



121-10795

475 SEVENTEENTH ST
SUITE 1400
DENVER, CO 80202
(303)293-9133/TEL
(303)298-8251/FAX

August 26, 2004

Ms. Terri D. Smelker
29555 Highway 24
Stratton, CO 80836



Re: 30 Day Notice of Intent to Commence Drilling Operations
Surface Owner Contact Designation
COGCC Rules 305 and 306
Well Name: SMELKER 42-15349
Well Location: SENE of Section 15-3S-49W
Washington County, Colorado

Dear Ms. Smelker:

Delta Petroleum Corporation ("Delta"), as "Operator", currently has plans to drill an approximate 4,600' Lyons test well at the above location within the near future. Delta is giving you, as surface owner of the subject lands, this 30 Day Notice pursuant to Rule No. 305 of the State of Colorado Oil and Gas Conservation Commission ("COGCC") Rules and Regulations.

The COGCC rules and regulations provide the surface owner has the responsibility for notifying any affected tenant of the proposed operations. Please complete, date, sign and return this letter to the attention of the undersigned in the enclosed stamped and addressed envelope, indicating the name, address and telephone number of the person you appoint for consultations regarding the drilling, completing, operating and reclamation operations of the subject well.

We are enclosing a copy of the COGCC informational brochure for surface owners containing the rules pertaining to notice of oil and gas operations, opportunities for consultation and the rules of procedure for filing complaints and making applications for hearing. In locating roads, production facilities and well sites and in preparation for reclamation and final abandonment, Delta will use its best efforts to consult in good faith with the affected surface owner or the surface owner's appointed tenant at a time mutually agreed to by the parties prior to the commencement of operations with heavy equipment upon the lands of the surface owner.

If the above lands are irrigated crop lands, we will contact you or your designated tenant again at least fourteen (14) days prior to the commencement of surface activities to coordinate drilling operations and to avoid unreasonable interference with any irrigation plans and activities.

If you should have any questions or concerns, please contact the undersigned at 303-293-9133, Extension 137.

Yours truly,

DELTA PETROLEUM CORPORATION


C. E. "Duke" Harris

enclosures

30 Day Notice of Intent to Commence Drilling Operations
Surface Owner Contact Designation
Washington County, CO

Delta Petroleum Corporation
470 Seventeenth Street, Suite 475
Denver, CO 80202

I hereby appoint the following party for consultations regarding the drilling, completing, operating and reclamation operations of the subject well.



Surface Owner: X Tenant:

Name: Robert Dible
Address: c/o Terri D. Smelker
 29555 Highway 24
 Stratton, CO 80836
Phone: 800-658-4697
Alternate Phone: 785-443-1955 (cell)
 785-462-3824

The subject lands are _____, are not _____ irrigated crop lands.

Dated this _____ day of _____, 2004

SURFACE OWNER:

Terri D. Smelker