



# Berry Petroleum Company

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April 22, 2010

## OVERNIGHT EXPRESS DELIVERY

Chevron U.S.A. Inc.  
1400 Smith Street  
Houston, Texas 77002

Attn: Walter Jones, Land Representative - (713-372-3463)

**Re: C19-596 Surface Use Agreement  
Lot 1 of Sec. 1-5S-96W  
BPC Lease No.; CO-04002-000  
Garfield County, Colorado**

Dear Walter,

I have attached two original counterparts of the above referenced Surface Use Agreement (SUA) fully executed by Berry Petroleum Company. Please return an original fully executed Chevron U.S.A. Inc. counterpart to my attention. With respect to our discussions pertaining to the context of this document, your consideration for future SUA's would be appreciated.

In addition, the damages payment check for the SUA in the amount of \$2,500.00 will be promptly forwarded to your attention when it is generated by our accounting group.

Thank you very much for your help in this matter.

Sincerely,

Jerry L. Gonzalez  
Senior Landman

(2) Enclosures as stated