Mine:		New Elk		2				
NPDES I	ID. No.:	Pond #1		-				
Inspecti	ion Period:	First Quarter 202	23					
Inspecti	ion Date:	3/14/2023		-				
Genera	l Description or Re	eference to Site P	lan•					
	nd is located West			s as a mine wat	ter settling and	water	storage	
pond.	na is located west	of the muustrial	bullulig allu serve	s as a lillie wat	ter settillig and	Water	storage	
EMBAN	IKMENT							
1.	Adequacy of the	vegetative cover:		Excellent	Moderate		Few	Poor
2.	Erosion forming	Gullies:		Extensive	Some		Few	None
3.		-						
		upstream embanl					No	X
	At the p	rincipal spillway i	nlet?	Yes_			No	X
4.	Erosion of the do	ownstream toe of	the embankment?	Yes_			No	X
	Cause o	f erosion can be a	attributed to:					
	÷1							
5.	ls seepage occur	ring through the	dam?	Yes			No	X
		88		DO AND			0	
	Could th	nis seepage cause	potential instabili	ty?				
	4							
PRINICI	PAL SPILLWAY							
1.	Is the principal sp	oillway system in	working order?	Yes_	X		No	
2.		of debris and restr		Yes_	X		No	
3.	Is the discharge of	outlet free of rest	rictive material?	Yes_	X		No	
4.	ls erosion occurr			Yes_			No	Χ
	Evaluate the seve	erity:	Extensive	Moderate	Just Startir	ng	None	

			NPDES ID. No.: 1
EMERG	ENCY SPILLWAY		
1.	Does it appear that the emergency spillway has dis-	charged water since the las	t inspection?
		YES	NOX
2.	Is erosion occurring at any section of the emergence	y spillway?	
		YES	NOX
SEDMI	MENT STORAGE CAPACITY		
1.	Has the design storage capacity of the reservoir bed	en surpassed? YES	NOX
	Explain: No sediment in pond		
OTHER	OBSERVATIONS		
	Pond liner is in good working condition at time of in	nspection. Pond was holdin	g water at time of
	Inspection. The mine is putting water into the pond	. No issues observed.	

CDMR Rule 4.05.9(17)

Mine:		New Elk					
NPDES	ID. No.:	Pond #4		_			
Inspect	ion Period:	First Quart	er 2023				
Inspect	ion Date:	3/14/2023		=			
Genera	l Descriptior	or Reference to	Site Plan:				
		•	of the Development W ever received sufficien			orm this	
EMBAN	IKMENT						
1.	Adequacy of	of the vegetative of	cover:	Excellent	Moderate	Few	Poor
		ming Gullies:		Extensive	Some	Few	None
3.		ion causing erosic		NA COLO			
		n the upstream er				No	X
	At	the principal spill	way inlet?	Yes		No	X
4.	Erosion of	the downstream t	oe of the embankmer	nt? Yes		No	X
	Ca	use of erosion ca	n be attributed to:				
5.	ls seepage	occurring through	the dam?	Yes_		No	Х
	Co	ould this seepage	cause potential instab	ility?			
PRINICI	PAL SPILLW	ΑΥ					
4	to also and		one the consulting a surface of	V	V	No	
1.	•		em in working order? I restrictive material?	Yes	X		
2.			restrictive material?	Yes Yes	X	No	
3. 4.		occurring at the di		Yes		No	X
4.	12 61 021011 (	occurring at the di	scharge outlet:	162		140	^
	Evaluate th	e severity:	Extensive	Moderate	Just Starting	None	

			NPDES ID. No.: 4
EMERG	GENCY SPILLWAY		
1.	Does it appear that the emergency spillway	has discharged water since t	the last inspection?
		YES	NOX
2.	Is erosion occurring at any section of the en	nergency spillway?	
		YES	NOX
SEDMII	MENT STORAGE CAPACITY		
1.	Has the design storage capacity of the reser	voir been surpassed? YES	NOX
	Explain: Visual observation.		
OTHER	OBSERVATIONS		
	Pond was empty at the time of inspection. V	Villows have been removed	from the pond recently.
	No issues.		

