

MEMORANDUM OF  
SURFACE AND DAMAGE AGREEMENT

*December RAB.*  
WHEREAS on the 1 day of ~~November~~, 2004, **Rene Barge** ("Owner (s)")  
entered into a Surface and Damage Agreement with **Bill Barrett Corporation**,  
("Operator"), covering the below described lands in Garfield County, Colorado:

Township 6 South, Range 92 West, 6<sup>TH</sup> p.m.  
Section 32: S/2NW/4.

WHEREAS said agreement provides for, among other things, the right to enter upon and use the Owner's property for the purpose of erecting and maintaining well site location(s) for one (1) or more wells on Owner's land to maintain the well site location(s). Said agreement sets forth payment of specific amounts to cover damages resulting from the construction, use and maintenance of the well site location(s). Said agreement, with all of its terms, conditions, covenants and other provisions, is referred to and incorporated into this Memorandum for all purposes.

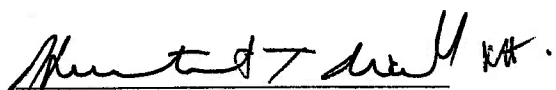
NOW THEREFORE this Memorandum is placed of record for the purpose of giving notice of the Surface and Damage Agreement.

Owner(s):

  
Rene Barge

Operator:

Bill Barrett Corporation.

  
By: Huntington T. Walker  
Vice President – Land  
Bill Barrett Corporation  
1099 18<sup>th</sup> Street, Suite 2300  
Denver, CO 80202

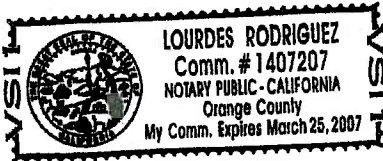
State of California )  
 ) §  
County of Orange )

On this 1st day of December <sup>LR</sup>~~November~~, 2004, before me personally appeared Rene Barge known to me to be the person(s) described in and who executed the foregoing instrument, and who acknowledged to me that they executed the same.

(SEAL)

My commission expires: March 25, 2007

Loures Rodriguez  
Notary Public



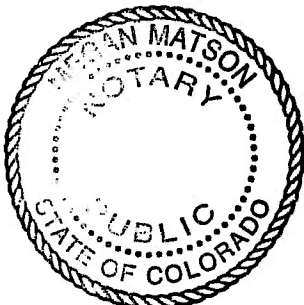
State of Colorado )  
 ) §  
City & County of Denver )

On this 29th day of December, 2004, before me personally appeared, Hunt Walker, Vice President of Bill Barrett Corporation known to me to be the person described in and who executed the foregoing instrument, and who acknowledged to me that he executed the same.

(SEAL)

My commission expires: 3/1/2006

Hege Math  
Notary Public



My Commission Expires 3/1/2006