

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION OF
THE STATE OF COLORADO**

IN THE MATTER OF THE APPLICATION OF)	
SYNERGY RESOURCES CORPORATION FOR)	
AN ORDER CONFIRMING A 480-ACRE WELLBORE)	CAUSE NO. 407
DRILLING AND SPACING UNIT AND POOLING ALL)	
INTERESTS THEREIN FOR THE CODELL AND)	
NIOBRARA FORMATIONS IN THE S/2 OF SECTION)	DOCKET NO. 1409-UP-257
32 AND SE/4 OF SECTION 31, TOWNSHIP 1 NORTH)	
RANGE 66 WEST, WATTENBERG FIELD AREA,)	
WELD COUNTY, COLORADO)	

AMENDED APPLICATION

COMES NOW, Synergy Resources Corporation ("Applicant"), by its attorneys, Lohf Shaiman Jacobs Hyman & Feiger PC, and submits its **amended** application to the Oil and Gas Conservation Commission of the State of Colorado (the "Commission"), for an order confirming a 480-acre designated wellbore spacing unit for the horizontal Eberle 14-32-31NHZM (API # 05-123-38956) well to the Niobrara Formation, and the horizontal Eberle 14-32-31CHZM (API # 05-123-38957) well to the Codell Formation, and pooling all interests therein, in certain lands in the Wattenberg Field, Weld County, Colorado, stating:

1. Applicant is duly organized and authorized to conduct business in the State of Colorado.
2. Applicant owns leasehold interests in the following described lands in Weld County, Colorado, containing approximately 480-acres (hereinafter, the "Application Lands"):

Township 1 North, Range 66 West, 6th P.M.
Section 31: SE¼
Section 32: S½

3. Pursuant to Commission Rule 318A.a.4.D, Applicant has duly designated the Application Lands as an approximate 480-acre wellbore spacing unit for the horizontal Eberle 14-32-31NHZM (API # 05-123-38956) well to the Niobrara Formation, and the horizontal Eberle 14-32-31CHZM (API # 05-123-38957) well to the Codell Formation (collectively, the "Wells"), for production of oil, gas and associated hydrocarbons from the Application Lands.

4. Applicant has drilled or is in the process of drilling and completing the Wells on such designated wellbore spacing unit.

5. To promote efficient drainage of said Formations in the Application Lands, to protect correlative rights and avoid waste, the Commission should confirm the designated wellbore spacing unit of approximately 480 acres, consisting of the Application Land, for the Wells.

6. A spacing unit of the size and shape specified above is not smaller than the maximum area that can be economically and efficiently drained by a single horizontal well to the Niobrara and/or Codell Formations in the Application Lands.

7. At least 30 days prior to the hearing on this **amended application**, the Applicant will have sent all owners listed on **Exhibit A**, who have not previously consented to lease or otherwise participate in the Wells, an Authority for Expenditures ("AFE") and offer containing all information required under Commission Rule 530.b., and if they are an unleased mineral owner, an offer to lease which is reasonable based on the factors listed in Commission Rule 530.c.

8. Applicant anticipates that one or more of such owners will refuse or fail to respond to such offer to lease or participate in the drilling, completion and operation of the Wells, and shall be deemed non-consenting parties under Commission Rule 530.b and c.

9. An order of the Commission pooling all interests in an approximate 480-acre designated wellbore spacing unit composed of the Application Lands shall therefore be necessary in order to **subject non-consenting owners to the cost recovery provisions of §34-60-116(6) and (7), and thereby** afford each owner of an interest in such unit the opportunity to recover and receive its just and equitable share of the oil and/or gas from the common source of supply underlying the unit.

10. The granting of the requested order would not be prejudicial to the owners in the unit and would protect correlative rights.

11. The requested pooling order should be effective as of the date of **the original application**, or the date that costs specified by §34-60-116(7)(b) C.R.S. were first incurred by Applicant for the drilling of the Wells, whichever is first in time.

12. The names and addresses of interested parties in the unit according to the information and belief of the Applicant are set forth on the annexed **Exhibit A**.

WHEREFORE, Synergy prays that this matter be set for hearing, notice of said hearing be given as required by law, if no protests are timely received the matter be considered pursuant to Rule 511(b), and the Commission enter an Order confirming the approximate 480-acre designated wellbore spacing unit and pooling all interests in the Application Lands with respect to production of the Codell and Niobrara formations, and that such Order:

(1) be upon terms and conditions which are just and reasonable and afford to the owner of each interest the opportunity to recover or receive, without unnecessary expense, his just and equitable share of oil and gas;

(2) provide that production obtained from the pooled tract be allocated to each owner therein on the basis of the proportion that the number of mineral acres held by each owner in the drilling unit bears to the total number of mineral acres within the drilling unit;

(3) provide that with respect to the Wells the consenting parties be allowed to recover from any non-consenting owner's share of production the penalty costs as provided in § 34-60-116 (7)(b) C.R.S.; and

(4) require the operator to provide each non-consenting interest owner in the Unit with monthly statement of costs incurred together with the quantity of oil and gas produced and proceeds realized, pursuant to §34-60-116(8) C.R.S.