Mine:		New Elk Pond 6	÷			
NPDES I	D. No.:	None	=			
Inspecti	on Period:	First Quarter 2023	<u>=</u> ;			
Inspecti	on Date:	3/14/2023	=			
Genera	l Description or Re	eference to Site Plan:				
	is a non-dischargir paringly placing wa	ng facility designed to contain plant ater in the pond.	processing wate	er. The plant is ope	erational	
EMBAN	KMENT					
1.	• •	vegetative cover:	Excellent	Moderate	Few	Poor
2.	Erosion forming		Extensive	Some	Few	None
3.	Is wave action ca	_	Vos		No -	X
		upstream embankment? rincipal spillway inlet?			No	
	At the p	milicipal spiliway miet:	163		140	
4.	Erosion of the do	ownstream toe of the embankment?	Yes		No	X
	Cause o	f erosion can be attributed to:	£ <del></del>			
5.	ls seepage occur	ring through the dam?	Yes		No	Х
	Could th	nis seepage cause potential instabilit	ty?			
SEDMIN	 MENT STORAGE CA	APACITY				
1,	Has the design st	corage capacity of the reservoir beer	n surpassed? YES	NO	X	_
	Explain: No desi	gn capacity.				
OTHER	OBSERVATIONS					
	Pond is holding v	water, but it is not close to full. Flum	e box needs to	be cleaned.		

CDMR Rule 4.05.9(17)

Mine:		New Elk		=1			
NPDES	ID. No.:	Pond #7		<del>.</del> .			
Inspect	ion Period:	First Quart	ter 2023	=			
Inspect	ion Date:	3/14/2023	i.	-:			
Genera	l Description o	r Reference to	Site Plan:				
			of the preparation plant s area lying south of Sta		receives run-off	from the	
EMBAN	IKMENT						
1.	Adequacy of t	the vegetative	cover:	Excellent	Moderate	Few	Poor
2.	Erosion formi	-		Extensive	Some	Few	None
3.	Is wave action						
		he upstream er				No	Х
	At th	e principal spil	lway inlet?	Yes		No	Х
4.	Erosion of the	downstream 1	coe of the embankment?	Yes		No	Х
	Caus	e of erosion ca	n be attributed to:	-			
5.	Is seepage oc	curring through	n the dam?	Yes		No	Х
	Coul	d this seepage	cause potential instabilit	γ?	=		
	=						
PRINICI	PAL SPILLWAY						
1.	Is the principa	ıl spillway syste	em in working order?	Yes	X	No	
2.			restrictive material?	Yes			
3.	Is the discharg	ge outlet free o	f restrictive material?	Yes		No	
4.	ls erosion occ	urring at the di	scharge outlet?	Yes		No	Х
	Evaluate the s	everity:	Extensive	Moderate	Just Starting	None	

Moderate

Just Starting

None

Extensive

			NPDES ID. No.: 7
EMERG	ENCY SPILLWAY		
1.	Does it appear that the emergency spillway has disch	narged water since the last	inspection?
		YES	NOX
2.	Is erosion occurring at any section of the emergency	spillway?	
		YES	NOX
SEDMIN	MENT STORAGE CAPACITY		
1.	Has the design storage capacity of the reservoir been	n surpassed? YES	NOX
	Explain: Visual observation. Pond cleaned in early 20		
OTHER (	OBSERVATIONS  Pond is holding water, water level is lower than prev	riously observed. No issues	

