

DUGINSKI MICHAEL  
Form 4  
August 15, 2005

**FORM 4**

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
DUGINSKI MICHAEL

(Last) (First) (Middle)

C/O BERRY PETROLEUM COMPANY, 5201 TRUXTUN AVE., SUITE 300

(Street)

BAKERSFIELD, CA 93309

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol  
BERRY PETROLEUM CO [BRY]

3. Date of Earliest Transaction (Month/Day/Year)  
08/11/2005

4. If Amendment, Date Original Filed(Month/Day/Year)

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

Director  10% Owner  
 Officer (give title below)  Other (specify below)  
Senior Vice President

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
 Form filed by More than One Reporting Person

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

| 1. Title of Security (Instr. 3) | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Date, if any (Month/Day/Year) | 3. Transaction Code (Instr. 8) | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|---|
|                                 |                                      |  |                                | (A) or (D)  | Price   |  |   |
|                                 |                                      |  |                                | Code  | V   | Amount   |   |
| Class A Common Stock            | 08/11/2005                           |  | S                              | 750   | D   | \$ 60.5  | 9,002 D   |
| Class A Common Stock            | 08/11/2005                           |  | S                              | 1,250   | D   | \$ 60.62   | 7,752 D   |
| Class A Common Stock            | 08/11/2005                           |  | S                              | 900   | D   | \$ 60.95   | 6,852 D   |
| Class A Common Stock            | 08/11/2005                           |  | S                              | 1,600   | D   | \$   | 5,252 D   |

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|                      |                           |  |   |       |              |          |                 |       |   |                     |
|----------------------|---------------------------|--|---|-------|--------------|----------|-----------------|-------|---|---------------------|
| Common Stock         |                           |  |   |       |              | 60.88    |                 |       |   |                     |
| Class A Common Stock | 08/11/2005                |  | S | 1,000 | D            | \$ 61    | 4,252           | D     |   |                     |
| Class A Common Stock | 08/11/2005                |  | S | 100   | D            | \$ 61.25 | 4,152           | D     |   |                     |
| Class A Common Stock | 08/11/2005 <sup>(1)</sup> |  | J | V     | 8 <u>(1)</u> | A        | \$ 0 <u>(1)</u> | 2,506 | I | Held in 401(k) Plan |

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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(9-02)

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned**  
(e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of Derivative Security (Instr. 3)   | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transaction Code (Instr. 8) | 5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5) | 6. Date Exercisable and Expiration Date (Month/Day/Year) | 7. Title and Amount of Underlying Securities (Instr. 3 and 4) |                      |                            |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|----------------------|----------------------------|
|  |  |                                      |  | Code                           | V (A) (D)   | Date Exercisable   | Expiration Date   | Title                | Amount or Number of Shares |
| Nonstatutory Stock Option (Right to Buy) NSO | \$ 14.89   |                                      |  |                                |   | 02/01/2003   | 02/01/2012  | Class A Common Stock | 10,000                     |
| Nonstatutory Stock Option (Right to Buy) NSO | \$ 16.5  |                                      |  |                                |   | 12/06/2003   | 12/06/2012  | Class A Common Stock | 15,000                     |
| Nonstatutory Stock Option (Right to Buy) NSO | \$ 19.94   |                                      |  |                                |   | 12/05/2004   | 12/05/2013  | Class A Common Stock | 30,000                     |
|  | \$ 43.16   |                                      |  |                                |   | 11/23/2005   | 11/23/2014  |                      | 35,000                     |

Nonstatutory  
 Stock Option  
 (Right to  
 Buy) NSO

Class A  
 Common  
 Stock

## Reporting Owners

| Reporting Owner Name / Address   | Relationships |           |                             |       |
|--|---------------|-----------|-----------------------------|-------|
|  | Director      | 10% Owner | Officer                     | Other |
| DUGINSKI MICHAEL<br>C/O BERRY PETROLEUM COMPANY<br>5201 TRUXTUN AVE., SUITE 300<br>BAKERSFIELD, CA 93309 |               |           | Senior<br>Vice<br>President |       |

## Signatures

Kenneth A. Olson under Power of Attorney  
 on file 08/15/2005

\*\*Signature of Reporting Person Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).
  - \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) The change in the number of shares in the Berry Petroleum Company Common Stock Fund in the Company's 401(k) Plan is due to the required liquidation or addition of shares to cover the required cash portion of the fund from March 10, 2005 through August 11, 2005. All transactions were at market and no discretionary transactions have occurred in the holdings of Company Stock in the 401(k) Plan during the period covered.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.