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

APPLICATION OF XTO ENERGY, INC. FOR SIMULTANEOUS DEDICATION SAN JUAN COUNTY, NEW MEXICO.

CASE NO. 13970
and
CASE NO. 13971

CERTIFICATE OF MAILING AND COMPLIANCE WITH ORDER R-8054

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

W. Thomas Kellahin, being first duly sworn, hereby certifies that he is an attorney for the Applicant and responsible for notification in this matter and that the notice provisions of Division Rule 1207 (Order R-8054) have been complied with, that Applicant has caused to be conducted a good faith diligent effort to find the correct addresses of all interested parties entitled to receive notice, that on July 24, 2007, he caused to be mailed by certified mail return-receipt requested the attached notice of this hearing (attached as Exhibit "A") and a copy of the application for the above referenced case, at least twenty days prior to the hearing of this case set for August 23, 2007 to the parties shown in the attached Exhibit "B" and as evidenced by the attached copies of return receipt cards and/or receipts of certified mailing, and that pursuant to Division Rule 1207, notice has been given at the correct addresses provided by such rule.

W. Thomas Kellahin

SUBSCRIBED AND SWORN to before me this 21st day of August 2007, by W. Thomas Kellahin

Lynda Kellahin, Notary Public
My Commission Expires: June 18, 2008

OFFICIAL SEAL
Lynda Kellahin
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 6/18/08

Before the Oil Conservation Divisio
Case 13970-13971
Hearing August 23, 2007
XTO Energy, Inc
Exhibit No. 5

KELLAHIN & KELLAHIN
Attorney at Law

W. THOMAS KELLAHIN
706 GONZALES ROAD
SANTA FE, NEW MEXICO 87501

TELEPHONE 505-982-4285
FACSIMILE 505-982-2047
TKELLAHIN@COMCAST.NET

June 24, 2007

TO: NOTICE OF THE HEARING OF THE FOLLOWING NEW MEXICO OIL CONSERVATION DIVISION CASE:

Re: Application of XTO Energy, Inc. for Simultaneous Dedication and an exception to the well density requirements of the Special Rules and Regulations for the Blanco-Mesaverde Gas Pool to authorize a fifth well within a 409.25 acre non-standard gas proration and spacing unit in Section 19, T29N, R9W, San Juan County, New Mexico

On behalf of XTO Energy, Inc., please find enclosed our application for an exception to the referenced pool rules such that there can be 5 producing Mesaverde gas wells in the same 409.25-acre spacing unit consisting part of the Section 19 that has been set for hearing on the New Mexico Oil Conservation Division Examiner's docket now scheduled for 8:15 am on August 23, 2007. The hearing will be held at the Division hearing room located at 1220 South Saint Francis Drive, Santa Fe, New Mexico.

As an interest owner who may be affected by this application, we are notifying you of your right to appear at the hearing and participate in this case, including the right to present evidence either in support of or in opposition to the application. Failure to appear at the hearing may preclude you from any involvement in this case at a later date.

Pursuant to the Division's Memorandum 2-90, you are further notified that if you desire to appear in this case, then you are requested to file a Pre-Hearing Statement with the Division not later than 5:00 PM on Thursday, August 16, 2007, with a copy delivered to the undersigned.

Very truly yours,

W. Thomas Kellahin

KELLAHIN & KELLAHIN
Attorney at Law

W. THOMAS KELLAHIN
706 GONZALES ROAD
SANTA FE, NEW MEXICO 87501

TELEPHONE 505-982-4285
FACSIMILE 505-982-2047
TKELLAHIN@COMCAST.NET

July 24, 2007

TO: NOTICE OF THE HEARING OF THE FOLLOWING NEW MEXICO OIL CONSERVATION DIVISION CASE:

Re: Application of XTO Energy, Inc. for Simultaneous Dedication and an exception to the well density requirements of the Special Rules and Regulations for the Blanco-Mesaverde Gas Pool to authorize a fifth well within a 407.56 acre non-standard gas proration and spacing unit consisting of the S/2S/2 of Section 19 and the N/2 of Section 30, T29N, R9W, San Juan County, New Mexico

On behalf of XTO Energy, Inc., please find enclosed our application for an exception to the referenced pool rules such that there can be 5 producing Mesaverde gas wells in the same 407.56-acre spacing unit consisting part of the Section 19 and 30 that has been set for hearing on the New Mexico Oil Conservation Division Examiner's docket now scheduled for 8:15 am on August 23, 2007. The hearing will be held at the Division hearing room located at 1220 South Saint Francis Drive, Santa Fe, New Mexico.

