



**COLORADO**  
**Division of Reclamation,**  
**Mining and Safety**  
Department of Natural Resources

July 18, 2024

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

**Re: Notice of Filing Deficiencies, 110(1) Reclamation Permit Application  
First Chance Mining Claim, File No. M-2024-035**

Dear Harriet S. Graham,

On July 2, 2024, the Division of Reclamation, Mining and Safety (Division) received your Hardrock Limited Impact Operation 110(1) Reclamation Permit Application for the proposed First Chance Mining Claim operation in Teller County and assigned it File No. M-2024-035. Pursuant to Rule 1.4.1(8), the Division has determined the application contains deficiencies which prevent the application from being considered filed. Please respond to this Notice of Filing Deficiencies with the requested information and summarize each response to the numbered items below, in a cover letter titled "Response to Notice of Filing Deficiencies, M-2024-035".

**Application Form and General Application Process:**

1. The application form submitted is for a 110(2) permit. Based on the 1-acre proposed affected land, the \$288 application fee submitted, and discussions with the Operator, please resubmit a 110(1) permit application form for the proposed operation.
2. The application's Applicant/Operator Name (Question 1, Page 1) was listed as "Bad Boys of Cripple Creek Mining Co LLC.", the correspondence information for the Applicant/Operator Company Name (Question 9, Page 2) was listed as "Bad Boys of Cripple Creek Mining Co.", and the Applicant/Operator on the Application Certification (Page 7) was listed as "Harriet S. Graham". Upon review of the Secretary of State's registered businesses, please ensure the Applicant/Operator throughout the application are consistent and should always be listed as "Bad Boys of Cripple Creek Mining Co., Inc." if the applicant is intending to apply for a permit by that company.
3. Primary Commodity(ies) to be Mined (Question 5, Page 1) was listed as "any and all minerals". Please specifically define the Primary Commodity/Commodities to be Mined.
4. The Name of Owner to the Surface of Affected Land (Question 6, Page 1) and the Name of Owner to the Subsurface Rights of Affected Land (Question 7, Page 1) are listed both as Harriet S. Graham, however, materials submitted in what appears to be Exhibit G – Source of Legal Right-to-Enter, show Bad Boys of Cripple Creek Mining Co., Inc. as the owner of the affected lands. Please correct the information in the application to accurately reflect who owns the surface and subsurface of the affected lands.
5. The details provided for the Location Information (Question 10, Page 3) and Primary Mine Entrance Location (Question 11, Page 3) were incomplete. Please ensure all details are provided, including the quarter section, quarter-quarter section, miles and direction from the nearest town, elevation, and the latitude/longitude coordinates of the mine entrance.



6. The application submitted did not contain any of the required exhibits. Please either refer to the Division's 110(1) fillable form which outlines each exhibit and lists questions within each exhibit to help comply with the Rules OR review Rules 6.3.1 through 6.3.12 and prepare your own exhibits to accompany your mine reclamation permit application.
7. A copy of the on-site notice and affidavit was not provided in the application materials. As required by Rule 1.6.2(1)(b), please submit a copy of the on-site notice and a signed affidavit demonstrating the on-site notice has been posted at the access to the proposed site.
8. Although not a filing requirement, pursuant to Rule 6.2.1(2)(d), the Division requests a table of the latitude/longitude coordinates for each of the proposed permit boundary corners. This information will be utilized in the review of the permit application once it is found complete for filing, assist the Division in conducting future inspections of the operation, and provide a more thorough permit file.

**EXHIBIT G – Source of Legal Right-to-Enter (Rule 6.3.7):**

9. It appears for Exhibit G, the application includes a claim map and an accompanying list of Mineral Patents Owned by Bad Boys Mining of Cripple Creek. As required by Rule 6.3.7, when the Operator/Applicant is the Owner of Record, provide a copy of a deed, abstract of title, or a current tax receipt as the documentation of the legal right to enter to conduct mining and reclamation on the First Chance.

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

10. The application did not contain an Exhibit I so the Division cannot confirm if a copy of the July 2, 2024 submitted materials were also placed at the Teller County Clerk and Recorder. Please demonstrate that a copy of the original materials has been placed at the Teller County Clerk and Recorder for public review.
11. In accordance with Rule 1.6.2(2), please submit proof that the revisions associated with this letter have been placed for public review with the original application at the local County Clerk and Recorder. This may be an affidavit or receipt from the local County Clerk and Recorder.

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

12. It appears for Exhibit J, the application includes the two cover sheets which need to accompany the notices to the Teller County Board of County Commissions and Teller-Park Soil Conservation District, however, the application does not contain any proof these cover sheets accompany the application form and was provided to each Board. Furthermore, the cover sheets list that the Post-Mining Land Use is “mining” which is likely in error. In accordance with Rule 1.6.2 (1)(a)(ii), please submit Proof of Notice in the form of certified mail return receipts (aka the green signature cards), a date-stamped copy of the notices acknowledging receipt by the applicable Board, or an electronic confirmation by the applicable Board.

Your 110(1) Permit Application 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 the requested information. Pursuant to Rule 1.4.1(8), you have 60 days from the date of this letter to submit all necessary documents that the Division needs for an 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 16, 2024.**

July 18, 2024

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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 and Rules after submittal of all required items.

If you have any questions, please contact me at 303-903-4456 or [elliott.russell@state.co.us](mailto:elliott.russell@state.co.us).

Sincerely,



Elliott R. Russell  
Environmental Protection Specialist

Attachment: 110(1) fillable form

Cc: Ben Hammar, Division of Reclamation, Mining & Safety  
Zach Trujillo, Division of Reclamation, Mining & Safety