OXBOW MINING, LLC
3737 Hwy 133 P.O. Box 535 Somerset, Colorado 81434 USA Tel (970)929-5122 Fax (970)929-5177

SECOND QUARTER 2023 POND INSPECTION REPORT
Pond Inspection Date: June 28, 2023

OPERATOR:	Oxbow Mining, LLC.		
MINE:	Elk Creek Mine and Surface Facilities		
POND IDENTIFICATION:	**Hubbard**	**Substation #3 (4)**	**Pond D**
CDPS NUMBER:	007	013	016
TYPE OF POND:	Sediment	Sediment	Sediment
APPROXIMATE WATER LEVEL:	0.0'	0.0'	Pond Removed
SEDIMENT (% total storage):	<5%	<5%	<5%
OUTFLOW:	None	None	None
FEATURES	PROBLEM	PROBLEM	PROBLEM
EROSIONAL			
Rills & Gullies	No	No	No
Inadequate Vegetation	No	No	No
Outlet Channel Erosion	No	No	No
Burrows	No	No	No
Other	No	No	No
STRUCTURAL			
Differential Settling	No	No	No
Cracks or Slides	No	No	No
Seepage	No	No	No
Other	No	No	No
APPURTENANT STRUCTURES			
Defective Spillways	No	No	No
Dewatering Devices Clogged	No	No	No
Faulty Gates, Etc.	No	No	No
Other	No	No	No
MAINTENANCE REQUIRED	No	No	No
REFERENCE DRAWINGS:	2.05-M5E	2.05-M5F	2.05-M5D 2.05-M6

Inspected By: Doug A. Smith
Doug A. Smith

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Pond Inspection Date: June 28, 2023

OPERATOR:	Oxbow Mining, LLC.			
MINE:	Elk Creek Mine and Surface Facilities			
POND IDENTIFICATION:	**Pond A1**	**Pond B**	**Pond C**	**East Yard**
CDPS NUMBER	009	012	014	010
TYPE OF POND:	Sediment	Sediment	Sediment	Sediment
APPROXIMATE WATER LEVEL:	0.0'	0.0'(6060.0')	0.0'	0.0'
SEDIMENT (% total storage):	<5%	<5%	<5%	<5%
OUTFLOW:	None	None	None	None
FEATURES	PROBLEM	PROBLEM	PROBLEM	PROBLEM
EROSIONAL				
Rills & Gullies	No	No	No	No
Inadequate Vegetation	No	No	No	No
Outlet Channel Erosion	No	No	No	No
Burrows	No	No	No	No
Other	No	No	No	No
STRUCTURAL				
Differential Settling	No	No	No	No
Cracks or Slides	No	No	No	No
Seepage	No	No	No	No
Other	No	No	No	No
APPURTENANT STRUCTURES				
Defective Spillways	No	No	No	No
Dewatering Devices Clogged	No	No	No	No
Faulty Gates, Etc.	No	No	No	No
Other	No	No	No	No
MAINTENANCE REQUIRED	No	No	No	No
REFERENCE DRAWINGS:	2.05-M5A	2.05-M5B	2.05-M5C	2.05-M5E

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SECOND QUARTER 2023 POND INSPECTION REPORT
Pond Inspection Date: June 28, 2023

OPERATOR:	Oxbow Mining, LLC.	
MINE:	Elk Creek Mine and Surface Facilities	
POND IDENTIFICATION:	**Pond E**	**Pond F (4)**
CDPS NUMBER	017	019
TYPE OF POND:	Sediment	Sediment
APPROXIMATE WATER LEVEL:	0.0'	0.0'
SEDIMENT (% total storage):	<5%	<5%
OUTFLOW:	None	None
FEATURES	PROBLEM	PROBLEM
EROSIONAL		
Rills & Gullies	No	No
Inadequate Vegetation	No	No
Outlet Channel Erosion	No	No
Burrows	No	No
Other	No	No
STRUCTURAL		
Differential Settling	No	No
Cracks or Slides	No	No
Seepage	No	No
Other	No	No
APPURTENANT STRUCTURES		
Defective Spillways	No	No
Dewatering Devices Clogged	No	No
Faulty Gates, Etc.	No	No
Other	No	No
MAINTENANCE REQUIRED	No	No
REFERENCE DRAWINGS:	2.05-M5I	2.05-M5J

Inspected By: Doug A. Smith
Doug A. Smith

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SECOND QUARTER 2023 POND INSPECTION REPORT
Pond Inspection Date: June 28, 2022

Miscellaneous Comments:

1. The SWMP control devices were inspected and all SWMP control devices were found to be in fair condition. Routine quarterly maintenance to sumps was conducted.

2. Sediment and Water Level Determination – When sediment enters a pond, it is deposited unevenly, usually collecting at the inlets rather than evenly across the bottom of the pond. Reported sediment levels are based upon the inspector's observations made throughout the quarter during routine inspections in combination with knowledge of the pond structure. The reported pond water level is also determined by observations relative to the various landmarks in the pond (depth to bottom, primary riser, etc.)

3. Pond D was necessarily removed due to ongoing reclamation activities per the permit. Best Management Practices have been installed to protect stream flows.

4. Ponds at Substation #3 and Hubbard Creek Fan (Pond F) were Phase 3 released by Colorado Division of Reclamation, Mining, and Safety with Surety Release 4 in March of 2021.

Notwithstanding comments above, ponds have been maintained as designed and in accordance with the approved plan.

Inspected By: Doug A. Smith
Doug A. Smith

Under Direction of:
Michael W. Ludlow
Colorado Registered Professional Engineer No. 24046