STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

APPLICATION OF BP AMERICA PRODUCTION COMPANY FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

Case No. 13,805

AFFIDAVIT OF NOTICE

COUNTY OF SANTA FE)
) ss.
STATE OF NEW MEXICO)

James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.

2. I am an attorney for BP America Production Company, and have personal knowledge of the matters stated herein.

3. Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the application filed herein.

4. Notice of the application was provided to the interest owners, at their correct addresses, by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Exhibit A.

5. Applicant has complied with the notice provisions of Division Rule 1207.

James Bruce

SUBSCRIBED AND SWORN TO before me this 29th day of November, 2006 by James Bruce.

Notary Public

My Commission Expires: 3/14/09

Oil Conservation Division
Case No. 13,805
Exhibit No. 2

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)
(505) 660-6612 (Cell)
(505) 982-2151 (Fax)

jamesbruc@aol.com

October 17, 2006

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by BP America Production Company, regarding the W½ of Section 3, Township 18 South, Range 34 East, N.M.P.M., Lea County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Thursday, November 9, 2006, at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As a record title owner in the well unit, you have the right to enter an appearance and participate in the case. Failure to appear will preclude you from contesting this matter at a later date.

You are required to notify (in writing) the Division, and the undersigned, by Thursday, November 2, 2006 if you intend to participate in the hearing.

Very truly yours,

James Bruce

Attorney for BP America Production Company

EXHIBIT A

EXHIBIT A

Douglas L. Cone
2301 Quaker Avenue
Lubbock, Texas 79410

Tom R. Cone
P.O. Box 778
Jay, Oklahoma 74346

Cathie Cone McCown
P.O. Box 658
Dripping Springs, Texas 78620

Clifford Cone
P.O. Drawer 1509
Lovington, New Mexico 88260

Kenneth G. Cone
400 West Illinois
Midland, Texas 79701

Dalport Oil Corporation
5646 Milton Street, No. 413
Dallas, Texas 75206

Raymond L. Todd
1107 Shawnee Trail
Carrollton, Texas 75006

Tommy L. Todd
6722 East Northwest Highway
Dallas, Texas 75231

Mary Anne Todd
P.O. Box 2381
Wimberly, Texas 78676

Thomas E. Todd, Jr.
P.O. Box 338
Ruidoso, New Mexico 88345

Virginia Todd
8523 Thackery Street, Apt. 3307
Dallas, Texas 75225

Margaret Todd Sherrill
4920 North Carriage Road
Hobbs, New Mexico 88240

Harry Todd, Jr.
1407 Tanglewood Drive
Dallas, Texas 75234

7006 0100 0005 5707 8837

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OFFICIAL USE

Postage	$ $0.63
Certified Fee	$2.40
Return Receipt Fee (Endorsement Required)	$1.85
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $4.88

Postmark Here: 0500 OCT 23 2006 USPS 87501 SANTA FE NM — 10/18/2006

Sent To: Tom R. Cone
Street, Apt. No., or PO Box No.: P.O. Box 778
City, State, ZIP+4: Jay, Oklahoma 74346

PS Form ... Instructions

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cathie Cone McCown
P.O. Box 658
Dripping Springs, Texas 78620

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name): BILL McCown — C. Date of Delivery: 10/23/06

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7006 0100 0005 5707 8820

PS Form 3811, February 2004 Domestic Return Receipt BP 102595-02-M-1540

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tom R. Cone
P.O. Box 778
Jay, Oklahoma 74346

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Tom Cone ☐ Agent ☐ Addressee

B. Received by (Printed Name): Tom — C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

OCT 25 2006 USPS

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7006 0100 0005 5707 8837

PS Form 3811, February 2004 Domestic Return Receipt BP 102595-02-M-1540

7006 0100 0005 5707 8820

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DRIPPING SPRINGS TX 78620

OFFICIAL USE

Postage	$ $0.63
Certified Fee	$2.40
Return Receipt Fee (Endorsement Required)	$1.85
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $4.88

Postmark Here: 0500 OCT 23 2006 USPS 87501 SANTA FE NM — 10/18/2006

Sent To: Cathie Cone McCown
Street, Apt. No., or PO Box No.: P.O. Box 658
City, State, ZIP+4: Dripping Springs, Texas 78620

PS Form ... Instructions

7006 0100 0005 5707 8813

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LOVINGTON NM 88260

OFFICIAL USE

Postage	$ $0.63
Certified Fee	$2.40
Return Receipt Fee (Endorsement Required)	$1.85
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $4.88

