**OGMCOAL - Deer Creek Sediment Pond Reports**

**From:** "Oakley, Dennis" <Dennis.Oakley@PacifiCorp.com>
**To:** Daron Haddock <daronhaddock@utah.gov>, DOGM <OGMCOAL@utah.gov>
**Date:** 7/19/2011 8:09 AM
**Subject:** Deer Creek Sediment Pond Reports
**CC:** "Fleck, Ken" <Kenneth.Fleck@PacifiCorp.com>
**Attachments:** DC Pond Report (6-29-2011).pdf

Daron,

Attached are the Deer Creek Sediment Pond reports for the 2010 Annual Report that you have requested. Jim Smith also requested these reports in which I thought I sent them to him on June 29th. However, I could not find any record of my send, only that I scanned the files. Hopefully, this submittal satisfies the Annual Report deficiencies.

Please let me know if there is anything else you need. My contact information is listed below.

Best Regards

*Dennis Oakley*

Senior Environmental Engineer | CPESC

ENERGY WEST MINING COMPANY
A SUBSIDIARY OF PACIFICORP

15 North Main Street | P.O. Box 310 | Huntington, Utah 84528

Phone: 435.687.4825 | Mobile: 435.636.5053 | Fax: 435.687.2695
dennis.oakley@pacificorp.com

| IMPOUNDMENT INSPECTION AND RTIFIED REPORT | | | |
|---|---|---|---|
| **Permit Number** | C/015/0018 | **Report Date** | March 29, 2010 |
| **Mine Name** | Deer Creek Mine | | |
| **Company Name** | Energy West Mining | | |
| **Impoundment Identification** | **Impoundment Name** | **Rilda Canyon Pond** | |
| | **Impoundment Number** | | |
| | **UPDES Permit Number** | N/A | |
| | **MSHA ID Number** | N/A | N/A |

| | |
|---|---|
| **Inspection Date** | March 30, 2010 |
| **Inspected By** | Rick Cullum / John Christensen |
| **Reason for Inspection** (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | 1st Quarter 2010 Inspection |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

| | **POND** |
|---|---|
| **Conditions, CommentsEtc.** | No hazards observed. |

**Required for an impoundment which functions as a SEDIMENTATION POND.**

**Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.**

**POND:**

**60% Design Storage Capacity** ------ .076 A.F.

**100% Sediment Capacity** ---------- .126 A.F.

**Principle and emergency spillway elevations.**

| | **POND** |
|---|---|
| **Principle Spillway Elevation (F.A.S.L.):** | 7516.5 |
| **Emergency Spillway Elevation** | 7516.5 |

**Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

| | **POND** |
|---|---|
| **Water Elevation** | small amount of water from melting snow |
| **Discharging** | no |
| **Inlet, Outlet, Spillway Conditions** | Good |
| **Out slope Conditions** | Good |

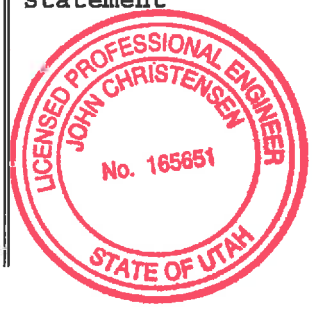
IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

| | |
|---|---|
| **Sediment A. Volume** | 0.00 A.F. |
| **Remaining Sediment Storage Capacity** | .126 A.F. |
| **Water impounded** | 0.0 A.F. |

**Changes, Comments, etc.**

The construction of the pond was completed in early 4th quarter 2008. The pond is functioning as designed.

**Qualification Statement**




I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

**Signature:** John Christensen **Date:** 3/31/10

**Signature:** Richard Cuellar **Date:** 4/1/10

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | | Page 1 of 2 |
|---|---|---|---|
| **Permit Number** | C/015/0018 | **Report Date** | March 31, 2010 |
| **Mine Name** | Deer Creek Mine | | |
| **Company Name** | Energy West Mining | | |
| **Impoundment Identification** | **Impoundment Name** | **Mine Site Pond:** | **Waste Rock Pond:** |
| | **Impoundment Number** | | |
| | **UPDES Permit Number** | UT-0023604-001 | |
| | **MSHA ID Number** | N/A | N/A |

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| | | |
|---|---|---|
| **Inspection Date** | 3/30/10 **Waste Rock Pond** 3/30/10 | |
| **Inspected By** | Rick Cullum / John Christensen | |
| **Reason for Inspection** (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | 1st Quarter 2010 Inspection | |

**1.** Describe any appearance of any instability, structural weakness, or any other hazardous condition.

| | **Mine Site Pond** | **Waste Rock Pond** |
|---|---|---|
| **Conditions, Comments Etc.** | No hazards observed. | No hazards observed. |

Required for an impoundment which functions as a SEDIMENTATION POND.

Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.

| | **Mine Site Pond:** | **Waste Rock Pond:** |
|---|---|---|
| **60% Design Storage Capacity** ft. | 1.87 A.F. at 7213.1 ft. | .59 A.F. at 6312.7 |
| **100% Sediment Capacity** ft. | 3.12 A.F. at 7216.0 ft. | .98 A.F. at 6313.45 |

Principle and emergency spillway elevations.

| | **Mine Site Pond** | **Waste Rock Pond** |
|---|---|---|
| **Principle Spillway Elevation (F.A.S.L.):** | 7218.64 | 6318.0 |
| **Emergency Spillway Elevation** | 7232.03 | 6318.0 |

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | Page 1 of 2 |
|---|---|---|

**Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

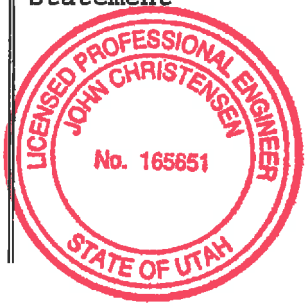
| | Mine Site Pond | Waste Rock Pond |
|---|---|---|
| **Water Elevation** | 7226.70<br>Top of ice | None |
| **Discharging** | Yes | Never |
| **Inlet, Outlet, Spillway Conditions** | Good | Good |
| **Out slope Conditions** | No Change | No Change |

*See "Hydrologic Monitoring Data" report submitted quarterly to DOGM for monitoring information.

| | Mine Site Pond | Waste Rock Pond |
|---|---|---|
| **Sediment Volume** | (see note) | None |
| **Remaining Sediment** | (N.A.) | 0.59 A.F. |
| **Water impounded** | 8.75 A.F. | |

**Changes, Comments, etc.** The Deer Creek Pond was cleaned in the early 4th Qtr. 2009. The pond was not able to be surveyed because of ice build up. It will be floated as soon as ice is clear.

**Qualification Statement**




I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

**Signature:** John Christensen **Date:** 3/31/10

**Signature:** Richard Cullimore **Date:** 4/1/10

| IMPOUNDMENT INSPECTION ANL :RTIFIED REPORT | | | 31 |
|---|---|---|---|
| **Permit Number** | C/015/0018 | **Report Date** | June 28, 2010 |
| **Mine Name** | Deer Creek Mine | | |
| **Company Name** | Energy West Mining | | |
| **Impoundment Identification** | **Impoundment Name** | **Rilda Canyon Pond** | |
| | **Impoundment Number** | | |
| | **UPDES Permit Number** | N/A | |
| | **MSHA ID Number** | N/A | N/A |

| | |
|---|---|
| **Inspection Date** | June 11, 2010 |
| **Inspected By** | Rick Cullum / John Christensen |
| **Reason for Inspection** (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | 2nd Quarter 2010 Inspection |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

| | **POND** |
|---|---|
| **Conditions, CommentsEtc.** | No hazards observed. |

**Required for an impoundment which functions as a SEDIMENTATION POND.**

**Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.**

**POND:**

**60% Design Storage Capacity** ------ .076 A.F.

**100% Sediment Capacity** ---------- .126 A.F.

**Principle and emergency spillway elevations.**

| | **POND** |
|---|---|
| **Principle Spillway Elevation (F.A.S.L.):** | 7516.5 |
| **Emergency Spillway Elevation** | 7516.5 |

**Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

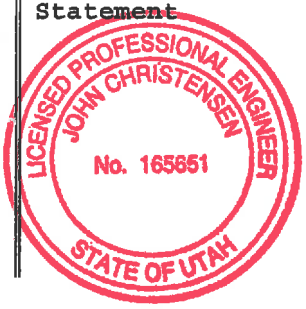
| | **POND** |
|---|---|
| **Water Elevation** | Dry |
| **Discharging** | no |
| **Inlet, Outlet, Spillway Conditions** | Good |
| **Out slope Conditions** | Good |

| | |
|---|---|
| **Sediment A. Volume** | 0.00 A.F. |
| **Remaining Sediment Storage Capacity** | .126 A.F. |
| **Water impounded** | 0.0 A.F. |

**Changes, Comments, etc.**

The construction of the pond was completed in early 4th quarter 2008. The pond is functioning as designed.

