



## COLORADO

Oil & Gas Conservation  
Commission

Department of Natural Resources

1120 Lincoln Street, Suite 801  
Denver, CO 80203

March 4, 2016

Thomas Newhofs  
13727 Weld County Road 2  
Brighton, CO 80603

Dear Mr. Newhofs,

The Colorado Oil and Gas Conservation Commission (COGCC) received your complaint regarding noise and aesthetics at the Eberle 13-32CHZ location operated by Synergy Resources Corporation. The complaint is documented in COGCC document number 200437682, which can be found on the "Complaints" page, off of our main website at <http://cogcc.state.co.us/>. The COGCC investigated this complaint and documented the results in COGCC document number 200439047.

The following actions were taken to address your complaint:

- On 10/05/2015, COGCC inspector Jason Gomez contacted you to discuss your complaint;
- On 10/06/2015, Mr. Gomez preformed a site inspection of the Eberle 13-32CHZ location (documented in Field Inspection Report [FIR] #673802563; attached to this letter);
- During the inspection, Mr. Gomez conducted a sound study, which indicated noise from the location was within compliance with COGCC regulations;
- Mr. Gomez reviewed the Conditions of Approval (COAs) for the location and determined that they require Synergy conduct an 8 foot earthen berm vegetated with wild grasses and evergreen trees and confirmed these interim reclamation requirements had not yet been met;
- Mr. Gomez forwarded the inspection to Dave Paddington of Synergy; and
- Mr. Gomez spoke with Mr. Paddington, who indicated the interim reclamation required elements (berm and trees) would be installed in the spring of 2016, weather permitting.



Mr. Newhofs  
March 4, 2016  
Page 2

At this time the COGCC has determined that no violations occurred related to your complaint. Accordingly, the COGCC has closed the complaint and will not issue a notice of alleged violation (NOAV) related to this complaint.

If you have questions relating to the investigation or if the referenced corrective measures do not take place, please contact me.

Sincerely,



Megan Adamczyk

COGCC Complaint Specialist  
303-894-2100 x5145  
dnr\_cogcc.complaints@state.co.us

Inspector Name: Gomez, Jason

**FORM INSP**  
Rev 05/11

**State of Colorado  
Oil and Gas Conservation Commission**

1120 Lincoln Street, Suite 801, Denver, Colorado 80203  
Phone: (303) 894-2100 Fax: (303) 894-2109



DE	ET	OE	ES
----	----	----	----

Inspection Date:  
10/06/2015

Document Number:  
673802563

Overall Inspection:

**ACTION REQUIRED**

**FIELD INSPECTION FORM**

Location Identifier	Facility ID	Loc ID	Inspector Name:	On-Site Inspection	2A Doc Num:
	<u>436152</u>	<u>436152</u>	<u>Gomez, Jason</u>	<input type="checkbox"/>	

**Operator Information:**

OGCC Operator Number:	<u>10311</u>
Name of Operator:	<u>SYNERGY RESOURCES CORPORATION</u>
Address:	<u>20203 HIGHWAY 60</u>
City:	<u>PLATTEVILLE</u> State: <u>CO</u> Zip: <u>80651</u>

- THIS IS A FOLLOW UP INSPECTION
- FOLLOW UP INSPECTION REQUIRED
- NO FOLLOW UP INSPECTION REQUIRED
- INSPECTOR REQUESTS FORM 42 WHEN CORRECTIVE ACTIONS ARE COMPLETED

**Contact Information:**

Contact Name	Phone	Email	Comment
Paddington, Dave		dpennington@syrginfo.com	All Inspections
Rasmuson, Craig	970-737-1073	crasmuson@syrginfo.com	

**Compliance Summary:**

QtrQtr: NESE Sec: 32 Twp: 1N Range: 66W

**Inspector Comment:**

**Related Facilities:**

Facility ID	Type	Status	Status Date	Well Class	API Num	Facility Name	Insp Status	
436150	WELL	PR	11/10/2014	OW	123-38954	Eberle P-32NHZ	PR	X
436151	WELL	PR	11/10/2014	OW	123-38955	Eberle B-32CHZ	PR	X
436153	WELL	PR	12/01/2014	OW	123-38956	Eberle 14-32-31NHZM	PR	X
436154	WELL	PR	11/10/2014	OW	123-38957	Eberle 14-32-31CHZM	PR	X
436155	WELL	PR	11/10/2014	OW	123-38958	Eberle P-32CHZ	PR	X
436156	WELL	PR	11/10/2014	OW	123-38959	Eberle B-32NHZ	PR	X

