

State of Colorado
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203 Phone: (303)854-2100 Fax: (303)834-2109



SUNDRY NOTICE

Submit original plus one copy. This form is to be used for general, technical and environmental sundry information. For proposed or completed operations, describe in full on Technical Information Page (Page 2 of this form.) Identify well or other facility by API Number or by OGCC Facility ID. Operator shall send an informational copy of all sundry notices for wells located in High Density Areas to the Local Government Designee (Rule 603b)

RECEIVED
10/3/2011

1. OGCC Operator Number: 10091	4. Contact Name: Chris Freeman	Complete the Attachment Checklist OP OGCC
2. Name of Operator: Berry Petroleum Company	Phone: 303-999-4400	
3. Address: 1999 Broadway, Suite 3700 City: Denver State: CO Zip: 80202	Fax: 303-999-4402	
5. API Number 05-045-14590	OGCC Facility ID Number 335872	Survey Plat
6. Well/Facility Name: Chevron O33 596	7. Well/Facility Number: Chevron 33-10D	Directional Survey
8. Location (Qtr/Otr, Sec, Twp, Rng, Meridian): SW SE Sec. 33, T5S, R96W		Surface Eqpm Diagram
9. County: Garfield	10. Field Name:	Technical Info Page
11. Federal, Indian or State Lease Number:		Other

General Notice

CHANGE OF LOCATION: Attach New Survey Plat (a change of surface qtr/qtr is substantive and requires a new permit)

Change of Surface Footage from Exterior Section Lines:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Change of Surface Footage to Exterior Section Lines:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Change of Bottomhole Footage from Exterior Section Lines:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Change of Bottomhole Footage to Exterior Section Lines:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Bottomhole location Ctr/Otr, Sec, Twp, Rng, Mer _____
 Latitude _____ Distance to nearest property line _____ Distance to nearest bldg, public rd, utility or RR _____
 Longitude _____ Distance to nearest lease line _____ Is location in a High Density Area (rule 603b)? Yes/No
 Ground Elevation _____ Distance to nearest well same formation _____ Surface owner consultation date: _____

GPS DATA:
 Date of Measurement _____ PDOP Reading _____ Instrument Operator's Name _____

CHANGE SPACING UNIT
 Formation _____ Formation Code _____ Spacing order number _____ Unit Acreage _____ Unit configuration _____

Remove from surface bond
 Signed surface use agreement attached

CHANGE OF OPERATOR (prior to drilling):
 Effective Date: _____
 Plugging Bond: Blanket Individual

CHANGE WELL NAME NUMBER
 From: _____
 To: _____
 Effective Date: _____

ABANDONED LOCATION:
 Was location ever built? Yes No
 Is site ready for inspection? Yes No
 Date Ready for Inspection: _____

NOTICE OF CONTINUED SHUT IN STATUS
 Date well shut in or temporarily abandoned: _____
 Has Production Equipment been removed from site? Yes No
 MIT required if shut in longer than two years. Date of last MIT: _____

SPUD DATE: _____ REQUEST FOR CONFIDENTIAL STATUS (6 mos from date casing set)

SUBSEQUENT REPORT OF STAGE, SQUEEZE OR REMEDIAL CEMENT WORK *submit cbl and cement job summaries
 Method used _____ Cementing tool setting/perf depth _____ Cement volume _____ Cement top _____ Cement bottom _____ Date _____

RECLAMATION: Attach technical page describing final reclamation procedures per Rule 1004.
 Final reclamation will commence on approximately _____ Final reclamation is completed and site is ready for inspection.

Technical Engineering/Environmental Notice

Notice of Intent Approximate Start Date: _____ Report of Work Done Date Work Completed: _____

Details of work must be described in full on Technical Information Page (Page 2 must be submitted.)

<input type="checkbox"/> Intent to Recomplete (submit form 2)	<input type="checkbox"/> Request to Vent or Flare	<input type="checkbox"/> E&P Waste Disposal
<input type="checkbox"/> Change Drilling Plans	<input type="checkbox"/> Repair Well	<input type="checkbox"/> Beneficial Reuse of E&P Waste
<input type="checkbox"/> Gross Interval Changed?	<input type="checkbox"/> Rule 502 variance requested	<input type="checkbox"/> Status Update/Change of Remediation Plans
<input type="checkbox"/> Casing/Cementing Program Change	<input checked="" type="checkbox"/> Other: background arsenic values	for Spills and Releases

I hereby certify that the statements made in this form are, to the best of my knowledge, true, correct and complete.

Signed: Chris Freeman Date: 10/3/11 Email: cf@bny.com
 Print Name: Chris P. Freeman Title: Regional Manager of Environmental, Health, and Safety

COGCC Approved: Chris Campbell Title: FOR Date: 10/25/2011

CONDITIONS OF APPROVAL, IF ANY
Chris Campbell
EPS NW Region

TECHNICAL INFORMATION PAGE



FOR OGCC USE ONLY

- 1. OGCC Operator Number: 10091 API Number: 05-045-14590
- 2. Name of Operator: Berry Petroleum Company OGCC Facility ID # 335872
- 3. Well/Facility Name: Chevron O33 596 Well/Facility Number: Chevron 33-10D
- 4. Location (QtrQtr, Sec, Twp, Rng, Meridian): SW SE Sec. 33, T5S, R96W

This form is to be completed whenever a Sundry Notice is submitted requiring detailed report of work to be performed or completed. This form shall be transmitted within 30 days of work completed as a "subsequent" report and must accompany Form 4, page 1.

