surpassed? YES	NO <u>X</u>
	Explain: Visual observation.		
THER (OBSERVATIONS		
	Pond was holding very little water at t	he time of inspection. No issues	

Mine:		<u>New Elk</u>		<u></u>			
NPDES	ID. No.:	Pond #7		<u></u>			
Inspect	ion Period	: <u>Third Quar</u>	ter 2022				
Inspect	ion Date:	8/10/2022					
Genera	l Descript	ion or Reference to	Site Plan:				
			of the preparation plar s area lying south of St		t receives run-off	from the	
EMBAN	IKMENT						
1.	Adequad	cy of the vegetative of	cover:	Excellent	Moderate	Few	Poor
2.		forming Gullies:		Extensive	Some	Few	None
3.	Is wave a	action causing erosic		Vaa		NI-	V
		On the upstream en At the principal spill				No No	
		At the principal spin	way mice:	103_			Λ
4.	Erosion	of the downstream t	oe of the embankmen	t? Yes_		No	X
		Cause of erosion ca	n be attributed to:				
5.	Is seepa	ge occurring through	the dam?	Yes_		No	Х
		Could this seepage	cause potential instabi	ility?			
PRINICI	PAL SPILL	WAY					
1.	Is the pr	incipal spillway syste	em in working order?	Yes_	X	No	
2.			restrictive material?	Yes_	X	No	
3.		_	f restrictive material?	Yes_	X	No	
4.	Is erosio	n occurring at the di	scharge outlet?	Yes_		No	Х
	Evaluate	the severity:	Extensive	Moderate	lust Starting	None	

			NPDES ID. No.: 7
ИERG	ENCY SPILLWAY		
1.	Does it appear that the emergency spill	way has discharged water since	the last inspection?
		YES	NO <u>X</u>
2.	Is erosion occurring at any section of th	e emergency spillway?	
		YES	NO <u>X</u>
DMI	MENT STORAGE CAPACITY		
1.	Has the design storage capacity of the r	eservoir been surpassed? YES	NOX
	Explain: Visual observation. Pond clean	ed in early 2017.	
THER	OBSERVATIONS		
	Pond is holding water at time of inspect	tion. Not discharging, but is almo	ost up to decant level.

Mine:		New Elk					
NPDES	ID. No.:	Pond #8					
Inspect	ion Period	: <u>Third Quar</u>	ter 2022	<u> </u>			
Inspect	ion Date:	8/10/2022					
Genera	l Descripti	ion or Reference to	Site Plan:				
	nd lies nor use dispos		the base of the refuse	disposal area. T	he pond receives	run-off for	m
EMBAN	IKMENT						
1.	Adequac	y of the vegetative o	over:	Excellent	Moderate	Few	Poor
2.		forming Gullies:		Extensive	Some	Few	None
3.		action causing erosic					
		On the upstream en					X
		At the principal spill	way inlet?	Yes_		No	X
4.	Erosion o	of the downstream t	oe of the embankmen	it? Yes_		No	Х
		Cause of erosion car	n be attributed to:				
5.	Is seepag	ge occurring through	the dam?	Yes_		No	Х
		Could this seepage	cause potential instabi	ility?			
PRINICI	PAL SPILL	WAY					
1.	Is the pri	incipal spillway syste	m in working order?	Yes	Х	No	
2.			restrictive material?	Yes	X		
3.			f restrictive material?	Yes_			
4.	Is erosio	n occurring at the di	scharge outlet?	Yes_		No	Χ
	Evaluate	the severity:	Extensive	Moderate	Just Starting	None	

EMERGE	ENCY SPILLWAY			
1.	Does it appear that the emergency spillway has dis	scharged water since the	last inspec	tion?
		YES	NO	Х
2.	Is erosion occurring at any section of the emergen	cy spillway?		
		YES	NO	Х
SEDMIN	IENT STORAGE CAPACITY			
1.	Has the design storage capacity of the reservoir be	en surpassed? YES	NO	Х
	Explain: Visual observation. Sediment cleaned out	in May 2018		
OTHER (OBSERVATIONS			
	Pond is holding water at time of inspection. Not di	scharging and no issues.		

