

When recorded please return to:
Delta Petroleum Corporation
Attn: Property Administration
370 Seventeenth St., Suite 4300
Denver, Colorado 80202

DECLARATION OF UNITIZATION AND POOLING

WHEREAS, DELTA PETROLEUM CORPORATION ("Delta"), 370 17TH Street, Suite 4300, Denver, CO 80202, is the Operator in and to the Oil and Gas Leases ("Leases") covering the lands described on Exhibit "A" attached hereto and

WHEREAS said Leases grant Lessee {EnCana Oil and Gas (USA)} et al the option, right and power to pool or unitize the leasehold estate and the mineral estate covered by said Leases with other land, lease or leases for the production of oil or gas. The forming or reforming of any unit shall be accomplished by Lessee executing and filing of record a declaration of such pooling and/or unitization describing the unit and

WHEREAS, the Oil and Gas Conservation Commission of the State of Colorado, has not designated spacing units to provide for 320 acre drilling and spacing units for the production of gas and associated hydrocarbons from the Niobrara Formation covering lands described on the attached Exhibit "A" located, in Mesa County, Colorado and


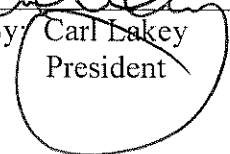

WHEREAS, Delta, as Operator intends to horizontally drill and complete natural gas wells for the production of natural gas from the Niobrara Formation covering lands described on the attached Exhibit "A" and

WHEREAS, Delta desires to pool, unitize, combine and/or communitize said Oil and Gas Leases and lands insofar as they cover the Niobrara Formation in the E/2E/2 of Section 23 and the W/2W/2 of Section 24, Township 9 South, Range 93 West, 6th P.M.

NOW, THEREFORE, subject to successfully completing the NVega 24-14H as a well capable of producing oil and gas Delta does hereby pool, unitize, combine and/or communitize said Oil and Gas Leases covering the E/2E/2 of Section 23 and W/2W/2 of Section 24, Township 9 South, Range 93 West, 6th P.M. as the approximate 320 acre drilling and spacing unit for the production of natural gas from the Niobrara Formation underlying said lands. Said pooling is effectuated pursuant to the terms and conditions of the Oil and Gas Leases.

IN WITNESS WHEREOF, this instrument is dated this 1st day of September, 2010.

Delta Petroleum Corporation


By:  Carl Lakey
President 

ACKNOWLEDGMENT

STATE OF COLORADO

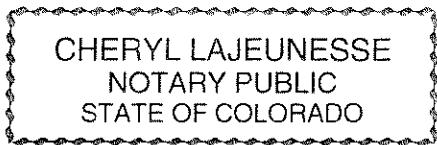
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CITY AND COUNTY OF DENVER

On this 1st day of September, 2010 before me personally appeared Carl Lakey, known to be the President of **Delta Petroleum Corporation**, that is described in and that executed this instrument, and acknowledged to me that he executed this instrument on behalf of said company.

Witness my hand and official seal.