Dated: August 7, 2014.

LOHF SHAIMAN JACOBS HYMAN & FEIGER PC

By: 

J. Michael Morgan #7279

950 S. Cherry Street, Suite 900

Denver, CO 80246

(303) 753-9000; (303) 753-9997 (fax)

mmorgan@lohfshaiman.com

Applicant's Address:
20203 Highway 60
Platteville, CO 80651

EXHIBIT "A"
TO APPLICATION OF SYNERGY RESOURCES CORPORATION

Applicant: Synergy Resources Corporation
20203 Highway 60
Platteville, CO 80651

Applicant's Attorney: J. Michael Morgan, Esq.
Lohf Shaiman Jacobs Hyman & Feiger PC
950 South Cherry Street, Suite 900
Denver, CO 80246

Local Government Designee: Tom Parko
Weld County
1555 North 17th Street
Greeley, CO 80631

Interested Parties in T1N, R66W, Section 31: SE/4, and Section 32: S1/2

Working Interest Owner:

Synergy Resources Corporation
20203 Highway 60
Platteville, CO 80651

Leased Mineral Owners:

12576 Holdings, LLC
12576 County Road 2 1/4
Brighton CO 80603

736 Baseline, LLC
PO Box 1176
Brighton CO 80603

995 Partners, LLC
PO Box 323
Brighton CO 80601

Alice Ann Morris
2001 W. 156th Avenue
Broomfield CO 80023

Alan J. Vaughn and
Lynnette J. Vaughn, as JTs
139 CR 29
Brighton CO 80603

Amanda Wade and
Joseph G Lugo, as JTs
13721 County Road 2
Brighton CO 80603

Arthur C. Beierle and
Eleanor C Beierle, JTs
16373 County Road 28
Platteville CO 80651

Baseline Place, LLC
193 S 27th Ave., Ste. 200
Brighton CO 80601

Baseline Storage LLC
12550 Brighton Road
Brighton CO 80601

BJ Services Company USA
5500 Northwest Central Drive
Houston TX 77092

Carol J. Roland
2122 S. Hoyt Way
Lakewood CO 80227

Charles W. Davis
13739 CR 2
Brighton CO 80603

Daniel J. Murphy and
Linda A. Murphy
10601 E 155th Court
Brighton CO 80602

David L Smith and
Jeanette A Smith, as JTs
13575 CR 2
Brighton CO 80603

David W. Lewis
1485 S. Andrews Drive
Broomfield CO 80020

Delroy Dinkel Living Trust
uta November 16, 2011
PO Box 222
Brighton CO 80601

Dennis L. Hinchley and
Laura M. Hinchley, as JTs
1430 Falcon Ridge Road
Eaton CO 80615

Diesel Service Property LLC
PO Box 1176
Brighton CO 80601

Dixie A. Burr
13716 CR 2 1/2
Brighton CO 80603

DLT Rental LLC and DLT Design Inc.
dba Industrial Hydraulics & Machine
785 N 9th Avenue
Brighton CO 80601

Dorothy A. Lane
7412 County Road 4
Berthoud CO 80513

Dottie Investments LLC
7412 County Road 4
Berthoud CO 80513

Duane D. Bacon
5986 Heather Way
5986 Heather Way
Longmont CO 80503

Dynamic Commercial Properties
890 N. 9th Avenue
Brighton CO 80603

Gregory W. Wright and
Lynn M. Wright, as JTs
13755 CR 2
Brighton CO 80603

Grein Builders LLC
16620 E 168th Avenue
Brighton CO 80601

Grein Enterprises LLC
c/o Eldor Grein & Marilyn Grein
16620 E 168th Avenue
Brighton CO 80601-6635

Kenneth D. Grein & Marion Sue Grein, JTs
Nathan D. Grein & Kathy Louise Grein, JTs
13565 Weld County Road 2
Brighton CO 80603

Joaquin Zuniga & Susan Zuniga
Revocable Trust, utd May 26, 2004
Joaquin Zuniga & Susan Zuniga, Trustees
3625 Cottonwood Lane
Brighton CO 80603

John A. Marottek
17955 Fair Lane
Brighton CO 80603

Kerry Wong-Arthur
13566 CR 2 1/2
Brighton CO 80603

KWP LLC
4844 N 300 W, Ste. 2002
Provo UT 84604

Magnolia Enterprises LLC
7290 Magnolia Street
Commerce City CO 80022

Mann Family Real Estate- Brighton
PO Box 599
Morrison CO 80465

Matthew C Sefcovic and
Krystal K Sefcovic as JT
13555 CR 2
Brighton CO 80603

Michael A. Martinez and
Yolanda Martinez
PO Box 5
Firestone CO 80520

Michael Curtis
13745 CR 2
Brighton CO 80603

Michael Eugene Medina
13595 Weld County Rd 2
Brighton CO 80603

Monaghan Farms, Inc.
7950 E Prentice Ave, Ste. 101
Greenwood Village CO 80111

Morgen Haji-Sarvestani
2071 Wheatberry Court
Erie CO 80516

Paul L Eberle as Trustee or his successors
In trust under the Paul L Eberle Living Trust
Dated February 21 2011
309 Weld County Road 29
Brighton CO 80603

