

FORM  
2  
Rev  
08/13

State of Colorado  
Oil and Gas Conservation Commission  
1120 Lincoln Street, Suite 801, Denver, Colorado 80203  
Phone: (303) 894-2100 Fax: (303) 894-2109



Document Number:  
400534256

APPLICATION FOR PERMIT TO:

Drill       Deepen       Re-enter       Recomplete and Operate

Date Received:  
01/06/2014

TYPE OF WELL    OIL     GAS     COALBED     OTHER \_\_\_\_\_  
ZONE TYPE      SINGLE ZONE     MULTIPLE ZONES     COMMINGLE ZONES

Refiling   
Sidetrack

Well Name: Eberle      Well Number: 13-32NHZ  
Name of Operator: SYNERGY RESOURCES CORPORATION      COGCC Operator Number: 10311  
Address: 20203 HIGHWAY 60  
City: PLATTEVILLE      State: CO      Zip: 80651  
Contact Name: Brianne Visconti      Phone: (970)737-1073      Fax: (970)737-1045  
Email: bvisconti@syrginfo.com

RECLAMATION FINANCIAL ASSURANCE

Plugging and Abandonment Bond Surety ID: 20090043

WELL LOCATION INFORMATION

QtrQtr: NESE      Sec: 32      Twp: 1N      Rng: 66W      Meridian: 6  
Latitude: 40.004155      Longitude: -104.794614

Footage at Surface:      FNL/FSL      FEL/FWL  
1355 feet      FSL      869 feet      FEL

Field Name: WATTENBERG      Field Number: 90750  
Ground Elevation: 5031      County: WELD

GPS Data:  
Date of Measurement: 11/08/2013      PDOP Reading: 1.2      Instrument Operator's Name: Aaron A. Demo

If well is     Directional       Horizontal (highly deviated)      **submit deviated drilling plan.**

Footage at Top of Prod Zone:      FNL/FSL      FEL/FWL      Bottom Hole:      FNL/FSL      FEL/FWL  
2168      FSL      775      FWL      2165      FSL      475      FWL  
Sec: 32      Twp: 1N      Rng: 66W      Sec: 32      Twp: 1N      Rng: 66W

LOCATION SURFACE & MINERALS & RIGHT TO CONSTRUCT

Surface Ownership:     Fee       State       Federal       Indian

The Surface Owner is:     is the mineral owner beneath the location.  
(check all that apply)     is committed to an Oil and Gas Lease.  
                                          has signed the Oil and Gas Lease.  
                                          is the applicant.

The Mineral Owner beneath this Oil and Gas Location is:     Fee       State       Federal       Indian

The Minerals beneath this Oil and Gas Location will be developed by this Well:    Yes

The right to construct the Oil and Gas Location is granted by:    oil and gas lease

Surface damage assurance if no agreement is in place:      Surface Surety ID: \_\_\_\_\_

## LEASE INFORMATION

Using standard QtrQtr, Sec, Twp, Rng format, describe one entire mineral lease that will be produced by this well (Describe lease beneath surface location if produced. Attach separate description page or map if necessary.)

Part of the NESE of Section 32, Township 1N, Range 66W totaling 20 acres and including the SHL. Lease Map is attached. Wellbore crosses lease lines within drilling and spacing unit; distance to nearest lease line is 0 feet; distance to Unit Boundary is 460' or greater.

Total Acres in Described Lease: 20 Described Mineral Lease is:  Fee  State  Federal  Indian

Federal or State Lease # \_\_\_\_\_

Distance from Completed Portion of Wellbore to Nearest Lease Line of described lease: 0 Feet

## CULTURAL DISTANCE INFORMATION

Distance to nearest:

Building: 460 Feet  
Building Unit: 592 Feet  
High Occupancy Building Unit: 3123 Feet  
Designated Outside Activity Area: 4179 Feet  
Public Road: 840 Feet  
Above Ground Utility: 452 Feet  
Railroad: 5280 Feet  
Property Line: 200 Feet

### INSTRUCTIONS:

- All measurements shall be provided from center of the Proposed Well to nearest of each cultural feature as described in Rule 303.a.(5).  
- Enter 5280 for distance greater than 1 mile.  
- Building - nearest building of any type. If nearest Building is a Building Unit, enter same distance for both.  
- Building Unit, High Occupancy Building Unit, and Designated Outside Activity Area - as defined in 100-Series Rules.

