



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, OMAHA DISTRICT  
DENVER REGULATORY OFFICE, 9307 SOUTH WADSWORTH BOULEVARD  
LITTLETON, COLORADO 80128-6901

September 18, 2018

**SUBJECT: Approved Jurisdictional Determination, Weld County Central Gathering Facility; Corps File No. NWO-2017-02080-DEN**

Josh Carlisle  
Extraction Oil & Gas  
370 17<sup>th</sup> Street, Suite 5300  
Denver, CO 80202

Dear Mr. Carlisle:

Reference is made to the above-mentioned project located at approximately 40.025484°N, -104.931465°W, in Weld County, Colorado. You have requested an Approved Jurisdictional Determination for aquatic resources found at this location.

The project area has been reviewed in accordance with Section 404 of the Clean Water Act under which the U.S. Army Corps of Engineers regulates the discharge of dredged and fill material, and any excavation activity associated with a dredge and fill project in waters of the United States.

Wetlands 1, 2, 3, and 4 occur in a low-lying area that lacks any indication of ordinary high water mark (OHWM). Site visits as well as current and historic aerial photography indicate that this channel begins at the northwest terminus of the review area and that no upstream hydrologic connection exists, either surface or subsurface. Downstream of the project area, the channel appears to flow into an earthen irrigation ditch that terminates in uplands; historic photography indicates that this has been the case since at least 1948. There is no hydrologic connection to upstream or downstream Waters of the United States, and the wetlands cannot be used in interstate commerce; therefore, Wetlands 1, 2, 3, and 4 are isolated and are not jurisdictional. A Department of the Army permit will not be required for work in these areas.

At your request, an approved jurisdictional determination (JD) has been completed for this project. The JD is attached to this letter. If you are not in agreement with the JD decision, you may request an administrative appeal under regulation 33 CFR 331, by using the attached Appeal Form and Administrative Appeal Process form. The request for appeal must be received within 60 days from the date of this letter. If you would like more information on the jurisdictional appeal process, contact this office. It is not necessary to submit a Request for Appeal if you do not object to the JD.

This JD is valid for a period of five years from the date of this letter, unless new information warrants revisions of the JDs before the expiration date, or unless the Corps has identified, after a possible public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

If there are any additional questions or concerns, please contact Nick Franke of my office at **303-979-4120** or by email at [Nicholas.A.Franke@usace.army.mil](mailto:Nicholas.A.Franke@usace.army.mil) and reference **Corps File No. NWO-2017-02124-DEN**.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Downing', with a stylized flourish at the end.

Kiel Downing  
Chief, Denver Regulatory Office

Attachments:

- Approved Jurisdictional Determination (September 18, 2018)
- Approved Jurisdictional Determination Appeal Form
- Approved Jurisdictional Determination Appeal Form Instruction Sheet

Copies Furnished:

- Greg Everett, Apex Companies, 1746 Cole Boulevard, Suite 250, Lakewood, CO/80401