**Equipment:**

Location Inventory

Special Purpose Pits: _____	Drilling Pits: _____	Wells: <u>6</u>	Production Pits: _____
Condensate Tanks: <u>12</u>	Water Tanks: <u>4</u>	Separators: <u>6</u>	Electric Motors: <u>1</u>
Gas or Diesel Mortors: _____	Cavity Pumps: _____	LACT Unit: _____	Pump Jacks: _____
Electric Generators: _____	Gas Pipeline: _____	Oil Pipeline: _____	Water Pipeline: _____
Gas Compressors: <u>2</u>	VOC Combustor: <u>4</u>	Oil Tanks: _____	Dehydrator Units: _____
Multi-Well Pits: _____	Pigging Station: _____	Flare: _____	Fuel Tanks: _____

**Location**

Inspector Name: Gomez, Jason

Signs/Marker:				
Type	Satisfactory/Action Required	Comment	Corrective Action	CA Date
TANK LABELS/PLACARDS	SATISFACTORY			
CONTAINERS	SATISFACTORY			
BATTERY	SATISFACTORY			
WELLHEAD	SATISFACTORY			

Emergency Contact Number (S/AV): SATISFACTORY Corrective Date: \_\_\_\_\_

Comment: \_\_\_\_\_

Corrective Action: \_\_\_\_\_

Good Housekeeping:				
Type	Satisfactory/Action Required	Comment	Corrective Action	CA Date
UNUSED EQUIPMENT	<b>ACTION REQUIRED</b>	6 Verticle seperators and piping	Remove or install for use by date listed	04/06/2016
WEEDS	<b>ACTION REQUIRED</b>	All locations, including wells, roads and surface capable of production, including production facilities, shall be kept free of weeds; rubbish, and other waste material.	Remove or remediate weeds from location	11/06/2015

Spills:				
Type	Area	Volume	Corrective action	CA Date
Other	Tank	<= 5 bbls	stained soil in containment area of tank battery. Remove or remediate stained soil	11/06/2015

Multiple Spills and Releases?

Fencing/:				
Type	Satisfactory/Action Required	Comment	Corrective Action	CA Date
LOCATION	SATISFACTORY	wire		

Equipment:					
Type	#	Satisfactory/Action Required	Comment	Corrective Action	CA Date
VRU	3	SATISFACTORY			
Compressor	2	SATISFACTORY			
Gas Meter Run	7	SATISFACTORY			
Plunger Lift	6	SATISFACTORY			
Emission Control Device	8	SATISFACTORY			
Ancillary equipment	5	SATISFACTORY	Methonal pumpw/containment		
Emission Control Device	6	SATISFACTORY			

Facilities:

Inspector Name: Gomez, Jason

New Tank	Tank ID: _____
----------	----------------

Contents	#	Capacity	Type	SE GPS
PRODUCED WATER	2	400 BBLs	FIBERGLASS AST	.

S/AV: SATISFACTORY	Comment: _____
--------------------	----------------

Corrective Action: _____	Corrective Date: _____
--------------------------	------------------------

**Paint**

Condition	Adequate
-----------	----------

Other (Content) \_\_\_\_\_

Other (Capacity) \_\_\_\_\_

Other (Type) \_\_\_\_\_

**Berms**

Type	Capacity	Permeability (Wall)	Permeability (Base)	Maintenance
Metal	Adequate	Walls Sufficient	Base Sufficient	Adequate

Corrective Action	Corrective Date
-------------------	-----------------

Comment
---------

**Facilities:**     New Tank    Tank ID: \_\_\_\_\_

Contents	#	Capacity	Type	SE GPS
CRUDE OIL	12	400 BBLs	STEEL AST	.

S/AV: SATISFACTORY	Comment: _____
--------------------	----------------

Corrective Action: _____	Corrective Date: _____
--------------------------	------------------------

**Paint**

Condition	Adequate
-----------	----------

Other (Content) \_\_\_\_\_

Other (Capacity) \_\_\_\_\_

Other (Type) \_\_\_\_\_

**Berms**

Type	Capacity	Permeability (Wall)	Permeability (Base)	Maintenance
Metal	Adequate	Walls Sufficient	Base Sufficient	Adequate

Corrective Action	Corrective Date
-------------------	-----------------

Comment
---------

**Venting:**

Yes/No	Comment
NO	

**Flaring:**

Type	Satisfactory/Action Required	Comment	Corrective Action	CA Date

**Predrill**

Location ID: 436152

**Site Preparation:**

Lease Road Adeq.: \_\_\_\_\_      Pads: \_\_\_\_\_      Soil Stockpile: \_\_\_\_\_