**Qualification Statement**




I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

**Signature:** John Christensen **Date:** 7/20/10

**Signature:** Richard Cullimore **Date:** 7/22/10

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | | Page 1 of 2 |
|---|---|---|---|
| **Permit Number** | C/015/0018 | **Report Date** | June 28, 2010 |
| **Mine Name** | Deer Creek Mine | | |
| **Company Name** | Energy West Mining | | |
| **Impoundment Identification** | **Impoundment Name** | **Mine Site Pond:** | **Waste Rock Pond:** |
| | **Impoundment Number** | | |
| | **UPDES Permit Number** | UT-0023604-001 | |
| | **MSHA ID Number** | N/A | N/A |

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| | | |
|---|---|---|
| **Inspection Date** | 6/14/10 **Waste Rock Pond** 6/14/10 | |
| **Inspected By** | Rick Cullum / John Christensen | |
| **Reason for Inspection** (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | 2nd Quarter 2010 Inspection | |

**1.** Describe any appearance of any instability, structural weakness, or any other hazardous condition.

| | **Mine Site Pond** | **Waste Rock Pond** |
|---|---|---|
| **Conditions, Comments Etc.** | No hazards observed. | No hazards observed. |

Required for an impoundment which functions as a SEDIMENTATION POND.

Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.

| | **Mine Site Pond:** | **Waste Rock Pond:** |
|---|---|---|
| **60% Design Storage Capacity** ft. | 1.87 A.F. at 7213.1 ft. | .59 A.F. at 6312.7 |
| **100% Sediment Capacity** ft. | 3.12 A.F. at 7216.0 ft. | .98 A.F. at 6313.45 |

Principle and emergency spillway elevations.

| | **Mine Site Pond** | **Waste Rock Pond** |
|---|---|---|
| **Principle Spillway Elevation (F.A.S.L.):** | 7218.64 | 6318.0 |
| **Emergency Spillway Elevation** | 7232.03 | 6318.0 |

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | Page 1 of 2 |
|---|---|---|

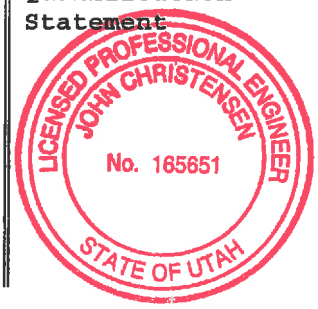
**Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

| | Mine Site Pond | Waste Rock Pond |
|---|---|---|
| **Water Elevation** | 7224.70 | None |
| **Discharging** | Yes | Never |
| **Inlet, Outlet, Spillway Conditions** | Good | Good |
| **Out slope Conditions** | No Change | No Change |

*See "Hydrologic Monitoring Data" report submitted quarterly to DOGM for monitoring information.

| | Mine Site Pond | Waste Rock Pond |
|---|---|---|
| **Sediment Volume** | 1.29 A.F. @ 7210.96 | None |
| **Remaining Sediment** | .58 A.F. | 0.59 A.F. |
| **Water impounded** | 6.51 A.F. | |
| **Changes, Comments, etc.** | | |

**Qualification Statement**

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**Signature:** John Christensen **Date:** 7/20/10

**Signature:** Richard Sullivan **Date:** 7/22/10

| IMPOUNDMENT INSPECTION ANL ERTIFIED REPORT | | | 31 |
|---|---|---|---|
| **Permit Number** | C/015/0018 | **Report Date** | Sept. 29, 2010 |
| **Mine Name** | Deer Creek Mine | | |
| **Company Name** | Energy West Mining | | |
| **Impoundment Identification** | **Impoundment Name** | **Rilda Canyon Pond** | |
| | **Impoundment Number** | | |
| | **UPDES Permit Number** | N/A | |
| | **MSHA ID Number** | N/A | N/A |

| | |
|---|---|
| **Inspection Date** | Sept. 22, 2010 |
| **Inspected By** | Rick Cullum / John Christensen |
| **Reason for Inspection** (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | 3rd Quarter 2010 Inspection |

**1.** Describe any appearance of any instability, structural weakness, or any other hazardous condition.

**Conditions, CommentsEtc.** POND: No hazards observed.

Required for an impoundment which functions as a SEDIMENTATION POND.

Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.