NPDES ID. No.: 8

Mine:		New Elk Pond 6	_			
NPDES	ID. No.:	None	_			
Inspect	ion Period:	Third Quarter 2022	_			
Inspect	ion Date:	8/10/2022	_			
Genera	l Description or Re	eference to Site Plan:				
	is a non-dischargir paringly placing wa	ng facility designed to contain plant \mid ater in the pond.	orocessing wate	er. The plant is op	erational	
EMBAN	IKMENT					
1.	Adequacy of the	vegetative cover:	Excellent	Moderate	Few	Poor
2.	Erosion forming	_	Extensive	Some	Few	None
3.	Is wave action ca					
	On the ι	upstream embankment?	Yes		No	Χ
	At the p	rincipal spillway inlet?	Yes		No	Х
4.	Erosion of the do	wnstream toe of the embankment?	Yes		No	Х
	Cause o	f erosion can be attributed to:				
5.	Is seepage occur	ring through the dam?	Yes		No	Χ
	Could th	nis seepage cause potential instabilit	y?			
SEDMIN	MENT STORAGE CA	APACITY				
1.	Has the design st	orage capacity of the reservoir beer	surpassed? YES	NO_	Х	_
	Explain: No desig	gn capacity.				
OTHER	OBSERVATIONS					
	Pond had water i	n it at time of inspection, almost ful	l. No issues			

Mine:		New Elk WP Containment #1	_			
NPDES	ID. No.:	None	_			
Inspect	ion Period:	Third Quarter 2022	_			
Inspect	ion Date:	8/10/2022	_			
Genera	l Description or Re	eference to Site Plan:				
	ntainment basin is ouse area.	a non-discharging facility designed	to contain run-	off from the West	Portal	
EMBAN	IKMENT					
1.	Adequacy of the	vegetative cover:	Excellent	Moderate	Few	Poor
2.	Erosion forming		Extensive	Some	Few	None
3.	Is wave action ca					
	On the	upstream embankment?	Yes		No	Χ
	At the p	rincipal spillway inlet?			No	Х
4.	Erosion of the do	ownstream toe of the embankment	? Yes_		No	Х
	Cause o	f erosion can be attributed to:				
5.	Is seepage occur	ring through the dam?	Yes		No	Х
	Could th	nis seepage cause potential instabil	ity?			
SEDMI	MENT STORAGE CA	APACITY				
1.	Has the design st	torage capacity of the reservoir bee	en surpassed? YES	NO_	Х	
	Explain: Visual o	bservation.				
OTHER	OBSERVATIONS					
	Containment	o bolding water at time a of increase	n No issues			
	containment wa	s holding water at time of inspection	ni. No issues			

Mine:		New Elk WP Containment #2	<u></u>			
NPDES	ID. No.:	None				
Inspect	ion Period:	Third Quarter 2022	<u> </u>			
Inspect	ion Date:	8/10/2022				
Genera	l Description or R	eference to Site Plan:				
	ntainment basin is t and manway area	a non-discharging facility designe as.	d to contain run-	off from the West	Portal	
EMBAN	IKMENT					
1.	Adequacy of the	vegetative cover:	Excellent	Moderate	Few	Poor
2.	Erosion forming	Gullies:	Extensive	Some	Few	None
3.		•				
		upstream embankment?				X
	At the p	orincipal spillway inlet?	Yes		No	Х
4.	Erosion of the do	ownstream toe of the embankmer	nt? Yes_		No	Х
	Cause o	f erosion can be attributed to:				
5.	Is seepage occur	ring through the dam?	Yes_		No	Х
	Could tl	nis seepage cause potential instab	ility?			
SEDMII	MENT STORAGE C	APACITY				
1.	Has the design s	torage capacity of the reservoir be	en surpassed? YES	NO_	Х	
	Explain: Visual o	bservation.				
OTHER	OBSERVATIONS					
	Containment wa	s empty at time of inspection. No	issues			

