

BEFORE THE OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE PROMULGATION AND)	CAUSE NOS. 369, 399 and 429
ESTABLISHMENT OF FIELD RULES TO GOVERN)	
OPERATIONS IN THE BUZZARD CREEK, VEGA AND)	DOCKET NO. 0903-SP-12
BRUSH CREEK FIELDS, MESA COUNTY, COLORADO)	

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

On February 25, 2008, the Commission issued Order Nos. 1-124, 369-4 and 399-4 which, among other things, allowed the equivalent of one (1) well per 10 acres for certain lands, including the below-listed lands, for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations, with the permitted well to be located no closer than 100 feet from the boundaries of the lease line:

Township 9 South, Range 92 West, 6th P.M.

Section 6: Lots 1(47.66), 2(47.70), 3(49.40), 4(40.82), 5(40.35), 6(39.92), S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ (All)
Containing 505.85 acres, more or less.

Section 7: Lots 1(39.70), 2(39.68), 3(39.46), 4(39.10), E $\frac{1}{2}$ (All)
Containing 477.94 acres, more or less.

Section 18: Lots 1(38.87), 2(38.64), 3(38.4), 4(38.17), N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$
Containing 434.08 acres, more or less.

Section 19: Lots 1(37.93), 2(37.66), 3(37.38), 4(37.11), E $\frac{1}{2}$ (All)
Containing 470.08 acres, more or less.

Township 9 South, Range 93 West, 6th P.M.

Section 21: S $\frac{1}{2}$
Containing 320.00 acres, more or less.

Section 22: S $\frac{1}{2}$ N $\frac{1}{2}$
Containing 160.00 acres, more or less.

Section 28: All
Containing 640.00 acres, more or less.

Section 29: E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$
Containing 440.00 acres, more or less.

On September 25, 2008, the Commission issued Order Nos. 1-127, 369-5, 386-4, 399-5 and 429-10 which, among other things, allowed the equivalent of one (1) well per 10 acres for certain lands, including the below-listed lands, for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations, with the permitted well to be located no closer than 100 feet from the boundaries of the lease line:

Township 9 South, Range 93 West, 6th P.M.

Section 8: W $\frac{1}{2}$
Containing 320.00 acres, more or less.

Section 17: N $\frac{1}{2}$
Containing 320.00 acres, more or less.

Section 18: E $\frac{1}{2}$
Containing 320.00 acres, more or less.

Section 29: W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
Containing 240.00 acres, more or less.

On February 9, 2009, Delta Petroleum Corporation, by its representative, filed with the Commission a verified application for an order requesting that the below-described drilling and spacing units be established for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations, for the below-listed application lands:

Township 9 South, Range 92 West, 6th P.M.

Section 6: Lots 1(47.66), 2(47.70), 3(49.40), 4(40.82), 5(40.35), 6(39.92), S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ (All)
Containing 505.85 acres, more or less.

Section 7: Lots 1(39.70), 2(39.68), 3(39.46), 4(39.10), E $\frac{1}{2}$ (All)
Containing 477.94 acres, more or less.

Section 18: Lots 1(38.87), 2(38.64), 3(38.4), 4(38.17), N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$
Containing 434.08 acres, more or less.

Section 19: Lots 1(37.93), 2(37.66), 3(37.38), 4(37.11), E $\frac{1}{2}$ (All)
Containing 470.08 acres, more or less.

Township 9 South, Range 93 West, 6th P.M.

Section 8: W $\frac{1}{2}$
Containing 320.00 acres, more or less.

Section 17: N $\frac{1}{2}$
Containing 320.00 acres, more or less.

Section 18: E $\frac{1}{2}$
Containing 320.00 acres, more or less.

Section 21: S $\frac{1}{2}$
Containing 320.00 acres, more or less.

Section 22: S $\frac{1}{2}$ N $\frac{1}{2}$
Containing 160.00 acres, more or less.

