



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources
1313 Sherman Street, Room 215
Denver, Colorado 80203

July 30, 2018

Harriet Graham
Bad Boys of Cripple Creek Mining Co., Inc.
1429 Locust Drive
Canon City, CO 81212

**RE: Notice of Filing Deficiencies, 110(2) Hardrock Amendment Application (AM-01)
Bad Boys Pit, Permit No. M-1996-081**

Dear Harriet Graham,

On July 16, 2018, the Division of Reclamation, Mining and Safety (Division) received the Bad Boys of Cripple Creek Mining Co., Inc. 110(2) Limited Impact Operation Reclamation Permit Amendment Application (AM-01) for the Bad Boys Pit, Permit No. M-1996-081. Pursuant to Rule 1.4.1(8), the Division has determined the amendment application contains deficiencies which prevent the application from being considered filed. The following filing deficiencies must be addressed before the Division can consider the application as being filed and the technical adequacy review can begin. Please respond to this Notice of Deficiencies with the requested information and summarize each response to the numbered items below, in a cover letter titled "Response to Filing Deficiencies, AM-01, M-1996-081".

APPLICATION FORM

1. Page 2 of the application form lists the correspondence information for Bad Boys of Cripple Creek Mining Co., Inc. as David G. Graham, P.O. Box 66, Cripple Creek, CO 80813, telephone 719-689-2982, and fax 719-689-3172. The Division's records indicate a different point of contact, address, and telephone and fax numbers for the Applicant/Operator. Please confirm the information provided is correct or submit a new Page 2 of the application correcting the correspondence information.
2. The Location Information provided on Page 3 (Question 10) of the application does not identify the quarter section nor quarter/quarter section for the center of the operation. Please submit a new Page 3 with the required quarter section and quarter/quarter section identified. Please do not modify or alter the Board-approved application form.
3. The Primary Mine Entrance Location provided on Page 3 (Question 11) of the application does not reflect the correct location of the operation's entrance. It appears the actual entrance to the operation is located approximately 730 feet west of the provided coordinates. Please correct the entrance coordinates and submit a new Page 3 of the application.
4. Responsibility #10 on Page 6 of the application form has been initialed. This is likely in error as the applicant appears to not be a joint venture/partnership business. Please submit a new Page 6 without responsibility #10 initialed or submit the necessary power of attorney, provided by the partner(s), authorizing the signature of the representative.



5. The certification page (Page 7 of the application) is not executed correctly. The notary acknowledgement needs to state “Harriet Graham as Owner of Bad Boys of Cripple Creek Mining Co., Inc.” instead of the notary’s information. Please submit a new Page 7 with a correctly executed certification of the application.

GENERAL APPLICATION PROCEDURES:

6. The copy of the posted on-site notice stated the Applicant/Operator was Mineral Mountain Gold, LLC and provided a different address and telephone number for the Applicant/Operator. In accordance with Rule 1.6.2(1)(b), please submit a copy of a new notice posted at the site identifying the correct Applicant/Operator name, address, and telephone number.

EXHIBIT G - Source of Legal Right to Enter (Rule 6.3.9):

7. The Exhibit Map E identifies the Roanoke MS14096, Annie Rooney MS9036, Found MS10007, and Florence MS20729 as the patented mining claims within the proposed permit boundary. Exhibit G provides an unsigned deed for the Annie Rooney and Found sold and conveyed from Harry N. Dartz to David G. Graham. Exhibit G also includes a deed for an unknown parcel sold and conveyed from Delma Monk to Harriet Snare and David G. Graham. Neither of these deeds demonstrate Bad Boys of Cripple Creek Mining Co., Inc. has the legal right of entry to the site and to conduct mining and reclamation for the all owners of record. Additionally these two deeds appear to be incomplete. In accordance with Rule 6.3.7, provide a description of the basis for the Applicant’s legal right of entry to the site and to conduct mining and reclamation for the all owners of record as described in Rule 1.6.2(1)(e)(i). This may be a copy of access lease, deed, abstract of title, or a current tax receipt. A signed statement by the landowner(s) and acknowledged by a Notary Public stating that Bad Boys of Cripple Creek Mining Co., Inc. has the legal right to enter is also acceptable.

EXHIBIT I - Proof of Filing with County Clerk (Rule 6.3.9):

8. Exhibit I includes a memorandum from the Applicant to the local County Clerk and Recorder instructing them to place a copy of the application for public review. This memorandum is not signed nor dated. In accordance with Rule 6.3.9, please submit an affidavit or receipt indicating the date on which the application was placed with the local County Clerk and Recorder for public review.
9. Any changes or additions to the application on file with the Division, must also be reflected in the public review copy in accordance with Rule 1.6.2(2). Please submit proof that the public review copy has been updated with a copy of this letter and associated response.

EXHIBIT J - Proof of Mailing of Notices to Board of County Commissioners and Soil Conservation District (Rule 6.3.10):

10. The copy of the notice to the local Board of County Commissioners doesn’t appear to be the notice provided in the application packet as the first paragraph lacks the county name where the operation is located and the second paragraph lacks the selected post-mining land use of rangeland. Please use the notice provided in the application packet and submit proof of notice in the form of a certified mail return receipt or a date-stamped copy of the notice acknowledging receipt by the appropriate board, in accordance with Rule 1.6.2(1)(a)(ii).
11. The copy of the notice to the local Soil Conservation District does not identify the correct post-mining land use as selected on the application form and discussed in the reclamation plan. Please submit a new copy of the notice to the local Soil Conservation District noting the affected lands will be reclaimed to Rangeland.

July 30, 2018

Page 3 of 3

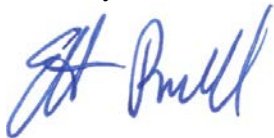
The Bad Boys Pit Amendment Application AM-01 will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 30 days from the date of receipt and acceptance of all of the requested information. Please note, if you have already published notice you will need to republish notice, but only after the Division considers the application filed; the Division will notify you when you should initiate publication of your notice. This notice must be published once within ten (10) days of the date your application is considered submitted. The final date for receiving comments is the 10th day after the publication or the next regular business day.

Pursuant to Rule 1.4.1(8), you have sixty (60) days from the date of this letter to submit all necessary documents that the Division needs for the application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Division, the Division may deny the application and terminate the application file. **The response to this Notice of Filing Deficiencies is due on or before September 28, 2018.**

This letter shall not be interpreted to mean that there are no other deficiency or adequacy requirements in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at elliott.russell@state.co.us.

Sincerely,



Elliott R. Russell
Environmental Protection Specialist

Cc: Michael Cunningham, DRMS
Art Braun. Braun Environmental, Inc., braunenv@msn.com
Clint Cross and Louisa McKay, North Star Turquoise, LLC, 201 Lake Drive, Florissant, CO 80816