

**MEMORANDUM OF
SURFACE USE AGREEMENT**

WHEREAS on the date notarized as referenced below and effective the 30th day of September, 2008, **George D. Robinson** and **Diane M. Robinson** (together, "Owner") entered into a Surface Use Agreement with **Bill Barrett Corporation** ("Operator"), covering the below described lands in Garfield County, Colorado ("Surface Use Agreement").

Township 6 South, Range 92 West, 6th P.M.

Section 26: SESE

Section 35: A tract of approximately 9.62 acres out of the NENE

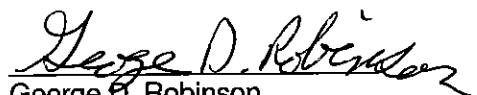
WHEREAS said Surface Use Agreement provides for, among other things, the right to enter upon and use Owner's property for the purpose of accessing a wellsite and related facilities and the drilling, maintaining and operating of wells and associated facilities upon the above-described lands of Owner, and the Surface Use Agreement sets forth payment of specific amounts to cover damages resulting from the construction, use and maintenance of the well site location; and,

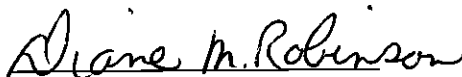
WHEREAS, the Surface Use Agreement further provides for the waiver by Owner of all thirty (30) day notices as required by the COGCC for ensuing APDs and as may be required under consultation provisions of COGCC Rules 305 and 306; and,

WHEREAS, the Surface Use Agreement, with all of its terms, conditions, covenants and other provisions, is referred to and incorporated into this Memorandum for all purposes; provided, however, that in the event of any conflict between the terms and provisions of the Surface Use Agreement and the terms and provisions of this Memorandum, the terms and provisions of the Surface Use Agreement shall control.

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

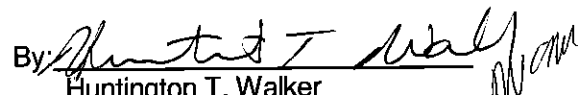
Owner:


George D. Robinson


Diane M. Robinson

Operator:

Bill Barrett Corporation

By: 
Huntington T. Walker
Senior Vice-President – Land

**ACKNOWLEDGEMENTS
TO
MEMORANDUM OF SURFACE USE AGREEMENT**

STATE OF COLORADO)
COUNTY OF Garfield) ss.

On this 30th day of September, 2008, before me personally appeared George D. Robinson and Diane M. Robinson, known to me to be the persons described in and who executed the foregoing instrument, and who acknowledged to me that they executed the same.

Witness my hand and seal.

2/6/10
My Commission Expires 2/6/10
JEFF FANDRICH
NOTARY PUBLIC
STATE OF COLORADO
Notary Public

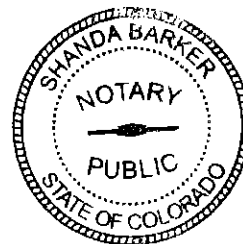
STATE OF COLORADO)
COUNTY OF DENVER) ss.

On this 1st day of Oct, 2008, before me personally appeared Huntington T. Walker as Senior Vice-President - Land 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.

Witness my hand and seal.

5/20/2009
My Commission Expires

Shanda Barker
Notary Public



My Commission Expires May 20, 2009