



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

May 10, 2021

Mr. Scott Davis  
Schmidt Construction Company  
2635 Delta Dr.  
Colorado Springs, CO 80910

**Re: Menzer Quarry, Permit No. M-1976-009-HR;  
Follow-up Notice of Complaint / Corrective Action**

Dear Mr. Davis,

On April 28, 2021 the Division of Reclamation, Mining and Safety (DRMS) received a citizen complaint related to water use with respect to the existing sediment pond on the east end of the site and potential impact to aquatic life in Turkey Canyon Creek. During subsequent telephone conversations with you on April 30<sup>th</sup> and May 6<sup>th</sup>, the DRMS learned the Division of Water Resources (DWR) water commissioner had visited the Menzer Quarry and determined the heretofore practice regarding the disposition of water pumped from the sediment pond for maintenance needed to be modified to comply with DWR regulations. It is further understood the DWR water commissioner intends to provide a letter to you outlining their requirements for the disposition of the water pumped out of the sediment pond.

A file review of the Menzer Quarry reclamation permit found no specifics as to how water pumped from the sediment pond for the purpose of pond maintenance is to be handled. As such, the DRMS is requiring the Schmidt Construction Company to submit a technical revision along with the requisite \$216 fee to update and clarify the permit (specifically Exhibit G – Water Information) with respect to the handling of water pumped from the sediment pond in accordance with DWR requirements within 45 days of this letter.

If you have any questions, please contact me at (303) 866-3567, ext 8169.

Sincerely,

Timothy A. Cazier, P.E.  
Environmental Protection Specialist

ec: Michael Cunningham, DRMS  
DRMS file  
Doug Hollister, DWR