Mine:		New Elk Containment #3	_			
NPDES	ID. No.:	None	_			
Inspect	ion Period:	Third Quarter 2022	_			
Inspect	ion Date:	8/10/2022	<u> </u>			
Genera	l Description or Ro	eference to Site Plan:				
		ainment basin is a non-discharging conveyor and south of Highway 12		to contain run-of	f from the	
EMBAN	IKMENT					
1.	Adequacy of the	vegetative cover:	Excellent	Moderate	Few	Poor
2.	Erosion forming		Extensive	Some	Few	None
3.	Is wave action ca					
	On the	upstream embankment?	Yes		No	Χ
	At the p	rincipal spillway inlet?	Yes		No	Х
4.	Erosion of the do	ownstream toe of the embankment	? Yes		No	Х
	Cause o	f erosion can be attributed to:				
5.	Is seepage occur	ring through the dam?	Yes		No	Х
	Could th	nis seepage cause potential instabil	ity?			
SEDMII	MENT STORAGE CA	APACITY				<u> </u>
1.	Has the design st	torage capacity of the reservoir bee	n surpassed?			
			YES	NO	Х	
	Explain: Visual o	bservation.				
OTHER	OBSERVATIONS					
	Containment Are	ea was dry at time of inspection. No	issues			
	Containment Are	ta was any at time of hispection. No	133463			

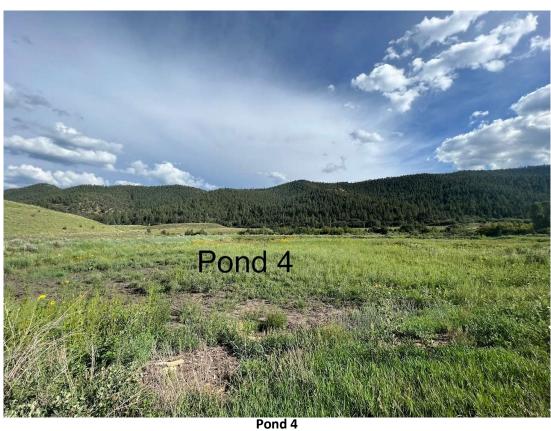
Mine:		New Elk Containment #4							
NPDES ID. No.:		None							
Inspection Period:		Third Quarter 2022							
Inspection Date:		8/10/2022							
Genera	l Description or Re	eference to Site Plan:							
-	•	ainment basin is a non-dischargir conveyor and south of Highway		I to contain run-o	ff from the				
EMBAN	IKMENT								
1.	Adequacy of the vegetative cover:		Excellent	Moderate	Few	Poor			
2.	Erosion forming	-	Extensive	Some	Few	None			
3.	Is wave action ca								
		upstream embankment?	Yes		No	Χ			
	At the p	orincipal spillway inlet?	Yes_		No	Х			
4.	Erosion of the do	ownstream toe of the embankme	ent? Yes_		No	Х			
5.	Is seepage occur	ring through the dam?	Yes_		No	X			
	Could this seepage cause potential instability? No embankment, this is an incised containm basin.								
SEDMIN	MENT STORAGE CA	APACITY							
1.	Has the design storage capacity of the reservoir been surpassed? YES NOX								
	Explain: Visual o	bservation.							
OTHER	OBSERVATIONS								
	Containment Area was dry at time of inspection.								