As an interest owner who may be affected by this application, we are notifying you of your right to appear at the hearing and participate in this case, including the right to present evidence either in support of or in opposition to the application. Failure to appear at the hearing may preclude you from any involvement in this case at a later date.

Pursuant to the Division's Memorandum 2-90, you are further notified that if you desire to appear in this case, then you are requested to file a Pre-Hearing Statement with the Division not later than 5:00 PM on Thursday, August 16, 2007, with a copy delivered to the undersigned.

Very truly yours,

W. Thomas Kellahin

Gerk Gas Com B No. 2 and Snyder Gas Cum B No. 1N Notice List

Burlington Resources Oil & Gas Company, LP
P O Box 4289
Farmington NM 87499-0656

ConocoPhillips Company
P O Box 4289
Farmington NM 87499-0656

BP America Production Company
501 Westlake Park Blvd
Houston TX 77079

D. J. Simmons Company
P O Box 1469
Farmington NM 87499

San Juan 1984 Partnership
c/o Smokey Oil Company
P O Box 2360
Casper WY 82602-2360

William G. Webb Estate
John G. Taylor, Independent Executor
1401 Elm Street Suite 3435
Dallas TX 75202

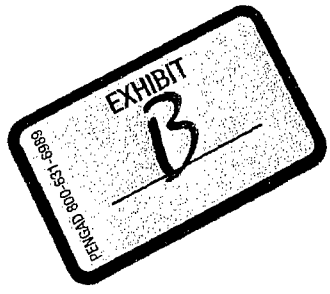
Bill L. Bledsoe, Trustee
5615 Netherland Court
Dallas TX 75229

J. Glenn Turner, Jr.
Two Turtle Creek Village
3838 Oak Lawn Suite 1450
Dallas TX 75219

John L. Turner
317 S. Sidney Baker # 400
PMB 285
Kerrville TX 78028

Fred E. Turner
4925 Greenville Ave Ste. 852
Dallas TX 75206-4079

XTO WI in Sec 24



Mary Frances Turner Jr. Trust
PO Box 200890
Houston TX 77216-0890

Betty Turner Calloway
P O Box 191767
Dallas, Texas 75219-1767

Candace L Kelton Cox
17 S Meadow Ridge
Concord MA 01742-3000

Georgia Lee Kelton
5500 Old Clarksville Rd
Paris TX 754627800

Production Gathering Company
8080 N Central Expwy Ste.1090
Dallas TX 75206

~~draft~~ in unit

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- 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:

Fred E. Turner
4925 Greenville Ave Ste. 85
Dallas TX 75206-4079

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Fred E Turner ☐ Agent ☐ Addressee

B. Received by (Printed Name) FRED E. TURNER C. Date of Delivery 7-30

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

XTU

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 5710 9951

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- 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:

William G. Webb Estate
John G. Taylor, Independent E
1401 Elm Street Suite 3435
Dallas TX 75202

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Bobbie Post ☐ ☐

B. Received by (Printed Name) Bobbie Post C. Date 7-

D. Is delivery address different from item 1? ☐
If YES, enter delivery address below: ☐

XTU

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

4. Restricted Delivery? (Extra Fee) ☐

2. Article Number (Transfer from service label) 7006 0100 0005 5710 9913

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7006 0100 0005 5710 9951

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Restricted Delivery Fee (Endorsement Required)	

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Total f

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Street, / or PO B

City, St

Fred E. Turner
4925 Greenville Ave Ste. 85
Dallas TX 75206-4079

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

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Street, or PO

City, S

William G. Webb Estate
John G. Taylor, Independent E
1401 Elm Street Suite 3435
Dallas TX 75202

