



# Berry Petroleum Company

1999 Broadway St., Suite 3700  
Denver, CO 80202

Ph: (303) 825-3344  
Fax: (303) 825-3350

[www.bry.com](http://www.bry.com)

December 11, 2009

## FACSIMILE TRANSMISSION (970-283-5248)

Thomas F. Latham  
Ginger L. Latham  
P. O. Box 66  
De Beque, CO 81630

Re: 30 Day Notice Requirement (Rule 305 and 306)  
**Latham 2-6D, 2-17D, 2-7D, 2-8D, 2-12D,**  
**2-13D, 2-14D, 2-15D, 2-16D**  
**I02 697 Pad - NESE Sec. 2-6S-97W**  
**(BPC COMCL11437)**  
Garfield County, Colorado

Dear Mr. and Mrs. Latham,

Please be advised that Berry Petroleum Company will be filing permits for the wells referenced above with the Colorado Oil and Gas Conservation Commission.

The enclosed notification, pursuant to Rule 305 and 306, is required as part of the permitting process. Please sign and date where indicated and return to my attention via facsimile at (303) 999-4307.

Please contact me at (303) 999-4207 if you have questions. Thank you for your assistance in this matter.

Very truly yours,

Jerry L. Gonzalez  
Senior Landman

:Enclosures

cc: Janni Keidel  
Land Well file

**NOTICE REQUIREMENTS (RULE 305)**

**I02 697 Pad**

**Re: Well Names -- Latham 2-6D, 2-17D, 2-7D, 2-8D, 2-12D, 2-13D, 2-14D, 2-15D, 2-16D -- Section 2 6S 97W, (Well Pad located in NESE, Section 2 6S 97W), Garfield County, CO**

In accordance with the Colorado Oil and Gas Conservation Commission for Notices of Oil and Gas Operations, Rule 305, the following information is required to be provided:

- Operations on the above referenced wells are estimated to commence February 15, 2010
- The operator will be: Berry Petroleum Company  
1999 Broadway, Suite # 3700  
Denver, Colorado 80202  
(303) 999-4400
- You may contact: Jerry L. Gonzalez, Senior Landman at (303) 999-4207, if you have any questions regarding this notice.

**LATHAM 2-6D**

The legal description of the lands upon which operations will be conducted are:

Surface Hole: 1968' FSL and 1273' FEL, Sec. 2, T6S, R97W  
Bottom Hole: 1734' FSL and 693' FEL, Sec. 2, T6S, R97W

**LATHAM 2-17D**

The legal description of the lands upon which operations will be conducted are:

Surface Hole: 1956' FSL and 1288' FEL, Sec. 2, T6S, R97W  
Bottom Hole: 4404' FNL and 2051' FWL, Sec. 2, T6S, R97W

**LATHAM 2-7D**

The legal description of the lands upon which operations will be conducted are:

Surface Hole: 1975' FSL and 1265' FEL, Sec. 2, T6S, R97W  
Bottom Hole: 2067' FSL and 592' FEL, Sec. 2, T6S, R97W

**LATHAM 2-8D**

The legal description of the lands upon which operations will be conducted are:

Surface Hole: 1981' FSL and 1257' FEL, Sec. 2, T6S, R97W  
Bottom Hole: 2403' FSL and 646' FEL, Sec. 2, T6S, R97W

**LATHAM 2-12D**

The legal description of the lands upon which operations will be conducted are:

Surface Hole: 1930' FSL and 1319' FEL, Sec. 2, T6S, R97W  
Bottom Hole: 1082' FSL and 1913' FEL, Sec. 2, T6S, R97W

**LATHAM 2-13D**

The legal description of the lands upon which operations will be conducted are:

Surface Hole: 1937' FSL and 1312' FEL, Sec. 2, T6S, R97W  
Bottom Hole: 1431' FSL and 1923' FEL, Sec. 2, T6S, R97W

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Latham 2-6D, 2-17D, 2-7D, 2-8D  
2-12D, 2-13D, 2-14D, 2-15D, 2-16D  
102 Pad - NBSE, Section 2 6S 97W  
Thomas and Ginger Latham  
December 11, 2009

**LATHAM 2-14D**

The legal description of the lands upon which operations will be conducted are:

Surface Hole: 1943' FSL and 1304' FEL, Sec. 2, T6S, R97W  
Bottom Hole: 1780' FSL and 1908' FEL, Sec. 2, T6S, R97W

**LATHAM 2-15D**

The legal description of the lands upon which operations will be conducted are:

Surface Hole: 1949' FSL and 1296' FEL, Sec. 2, T6S, R97W  
Bottom Hole: 2098' FSL and 1928' FEL, Sec. 2, T6S, R97W

**LATHAM 2-16D**

The legal description of the lands upon which operations will be conducted are:

Surface Hole: 1962' FSL and 1281' FEL, Sec. 2, T6S, R97W  
Bottom Hole: 2412' FSL and 1930' FEL, Sec. 2, T6S, R97W

- The surface owner has the responsibility for notifying any affected tenant of the proposed operations.
- A brochure describing surface owner rights is available upon request from:  
Colorado Oil and Gas Conservation Commission  
1120 Lincoln Street  
Suite 801  
Denver, Co 80203

By signing below, the surface owner waives the above notification requirements of Rule 305.

Thomas F. Latham

By: Thomas F. Latham

Date: 12-13-09

Ginger L. Latham

By: Ginger L. Latham

Date: 12/13/09

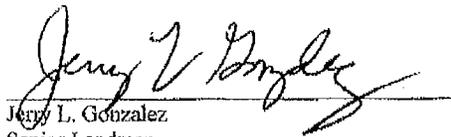
**SURFACE OWNER CONSULTATION (RULE 306)  
I02 697 Pad**

Berry Petroleum Company confirms that the Surface Owner Consultation requirements of Rule 306 have been completed or waived for the following proposed well locations.

**Well Names - LATHAM 2-6D, 2-17D, 2-7D, 2-8D, 2-12D, 2-13D, 2-14D, 2-15D, 2-16D - Section 2 6S 97W, (Well Pad located in NESE, Section 2 6S 97W), Garfield County, CO**

Road Description: Existing roadway use and new construction as required for access was previously agreed upon by all parties.

Berry Petroleum Company

  
\_\_\_\_\_  
Jerry L. Gonzalez  
Senior Landman

12/11/2009  
\_\_\_\_\_  
Date