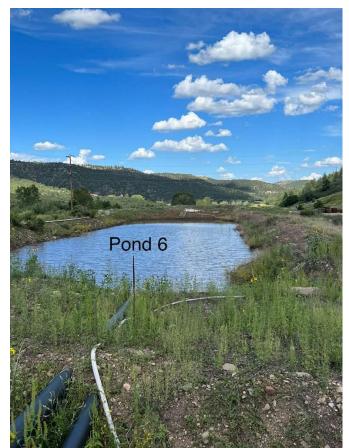
Mine:		New Elk Containment #5							
NPDES ID. No.:		None							
Inspection Period:		Third Quarter 2022							
Inspection Date:		8/10/2022							
Genera	al Description or Ro	eference to Site Plan:							
-	-	ainment basin is a non-discharg orth of Highway 12.	ging facility designed	d to contain run-o	ff from the				
EMBAN	NKMENT								
1.	Adequacy of the vegetative cover:		Excellent	Moderate	Few	Poor			
2.	Erosion forming		Extensive	Some	Few	None			
3.	Is wave action ca								
		upstream embankment? Yes		No	Χ				
	At the p	rincipal spillway inlet?			No	X			
4.	Erosion of the do	ownstream toe of the embankn	nent? Yes_		No	Х			
	Cause o	f erosion can be attributed to:							
5.	Is seepage occur	ring through the dam?	Yes_		No	Х			
Could this seepage cause potential instability? No embankment, this is an incised containm basin.									
SEDMII	MENT STORAGE CA	APACITY							
1.	Has the design storage capacity of the reservoir been surpassed? YES NOX								
	Explain: <u>Visual o</u>	bservation.							
OTHER	OBSERVATIONS								
	Containment Area was holding water at time of inspection. Looks to have been recently pumped.								

QUARTERLY SEDIMENTATION POND INSPECTION REPORT New Elk Mine- August 10, 2022

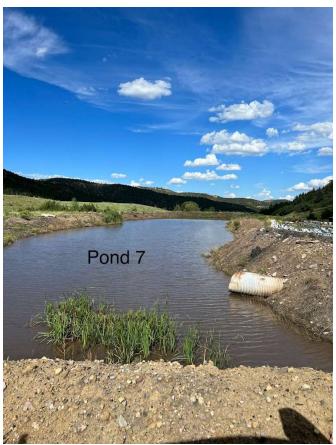


Pond 1





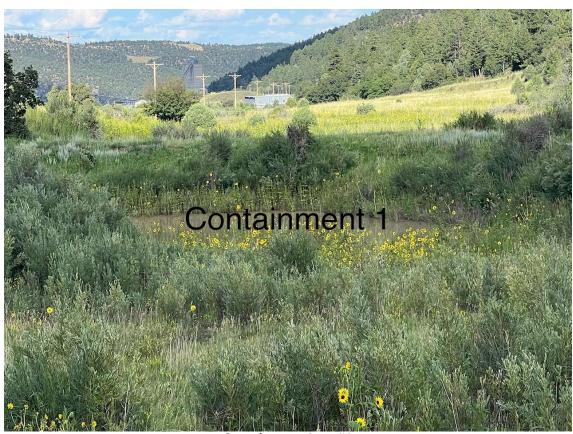
Pond 6



Pond 7



Pond 8



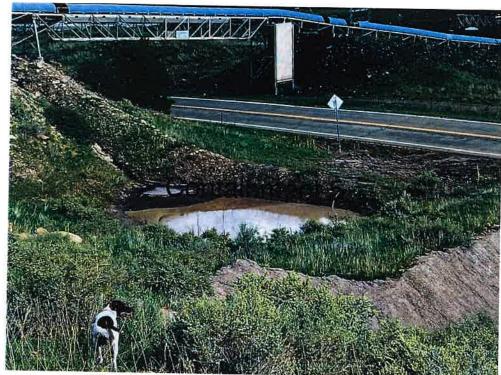
Containment Area #1



Containment Area #2



Containment Area #3



Containment Area #5

Certification

This inspection was conducted by Vince Massarotti, a qualified professional and MSHA certified inspector of earth and rock-fill embankments, waste banks and impoundments, under the direction of Mr. Stormes, a registered professional engineer licensed in the State of Colorado.

This is to certify, to the best of my knowledge and belief, that maintenance, since the previous certification and as determined during this inspection and discussions with mine personnel, is in accordanged in as approved by the Division of Reclamation, Mining and Safety.

Date

Inspections completed in compliance with Rule 4.09-1(11)(b) must be submitted to the Division within two weeks of completion.

4.05,9(17)