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- 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:

Georgia Lee Kelton
5500 Old Clarksville Rd
Paris TX 754627800

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Georgia Kell | C. Date of Delivery 7-30-05

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

XTO

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 5711 0001

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- 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:

D. J. Simmons Company
P O Box 1469
Farmington NM 87499

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Ag ☐ Ac

B. Received by (Printed Name) | C. Date of 7/30/

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

XTO

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

4. Restricted Delivery? (Extra Fee) ☐ Ye

2. Article Number (Transfer from service label) 7006 0100 0005 5710 9890

PS Form 3811, February 2004 Domestic Return Receipt 102595-0

7006 0100 0005 5711 0001

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City, State

Georgia Lee Kelton
5500 Old Clarksville Rd
Paris TX 754627800

PS Form 3800, June 2002 See Reverse for Instructions

7006 0100 0005 5710 9890

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Sent To
Street, Apt. or PO Box
City, State

D. J. Simmons Company
P O Box 1469
Farmington NM 87499

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- 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:

ConocoPhillips Company
P O Box 4289
Farmington NM 87499-0656

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) [signature] C. Date of Delivery 7-20-07

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

XTO

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 5710 9876

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

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- 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:

Burlington Resources Oil & Gas
P O Box 4289
Farmington NM 87499-0656

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Age ☐ Add

B. Received by (Printed Name) [signature] C. Date of D 7-20-

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

XTO

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7006 0100 0005 5710 9869

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

7006 0100 0005 5710 9876

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Restricted Delivery Fee (Endorsement Required)
Total P

Postmark Here

Sent To
Street, A
or PO Bo
City, Stat

ConocoPhillips Company
P O Box 4289
Farmington NM 87499-0656

PS Form 3800, June 2002 See Reverse for Instructions

7006 0100 0005 5710 9869

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Postmark Here

Sent To
Street, A
or PO Bo
City, Stat

Burlington Resources Oil & Ga
P O Box 4289
Farmington NM 87499-0656

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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:

San Juan 1984 Partnership
c/o Smokey Oil Company
P O Box 2360
Casper WY 82602-2360

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Greg Vineyard ☐ Agent ☐ Addressee

B. Received by (Printed Name) GREG VINEYARD C. Date of Delivery 7-31-07

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

JUL 31 2007

XTO

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 5710 9906

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- 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:

Bill L. Bledsoe, Trustee
5615 Netherland Court
Dallas TX 75229

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Bledsoe ☐ Agen ☐ Addr

B. Received by (Printed Name) C. Date of De 7-30-

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

XTO

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7006 0100 0005 5710 9920

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7006 0100 0005 5710 9906

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Restricted Delivery Fee (Endorsement Required)	
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Sent To
San Juan 1984 Partnership
Street, c/o Smokey Oil Company
or PO E P O Box 2360
City, St Casper WY 82602-2360

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
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Sent To
Bill L. Bledsoe, Trustee
Street, A 5615 Netherland Court
or PO Bc
City, Stat Dallas TX 75229

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Production Gathering Company
8080 N Central Expwy Ste.1090
Dallas TX 75206

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X David Lyon ☐ 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

XTO

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 5710 9999

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Restricted Delivery Fee (Endorsement Required)
Postmark Here

Total I

Sent To
Street, or PO E
City, St

Production Gathering Company
8080 N Central Expwy Ste.1090
Dallas TX 75206

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7006 0100 0005 5710 9999

SENDER: COMPLETE THIS SECTION

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- 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:

J. Glenn Turner, Jr.
Two Turtle Creek Village
3838 Oak Lawn Suite 145(
Dallas TX 75219

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ ☐

B. Received by (Printed Name) Amber Vega | C. Date

D. Is delivery address different from item 1? ☐
If YES, enter delivery address below: ☐

30-01
+TO

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

4. Restricted Delivery? (Extra Fee) ☐

2. Article Number (Transfer from service label) 7006 0100 0005 5710 9937

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Restricted Delivery Fee (Endorsement Required)
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Tot