Phoenix Investment Holdings
820 N 9th Avenue
Brighton CO 80603

Prestige Equipment LLC
7753 S Waco Street
Centennial CO 80016

Quadco Inc.
PO Box 576
Brighton CO 80601

Raw Property LLC
785 N 9th Avenue
Brighton CO 80603

Reed Real Estate LP
PO Box 594
Brighton CO 80601

Robert E. Briggs and
Carolyn Kay Brigggs as JTs
181 County Road 27
Brighton Co 80603

Rocky R. Madden
PO Box 1056
Brighton CO 80601

Steve Stratton
3985 County Road 19
Ft. Lupton, CO 80603

John R Stinnett and
Nancy Stinnett
15193 Arrowhead Drive
Brighton CO 80603

Linda Marie Rock
19213 E 160th Avenue
Brighton CO 80601

Dale Vernon Cutler and
Sharon L. Cutler
12635 Buckley Road
Brighton CO 80603

Dan V. Cutler
12637 Buckley Road
Brighton CO 80603

Sakata Farms Inc.,
a Colorado corporation
PO Box 508
Brighton CO 80601

Thomas R Neuhooffs
13727 CR 2
Brighton CO 80603

Joe T Casias and
Olibama Casias
13646 CR 2 1/2
Brighton CO 80603

Martin Dickey
1820 Rolling Gate Road
Fort Collins CO 80526

Anthony Rios
13565 Weld County Road 2.5
Brighton CO 80603

Kenneth B. Sherwood
13615 Weld County Road 2.5
Brighton CO 80603

SG Trust
6845 W Princeton Avenue
Denver CO 80235

T&B Ventures
PO Box 705
Brighton CO 80601

The Bernice D Kennedy Living Trust
23801 Rigewood Circle
Fergus Falls MN 56534-8278

The Ninth Street Trust
790 N 9th Avenue
Brighton CO 80603

The Public Service Company
PO Box 1979
Denver CO 80201

Theodore Younger and
Shirley A. Younger
12666 Ida Street
Brighton CO 80603

Weld County Colorado
PO Box 758
Greeley CO 80632

WPD, LLC
7107 Reflector Drive
Erie CO 80516

Wright Tree Service, Inc.
139 6th Street
West Des Moines IA 50265

Vijaya Gurung
401 CR 27
Brighton CO 80603

Vienot Family Trust, Harold A Vienot
and Robert H. Vienot, Trustees
c/o Harold Vienot
431 County Road 27
Brighton CO 80603

Vienot Family Trust, Harold A. Vienot
and Robert H. Vienot, Trustees
c/o Robert H. Vienot
9848 E 159th Place
Brighton CO 80602

**Non-Consenting Mineral Owners
or Lessees**

Anadarko Exploration & Production
Attn: Tom Crouch
1099 18th Street, Ste. 1800
Denver CO 80202

Colorado Dept. of Highways
4201 E Arkansas Ave., Rm 212
Denver CO 80222

CMC Steel Fabricators
PO Box 1046
Dallas TX 75221-1046

Damaris Calderon
471 CR 27
Brighton CO 80603

Gerard Joseph Brienza and
James Eugene Brienza
12636 Ida Street
Brighton CO 80603

Grein Enterprises LLC
c/o Eldor Grein & Marilyn Grein
16620 E 168th Avenue
Brighton CO 80601-6635

Lorri Dina Purcell
10791 E 96th Place
Commerce City CO 80022

Manuel Rivera and
Dora Rivera as JTs
13705 Weld County Road 2
Brighton CO 80603

Metro Wastewater Reclamation District
6450 York Street
Denver, CO 802

RAW Property LLC
785 N 9th Avenue
Brighton CO 80603

Timothy V Keeney
13733 Weld County Road 2
Brighton CO 80603

BLM – Colorado
Attn: Kathy Toth
2850 Youngfield Street
Lakewood CO 80215

Western Company of North America
PO Box 4740
Houston TX 77210

Weld County Colorado
PO Box 758
Greeley CO 80632

Yong Yee Lo and
Huechie Lo as JTs
13655 CR 2
Brighton CO 80603

Acoma Energy LLC
3801 E Florida Ave, Ste 508
Denver CO 80210


Eagle Energy Rockies LLC
1401 Ballinger Street, #203
Fort Worth TX 76102

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO**

DOCKET NO. 1409-UP-257

CERTIFICATE OF MAILING OF AMENDED APPLICATION

I hereby certify that a true and correct copy of the Amended Application in the above-referenced matter before the COGCC was deposited in the U.S. Mail on August 8, 2014, first class postage prepaid, to the interested parties listed in the application submitted to the COGCC regarding the above-referenced Docket Number.



Sharon Fowle
Lohf Shaiman Jacobs Hyman & Feiger PC
950 South Cherry Street, Suite 900
Denver, Colorado 80246
Telephone: (303) 753-9000
Email: sfowle@lohfschaiman.com