## DESIGNATED SETBACK LOCATION INFORMATION

Check all that apply. This location is within a:  Buffer Zone  
 Exception Zone  
 Urban Mitigation Area

- Buffer Zone – as described in Rule 604.a.(2), within 1,000' of a Building Unit  
- Exception Zone - as described in Rule 604.a.(1), within 500' of a Building Unit.  
- Urban Mitigation Area - as defined in 100-Series Rules.

Pre-application Notifications (required if location is within 1,000 feet of a building unit):

Date of Rule 305.a.(1) Urban Mitigation Area Notification to Local Government: \_\_\_\_\_

Date of Rule 305.a.(2) Buffer Zone Notification to Building Unit Owners: 12/06/2013

## SPACING and UNIT INFORMATION

Distance from Completed Portion of Wellbore to Nearest Wellbore Permitted or Completed in the same formation: 700 Feet

Distance from Completed Portion of Wellbore to Nearest Unit Boundary 475 Feet (Enter 5280 for distance greater than 1 mile.)

Federal or State Unit Name (if appl): \_\_\_\_\_ Unit Number: \_\_\_\_\_

## SPACING & FORMATIONS COMMENTS

Operator requests the proposed spacing unit: 320 Acres consisting of the S/2 of Section 32, 1N, 66W.

## OBJECTIVE FORMATIONS

Objective Formation(s)	Formation Code	Spacing Order Number(s)	Unit Acreage Assigned to Well	Unit Configuration (N/2, SE/4, etc.)
NIOBRARA	NBRR		320	GWA

## DRILLING PROGRAM

Proposed Total Measured Depth: 12022 Feet

Distance to nearest permitted or existing wellbore penetrating objective formation: 350 Feet (Including plugged wells)

Will a closed-loop drilling system be used? Yes

Is H<sub>2</sub>S gas reasonably expected to be encountered during drilling operations at concentrations greater than or equal to 100 ppm? No (If Yes, attach an H<sub>2</sub>S Drilling Operations Plan)

Will salt sections be encountered during drilling?     No    

Will salt based (>15,000 ppm Cl) drilling fluids be used?     No    

Will oil based drilling fluids be used?     No    

BOP Equipment Type:  Annular Preventor     Double Ram     Rotating Head     None

### GROUNDWATER BASELINE SAMPLING AND MONITORING AND WATER WELL SAMPLING

Water well sampling required per Rule     318A    

### DRILLING WASTE MANAGEMENT PROGRAM

Drilling Fluids Disposal:     OFFSITE          Drilling Fluids Disposal Methods:     Other    

Cuttings Disposal:     OFFSITE          Cuttings Disposal Method:     Other    

Other Disposal Description:

    land farming    

Beneficial reuse or land application plan submitted?     No    

Reuse Facility ID:                      or Document Number:                     

### CASING PROGRAM

Casing Type	Size of Hole	Size of Casing	Wt/Ft	Csg/Liner Top	Setting Depth	Sacks Cmt	Cmt Btm	Cmt Top
SURF	12+1/4	9+5/8	36	0	1400	390	1400	0
1ST	8+3/4	7	26	0	8008	730	8008	
1ST LINER	6+1/8	4+1/2	11.6	6883	12022			

Conductor Casing is NOT planned

### DESIGNATED SETBACK LOCATION EXCEPTIONS

Check all that apply:

- Rule 604.a.(1)A. Exception Zone (within 500' of Building Unit)
- Rule 604.b.(1)A. Exception Location (existing or approved Oil & Gas Location now within a Designated Setback as a result of Rule 604.a.)
- Rule 604.b.(1)B. Exception Location (existing or approved Oil & Gas Location is within a Designated Setback due to Building Unit construction after Location approval)
- Rule 604.b.(2) Exception Location (SUA or site-specific development plan executed on or before August 1, 2013)
- Rule 604.b.(3) Exception Location (Building Units constructed after August 1, 2013 within setback per an SUA or site-specific development plan)

### GREATER WATTENBERG AREA LOCATION EXCEPTIONS

Check all that apply:

- Rule 318A.a. Exception Location (GWA Windows).
- Rule 318A.c. Exception Location (GWA Twinning).

