

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

IN THE MATTER OF THE APPLICATION
OF YATES PETROLEUM CORPORATION
FOR COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO.

CASE NO. 14597

AFFIDAVIT OF MAILING

STATE OF NEW MEXICO)
 : ss.
COUNTY OF EDDY)

DAVID R. VANDIVER, being first duly sworn, upon oath, states that the notice provisions of Rules 19.15.4.9 and 19.15.4.12 NMAC have been complied with, that applicant has caused to be conducted a good-faith diligent effort to find the correct addresses of all interested persons entitled to receive notice, and that pursuant to Rules 19.15.4.9 and 19.15.4.12 NMAC, notice has been given at the correct addresses as provided by such rule.

In support hereof, affiant states that a true copy of the Application of Yates Petroleum Corporation for Compulsory Pooling, Eddy County, New Mexico, was mailed in accordance with Rules 19.15.4.9 and 19.15.4.12 NMAC, to each known individual owning an interest in the mineral estate consisting of an uncommitted leasehold interest, an unleased and uncommitted mineral interest, or royalty interest not subject to a pooling

Yates Petroleum Corporation
Case No. 14597
Exhibit 7

or unitization clause in any portion of the lands affected by such application, which interest must be committed and has not been voluntarily committed to the area proposed to be pooled or unitized, in a securely sealed, certified mail, return receipt requested, postage prepaid envelope, addressed to the following parties:

Nearburg Exploration Company, L.L.C.
3300 North "A" Street
Building 2, Suite 120
Midland, Texas 79705-5421

Spiral, Inc.
P.O. Box 1933
Roswell, New Mexico 88201-1933

Kenneth G. Cone, Trustee of the Trusts created under the Will and codicil of Kathleen Cone, deceased, f/b/o children of Kenneth G. Cone
P.O. Box 11310
Midland, Texas 79702

Kenneth G. Cone
P.O. Box 11310
Midland, Texas 79702

Tom R. Cone
P.O. Box 400
Southwest City, Missouri 64863

Bank of Oklahoma, N.A., Successor Trustee of the Trust created under the Will and Codicil of Kathleen Cone, deceased, f/b/o children of Tom R. Cone
P.O. Box 1588
Tulsa, Oklahoma 74101-1588

Auvenshines's Children's Testamentary Trust
Cathie Cone McCown, Trustee
P.O. Box 507
Dripping Spring, Texas 78620

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

on the 27th day of January, 2011, as reflected by the copies of the letters transmitting such copies of the application and the return receipts executed on behalf of the addressees, attached hereto.

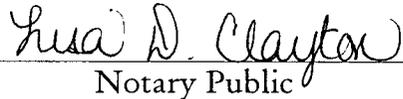
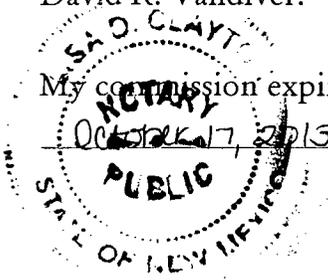


David R. Vandiver

SUBSCRIBED AND SWORN TO before me this 16th day of February, 2011, by David R. Vandiver.

My commission expires:

October 17, 2013



Notary Public

VANDIVER & BOWMAN, P. C.

Attorneys at Law

611 West Mahone, Suite E
Artesia, New Mexico 88210-2075
(575) 746-9841

DAVID R. VANDIVER
JEFFREY L. BOWMAN

FAX
(575) 746-4208

January 27, 2011

Via Certified Mail - Return Receipt Requested

Nearburg Exploration Company, L.L.C.
3300 North "A" Street
Building 2, Suite 120
Midland, Texas 79705-5421

*Re: New Mexico Oil Conservation Division Case No. 14597,
In the Matter of Application of Yates Petroleum
Corporation for Compulsory Pooling, Eddy County, New
Mexico.*

Gentlemen:

This letter will advise you that Yates Petroleum Corporation has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests from the surface down to the base of the Cisco formation underlying Lots 3, 4, E/2 SW/4, SE/4 (S/2 equivalent) Section 30, Township 19 South, Range 25 East, N.M.P.M., Eddy County, New Mexico, for the recompletion of its Dagger Draw 30SE Federal Com. No. 11 Well (formerly the North Dagger Draw Upper Penn Unit No. 131 Well), which is located 660 feet from the south line and 1,980 feet from the east line of said Section 30.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on February 17, 2011. The hearing will be held in the Oil Conservation Division Hearing Room located at 1220 South St. Francis Drive, Santa Fe, New Mexico. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time

and become a party of record will preclude you from challenging the matter at a later date.

If you intend to attend the hearing and present testimony or evidence, you must enter your appearance and serve the Oil Conservation Division's Santa Fe Office, counsel for the Applicant and other parties with a pre-hearing statement at least four business days in advance of the scheduled hearing, but no later than on the Thursday preceding the hearing, in accordance with Division Rule 19.15.4.13. This statement must include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing and in case of expert witnesses, their fields of expertise; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Very truly yours,

VANDIVER & BOWMAN, P.C.

A handwritten signature in cursive script, appearing to read "D. R. Vandiver", written in black ink.

David R. Vandiver

DRV:ldc

Encl. as stated

cc: Mr. Chuck Moran

VANDIVER & BOWMAN, I. C.

Attorneys at Law

611 West Mahone, Suite E
Artesia, New Mexico 88210-2075
(575) 746-9841

DAVID R. VANDIVER
JEFFREY L. BOWMAN

FAX
(575) 746-4208

January 27, 2011

Via Certified Mail - Return Receipt Requested

Spiral, Inc.
P.O. Box 1933
Roswell, New Mexico 88201-1933

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In the Matter of Application of Yates Petroleum
Corporation for Compulsory Pooling, Eddy County, New
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Very truly yours,

VANDIVER & BOWMAN, P.C.