S/AV: \_\_\_\_\_  
 Corrective Action: \_\_\_\_\_ Date: \_\_\_\_\_ CDP Num.: \_\_\_\_\_

**Form 2A COAs:**

Group	User	Comment	Date
OGLA	youngr	Operator shall identify and sample a water well completed in the alluvial aquifer within a quarter of a mile of the location. The water well sampling, analysis and reporting shall be performed as outlined in Rule 609.d.(1)(2)(4), Rule 609.e. and Rule 609.f.	02/13/2014

S/AV: \_\_\_\_\_ Comment: \_\_\_\_\_

CA: \_\_\_\_\_ Date: \_\_\_\_\_

**Wildlife BMPs:**

BMP Type	Comment
Noise mitigation	Synergy is working with Xcel Energy to purchase electricity for this production facility to minimize noise and emissions from the Vapor Recovery unit and the compressors planned for the location.
Storm Water/Erosion Control	The attachment "other", titled "Location Stormwater Plan" details permanent site berms that are designed to protect the downstream irrigation ditch from spill or releases originating at the location. Synergy will continue the two to three foot earthen berm to insure containment of the Southern, Western and Northern edges of the drilling and production facility pad. This is shown on the plat forwarded to COGCC on 2-7-14. This will contain the storm-water on location. Brighton suggested that an water pooled be tested prior to be released through a valve and ultimately finding its way to the Fulton Ditch. Synergy's position would be that any water that pools behind the earthen berm will be Super-vac'd up by Synergy's third party contractor and taken to a certified disposal.
Interim Reclamation	Synergy will construct a permanent eight- foot (8') earthen berm that will visually mitigate the location to neighbors on the South and West sides of the proposed location. Upon reclamation of the location- the berm with remain and be planted with wild grasses and evergreen trees to enhance the visual mitigation of the production facility.
Material Handling and Spill Prevention	Synergy will install groundwater monitoring wells around the production facility.
Material Handling and Spill Prevention	Synergy is committed to add Full Automation to the Tank Battery Construction. This automation has the ability to shut-in any well or well(s) in the event of an abnormal situation. An example of an abnormal situation would be a change in pressure- a valve frozen open or closed, and production tank leaking production and/or emissions, an Emission Control devise malfunctioning or any other situation that could lead to an event that any operator would not deem normal.  Synergy's practice is to have "Boots on the Ground" daily for all locations. The Automation does not take place of having our well operator visit each location daily to insure safety and normal efficient production occurring.
Traffic control	Synergy will enhance the integrity of CR 29 and incorporate dust abatement onto the road and the private access and location to mitigate the dust from the drilling and completion activities.
Noise mitigation	Synergy will contract to install a temporary sound and light wall – 30' in height – to surround the entire location for the process of drilling and completion.
Traffic control	Synergy will utilize piping of completion water to minimize the truck traffic by 80% plus during completion operations.
Storm Water/Erosion Control	The Hay bales that will be added to the berm for the drilling and completion phases are a third level of storm-water containment. The Berm, the Hay bales and a pulled bmp ditch will be the three levels.  Upon Approval of the 2A- Synergy will submit its final plat to the CDPHE for our Storm-water Management Permit approval from them.
Dust control	Synergy will require our third party completions contractor to use the Sierra dust control system as we transfer sand for the completions process. This will mitigate and control all silicate sand during completions.

S/AV: \_\_\_\_\_ Comment: \_\_\_\_\_

Inspector Name: Gomez, Jason

CA: \_\_\_\_\_ Date: \_\_\_\_\_

**Stormwater:**

**Comment:** \_\_\_\_\_

**Staking:**

**On Site Inspection (305):**

**Surface Owner Contact Information:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

**Operator Rep. Contact Information:**

Landman Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Date Onsite Request Received: \_\_\_\_\_ Date of Rule 306 Consultation: \_\_\_\_\_

Request LGD Attendance: \_\_\_\_\_

**LGD Contact Information:**

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_ Agreed to Attend: \_\_\_\_\_