### RULE 502.b VARIANCE REQUEST

Rule 502.b. Variance Request from COGCC Rule or Spacing Order Number                     

### OTHER LOCATION EXCEPTIONS

Check all that apply:

- Rule 318.c. Exception Location from Rule or Spacing Order Number
- Rule 603.a.(2) Exception Location (Property Line Setback).

ALL exceptions and variances require attached Request Letter(s). Refer to applicable rule for additional required attachments (e.g. waivers, certifications, SUAs).

**OPERATOR COMMENTS AND SUBMITTAL**

Comments

This application is in a Comprehensive Drilling Plan \_\_\_\_\_ CDP #: \_\_\_\_\_

Location ID: \_\_\_\_\_

Is this application being submitted with an Oil and Gas Location Assessment application? Yes

I hereby certify all statements made in this form are, to the best of my knowledge, true, correct, and complete.

Signed: \_\_\_\_\_ Print Name: Brianne ViscontiTitle: \_\_\_\_\_ Date: 1/6/2014 Email: bvisconti@syrginfo.com

Operator must have a valid water right or permit allowing for industrial use or purchased water from a seller that has a valid water right or permit allowing for industrial use, otherwise an application for a change in type of use is required under Colorado law. Operator must also use the water in the location set forth in the water right decree or well permit, otherwise an application for a change in place of use is required under Colorado law. Section 37-92-103(5), C.R.S. (2011).

Based on the information provided herein, this Application for Permit-to-Drill complies with COGCC Rules and applicable orders and is hereby approved.

COGCC Approved: Matthew Lee Director of COGCC Date: 2/18/2014Expiration Date: 02/17/2016**API NUMBER**

05 123 38954 00

**Conditions Of Approval**

All representations, stipulations and conditions of approval stated in the Form 2A for this location shall constitute representations, stipulations and conditions of approval for this Form 2 Permit-to-Drill and are enforceable to the same extent as all other representations, stipulations and conditions of approval stated in this Permit-to-Drill.

**COA Type****Description**

	Operator shall comply with Buffer Zone Move-In, Rig-Up Notice Policy dated 12-16-2013.
	Operator acknowledges the proximity of the listed non-operated wells. Operator agrees to provide mitigation Option 3 (per the DJ Basin Horizontal Offset Policy), ensure all applicable documentation is submitted, and submit Form 42(s) ("OFFSET MITIGATION COMPLETED") for the remediated wells, referencing the API Number of the proposed horizontal well(s) stating what appropriate mitigation occurred and that it has been completed, prior to the hydraulic stimulation of this well.  Emma Delventhal Gas Unit #1 (API# 123-08370) well.
	1) Note surface casing depth change from 800' to 1400'. Increase cement volumes accordingly. 2) Submit Form 42 electronically to COGCC 48 hours prior to MIRU. 3) Comply with Rule 317.i and provide cement coverage from end of 7" casing to a minimum of 200' above Niobrara and from 200' below the Sussex to 200' above Sussex. Verify coverage with cement bond log. 4) Comply with Rule 321. Run and submit Directional Survey from TD to base of surface casing. Ensure that the wellbore complies with setback requirements in commission orders or rules prior to producing the well.
	Open hole resistivity and gamma logs shall be run to describe the stratigraphy of the entire well bore and to adequately verify the setting depth of surface casing and aquifer coverage. On a multi-well pad, these open hole logs are only required on one of the first wells drilled on the pad and the Form 5 for every well on the pad shall identify which well was logged.

## Best Management Practices

No	BMP/COA Type	Description
1	Drilling/Completion Operations	Anti-collision: Prior to drilling operations, Operator will perform an anti-collision scan of existing offset wells that have the potential of being within close proximity of the proposed well. This anti-collision scan will include definitive MWD or gyro surveys of the offset wells with included error of uncertainty per survey instrument, and compared against the proposed wellpath with its respective error of uncertainty. If current surveys do not exist for the offset wells, Operator may have gyro surveys conducted to verify bottomhole location. The proposed well will only be drilled if the anti-collision scan results indicate that there is not a risk for collision, or harm to people or the environment. For the proposed well, upon conclusion of drilling operations, an as-constructed gyro survey will be submitted to COGCC with the Form 5.
2	Drilling/Completion Operations	Operator will comply with COGCC Policy for Bradenhead Monitoring During Hydraulic Fracturing Treatments in the Greater Wattenberg Area dated May 29, 2012.