Mine:		New Elk		<del></del>			
NPDES	ID. No.:	Pond #8					
Inspect	ion Period:	First Quart	er 2023				
Inspect	ion Date:	3/14/2023		<b>-</b> i			
Genera	l Descriptio	on or Reference to	Site Plan:				
This po the refu	nd lies nort use disposa	h of Highway 12 at I area.	the base of the refuse	disposal area. Th	ne pond receives r	run-off for	m
EMBAN	IKMENT						
1.	Adequacy	of the vegetative o	over:	Excellent	Moderate	Few	Poor
2.		rming Gullies:		Extensive	Some	Few	None
3.	ls wave ac	tion causing erosio	n:				DESCRIPTION OF THE PROPERTY OF
	C	On the upstream em	nbankment?	Yes		No	Χ
	A	at the principal spill	way inlet?			No	X
4.	Erosion of	the downstream to	oe of the embankmen	t? Yes		No	Х
	C	Cause of erosion car	be attributed to:	<del></del>			
5.	ls seepage	e occurring through	the dam?	Yes		No	X
	_		ause potential instabil				
	2						
PRINICI	PAL SPILLW	/AY					
1.	Is the prin	cipal spillway syste	m in working order?	Yes	X	No	
2.			restrictive material?	Yes			
3.	Is the disc	harge outlet free of	restrictive material?	Yes		No	
4.		occurring at the dis		Yes			Х
	Evaluate t	he severity:	Extensive	Moderate	Just Starting	None	

			NPDES	S ID. No.:_	8
EMERG	ENCY SPILLWAY				
1.	Does it appear that the emergency spillway has dis	scharged water since the las	t inspec	tion?	
		YES	NO	Х	===
2.	Is erosion occurring at any section of the emergence	cy spillway?			
		YES	NO	Х	-0.
SEDMI	MENT STORAGE CAPACITY				
1,	Has the design storage capacity of the reservoir be	en surpassed? YES	NO	X	<del>-</del>
	Explain: Visual observation. Sediment cleaned out	in May 2018			-
					(%)
	\				
OTHER	OBSERVATIONS				
	Pumping water from pond 8 to pond 6 during insp	ection. No issues were obse	rved		
	Fullipling water from point a to point a during risp	ection. No issues were obse	1100.		

Mine:		New Elk WP Containment #1	-			
NPDES	ID. No.:	None				
Inspecti	ion Period:	First Quarter 2023	<del>i</del> si			
Inspecti	ion Date:	3/14/2023				
Genera	l Description or Re	eference to Site Plan:				
	ntainment basin is ouse area.	a non-discharging facility designed	to contain run-of	f from the West	Portal	
EMBAN	KMENT					
1. 2. 3.	Adequacy of the Erosion forming (	Gullies:	Excellent Extensive	Moderate Some	Few Few	Poor None
Э.		using erosion. ipstream embankment?	Vec		No -	X
		rincipal spillway inlet?		*	No	
		,		-	110	
4.	Erosion of the do	wnstream toe of the embankment?	Yes		No	Х
	Cause of	f erosion can be attributed to:	-			
5.	ls seepage occurr	ing through the dam?	Yes		No	Х
	Could th	is seepage cause potential instabilit				
SEDMIN	MENT STORAGE CA	\PACITY				
1	Nootho dosies at					
1.	nas the design st	orage capacity of the reservoir beer	YES	NO	Х	=====
	Explain: Visual ol	oservation.				
OTHER (	OBSERVATIONS					
	Containment was	empty at the time of inspection				

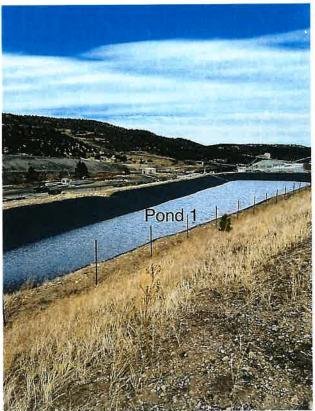
Mine:	New Elk WP Containment #2	3			
NPDES ID. No.:	None				
Inspection Period:	First Quarter 2023	<u> </u>			
Inspection Date:	3/14/2023				
General Description or	Reference to Site Plan:				
This containment basin airshaft and manway ar	is a non-discharging facility designed t eas.	o contain run-o	ff from the West F	Portal	
EMBANKMENT					
1. Adequacy of th	e vegetative cover:	Excellent	Moderate	Few	Poor
2. Erosion formin	-	Extensive	Some	Few	None
	causing erosion:				.,
	e upstream embankment?	Yes		No	X
At the	principal spillway inlet?	res		NO	
4. Erosion of the	downstream toe of the embankment?	Yes	<del></del>	No	Χ
Cause	of erosion can be attributed to:	:======			
5. Is seepage occ	urring through the dam?	Yes		No	X
Could	this seepage cause potential instabili	:y?			
2					
SEDMIMENT STORAGE	CAPACITY				
1. Has the design	storage capacity of the reservoir been	n surpassed? YES	NO	X	
Explain: <u>Visua</u>	observation.				
OTHER OBSERVATIONS	;				
Containment v	was amnty at time of inspection				