5. **DESCRIBE PROPOSED OR COMPLETED OPERATIONS**

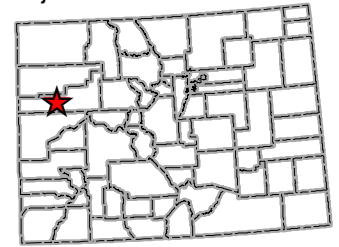
The operator requests a variance from the Table 910-1 standard for arsenic in soil based on the following:

Samples collected from the pit bottom subsoils and stockpiled cuttings had arsenic concentrations of 11 mg/kg and 11 mg/kg, respectively. Three background grab soil samples were collected from undisturbed areas near the O-33 well pad on August 13, 2011 and had arsenic concentrations of 6.5 mg/kg, 6.2 mg/kg, and 16 mg/kg, respectively. Based on these results, and the methodology recommended by the COGCC staff for establishing background arsenic levels, the allowable concentration of arsenic in soil at this site is 17.6 mg/kg (maximum plus 10%).

Since the arsenic concentrations in the remediated cuttings pile are below the allowable background arsenic level, the operator proposes to bury this material in the reserve pit and proceed with interim reclamation of this site.



Project Location

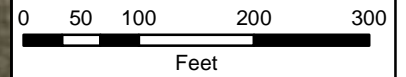
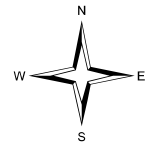


COLORADO

Legend

● Sample Location

— Existing Road



Berry Petroleum Company

**O-33 Well Pad
Sample
Locations for
Background Arsenic
Concentrations**

Garfield County, Colorado

August 2011

Figure 1

Nicholson GeoSolutions, LLC



12065 Lebanon Rd.
Mt. Juliet, TN 37122
(615) 758-5858
1-800-767-5859
Fax (615) 758-5859

Tax I.D. 62-0814289

Est. 1970

Dave Nicholson
Berry Petroleum Company - Denver, CO
1999 Broadway, Suite 3700
Denver, CO 80202

Report Summary

Thursday August 18, 2011

Report Number: L531307
Samples Received: 08/16/11
Client Project:

Description: Berry Pit Reclamation

The analytical results in this report are based upon information supplied by you, the client, and are for your exclusive use. If you have any questions regarding this data package, please do not hesitate to call.

Entire Report Reviewed By:

Mark W. Beasley , ESC Representative

Laboratory Certification Numbers

A2LA - 1461-01, AIHA - 100789, AL - 40660, CA - I-2327, CT - PH-0197, FL - E87487
GA - 923, IN - C-TN-01, KY - 90010, KYUST - 0016, NC - ENV375/DW21704, ND - R-140
NJ - TN002, NJ NELAP - TN002, SC - 84004, TN - 2006, VA - 00109, WV - 233
AZ - 0612, MN - 047-999-395, NY - 11742, WI - 998093910, NV - TN000032008A,
TX - T104704245, OK-9915

Accreditation is only applicable to the test methods specified on each scope of accreditation held by ESC Lab Sciences.

Note: The use of the preparatory EPA Method 3511 is not approved or endorsed by the CA ELAP.

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REPORT OF ANALYSIS

Dave Nicholson
Berry Petroleum Company - Denver, C
1999 Broadway, Suite 3700
Denver, CO 80202

August 18, 2011

Date Received : August 16, 2011
Description : Berry Pit Reclamation
Sample ID : 033-1 4-8IN
Collected By :
Collection Date : 08/13/11 10:15

ESC Sample # : L531307-13

Site ID :

Project # :

Parameter	Result	Det. Limit	Units	Method	Date	Dil.
Arsenic	6.5	1.0	mg/kg	6010B	08/18/11	1

BDL - Below Detection Limit

Det. Limit - Practical Quantitation Limit(PQL)

Note:

The reported analytical results relate only to the sample submitted.

