



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

August 29, 2025

Don Menzies
Hinsdale County Road and Bridge
P.O. Box 277
Lake City, CO 81235

RE: Need for State Reclamation Permit, BLM Lease Stockpile, File No. M-2025-041

Mr. Menzies:

On August 27, 2025, the Division of Reclamation, Mining and Safety (Division) received your correspondence responding the Division's inquiry, RE: "Is It Mining". The Division has assigned file number M-2025-041 to this project. Please display the file number on any correspondence regarding this specific project.

The information you provided indicates you are removing and processing construction material for surfacing county roads in Hinsdale County. The project proposes to place store and remove material collected at various locations in Hinsdale County. The storage area consists of approximately 1.6 acres. The material will be handled with a 938 Cat loader or a 420XT Backhoe and will processed with a crusher. The material is located on Bureau of Land Management land adjacent to an OHV staging parking lot 5 miles southeast of Lake City.

Based on the information contained in the correspondence it is the Division's opinion that no reclamation permit will be required from this agency at this time. However, 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. **Any significant deviation from the described activity, including removal for sale or trade of any excavated materials from its natural state could result in a review and possible reversal of this opinion.**

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.

If you have any questions, please contact me at (970) 433-8281 or at travis.marshall@state.co.us.
Sincerely,

Sincerely,

Travis Marshall
Senior Environmental Protection Specialist



Don Menzies
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ec: Russ Means, DRMS
Lucas West, DRMS