Total: 2 comment(s)

### Applicable Policies and Notices to Operators

Notice Concerning Operating Requirements for Wildlife Protection.

### Attachment Check List

Att Doc Num	Name
400534256	FORM 2 SUBMITTED
400534271	DIRECTIONAL DATA
400534273	DEVIATED DRILLING PLAN
400534279	EXCEPTION LOC REQUEST
400534280	CORRESPONDENCE
400534800	PROPOSED SPACING UNIT
400534804	LEASE MAP
400535918	EXCEPTION LOC WAIVERS
400535949	WELL LOCATION PLAT

Total Attach: 9 Files

### General Comments

User Group	Comment	Comment Date
Permit	Synergy BMPs on the 2A for this location address the concerns in the LGD comments.	2/10/2014 1:39:54 PM
Permit	Made corrections to cultural distances. Ready to pass.	2/10/2014 1:23:38 PM
LGD	<p>Representatives of the City met with Craig Rasmuson, Vice President of Operations for Synergy Oil and Gas, on January 28, 2014. In that meeting, Mr. Rasmuson discussed and addressed Brighton's concerns and specifically agreed to the following:</p> <p>1) To level the property from the well site to the Fulton Ditch;</p> <p>2) To further clarify Synergy's representation in its January 6, 2014 letter to Mr. Deranleau at COGCC (attached to Form 2A) regarding its intent to 'enhance the integrity of WCR 29', Synergy will:</p> <p>a) Install 6-8" road base,</p> <p>b) Add "road saver" by Durablend, and</p>	2/7/2014 2:38:01 PM

c)Enlarge and enhance the radii at the intersection of WCR 29 and WCR 2.

3)As to the concerns about containment in case of storm water run-off, flood, etc., Synergy will install an adequate sump containment that will control the drainage leaving the storm drainage pond.

4)To monitor and protect the groundwater, Synergy will provide ongoing groundwater monitoring with (i) a test location right off the center of the well pad location and (ii) one in the proximity of the Fulton Ditch.(Note:a determination of the exact locations and schedule or monitoring should be made)

Since the meeting with Mr. Rasmuson, Synergy has filed an undated Location storm water plan depicting the drilling and post drilling at the Eberle site for the CDPHE Stormwater Permit with a copy on the COGCC website.In addition, Synergy stated that it agrees to a secondary berm/containment on the western boundary of this Eberle site, for protecting the irrigation canal/ditch to the west.

Upon review of the information provided by Synergy including the recently provided Location Stormwater Plan, the City, especially the Stormwater Management division, has the following additional concerns and specific observations:

For further clarification of these comments see the SWMP redline attached.

1.Indicate specific location of buffer zone – distance between Fulton ditch and Oil/Gas operations.

2.Indicate contours, slopes, gradient and flow direction.

3.It is not clear how much surface will be impervious, how much runoff is expected and whether or not the proposed ditch around the pad will be able to carry flows.Where does the diversion ditch around the pad flow into?

4.Hay bales degrade after time; the use of hay bales is only a temporary practice during construction.A hay bale barrier will not provide long-term protections.

5.Does a hay bale wall mean that hay bales will be stacked on top of each other to create a wall of some definite height?We assume the bales are the large 4'x4'x8' but no height is shown.

6.During the construction phase, if smaller size hay bales are used for erosion control then they will need to be entrenched and staked down following UDFCD installation detail drawings. Otherwise, they may be displaced by run-off flows; see:

<http://udfcd.org/downloads/pdf/critmanual/Volume%203%20PDFs/chapter%207%20fact%20sheets/SC-03%20Straw%20Bale%20Barrier.pdf>

7.What material will be proposed instead of hay bales for long term protection?Is the 2 to 3 foot berm for the trees different from the earthen berm show in the bale wall detail?

8.How was the containment height/capacity calculated?(Berms 2 ft. high, plus the 4 ft. hay bale wall)

9.How/who will drain the containment area after a storm?

10.It is not clearly indicated where the hay bale wall and ditch around the perimeter will be placed; will there be a culvert installed to cross the proposed ditch?

