



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

September 27, 2023

Mr. Jeff Carpenter  
Home Stake Trout Club  
649 County Road 21  
Leadville, CO 80461

**Re: Home Stake Trout Club, Reference No. M-2023-035, Division Response to “Is It Mining?” Questionnaire, Permit Required.**

Dear Mr. Carpenter,

Thank you for taking the time to discuss your project with the Division of Reclamation, Mining and Safety (Division). The Division received your completed “Need for a Reclamation Permit” questionnaire on September 27, 2023. Based on the information you submitted the purpose of the submitted questionnaire was to allow the Division to determine whether a reclamation permit is required to stockpile material cleaned out of 8 ponds which are owned by the Home Stake Trout Club. The total amount of material to be stockpiled and potentially sold is approximately 16,000 cubic yards. No excavation will occur at the stockpile location.

Based on the information contained in the correspondence it is the Division’s opinion that a reclamation permit will be required from this agency prior to selling any of the stockpiled material. Other local, state, or federal permits may be required and it is recommended that you contact those agencies for further clarifications if you have questions. Please be advised that this opinion is being offered based on the information provided in your response.

Please consider the following: if the Division receives different information or a written complaint regarding the proposed activities it is required by law to further investigate. If the investigation shows a possible violation of the Construction Materials Act and Rules an enforcement action would be initiated which could include civil penalties, a cease and desist order and obtaining a permit for the activities.

The Mined Land Reclamation Board (MLRB) has requested that the Division make determinations as to the need for a Mined Land Reclamation Permit. If you have any concerns or disagree with this decision, you may petition the Board during a formal public hearing for a formal Declaratory Order concerning this matter. The request must be made in writing and received no later than 10 days prior to the next regular scheduled MLRB hearing. The next available MLRB hearing is October 18-19, 2023.

If you need additional information, please contact me at the Division of Reclamation, Mining and Safety, Grand Junction Field Office, 101 S. 3rd St., Suite 301, Grand Junction, Colorado 81501, telephone no. 303.866.3567, ext. 8186, or by email at [travis.marshall@state.co.us](mailto:travis.marshall@state.co.us).



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Sincerely,

A handwritten signature in blue ink, appearing to read "T. Marshall", with a stylized, cursive script.

Travis Marshall  
Senior Environmental Protection Specialist  
Grand Junction Field Office

ec: Russ Means, DRMS  
Lucas West, DRMS