

**MEMORANDUM OF AMENDMENT TO  
SURFACE DAMAGE AND RELEASE AGREEMENT**

✓ WHEREAS on the 13 day of May, 2009, David D. Schafer and Joyce M. Schafer, Trustees of the D & J Schafer Living Trust, dated February 28, 2002, with an address of 177 TZ Trail, Grand Junction, CO 81503, and, Connie Gray, with an address of 11800 Road 29, Cortez, CO 81321, ("Owner"), and Bill Barrett Corporation with an address of 1099 18<sup>th</sup> Street, Suite 2300, Denver, CO 80202, ("BBC"), entered into an Amendment to Surface Damage and Release Agreement ("Agreement") covering certain oil and gas wells on lands in Montezuma County, Colorado, ("Lands") as described below:

Township 37 North, Range 17 West, N.M.P.M.

Section 15: SW/4 SW/4 & SE/4 SW/4

Existing Well:

Gray #13H-15-37-17

Additional Wells:

Gray #13S-15-37-17

Gray #14N & #14S-15-37-17, and,

Others to be determined on and upon herein described land.

WHEREAS, said agreement provides for the drilling of wells as named above. Said agreement sets forth payment of a specific amount to cover compensation for the wells. 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 Amendment to Surface Damage and Release Agreement and shall inure to the benefit of the herein named parties heirs, successors and assigns.

**OWNERS: David D. Schafer & Joyce M. Schafer, Trustees of the D&J Schafer Living Trust, dated February 28, 2002, and, Connie Gray**

✓ David D. Schafer, Trustee  
David D. Schafer, Trustee

✓ Joyce M. Schafer, Trustee  
Joyce M. Schafer, Trustee

✓ Connie Gray  
Connie Gray

**BILL BARRETT CORPORATION**

By: Huntington T. Walker  
Name: Huntington T. Walker

Title: Sr. Vice President Land  
Bill Barrett Corporation  
1099 18<sup>th</sup> Street, Suite 2300  
Denver, CO 80202  
Attention: Huntington T. Walker  
Sr. Vice President -Land  
(303) 293-9100

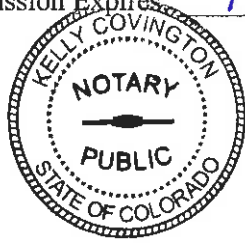
ACKNOWLEDGEMENTS

STATE OF COLORADO )  
 )  
 ) ss.  
COUNTY OF DENVER )

On this 27<sup>th</sup> day of May 2009, before me personally appeared Huntington T. Walker, known to me to be the Sr. Vice President – Land of BILL BARRETT CORPORATION and that he executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

My Commission Expires: 12/15/09



Notary: [Signature]

Address: 1099 18<sup>th</sup> Street, Ste 2300, Denver, CO 80202

My Commission Expires Dec 15 2009

ACKNOWLEDGMENT

✓

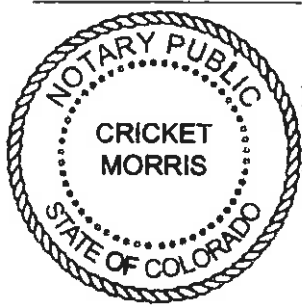
STATE OF COLORADO )  
 )  
 ) ss.  
COUNTY OF Mesa )

BEFORE ME, the undersigned authority, on this 13 day of May 2009, personally appeared Connie Gray, to me known to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that they signed the said instrument at their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

My Commission Expires  
10/25/2010

My Commission Expires: \_\_\_\_\_



Notary Public: [Signature]

Address: 569 32 Rd GrJ Co 81504

ACKNOWLEDGMENT

STATE OF COLORADO )

COUNTY OF Mesa ss. )

BEFORE ME, the undersigned authority, on this 13 day of May, 2009, personally appeared David D. Schafer and Joyce M. Schafer, to me known to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that they signed the said instrument at their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

My Commission Expires

My Commission Expires 10/25/2010



Notary Public:

Cricket Morris

Address:

564 32 Rd GJ Co 81504

EXHIBIT "A"

OWNER and OPERATOR acknowledge they have inspected the proposed well pad site area and agree as to its location.

Township 37 North, Range 17 West, N.M.P.M.  
Section 15: SW/4 SW/4 & SE/4 SW/4

OWNER:

✓ David D. Schafer, Trustee  
David D. Schafer, Trustee

✓ Joyce M. Schafer, Trustee  
Joyce M. Schafer, Trustee

✓ Connie Gray  
Connie Gray

OPERATOR:

Bill Barrett Corporation

BY Huntington T. Walker, Sr. VP-Land  
Huntington T. Walker, Sr. VP-Land