Cheryl Lajeunesse
Notary Public



My Commission Expires 12/18/2010

My Commission Expires:
12-18-2010

EXHIBIT "A"
NORTH VEGA PROSPECT
E/2E/2 23, W/2W/2 24, TOWNSHIP 9 SOUTH, RANGE 93 WEST
MESA COUNTY, COLORADO

LEASE	Lease Name	Lessee	Eff Date	Exp Date	BOOK	PAGE	Gross Acres	Land Description
807931.010	BALD MOUNTAIN PROPERTIES	EnCana Oil & Gas (USA) Inc	5/24/2006	5/23/2009	4129	333	244.96	T9S R93W 6TH PM
								SEC 24 W2W2 LESS & EXCEPT A METES & BOUNDS TRACT CONTAINING
								35.04 ACRES
								SEC 25 E2NW, NWNW
							35.04	T9S R93W 6TH PM
								SEC 24 A METES & BOUNDS TRACT IN THE W2 CONTAINING
								35.04 ACRES DESCRIBED IN LEASE
							40.00	T9S R93W 6TH PM
								SEC 25 SESW
							35.12	T9S R93W 6TH PM
		EnCana Oil & Gas (USA) Inc	4129		4129	333		SEC 23 & 24 PARCEL 10 (35.12 ACRES) OF TRANQUILITY RANCHES
								SUBDIVISION AS DEDICATED IN PLAT DATED JULY 26, 2004
								AND RECORDED IN BOOK 3702 AT PAGE 983 OF THE MESA
								COUNTY RECORDS. SAID PARCEL BEING MORE FULLY DESCRIBED
								IN WARRANTY DEED DATED JULY 26, 2004 AND RECORDED IN
								BOOK 3703 AT PAGE 639 OF THE MESA COUNTY DEED RECORDS.
							40.00	T9S R93W 6TH PM
								SEC 23 SESE
							263.00	T9S R93W 6TH PM
								SEC 23 NE, N2SE, SWSE, AND THAT PART OF THE NW LYING EAST
		EnCana Oil & Gas (USA) Inc	4129		4129	333		OF A LINE MORE FULLY DESCRIBED IN WARRANTY DEED
								RECORDED IN BOOK 1713 AT PAGE 975 OF THE MESA COUNTY
								RECORDS
							40.00	T9S R93W 6TH PM
								SEC 25 SWNE

LEASE	Lease Name	Lessee	Eff Date	Exp Date	BOOK	PAGE	Gross Acres	Land Description
807931.011	THEODORE W WIERNE	Frederick D Jones	5/24/2001	5/23/2011	2873	39		T9S R93W 6TH PM SEC 24 W2W2 LESS & EXCEPT A METES & BOUNDS TRACT CONTAINING 35.04 ACRES SEC 25 E2NW, N4NW
								T9S R93W 6TH PM SEC 23 & 24 PARCEL 10 (35.12 ACRES) OF TRANQUILITY RANCHES SUBDIVISION AS DEDICATED IN PLAT DATED JULY 26, 2004 AND RECORDED IN BOOK 3702 AT PAGE 983 OF THE MESA COUNTY RECORDS. SAID PARCEL BEING MORE FULLY DESCRIBED IN WARRANTY DEED DATED JULY 26, 2004 AND RECORDED IN BOOK 3703 AT PAGE 639 OF THE MESA COUNTY DEED RECORDS.
		Frederick D Jones			2873	39		T9S R93W 6TH PM SEC 23 NE, N2SE, SWSE, AND THAT PART OF THE NW LYING EAST OF A LINE MORE FULLY DESCRIBED IN WARRANTY DEED RECORDED IN BOOK 1713 AT PAGE 975 OF THE MESA COUNTY RECORDS
								T9S R93W 6TH PM SEC 25 SWNE
807931.013	MICHAEL HETLAND ET UX	EnCana Oil & Gas (USA) Inc	5/24/2006	5/23/2011	4204	656	35.12	T9S R93W 6TH PM SEC 23 & 24 PARCEL 10 (35.12 ACRES) OF TRANQUILITY RANCHES SUBDIVISION AS DEDICATED IN PLAT DATED JULY 26, 2004 AND RECORDED IN BOOK 3702 AT PAGE 983 OF THE MESA COUNTY RECORDS. SAID PARCEL BEING MORE FULLY DESCRIBED IN WARRANTY DEED DATED JULY 26, 2004 AND RECORDED IN BOOK 3703 AT PAGE 639 OF THE MESA COUNTY DEED RECORDS.
807931.018	MERIAL C VANDERLAAN ET VIR	EnCana Oil & Gas (USA) Inc	11/1/2007	10/31/2010	4589	540	40.00	T9S R93W 6TH PM SEC 23 SESE

LEASE	Lease Name	Lessee	Eff Date	Exp Date	BOOK	PAGE	Gross Acres	Land Description
22969.005	MARK T FULLER ET UX	EnCana Oil & Gas (USA) Inc	5/24/2006	5/23/2011	4176	56	35.04	T9S R93W 6TH PM SEC 24 A METES & BOUNDS TRACT IN THE W2 CONTAINING 35.04 ACRES DESCRIBED IN LEASE