Postmark Here — USPS — SANTA FE NM — 10/18/2006

Sent To: Clifford Cone
Street, Apt. No., or PO Box No.: P.O. Drawer 1509
City, State, ZIP+4: Lovington, New Mexico 88260

PS Form ... Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Douglas L. Cone
2301 Quaker Avenue
Lubbock, Texas 79410

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7006 0100 0005 5707 8844

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Clifford Cone
P.O. Drawer 1509
Lovington, New Mexico 88260

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7006 0100 0005 5707 8813

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7006 0100 0005 5707 8844

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LUBBOCK TX 79410

OFFICIAL USE

Postage	$ $0.63
Certified Fee	$2.40
Return Receipt Fee (Endorsement Required)	$1.85
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $4.88

Postmark Here — USPS — SANTA FE NM — 10/18/2006

Sent To: Douglas L. Cone
Street, Apt. No., or PO Box No.: 2301 Quaker Avenue
City, State, ZIP+4: Lubbock, Texas 79410

PS Form ... Instructions

CERTIFIED MAIL™

JAMES BRUCE
P. O. BOX 1056
SANTA FE, NM 87504

7006 0100 0005 5707 8806

1ST NOTICE 11-06-06
2ND NOTICE
RETURN

RETURN RECEIPT
REQUESTED

Kenneth G. Cone
400 West Illinois
Midland, Texas 79701

DLAND

U.S. POSTAGE
PAID
SANTA FE, NM
OCT 18, '06
AMOUNT
$4.88
00015009-03

UNITED STATES POSTAL SERVICE

0006 RETURNED TO SENDER

79701

INSUFFICIENT ADDRESS

FIRST CLASS

687
4573

ISA
CR125
10/20/06

7006 0100 0005 5707 8806

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com®
MIDLAND TX 79701
OFFICIAL USE

Postage	$ $0.63	0500
Certified Fee	$2.40	
Return Receipt Fee (Endorsement Required)	$1.85	
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total	$ $4.88	10/18/2006

USPS 87501
Postmark Here
SANTA FE NM
OCT 18 '06

Sent T
Street,
or PO
City, S

Kenneth G. Cone
400 West Illinois
Midland, Texas 79701

PS Fo
Instructions

UNITED STATES POSTAL SERVICE®

Home | Help

Track & Confirm

Track & Confirm

Search Results

Label/Receipt Number: **7006 0100 0005 5707 8790**
Status: **Delivered**

Your item was delivered at 2:25 pm on October 20, 2006 in DALLAS, TX 75206.

Track & Confirm
Enter Label/Receipt Number.

Additional Details > | Return to USPS.com Home >

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. Go >

7006 0100 0005 5707 8790

U.S. Postal Service™
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For delivery information visit our website at www.usps.com®
DALLAS TX 7520[illegible]
OFFICIAL USE

Postage	$ $0.63	0500
Certified Fee	$2.4[illegible]	
Return Receipt Fee (Endorsement Required)	$1.85	Postmark Here
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $4.88	10/18/2006

Sent To
Dalport Oil Corporation
Street, Ap or PO Box 5646 Milton Street, No. 413
City, State Dallas, Texas 75206

PS Form [illegible] tions

UNITED STATES POSTAL SERVICE®

Home | Help

Track & Confirm

Track & Confirm

Search Results

Label/Receipt Number: **7006 0100 0005 5708 9598**
Status: **Delivered**

Your item was delivered at 10:57 am on October 20, 2006 in RUIDOSO, NM 88345.

Track & Confirm
Enter Label/Receipt Number.

Additional Details > Return to USPS.com Home >

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. Go >

7006 0100 0005 5708 9598

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OFFICIAL USE

Postage	$ $0.63
Certified Fee	$2.40
Return Receipt Fee (Endorsement Required)	$1.85
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $4.88

0508 SANTA FE NM Postmark Here OCT 18 2006 USPS 87501

10/18/2006

Sent T
Street, or PO
City, S

Thomas E. Todd, Jr.
P.O. Box 338
Ruidoso, New Mexico 88345

PS Fo ructions

7006 0100 0005 5708 9567

U.S. Postal Service™
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OFFICIAL USE

Postage	$ $0.63
Certified Fee	$2.40
Return Receipt Fee (Endorsement Required)	$1.85
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $4.88

0500
SANTA FE NM
Postmark Here
OCT 18 2006
10/18/2006
USPS 87501

Sent To
Harry Todd, Jr.
Street, Apt. No., or PO Box No. 1407 Tanglewood Drive
City, State, ZIP+4 Dallas, Texas 75234

PS Form 3800, June 2002 — See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Margaret Todd Sherrill
4920 North Carriage Road
Hobbs, New Mexico 88240

