



DEPARTMENT OF NATURAL RESOURCES
John W. Hickenlooper, Governor
1120 Lincoln St. Suite 807
Denver, CO 80202
Phone: (303) 894-2100
FAX: (303) 894-2100
www.colorado.gov/cogcc

February 25, 2014

Margaret R. Brubaker
Brighton City Attorney
Mehaffy Brubaker & Ernst LLC
21 North 1st Avenue, Suite 290
Brighton, CO 80601
mbrubaker@mmlc.com

Via Email and Regular Mail

RE: Eberle Well Field/ Sections 31 and 32, Township 1 North, Range 66 West, 6th PM, Weld County,
Application for Permit/ Synergy Resources Corporation

Form 2A, Document No. 400534013

Form 2, Doc. Nos. 400534181, 400534291, 400534691, 400534718, 400534808, 400534516

Location ID: 436152

Dear Ms. Brubaker:

Thank you for your February 20th letter regarding the referenced permits. COGCC's responses to the specific issues you raised follow. For your information, a location identification number, 436152, was recently been assigned to this Location; reference to that identification number in future correspondence would be appreciated.

The Colorado Oil and Gas Conservation Commission ("COGCC") does not have jurisdiction over public roadways. Therefore, COGCC cannot require an Operator to alter a county road, nor enforce an agreement by an Operator to do so. The City of Brighton's concerns about the intersection of WCR 2 and WCR 29 should be addressed to Weld County, in coordination with the operator.

The "pulled BMP ditch" is shown on Location drawings submitted by Synergy and is part of the permit by virtue of being on the drawings. The ditch serves as an additional mechanism to prevent stormwater flow or any other surface discharge from migrating off of the Location. COGCC will require Synergy to construct, maintain and operate the ditch to effectively serve its intended purpose.

COGCC has required Synergy to sample one shallow alluvial groundwater monitoring well in addition to conducting baseline water sampling required under COGCC Rule 318A.e.(4). The location of the additional well will be determined by Synergy based on the sampling location requirements in COGCC Rule 609.b, and will be sampled in accordance with COGCC Rule 609d.

Synergy has agreed, voluntarily, to install additional monitoring wells around the tank battery on this location. In light of other COGCC permit conditions that are designed to protect both surface and groundwater, Synergy's voluntary sampling program was not made a permit condition. Accordingly, COGCC did not impose specific location or sampling requirements for the monitoring wells.

Sincerely,



Robert J. Frick
Hearings Manager

Cc: Matt Lepore, Director
Greg Deranleau, Oil and Gas Location Assessment Supervisor
Rob Young, Oil and Gas Location Assessment, Central Location Specialist
Nancy Prince, Local Government Liaison
Manuel Esquibel, City Manager mesquibel@brightonco.gov
Marv Falconbur, Assistant City Manager for Development mfalconburg@brightonco.gov
Holly Prather, Community Development Director hprather@brightonco.gov
Jim Landek, Director of Utilities jlandeck@brightonco.gov
Joe Smith, Director of Streets and Fleet jsmith@brightonco.gov