**POND:**

**60% Design Storage Capacity** ------ .076 A.F.

**100% Sediment Capacity** ---------- .126 A.F.

Principle and emergency spillway elevations.

| | POND |
|---|---|
| **Principle Spillway Elevation (F.A.S.L.):** | 7516.5 |
| **Emergency Spillway Elevation** | 7516.5 |

**Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

POND

| | |
|---|---|
| **Water Elevation** | Dry |
| **Discharging** | no |
| **Inlet, Outlet, Spillway Conditions** | Good |
| **Out slope Conditions** | Good |

| | |
|---|---|
| **Sediment A. Volume** | 0.00 A.F. |
| **Remaining Sediment Storage Capacity** | .126 A.F. |
| **Water impounded** | 0.0 A.F. |

**Changes, Comments, etc.**

The construction of the pond was completed in early 4th quarter 2008. The pond is functioning as designed.

**Qualification Statement**

LICENSED PROFESSIONAL ENGINEER JOHN CHRISTENSEN No. 165651 10/18/10 STATE OF UTAH

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

**Signature:** _____ **Date:** 10/18/10

**Signature:** Richard Cullimore **Date:** 10/25/10

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | | Page 1 of 2 |
|---|---|---|---|
| **Permit Number** | C/015/0018 | **Report Date** | Sept. 29, 2010 |
| **Mine Name** | Deer Creek Mine | | |
| **Company Name** | Energy West Mining | | |
| **Impoundment Identification** | **Impoundment Name** | **Mine Site Pond:** | **Waste Rock Pond:** |
| | **Impoundment Number** | | |
| | **UPDES Permit Number** | UT-0023604-001 | |
| | **MSHA ID Number** | N/A | N/A |

0

| | | |
|---|---|---|
| **Inspection Date** | 9/27/10 **Waste Rock Pond** 9/27/10 | |
| **Inspected By** | Rick Cullum / John Christensen | |
| **Reason for Inspection** (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | | 3rd Quarter 2010 Inspection |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

| | **Mine Site Pond** | **Waste Rock Pond** |
|---|---|---|
| **Conditions, Comments Etc.** | No hazards observed. | No hazards observed. |

Required for an impoundment which functions as a SEDIMENTATION POND.

**Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.**

| | **Mine Site Pond:** | **Waste Rock Pond:** |
|---|---|---|
| **60% Design Storage Capacity** ft. | 1.87 A.F. at 7213.1 ft. | .59 A.F. at 6312.7 |
| **100% Sediment Capacity** ft. | 3.12 A.F. at 7216.0 ft. | .98 A.F. at 6313.45 |

**Principle and emergency spillway elevations.**

| | **Mine Site Pond** | **Waste Rock Pond** |
|---|---|---|
| **Principle Spillway Elevation (F.A.S.L.):** | 7218.64 | 6318.0 |
| **Emergency Spillway Elevation** | 7232.03 | 6318.0 |

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | Page 1 of 2 |
|---|---|---|

**Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

| | Mine Site Pond | Waste Rock Pond |
|---|---|---|
| **Water Elevation** | 7223.07 | None |
| **Discharging** | Yes | Never |
| **Inlet, Outlet, Spillway Conditions** | Good | Good |
| **Out slope Conditions** | No Change | No Change |

*See "Hydrologic Monitoring Data" report submitted quarterly to DOGM for monitoring information.

| | Mine Site Pond | Waste Rock Pond |
|---|---|---|
| **Sediment Volume** | 1.58 A.F. @ 7211.94 | None |
| **Remaining Sediment** | .29 A.F. | 0.59 A.F. |
| **Water impounded** | 5.32 A.F. | |
| **Changes, Comments, etc.** | | |

**Qualification Statement**

LICENSED PROFESSIONAL ENGINEER JOHN CHRISTENSEN No. 165651 10/18/10 STATE OF UTAH

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

**Signature:** John Christensen **Date:** 10/18/10

**Signature:** Richard Crueber **Date:** 10/25/10

| IMPOUNDMENT INSPECTION AND CERTI. REPORT | | | |
|---|---|---|---|
| Permit Number | C/015/0018 | Report Date | DEC. 21, 2010 |
| Mine Name | Deer Creek Mine | | |
| Company Name | Energy West Mining | | |
| Impoundment Identification | Impoundment Name | Rilda Canyon Pond | |
| | Impoundment Number | | |
| | UPDES Permit Number | N/A | |
| | MSHA ID Number | N/A | N/A |

| | |
|---|---|
| Inspection Date | DEC. 03, 2010 |
| Inspected By | Rick Cullum / John Christensen |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | 4th Quarter 2010 Inspection |

