

BERRY PETROLEUM CO
Form 8-K
October 01, 2010

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported): **September 29, 2010**

BERRY PETROLEUM COMPANY

(Exact Name of Registrant as Specified in its Charter)

DELAWARE

1-9735

77-0079387

(State or Other Jurisdiction of

(Commission File Number)

(IRS Employer

Incorporation or Organization)

Identification Number)

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1999 BROADWAY, SUITE 3700, DENVER, COLORADO

80202

(Address of Principal Executive Offices)

(Zip Code)

Registrant's telephone number, including area code: **(303) 999-4400**

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- ☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
 - ☐ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
 - ☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
 - ☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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Item 1.01 Entry into a Material Definitive Agreement

On September 29, 2010, Berry Petroleum Company (Company) executed a crude oil purchase contract with ExxonMobil Oil Corporation for the sale of all of the Company's crude oil production from its Midway Sunset Field. The volume approximates 12,000 barrels per day. The Agreement is effective on October 1, 2010 and continues until November 30, 2011. A copy of the crude oil purchase contract, redacted to delete commercially sensitive information, will be filed as an exhibit to the Company's quarterly report on Form 10-Q for the fiscal quarter ending September 30, 2010.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereto duly authorized.

BERRY PETROLEUM COMPANY

By: */s/ Kenneth A. Olson*
Kenneth A. Olson
Corporate Secretary

Date: October 1, 2010