11.Are any fabric liners proposed?During drilling and after drilling?Where?

12.Dirt berms used for erosion control should be compacted, following UDFCD installation details:

<http://udfcd.org/downloads/pdf/critmanual/Volume%203%20PDFs/chapter%207%20fact%20sheets/EC-10%20Earth%20Dikes%20and%20Drainage%20Swales.pdf>

	<p>13. Consider incorporation of a small retention/detention area into the design.</p> <p>14. The proposed ditch around the pad should be vegetated to address and provide water quality treatment:  <a href="http://udfcd.org/downloads/pdf/critmanual/Volume%203%20PDFs/chapter%207%20fact%20sheets/EC-02%20Temporary%20and%20Permanent%20Seeding.pdf">http://udfcd.org/downloads/pdf/critmanual/Volume%203%20PDFs/chapter%207%20fact%20sheets/EC-02%20Temporary%20and%20Permanent%20Seeding.pdf</a></p> <p>15. We are assuming that any additional tank(s) or other facilities that will be installed on the pad will also be provided with the above-referenced secondary containment. Please confirm.</p> <p>16. Overall it is not clear what practices will be implemented long-term to protect the water quality of the Fulton Ditch from potential leaks/spills and/or regular operations.</p> <p>Due to the significant concerns of Brighton regarding this application, request is made that the Commission attach the specific agreements of Synergy identified herein as conditions to the permits and in addition to require Synergy to address with conditions the comments and concerns previously set forth or stated above and on the redlined SWMP.</p>	
Public	<p>Eberle Well-Road 29</p> <p>We have owned and lived on our property since 1987.</p> <p>Early 2011, Mid-Continent Energy, Clint Blum, contacted us to lease our mineral rights and if we did not agree they would force pool us.</p> <p>The well site was to be on an existing well location, the Phelps property, ½ mile away.</p> <p>So we agreed on a non-surface agreement, from the information told to us.</p> <p>January 6, 2014, we were told that the wells (6) were going to be drilled on the Eberle property, which is only 156 feet from our barns and less than 600 feet from the back porch of our home.</p> <p>60 plus trucks going in and out of well site per day, they will cause dust, mud, noise and exhaust fumes. The county road, 29, runs along our property line and there is a fence that runs along the road to keep our cattle in the pasture, with the additional traffic, the splashing of mud and etc. will damage the fence. All this traffic will circle around our home. The county road 29 is about 28 feet wide with no bar ditch and is very sandy and rough and most of the traffic going down this road bang and make a lot of noise already. Then when additional traffic goes to well site it will parallel our property within 75 feet and less than 500 feet from our house. This traffic will be very disturbing, as we grill on our back porch, and have for over 26 years, we have had a very peaceful county life that will now be disturbed by this drilling. Also this well site will block our Mountain view.</p> <p>The dust control they have proposed to use is mag chloridewhich is very corrosive, sticky and kills vegetation. Because of the additional traffic on the county road it needs to be paved and that would eliminate some of the traffic concerns.</p> <p>We will have cattle on our property from February to July, they will be calving and after calving is breeding, we artificial inseminate and embryo transfer eggs to these cows, this is a very labor intense process, and the calmness of the cattle is very important to this process, with the additional noise which they are not used to could be very difficult on them and the percentage rate of accuracy is quite a bit less.</p> <p>Our water wells have not been tested, this is something that needs to be done. What is a schedule for this testing?</p> <p>Prairie dog control is another concern, are they going to be pushed onto our property or will they be under control.</p>	2/5/2014 5:45:29 PM

What is the final landscaping going to entail?

Craig Rasmuson has said that the process of drilling these wells will not be a very nice experience and he would address any questions or concerns we have. He has not been very good about returning calls and getting information to me.