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

| | POND |
|---|---|
| Conditions, Comments Etc. | No hazards observed. Snow covered the site. |

**Required for an impoundment which functions as a SEDIMENTATION POND.**

Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.

| | POND: |
|---|---|
| 60% Design Storage Capacity ------ | .076 A.F. |
| 100% Sediment Capacity ---------- | .126 A.F. |

Principle and emergency spillway elevations.

| | POND |
|---|---|
| Principle Spillway Elevation (F.A.S.L.): | 7516.5 |
| Emergency Spillway Elevation | 7516.5 |

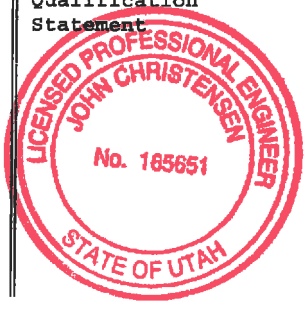
**Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

| | POND |
|---|---|
| Water Elevation | Dry |
| Discharging | no |
| Inlet, Outlet, Spillway Conditions | Good |
| Out slope Conditions | Good |

| | |
|---|---|
| Sediment A. Volume | 0.00 A.F. |
| Remaining Sediment Storage Capacity | .126 A.F. |
| Water impounded | 0.0 A.F. |

Changes, Comments, etc. The construction of the pond was completed in early 4th quarter 2008. The pond is functioning as designed.

**Qualification Statement**




I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: John Christensen Date: 1/11/11

Signature: Richard Cullum Date: 1/12/11

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | | Page 1 of 2 |
|---|---|---|---|
| **Permit Number** | C/015/0018 | **Report Date** | DEC. 21, 2010 |
| **Mine Name** | Deer Creek Mine | | |
| **Company Name** | Energy West Mining | | |
| **Impoundment Identification** | **Impoundment Name** | **Mine Site Pond:** | **Waste Rock Pond:** |
| | **Impoundment Number** | | |
| | **UPDES Permit Number** | UT-0023604-001 | |
| | **MSHA ID Number** | N/A | N/A |

0

| | | |
|---|---|---|
| **Inspection Date** | 12/03/10 **Waste Rock Pond** 12/03/10 | |
| **Inspected By** | Rick Cullum / John Christensen | |
| **Reason for Inspection** (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | 4th Quarter 2010 Inspection | |

**1.** Describe any appearance of any instability, structural weakness, or any other hazardous condition.

| | **Mine Site Pond** | **Waste Rock Pond** |
|---|---|---|
| **Conditions, Comments Etc.** | No hazards observed. | No hazards observed. |

**Required for an impoundment which functions as a SEDIMENTATION POND.**

**Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.**

| | **Mine Site Pond:** | **Waste Rock Pond:** |
|---|---|---|
| **60% Design Storage Capacity** ft. | 1.87 A.F. at 7213.1 ft. | .59 A.F. at 6312.7 |
| **100% Sediment Capacity** ft. | 3.12 A.F. at 7216.0 ft. | .98 A.F. at 6313.45 |

**Principle and emergency spillway elevations.**

| | **Mine Site Pond** | **Waste Rock Pond** |
|---|---|---|
| **Principle Spillway Elevation (F.A.S.L.):** | 7218.64 | 6318.0 |
| **Emergency Spillway Elevation** | 7232.03 | 6318.0 |

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | Page 1 of 2 |
|---|---|---|

**Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

| | Mine Site Pond | Waste Rock Pond |
|---|---|---|
| **Water Elevation** | 7222.90 | None |
| **Discharging** | Yes | Never |
| **Inlet, Outlet, Spillway Conditions** | Good | Good |
| **Out slope Conditions** | No Change | No Change |

*See "Hydrologic Monitoring Data" report submitted quarterly to DOGM for monitoring information.

| | Mine Site Pond | Waste Rock Pond |
|---|---|---|
| **Sediment Volume** | 1.58 A.F. @ 7211.94 | None |
| **Remaining Sediment** | .29 A.F. | 0.59 A.F. |
| **Water impounded** | 5.22 A.F. | |

**Changes, Comments, etc.** Pond was partially frozen at the time of inspection.

**Qualification Statement**

LICENSED PROFESSIONAL ENGINEER JOHN CHRISTENSEN No. 165651 STATE OF UTAH

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

**Signature:** John Christensen **Date:** 1/11/11

**Signature:** Richard Cullen **Date:** 1/12/11