**Summary of Landowner Issues:**

\_\_\_\_\_

**Summary of Operator Response to Landowner Issues:**

\_\_\_\_\_

**Onsite Inspection Memorandum Summarizing Discussions at Inspection as Attachment:**

\_\_\_\_\_

**Facility**

Facility ID: 436150 Type: WELL API Number: 123-38954 Status: PR Insp. Status: PR

**Producing Well**

Comment: PR

**Complaint**

**Comment:** **Complaint #: 200437682**

**Field Inspector Assigned: Gomez, Jason**

**Complaint Received:**

**Date: 10/05/2015 Time (Military): 1530Hrs**

**Contacted by Inspector:**

**Date: 10/05/2015Time (Military): 1540 Hrs**

**Well Number: 05-Choose an item.-Click here to enter text. Location #: 436152**

**Inspection Document #: 673802563**

**Complainant: Thomas Newhofs Phone: 303-659-7562**

**Address: 13727 WCR2, Brighton, CO 80603**

**Nature of complaint: Noise**

**Field Inspector Actions:**

On 10-5-2015 I was contacted by the COGCC office in reference to a noise complaint which had been filled on 9-25-2015. The complainant had indicated he had been dealing with noise coming from a fan coming from a compressor on the location to the southeast of his residence. The complaint said they had placed a wall up around the compressor but the wall was not an acoustic mitigation wall. The complainant also said the interim reclamation had also not been completed according to the COA's on file.

After speaking with the complainant I went to the location and performed a sound study and a site inspection. See inspection document #673802563 for results of sound study and photos of location.

According to COA attached to the inspection document the COA for the interim reclamation "Synergy will construct a permanent eight- foot (8') earthen berm that will visually mitigate the location to neighbors on the South and West sides of the proposed location. Upon reclamation of the location- the berm with remain and be planted with wild grasses and evergreen trees to enhance the visual mitigation of the production facility." According to photos of the site it does not appear as the interim reclamation as been completed to comply with COGCC COA's at this location

**Summary:**  
 Upon inspection and as a result of the sound studies performed, no violations of COGCC sound rules were observed at the time of the inspection. A review of the COA's on the location will be forwarded to the COGCC office and the Synergy.

Facility ID: 436151 Type: WELL API Number: 123-38955 Status: PR Insp. Status: PR

**Producing Well**

Comment: **PR**

Facility ID: 436153 Type: WELL API Number: 123-38956 Status: PR Insp. Status: PR

**Producing Well**

Comment: **PR**

Facility ID: 436154 Type: WELL API Number: 123-38957 Status: PR Insp. Status: PR

**Producing Well**

Comment: **PR**

Facility ID: 436155 Type: WELL API Number: 123-38958 Status: PR Insp. Status: PR

**Producing Well**

Comment: **PR**

Inspector Name: Gomez, Jason

Facility ID: 438156 Type: WELL API Number: 123-38959 Status: PR Insp. Status: PR

**Producing Well**

Comment: PR

**Environmental**

**Spills/Releases:**

Type of Spill: \_\_\_\_\_ Description: \_\_\_\_\_ Estimated Spill Volume: \_\_\_\_\_

Comment: \_\_\_\_\_

Corrective Action: \_\_\_\_\_ Date: \_\_\_\_\_

Reportable: \_\_\_\_\_ GPS: Lat \_\_\_\_\_ Long \_\_\_\_\_

Proximity to Surface Water: \_\_\_\_\_ Depth to Ground Water: \_\_\_\_\_

**Water Well:**

Lat \_\_\_\_\_ Long \_\_\_\_\_

DWR Receipt Num: \_\_\_\_\_ Owner Name: \_\_\_\_\_ GPS : \_\_\_\_\_

**Field Parameters:**

Sample Location: \_\_\_\_\_

Emission Control Burner (ECB): Y \_\_\_\_\_

Comment: \_\_\_\_\_

Pilot: ON \_\_\_\_\_ Wildlife Protection Devices (fired vessels): YES \_\_\_\_\_

**Reclamation - Storm Water - Pit**

**Interim Reclamation:**

Date Interim Reclamation Started: \_\_\_\_\_ Date Interim Reclamation Completed: \_\_\_\_\_

Land Use: RANGELAND, RESIDENTIAL

Comment: \_\_\_\_\_

1003a. Debris removed? \_\_\_\_\_ CM \_\_\_\_\_

CA \_\_\_\_\_ CA Date \_\_\_\_\_

Waste Material Onsite? \_\_\_\_\_ CM \_\_\_\_\_

CA \_\_\_\_\_ CA Date \_\_\_\_\_

Unused or unneeded equipment onsite? \_\_\_\_\_ CM \_\_\_\_\_

CA \_\_\_\_\_ CA Date \_\_\_\_\_

Pit, cellars, rat holes and other bores closed? \_\_\_\_\_ CM \_\_\_\_\_

CA \_\_\_\_\_ CA Date \_\_\_\_\_

Guy line anchors removed? \_\_\_\_\_ CM \_\_\_\_\_

CA \_\_\_\_\_ CA Date \_\_\_\_\_

Guy line anchors marked? \_\_\_\_\_ CM \_\_\_\_\_

CA \_\_\_\_\_ CA Date \_\_\_\_\_

1003b. Area no longer in use? \_\_\_\_\_ Production areas stabilized ? \_\_\_\_\_