Alan Vaughn

303-956-3802

Eberle Well-Road 29

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LGD		1/27/2014 2:15:18 PM	
LGD	<p>1. The pad site (on the 20 acre parcel) and six wells are located in the "Critical Raw Water Protection Area" of the City (see attached map). Brighton relies on well water for approximately 85% of its domestic supply. The alluvium that supplies these wells flows in a northwestern direction. The estimated depth to groundwater is a mere 17 feet. The topography of the site shows an approximate fifty (50) foot drop (to the northwest). Thus, any spills, releases, stormwater or other run off or other contamination would rapidly, negatively and significantly impact this critical raw water supply.</p> <p>a. Additional berming (at the ditches), extensive enhanced liners at the tank site and the pad site, and other containment improvements are a necessity.</p> <p>b. There is no Stormwater Management Plan identified in the BMP.</p> <p>c. There is no Emergency Spill Plan identified in the BMP.</p> <p>d. Emergency Management Plan must address immediate response protocol to</p>	1/27/2014 2:14:32 PM	

	<p>address potential incidents as well as plan for remediation.</p> <p>2.The large pad site is located between the Fulton Ditch (to the west) and the Brighton Lateral (to the east).The pad site is located upstream and only 600' from the Fulton Ditch.Brighton relies on these ditches as essential to its domestic water supply, for augmentation and to re-charge existing domestic wells.The topography of the site shows an approximate fifty (50) foot drop (to the northwest).The estimated depth to groundwater is a mere 17 feet.Thus, any spills, releases, stormwater or other run off or other contamination would rapidly, negatively and significantly impact the Fulton Ditch.Additional berming (at the ditches), extensive enhanced liners, and other containment improvements are a necessity.</p> <p>a.Additional berming (at the ditches), extensive enhanced liners at the tank site and the pad site, and other containment improvements are a necessity.</p> <p>b.There is no Stormwater Management Plan identified in the BMP.</p> <p>c.There is no Emergency Spill Plan identified in the BMP.</p> <p>d.Emergency Management Plan must address immediate response protocol to address potential incidents as well as plan for remediation.</p> <p>3.Weld County Road 2 (WCR2) is located within the corporate limits of Brighton and has been recently improved.Brighton is solely responsible for its maintenance (repair).WCR 29 is a gravel road with limited access from the well pad, limited to WCR 2 ½ to the north and then west to Highway 85 or to the south to WCR2.Brighton's Code restricts construction traffic from 7:00 a.m. to 7:00 p.m. on WCR2.</p> <p>a.Operator has not provided a BMP for traffic management showing (i) truck traffic route(s); (ii) number of trips/day; (iii) hours when traffic will occur; (iv) noise management/containment; (v) dust management/suppression.The 1/6/14 letter from Synergy to COGCC (#3) states it will "enhance the integrity of County Road 29" but does not indicate what specific improvements will be made, including the necessary improvements at the intersection of WCR29 and WCR2.</p> <p>b.The turning radii at the intersection at WCR 2 and WCR29 are not adequate to sustain the expected truck traffic, going both east and west on WCR2, and must be built up accordingly.</p> <p>4.The Application provides that the pad site will include 6 separators, 12 condensate tanks, 4 VOC combustors, 4 water tanks, 2 temporary large volume above ground tanks and 2 compressors.</p> <p>a.Since this is a large pad site with a considerable number of structures, the Operator should coordinate with the responsible fire protection agency to address the necessary fire and safety measures in addition to those required under the COGCC Rules.</p> <p>b.Note:The Brighton Fire Protection District is a special district, separate and distinct from Brighton.</p> <p>5. If there are unstated BMPs that Synergy will implement in excess of the normal they should be disclosed in the ADPs and OGLA for review and comment by the City.</p>		
OGLA	Extended comment period 10 days by written request of Weld County LGD.	1/17/2014 9:39:27 PM	
Permit	Corrected GPS data to match plat. Corrected TPZ to 775 FEL. Confirmed by operator.	1/17/2014 9:43:04 AM	
Permit	Passed completeness.	1/7/2014 11:32:08 AM	

Permit	Returned to draft: Bottom hole location in Well Location tab inconsistent with plat map and deviated drilling plan.	1/7/2014 11:05:02 AM
Permit	Returned to draft: Bottom hole location in Well Location tab inconsistent with plat map and deviated drilling plan.	1/7/2014 10:48:34 AM
Permit	Returned to draft for the following: 1. If right to construct is Surface Use Agreement, SUA must be attached. Right to construct should be the oil and gas lease. 2. Missing attached signed waiver for 318A.a location exception request. 3. Water well sampling should be 318A. 4. Surface and bottom hole locations in Well Location tab inconsistent with plat map and deviated drilling plan.	1/7/2014 9:22:03 AM

Total: 12 comment(s)