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Reported: 08/18/11 11:10 Printed: 08/18/11 11:10



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REPORT OF ANALYSIS

Dave Nicholson
Berry Petroleum Company - Denver, C
1999 Broadway, Suite 3700
Denver, CO 80202

August 18, 2011

Date Received : August 16, 2011
Description : Berry Pit Reclamation
Sample ID : 033-2 6-10IN
Collected By :
Collection Date : 08/13/11 10:20

ESC Sample # : L531307-14

Site ID :

Project # :

Parameter	Result	Det. Limit	Units	Method	Date	Dil.
Arsenic	6.2	1.0	mg/kg	6010B	08/17/11	1

BDL - Below Detection Limit

Det. Limit - Practical Quantitation Limit(PQL)

Note:

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REPORT OF ANALYSIS

Dave Nicholson
Berry Petroleum Company - Denver, C
1999 Broadway, Suite 3700
Denver, CO 80202

August 18, 2011

Date Received : August 16, 2011
Description : Berry Pit Reclamation
Sample ID : 033-3 16-20IN
Collected By :
Collection Date : 08/13/11 10:25

ESC Sample # : L531307-15

Site ID :

Project # :

Parameter	Result	Det. Limit	Units	Method	Date	Dil.
Arsenic	16.	1.0	mg/kg	6010B	08/17/11	1

BDL - Below Detection Limit

Det. Limit - Practical Quantitation Limit(PQL)

Note:

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Reported: 08/18/11 11:10 Printed: 08/18/11 11:10



YOUR LAB OF CHOICE

Berry Petroleum Company - Denver, CO
 Dave Nicholson
 1999 Broadway, Suite 3700
 Denver, CO 80202

Quality Assurance Report
 Level II

L531307

12065 Lebanon Rd.
 Mt. Juliet, TN 37122
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August 18, 2011

Analyte	Result	Laboratory Blank		Limit	Batch	Date Analyzed
		Units	% Rec			
Arsenic	< 1	mg/kg			WG550835	08/17/11 22:40
Arsenic	< 1	mg/kg			WG550843	08/17/11 20:19
Arsenic	< 1	mg/kg			WG550738	08/17/11 23:07

Analyte	Units	Result	Duplicate		Limit	Ref Samp	Batch
			Duplicate	RPD			
Arsenic	mg/kg	9.70	11.0	12.4	20	L531307-25	WG550835
Arsenic	mg/kg	25.0	24.0	3.28	20	L531307-39	WG550843
Arsenic	mg/kg	3.30	3.90	15.8	20	L531273-04	WG550738

Analyte	Units	Laboratory Control Sample		% Rec	Limit	Batch
		Known Val	Result			
Arsenic	mg/kg	192	188.	97.9	78.6-120.8	WG550835
Arsenic	mg/kg	92.6	93.6	101.	82.9-117	WG550843
Arsenic	mg/kg	192	202.	105.	78.6-120.8	WG550738

Analyte	Units	MS Res	Matrix Spike		% Rec	Limit	Ref Samp	Batch
			Ref Res	TV				
Arsenic	mg/kg	51.6	11.0	50	81.2	75-125	L531307-25	WG550835
Arsenic	mg/kg	84.0	24.0	10	120.	75-125	L531307-39	WG550843
Arsenic	mg/kg	52.8	3.90	50	97.8	75-125	L531273-04	WG550738

Analyte	Units	MSD	Matrix Spike Duplicate		Limit	RPD	Limit	Ref Samp	Batch
			Ref	%Rec					
Arsenic	mg/kg	49.2	51.6	76.4	75-125	4.76	20	L531307-25	WG550835
Arsenic	mg/kg	79.2	84.0	110.	75-125	5.88	20	L531307-39	WG550843
Arsenic	mg/kg	51.2	52.8	94.6	75-125	3.08	20	L531273-04	WG550738

Batch number /Run number / Sample number cross reference

WG550835: R1818292: L531307-07 08 09 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
 WG550843: R1818293: L531307-26 27 28 29 30 31 32 33 34 35 36 37 38 39
 WG550738: R1818474: L531307-01 02 03 04 05 06

* * Calculations are performed prior to rounding of reported values.

* Performance of this Analyte is outside of established criteria.

For additional information, please see Attachment A 'List of Analytes with QC Qualifiers.'



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August 18, 2011

The data package includes a summary of the analytic results of the quality control samples required by the SW-846 or CWA methods. The quality control samples include a method blank, a laboratory control sample, and the matrix spike/matrix spike duplicate analysis. If a target parameter is outside the method limits, every sample that is effected is flagged with the appropriate qualifier in Appendix B of the analytic report.

Method Blank - an aliquot of reagent water carried through the entire analytic process. The method blank results indicate if any possible contamination exposure during the sample handling, digestion or extraction process, and analysis. Concentrations of target analytes above the reporting limit in the method blank are qualified with the "B" qualifier.

Laboratory Control Sample - is a sample of known concentration that is carried through the digestion/extraction and analysis process. The percent recovery, expressed as a percentage of the theoretical concentration, has statistical control limits indicating that the analytic process is "in control". If a target analyte is outside the control limits for the laboratory control sample or any other control sample, the parameter is flagged with a "J4" qualifier for all effected samples.

Matrix Spike and Matrix Spike Duplicate - is two aliquots of an environmental sample that is spiked with known concentrations of target analytes. The percent recovery of the target analytes also has statistical control limits. If any recoveries that are outside the method control limits, the sample that was selected for matrix spike/matrix spike duplicate analysis is flagged with either a "J5" or a "J6". The relative percent difference (%RPD) between the matrix spike and the matrix spike duplicate recoveries is all calculated. If the RPD is above the method limit, the effected samples are flagged with a "J3" qualifier.