



691073 01/25/2006 11:35H B1766 P683 M ALSDORF
1 of 2 R 11.00 D 0.00 GARFIELD COUNTY CO

MEMORANDUM OF SURFACE DAMAGE AND RELEASE AGREEMENT

WHEREAS on the 22nd day of December, 2005, **Roger L. Swanson, a single man**, ("Owner") entered into a Surface Damage and Release Agreement with **Bill Barrett Corporation**, ("Operator"), covering the below described lands in Garfield County, Colorado.

Township 6 South, Range 91 West, 6th P.M.
Section 29: SWNE, NWSE, and N2SW

WHEREAS said agreement provides for, among other things, the right to enter upon and use the Owners' property for the purpose of erecting and maintaining well site location(s) for one (1) or more wells on Owners' 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.

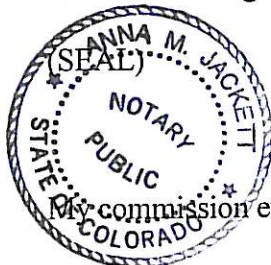
NOW THEREFORE this Memorandum is placed of record for the purpose of giving notice of the Surface Damage and Release Agreement.

Owners: Roger L. Swanson
Roger L. Swanson

Operator:
Bill Barrett Corporation
By: Huntington T. Walker WRG
Huntington T. Walker
Vice-President - Land

State of Colorado)
) ss
County of Garfield)

On this 22 day of December, 2005, before me personally appeared Roger L. Swanson, 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.



My commission expires: 12-14-2008

Anna M. Jackett
Notary Public

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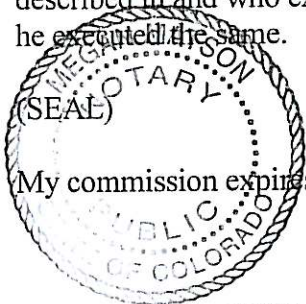
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691073 01/25/2006 11:35A B1766 P684 M ALSDORF
2 of 2 R 11.00 D 0.00 GARFIELD COUNTY CO

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

On this 11TH day of JANUARY ^(mm) ~~DECEMBER~~, 2006, before me personally appeared Huntington T. Walker as 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.



My commission expires: 3/1/2006

Meghna Soni
Notary Public

My Commission Expires 3/1/2006