





## **Ben Bader**

From: Wenli Dickinson <wenli.dickinson@state.co.us>

**Sent:** Friday, March 21, 2025 4:53 PM

To: Ben Bader

Subject: Re: SWSP Request Duncan Livestock 308(4) April 2025 - March 2026

Ben,

I received your voicemail. I am out of the office through April 1. I anticipate being able to take a look at this SWSP sometime in April or May at the latest. It typically takes 2-3 months for us to review an SWSP request.

Thank you,

# Wenli Dickinson, P.E. Water Resource Engineer



wenli.dickinson@state.co.us | (303) 866-3581 x8206

1313 Sherman St, Suite 821, Denver, CO 80203 | dwr.colorado.gov

Notice: I will be out of office March 21 - April 1

----- Forwarded message ------

From: **Ben Bader** < <u>Ben@lytlewater.com</u>>

Date: Fri, Mar 14, 2025 at 11:38 AM

Subject: SWSP Request Duncan Livestock 308(4) April 2025 - March 2026

To: DWRPermitsOnline, DNR < <a href="mailto:dnr\_dwrpermitsonline@state.co.us">dnr\_dwrpermitsonline@state.co.us</a>>

To Whom it May Concern,

Attached please find the SWSP request for Duncan Livestock company under CRS 308(4) for the period of April 2025 - March 2026. Also attached is a copy of the Division 6 notification as required.

Thank you for your time,

### Ben Bader

Project Hydrogeologist

# moore engineering, inc.

Phone: 303.350.4090 x205

12600 West Colfax Avenue, Suite A-270

Lakewood, Colorado 80215

ben.bader@mooreengineeringinc.com | www.mooreengineeringinc.com

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From: Bruce Lytle
To: Chris Cooper

**Subject:** Fw: Duncan Livestock-Cataract Creek 24CW3042

**Date:** Friday, May 2, 2025 2:50:12 PM

Attachments: image001.pnq

Outlook-A logo of .png

Here you go Chris.

# Bruce A. Lytle, P.E.

Senior Project Manager moore engineering, inc.

Cell 303.941.2077 | Direct 303.350.4090 x 201 12600 West Colfax Avenue, Suite A-270 Lakewood, Colorado 80215

bruce.lytle@mooreengineeringinc.com | www.mooreengineeringinc.com



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From: Wenli Dickinson < wenli.dickinson@state.co.us>

**Sent:** Wednesday, April 23, 2025 2:05 PM **To:** Bruce Lytle <Bruce@lytlewater.com>

**Cc:** Devon Bell <dbell@bwenergylaw.com>; Ben Bader <Ben@lytlewater.com>; Chris Fehn <Chris@lytlewater.com>; Duncan Shepherd <petromgt@comcast.net>; John Carmony <jcar75@msn.com>; Eddy Grenert <egrenert@buckeyeoilinc.com>; Miguel Suazo <msuazo@bwenergylaw.com>

**Subject:** Re: Duncan Livestock-Cataract Creek 24CW3042

Hi Bruce,

Yes, it is correct that water can be diverted, stored, and beneficially used under free river conditions. As I believe we also discussed on the phone, please coordinate diversions with the Division 6 office.

I talked to Ioana Comaniciu in the Denver office, and a leak test is typically required for all reservoirs. However, if you do not encounter groundwater during construction and have groundwater level data around the reservoir, you can submit that to our office to review to determine whether a leak test is required.

Thanks!

Wenli Dickinson, P.E. Water Resource Engineer Denver Office Team 456 Lead



# wenli.dickinson@state.co.us | (303) 866-3581 x8206 1313 Sherman St, Suite 821, Denver, CO 80203 | dwr.colorado.gov

On Wed, Apr 23, 2025 at 10:53 AM Bruce Lytle < <u>Bruce@lytlewater.com</u>> wrote: Hi Wenli,

We talked last Thursday about the SWSP application and the discussion that an SWSP couldn't be approved because the type of approvals sought in the application in 24CW3042 don't meet the statutory criteria, but it is possible for operation of a reservoir consistent with 24CW3042 as long as there are free river conditions. We would like to confirm our understanding that we can operate to divert water under free river conditions, store that water in a constructed reservoir, and then put the water to beneficial use.

We will provide the notice of a non-jurisdictional water impoundment structure to the Dam Safety Branch. Since the reservoir is going to mostly be below grade, if we don't encounter any groundwater and then line the impoundment, do we still have to run the 90-day leakage test required in the 1999 design standards for lining? If we do encounter groundwater we will obtain the necessary temporary construction dewatering permit and then we understand the 90-leakage test will be required after lining.

Thank you for clarifying these issues and we would appreciate your confirmation of our understandings.

Bruce A. Lytle, P.E.
Senior Project Manager
moore engineering, inc.

Cell 303.941.2077 | Direct 303.350.4090 x 201 12600 West Colfax Avenue, Suite A-270 Lakewood, Colorado 80215 bruce.lytle@mooreengineeringinc.com | www.mooreengineeringinc.com



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