Section 28: E $\frac{1}{2}$ Containing 320.00 acres, more or less.
W $\frac{1}{2}$ Containing 320.00 acres, more or less.

Section 29: E $\frac{1}{2}$ Containing 320.00 acres, more or less.
W $\frac{1}{2}$ Containing 320.00 acres, more or less.

All future Williams Fork Formation and Iles Formation wells to be drilled upon the above-described lands should continue to be drilled in accordance with the previously established orders described above, allowing the downhole equivalent of one (1) well per 10 acres on each of the proposed drilling and spacing units, with wells to be located downhole anywhere within said lands but no closer than 100 feet from the boundaries of said units or lease lines (if applicable) without exception being granted by the Director of the Oil and Gas Conservation Commission. In cases where the above-described lands abut or corner lands in respect of which the Commission has not at the time of drilling permit application granted the right to drill 10-acre density Williams Fork Formation and Iles Formation wells, the well should be located downhole no closer than 200 feet from the boundary or boundaries of said units or lease lines (if applicable) so abutting or cornering such lands without exception being granted by the Director of the Oil and Gas Conservation Commission.

Except as previously authorized by order of the Commission, wells to be drilled on the above-described lands will continue to be drilled in accordance with the previously established orders, with wells drilled from the surface either vertically or directionally from no more than one pad located on a given quarter quarter section (or lots or parcels approximately equivalent thereto) unless exception is granted by the Director of the Oil and Gas Conservation Commission pursuant to application made for such exception. In addition, all wells drilled to the Iles Formation will continue to be drilled, in accordance with the previously established orders, only in connection with the drilling of Williams Fork Formation wells.

NOTICE IS HEREBY GIVEN, that the Oil and Gas Conservation Commission of the State of Colorado, pursuant to the above, has scheduled the above-entitled matter for hearing on:

Date: Monday, March 30, 2009
Tuesday, March 31, 2009

Time: 9:00 a.m.

Place: Suite 801, The Chancery Building
1120 Lincoln Street
Denver, Colorado 80203

In accordance with the Americans with Disabilities Act, if any party requires special accommodations as a result of a disability for this hearing, please contact Margaret Humecki at (303) 894-

2100 ext. 5139, prior to the hearing and arrangements will be made.

Pursuant to said hearing in the above-entitled matter at the time and place aforesaid, or at any adjourned meeting, the Commission will enter such orders as it deems appropriate to protect the health, safety and welfare of the public and to prevent the waste of oil and gas, either or both, in the operations of said field, and to carry out the purposes of the statute.

In accordance with Rule 509., any interested party desiring to protest the granting of the application or to intervene on the application should file with the Commission a written protest or intervention no later than March 16, 2009, briefly stating the basis of the protest or intervention. Such interested party shall, at the same time, serve a copy of the protest or intervention to the person filing the application. An original and 13 copies shall be filed with the Commission. **Anyone who files a protest or intervention must be able to participate in a prehearing conference during the week of March 16, 2009.** Pursuant to Rule 503.f., if a party who has received notice under Rule 503.b. wishes to receive further pleadings in the above-referenced matter, that party must file a protest or intervention in accordance with these rules. In accordance with the practices of the Commission, should no protests or interventions be filed in this matter by **March 16, 2009, the Applicant may request that an administrative hearing be scheduled during the week of March 16, 2009.** In the alternative, pursuant to Rule 511.b., if the matter is uncontested, the applicant may request, and the Director may recommend approval on the basis of the merits of the verified application and the supporting exhibits.

IN THE NAME OF THE STATE OF COLORADO

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By _____
Robert A. Willis, Acting Secretary

Dated at Suite 801
1120 Lincoln Street
Denver, Colorado 80203
March 2, 2009

Representative for Applicant:
John H. O'Shaughnessy, Landman
Delta Petroleum Corporation
370 17th Street, Suite 4300
Denver, CO 80202
(303) 820-4026