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Margaret Sherrill ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery
10-21-06

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7006 0100 0005 5708 9574

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Harry Todd, Jr.
1407 Tanglewood Drive
Dallas, Texas 75234

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Harry Todd ☐ Agent ☐ Addressee

B. Received by (Printed Name) HARRY TODD | C. Date of Delivery 10.24.06

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7006 0100 0005 5708 9567

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7006 0100 0005 5708 9574

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OFFICIAL USE

Postage	$ $0.63
Certified Fee	$2.40
Return Receipt Fee (Endorsement Required)	$1.85
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $4.88

0500
SANTA FE NM
Postmark Here
OCT 18 2006
10/18/2006
USPS 87501

Sent To
Margaret Todd Sherrill
Street, Apt. No., or PO Box No. 4920 North Carriage Road
City, State, ZIP+4 Hobbs, New Mexico 88240

PS Form 3800, June 2002 — See Reverse for Instructions

7006 0100 0005 5708 9581

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For delivery information visit our website at www.usps.com®

DALLAS TX 752

OFFICIAL USE

Postage	$ $0.63
Certified Fee	$2.40
Return Receipt Fee (Endorsement Required)	$1.85
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $4.88

SANTA FE NM 0500 03 OCT 18 2006 Postmark Here USPS 87501

10/18/2006

Sent To: Virginia Todd
Street, Apt. No.; or PO Box No.: 8523 Thackery Street, Apt. 3307
City, State, ZIP+4: Dallas, Texas 75225

PS Form 3800, June 2002 — See Reverse for Instructions

ALBUQUERQUE NM 871

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mary Anne Todd
P.O. Box 2381
Wimberly, Texas 78676

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) ANNE BARNES — C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

OCT 10 2006 USPS

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7006 0100 0005 5708 9604

PS Form 3811, February 2004 — Domestic Return Receipt — 102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Virginia Todd
8523 Thackery Street, Apt. 3307
Dallas, Texas 75225

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☑ Addressee

B. Received by (Printed Name) — C. Date of Delivery 10/23

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7006 0100 0005 5708 9581

PS Form 3811, February 2004 — Domestic Return Receipt — 102595-02-M-1540

7006 0100 0005 5708 9604

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WIMBERLY TX 7867

OFFICIAL USE

Postage	$ $0.39
Certified Fee	$2.40
Return Receipt Fee (Endorsement Required)	$1.85
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $4.64

SANTA FE NM 0500 03 OCT 18 2006 Postmark Here USPS 87501

10/18/2006

Sent To: Mary Anne Todd
Street, Apt. No.; or PO Box No.: P.O. Box 2381
City, State, ZIP+4: Wimberly, Texas 78676

PS Form 3800, June 2002 — See Reverse for Instructions

7006 0100 0005 5708 9611

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For delivery information visit our website at www.usps.com®

DALLAS TX 75231 **OFFICIAL USE**

Postage	$ $0.63
Certified Fee	$2.40
Return Receipt Fee (Endorsement Required)	$1.85
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $4.88

0500
SANTA FE NM
Postmark Here
OCT 17 2006
10/18/2006
USPS 87501

Sent To Tommy L. Todd
Street, Apt. No., or PO Box No. 6722 East Northwest Highway
City, State, ZIP+4 Dallas, Texas 75231

PS Form ... Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Raymond L. Todd
1107 Shawnee Trail
Carrollton, Texas 75006

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery
10-27-06

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7006 0100 0005 5707 8783

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tommy L. Todd
6722 East Northwest Highway
Dallas, Texas 75231

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) T. Todd | C. Date of Delivery 10/20

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7006 0100 0005 5708 9611

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7006 0100 0005 5707 8783

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com®

CARROLLTON TX 75006 **OFFICIAL USE**

Postage	$ $0.63
Certified Fee	$2.40
Return Receipt Fee (Endorsement Required)	$1.85
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $4.88

0500
SANTA FE NM
Postmark Here
OCT 18 2006
10/18/2006
USPS 87501

Sent To Raymond L. Todd
Street, Apt. No., or PO Box No. 1107 Shawnee Trail
City, State, ZIP+4 Carrollton, Texas 75006

PS Form ... Instructions

UNITED STATES POSTAL SERVICE®

Track & Confirm

Search Results

Label/Receipt Number: **7006 0100 0005 5707 6819**
Status: **Delivered**

Your item was delivered at 11:36 AM on November 17, 2006 in MIDLAND, TX 79701.

Track & Confirm
Enter Label/Receipt Number.

Additional Details > Return to USPS.com Home >

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. Go >