



August 31, 2011

Director  
Colorado Oil and Gas Conservation Commission  
1120 Lincoln Street, Suite 801  
Denver, CO 80203

Re: *502.b Variance request for the following wells  
Exigent Circumstances request*

Well(s): *Cletcher 11-21D, 12-21D, 21A, 21-21 and 22-21*  
Location: *NW/4 Section 21, Township 4N- Range 68W*

Director,

Synergy Resources Corporation respectfully requests your approval and API's for the five (5) above captioned wells.

Synergy has contracted Ensign Rig 33 for drilling wells through Fiscal Year 2011 in the GWA. The Rig is presently drilling the sixth well on a six well pad in the NW/4 of Section 34, Township 4 North, Range 68 West, Weld County, Colorado.

Synergy had scheduled to move the rig to the already approved permitted location(s) of Aguila in the SW/4 of Section 21, Township 4 North, Range 68 West.

This past Friday, August 26<sup>th</sup>, 2011, our Title Attorney advised SRC not to drill the Aguila wells at this time, as the surface and minerals from which we were prepared to drill the wells from had gone into foreclosure with its lender. Thus, putting a large risk on SRC's surface location and ability to have clean title from which to distribute proceeds for the Aguila wells.

The above captioned "Cletcher" wells are one-half mile north of the Aguila location in the NW/4 of Section 21, township 4 North, Range 68 West. We have supplied 305.d.1 waivers from the surface owner and acknowledged request for the COGCC to approve these permits so we can proceed with moving the drilling rig to this location as early as Monday September 5, 2011.

SRC does have approved permits throughout Weld County of which we could move the Drilling Rig too, however for various reasons; irrigation/surface issue's, Municipal approval pending or simply excessive cost of Rig move (\$80-100K), these locations are not viable at this time.

Synergy is requesting the COGCC approve the Cletcher permits as soon as possible to help expedite drilling these wells which are two and one half miles away from where the Rig is presently drilling.

Thank you in advance for your consideration, Please call me if you have any questions in regards to this request. (Cell 970-518-6205)

Respectfully,

A handwritten signature in black ink, appearing to read 'Craig Rasmuson', written over a faint, larger version of the same signature.

Craig Rasmuson  
Manager of Land and Field Operations



August 31, 2011

Well(s): Cletcher 11-21D, 12-21D, 21A, 21-21 and 22-21  
Location: NW/4 Section 21, Township 4N- Range 68W

Synergy Resources Corporation  
20203 Hwy 60  
Platteville, CO 80651

Colorado Oil and Gas Conservation Commission Rule 305.d.1 offers parties with standing an opportunity to request a hearing before the Commission prior to issuance of drilling permit(s).

As the Operator, a designated party with standing pursuant to Rule 503.b.7 of the COGCC, I hereby waive my right to request a hearing before the Commission under rule 305.d.1 and have no protest of the issuance of the Oil and Gas Drilling permit(s) for the above captioned well(s).

A handwritten signature in black ink, appearing to read 'Craig Rasmuson', is written over a horizontal line.

Craig Rasmuson, Synergy Resources Corp





**PUBLIC WORKS DEPARTMENT**  
 1111 H STREET  
 P.O. BOX 758  
 CHEELEY, COLORADO 80632  
 WEBSITE: www.co.weld.co.us  
 PHONE: (970) 356-4000, EXT. 3750  
 FAX: (970) 304-6497

Synergy Resources  
 20203 Highway 60  
 Platteville, Colorado 80651

August 30, 2011

Dear Mr. Rasmussen:

Weld County has received your request to waive hearing for the 5 (five) Cletcher wells to be located in Section 21, Township 4 North, Range 68 West. The waiver of hearing has been signed and is attached. We also have the following comments:

The well sites will likely access Weld County Road 5, a paved road at that location. Setbacks of wellheads and any facilities from the current and future Right-Of-Way will need to be observed. Any construction in the Right-Of-Way requires a Right-Of-Way permit - traffic control during construction may be needed to ensure the travelling public's safety. The County also collects a rig move fee. Please contact Amy Burry of this office regarding these permits

County Access permits will be required for each access point from the County road(s). Access locations may have to be adjusted to provide a safe location. Also any tank batteries and/or production facilities that lie in any FEMA-mapped 100-year floodplain will need a Weld County Flood Hazard Development permit to ensure that the facilities will be safe from flooding and not cause increased flood risk on neighboring properties. Proposed access roads may not always be passable. Fill in a floodplain (for roads, tank batteries, wellpads) may not be allowed.

Please contact Janet Carter of this office regarding road access permits. Please contact Clay Kimmi of this office regarding floodplain issues.

Thank you for considering these comments.

A handwritten signature in cursive script that reads "David Bauer".

David Bauer, P.E., CFM  
 Weld County Engineer - Development