Mine:		New Elk Containment #3	==			
NPDES	ID. No.:	None	<u></u>			
Inspect	ion Period:	First Quarter 2023	=			
Inspect	ion Date:	3/14/2023	<del>-</del>			
Genera	l Description or Re	eference to Site Plan:				
		ainment basin is a non-discharging f conveyor and south of Highway 12.	acility designed t	to contain run-off	from the	
EMBAN	IKMENT					
1. 2.	Adequacy of the Erosion forming C	Gullies:	Excellent Extensive	Moderate Some	Few Few	Poor None
3.		using erosion: ipstream embankment?	Yes	====>	No	Χ
	At the p	rincipal spillway inlet?			_	X
4.	Erosion of the do	wnstream toe of the embankment?	Yes		No	Х
	Cause of	erosion can be attributed to:	-			
5.	Is seepage occurr	ing through the dam?	Yes		No	Х
	Could th	is seepage cause potential instabilit	y?			
SEDMIN	ـــــــــــ NENT STORAGE CA	PACITY				_
1.	Has the design sto	orage capacity of the reservoir beer	surpassed? YES	NO	X	_
	Explain: Visual ob	oservation.				
OTHER (	OBSERVATIONS					
	Containment Area	a was dry at time of inspection.				

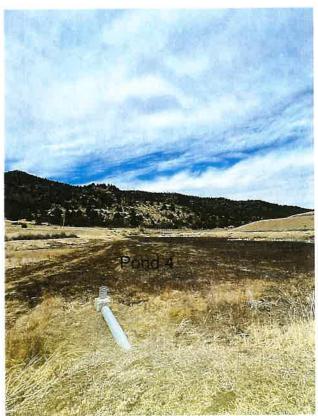
Mine:		New Elk Containment #4								
NPDES ID. No.:		None	-							
Inspection Period:		First Quarter 2023								
Inspection Date:		3/14/2023	_							
Genera	l Description or Re	eference to Site Plan:								
		ainment basin is a non-discharging conveyor and south of Highway 1		l to contain run-of	f from the					
EMBAN	IKMENT									
1. 2.	Adequacy of the vegetative cover: Erosion forming Gullies:		Excellent Extensive	Moderate Some	Few Few	Poor None				
3.	Is wave action causing erosion: On the upstream embankment? At the principal spillway inlet?		Yes Yes		No No	X				
4.	Erosion of the do	ownstream toe of the embankmer	nt? Yes_		No	X				
	Cause o	f erosion can be attributed to:								
5.	ls seepage occur	ring through the dam?	Yes_		No	Х				
	Could this seepage cause potential instability? No embankment, this is an incised containment basin.									
SEDMII	MENT STORAGE C	APACITY								
1.	Has the design storage capacity of the reservoir been surpassed?  YES NO									
	Explain: Visual o	bservation.								
OTHER OBSERVATIONS										
	Containment Area was dry at time of inspection.									