Sent
Stree
or PO
City,

J. Glenn Turner, Jr.
Two Turtle Creek Village
3838 Oak Lawn Suite 1450
Dallas TX 75219

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7006 0100 0005 5710 9937

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1. Article Addressed to:

Mary Frances Turner Jr. Trust
PO Box 200890
Houston TX 77216-0890

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☑ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery
7-31-07

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

XTO

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 5710 9968

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- 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:

Candace L Kelton Cox
17 S Meadow Ridge
Concord MA 01742-3000

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☒ Addressee

B. Received by (Printed Name) C. Date of Delivery
Candace L. Cox 8/2/07

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

XTO

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 5710 9982

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7006 0100 0005 5710 9968

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Restricted Delivery Fee (Endorsement Required)

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Total Postage & Fees

Sent To Mary Frances Turner Jr. Trust
Street, Apt. or PO Box PO Box 200890
City, State Houston TX 77216-0890

PS Form 3800, June 2002 See Reverse for Instructions

7006 0100 0005 5710 9982

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Restricted Delivery Fee (Endorsement Required)

Postmark Here

Total Postage & Fees

Sent To Candace L Kelton Cox
Street, Apt. or PO Box 17 S Meadow Ridge
City, State Concord MA 01742-3000

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.

. Article Addressed to:

BP America Production Comp
501 Westlake Park Blvd
Houston TX 77079

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery 8/3/07

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

X70

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

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

. Article Number
(Transfer from service label) 7006 0100 0005 5710 9883

S 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:

John L. Turner
317 S. Sidney Baker # 400
PMB 285
Kerrville TX 78028

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Age ☐ Add

B. Received by (Printed Name) C. Date of D
Bill Bull 7/30

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

X70

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

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

2. Article Number
(Transfer from service label) 7006 0100 0005 5710 9944

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

7006 0100 0005 5710 9883

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

Postage $
Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Postmark Here

To
Sent
Street or P
City,

BP America Production Comp
501 Westlake Park Blvd
Houston TX 77079

PS Form 3800, June 2002 See Reverse for Instructions

7006 0100 0005 5710 9944

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com®
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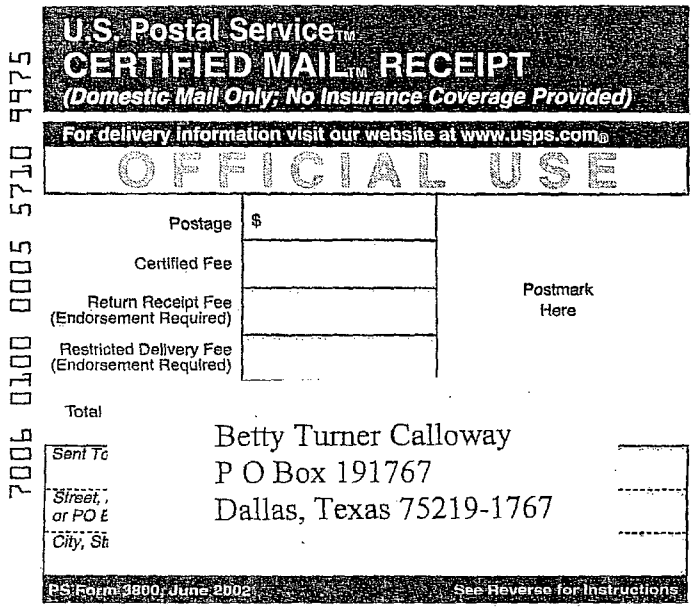
Postage $
Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Postmark Here

Tota
Sent
Street or PO
City, S

John L. Turner
317 S. Sidney Baker # 400
PMB 285
Kerrville TX 78028

PS Form 3800, June 200 See Reverse for Instructions



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CERTIFIED MAIL™ RECEIPT
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OFFICIAL USE

Postage $
Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total

Postmark Here

Sent To
Street, Apt. No., or PO Box No.
City, State, ZIP+4

Betty Turner Calloway
P O Box 191767
Dallas, Texas 75219-1767

PS Form 3800, June 2002 See Reverse for Instructions

7006 0100 0005 5710 9975