1003c. Compacted areas have been cross ripped? \_\_\_\_\_

Inspector Name: Gomez, Jason

1003d. Drilling pit closed? \_\_\_\_\_ Subsidence over on drill pit? \_\_\_\_\_

Cuttings management: \_\_\_\_\_

1003e. Areas no longer needed for drilling or subsequent operations for have been re-vegetated to 80% of pre-existing? \_\_\_\_\_

Production areas have been stabilized? \_\_\_\_\_ Segregated soils have been replaced? \_\_\_\_\_

**RESTORATION AND REVEGETATION**

Cropland

Top soil replaced \_\_\_\_\_ Recontoured \_\_\_\_\_ Perennial forage re-established \_\_\_\_\_

Non-Cropland

Top soil replaced \_\_\_\_\_ Recontoured \_\_\_\_\_ 80% Revegetation \_\_\_\_\_

1003 f. Weeds Noxious weeds? \_\_\_\_\_

Comment: \_\_\_\_\_

**Overall Interim Reclamation**

**Final Reclamation/ Abandoned Location:**

Date Final Reclamation Started: \_\_\_\_\_ Date Final Reclamation Completed: \_\_\_\_\_

Final Land Use: RANGELAND, RESIDENTIAL

Reminder: \_\_\_\_\_

Comment: \_\_\_\_\_

Well plugged \_\_\_\_\_ Pit mouse/rat holes, cellars backfilled \_\_\_\_\_

Debris removed \_\_\_\_\_ No disturbance /Location never built \_\_\_\_\_

Access Roads Regraded \_\_\_\_\_ Contoured \_\_\_\_\_ Culverts removed \_\_\_\_\_

Gravel removed \_\_\_\_\_

Location and associated production facilities reclaimed \_\_\_\_\_ Locations, facilities, roads, recontoured \_\_\_\_\_

Compaction alleviation \_\_\_\_\_ Dust and erosion control \_\_\_\_\_

Non cropland: Revegetated 80% \_\_\_\_\_ Cropland: perennial forage \_\_\_\_\_

Weeds present \_\_\_\_\_ Subsidence \_\_\_\_\_

Comment: \_\_\_\_\_

Corrective Action: \_\_\_\_\_ Date \_\_\_\_\_

Overall Final Reclamation \_\_\_\_\_ Well Release on Active Location  Multi-Well Location

**Storm Water:**

Loc Erosion BMPs	BMP Maintenance	Lease Road Erosion BMPs	Lease BMP Maintenance	Chemical BMPs	Chemical BMP Maintenance	Comment
Waddles	Pass					
Gravel	Pass					
Rip Rap	Pass					
Culverts	Pass					

S/AV: SATISFACTOR Corrective Date: \_\_\_\_\_

Y

Comment: \_\_\_\_\_

CA: \_\_\_\_\_

Pits:  NO SURFACE INDICATION OF PIT

**Attached Documents**

You can go to COGCC Images (<https://cogcc.state.co.us/weblink/>) and search by document number:

Document Num	Description	URL
673802567	Sound study	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3699394">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3699394</a>
673802568	Sound wall on location	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3699395">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3699395</a>
673802569	Weeds on location	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3699396">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3699396</a>
673802570	Stained soil in berm containment	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3699397">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3699397</a>
673802571	Unused pipe on location	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3699398">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3699398</a>
673802572	Berm wall on SW corner of location	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3699399">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3699399</a>

**ACTION REQUIRED**

**ANY ACTION REQUIRED** items listed on this report indicate that the oil and gas facility or the oil and gas operations listed on the report may be in violation of the rules and regulations of the Colorado Oil and Conservation Commission (“COGCC”) and corrective action is required.

There is reasonable cause to believe that a violation of the Oil and Gas Conservation Act, or of any rule, regulation, or order of the Commission, or of any permit issued by the Commission, has occurred. The Operator’s compliance with this Inspection Report is required to resolve these alleged violations. This document requires the Operator to timely respond to the COGCC and to comply with directives as listed by the **Corrective Action Deadline Date**. Failure to do so will result in the issuance of a Notice of Alleged Violation and initiation of enforcement proceedings in which COGCC will seek monetary penalties for the alleged violations pursuant to § 34-60-121, C.R.S. and Rule 523, COGCC Rules of Practice and Procedure, 2 CCR 404-1. (Please note that the COGCC's penalty authority was recently increased to a maximum of \$15,000 per day and penalties are no longer capped at a maximum of \$10,000 per violation.)