Mine:		New Elk Containment #5	-						
NPDES ID. No.:		None	<u>.</u>						
Inspection Period:		First Quarter 2023	<del>-</del>						
Inspection Date:		3/14/2023	_						
Genera	l Description or Re	ference to Site Plan:							
This par RDA bel	tially incised conta It conveyor area no	ninment basin is a non-discharging forth of Highway 12.	acility designed	to contain run-off	from the				
EMBAN	IKMENT								
1. 2. 3.	Adequacy of the vegetative cover: Erosion forming Gullies: Is wave action causing erosion:		Excellent Extensive	Moderate Some	Few Few	Poor None			
Э.		pstream embankment?	Yes		No	Х			
	At the pr	rincipal spillway inlet?			No	X			
4.	Erosion of the do	wnstream toe of the embankment?	Yes		No	Х			
	Cause of	erosion can be attributed to:							
5.	Is seepage occurr	ing through the dam?	Yes	*	No	Х			
	Could this seepage cause potential instability? No embankment, this is an incised contabasin.								
SEDMIN	IENT STORAGE CA	PACITY							
1.	Has the design storage capacity of the reservoir been surpassed?  YES NO X								
	Explain: Visual ob	servation.				A			
OTHER (	OBSERVATIONS								
	Containment Area was holding water. Cleaned in 2022, No issues								

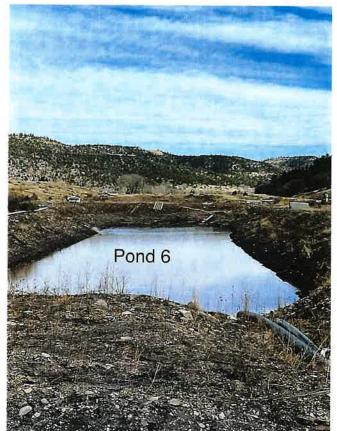
#### QUARTERLY SEDIMENTATION POND INSPECTION REPORT New Elk Mine- March 14, 2023



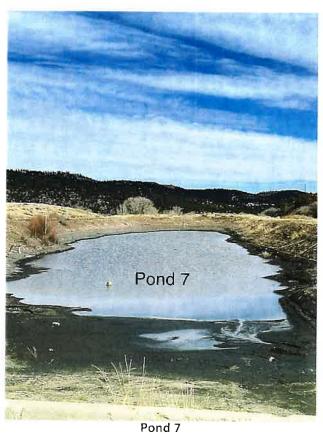
Pond 1

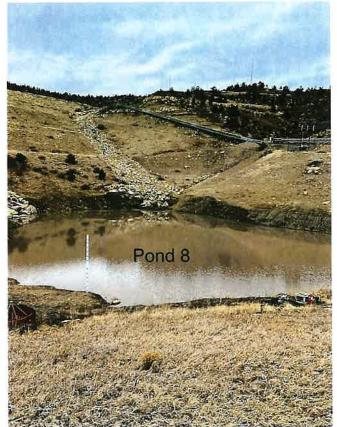


Pond 4

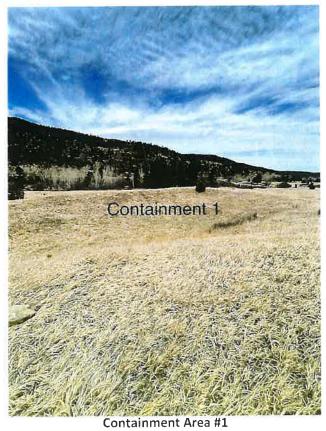


Pond 6



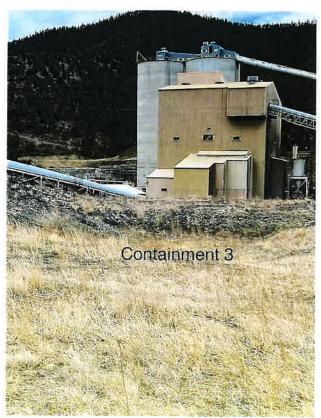


Pond 8





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 accordance with designs as approved by the Division of Reclamation, Mining and Safety.

Inspector

20

rofession Engineer

3-28-23

Date

Inspections completed in compliance with Rule 4.09.1(11)(b) must be submitted to the Division within two weeks of completion.