A handwritten signature in black ink, appearing to read "David R. Vandiver", written over the printed name below.

David R. Vandiver

DRV:ldc

Encl. as stated

cc: Mr. Chuck Moran

VANDIVER & BOWMAN, P. C.

Attorneys at Law

611 West Mahone, Suite E
Artesia, New Mexico 88210-2075
(575) 746-9841

DAVID R. VANDIVER
JEFFREY L. BOWMAN

FAX
(575) 746-4208

January 27, 2011

Via Certified Mail - Return Receipt Requested

Bank of Oklahoma, N.A.
Trust Department
P.O. Box 1588
Tulsa, Oklahoma 74101

*Re: Trust created under the Will and Codicil of Kathleen Cone,
deceased, f/b/o children of Tom R. Cone*

*New Mexico Oil Conservation Division Case No. 14597,
In the Matter of Application of Yates Petroleum
Corporation for Compulsory Pooling, Eddy County, New
Mexico.*

Gentlemen:

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Very truly yours,

VANDIVER & BOWMAN, P.C.

A handwritten signature in cursive script, appearing to read "David R. Vandiver".

David R. Vandiver

DRV:ldc

Encl. as stated

cc: Mr. Chuck Moran

VANDIVER & BOWMAN, F. C.

Attorneys at Law

611 West Mahone, Suite E
Artesia, New Mexico 88210-2075
(575) 746-9841

DAVID R. VANDIVER
JEFFREY L. BOWMAN

FAX
(575) 746-4208

January 27, 2011

Via Certified Mail - Return Receipt Requested

Auvenshine's Children's Testamentary Trust
Ms. Cathie Cone McCown, Trustee
P.O. Box 507
Dripping Spring, Texas 78620

*Re: New Mexico Oil Conservation Division Case No. 14597,
In the Matter of Application of Yates Petroleum
Corporation for Compulsory Pooling, Eddy County, New
Mexico.*

Dear Ms. McCown:

This letter will advise you that Yates Petroleum Corporation has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests from the surface down to the base of the Cisco formation underlying Lots 3, 4, E/2 SW/4, SE/4 (S/2 equivalent) Section 30, Township 19 South, Range 25 East, N.M.P.M., Eddy County, New Mexico, for the recompletion of its Dagger Draw 30SE Federal Com. No. 11 Well (formerly the North Dagger Draw Upper Penn Unit No. 131 Well), which is located 660 feet from the south line and 1,980 feet from the east line of said Section 30.

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Very truly yours,

VANDIVER & BOWMAN, P.C.

A handwritten signature in cursive script, appearing to read "David R. Vandiver", written over the printed name of the firm and the name of the individual.

David R. Vandiver

DRV:ldc

Encl. as stated

cc: Mr. Chuck Moran

VANDIVER & BOWMAN, P. C.

Attorneys at Law

611 West Mahone, Suite E
Artesia, New Mexico 88210-2075
(575) 746-9841

DAVID R. VANDIVER
JEFFREY L. BOWMAN

FAX
(575) 746-4208

January 27, 2011

Via Certified Mail – Return Receipt Requested

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

*Re: New Mexico Oil Conservation Division Case No. 14597,
In the Matter of Application of Yates Petroleum
Corporation for Compulsory Pooling, Eddy County, New
Mexico.*

Dear Ms. McCown:

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VANDIVER & BOWMAN, P.C.

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David R. Vandiver

DRV:ldc

Encl. as stated

cc: Mr. Chuck Moran

VANDIVER & BOWMAN, P. C.

Attorneys at Law

611 West Mahone, Suite E
Artesia, New Mexico 88210-2075
(575) 746-9841

DAVID R. VANDIVER
JEFFREY L. BOWMAN

FAX
(575) 746-4208

January 27, 2011

Via Certified Mail – Return Receipt Requested

Mr. Tom R. Cone
P.O. Box 400
Southwest City, Missouri 64863

*Re: New Mexico Oil Conservation Division Case No. 14597,
In the Matter of Application of Yates Petroleum
Corporation for Compulsory Pooling, Eddy County, New
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Dear Mr. Cone:

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VANDIVER & BOWMAN, P.C.

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David R. Vandiver

DRV:ldc

Encl. as stated

cc: Mr. Chuck Moran

VANDIVER & BOWMAN, P.C.

Attorneys at Law

611 West Mahone, Suite E
Artesia, New Mexico 88210-2075
(575) 746-9841

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JEFFREY L. BOWMAN

FAX
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January 27, 2011

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Mr. Kenneth G. Cone
P.O. Box 11310
Midland, Texas 79702

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VANDIVER & BOWMAN, P.C.


David R. Vandiver

DRV:ldc

Encl. as stated

cc: Mr. Chuck Moran

VANDIVER & BOWMAN, P. C.

Attorneys at Law

611 West Mahone, Suite E
Artesia, New Mexico 88210-2075
(575) 746-9841

DAVID R. VANDIVER
JEFFREY L. BOWMAN

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(575) 746-4208

January 27, 2011

Via Certified Mail - Return Receipt Requested

Mr. Kenneth G. Cone, *Trustee of the Trusts created
under the Will and Codicil of Kathleen Cone,
deceased, f/b/o children of Kenneth G. Cone*
P.O. Box 11310
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David R. Vandiver

DRV:ldc

Encl. as stated

cc: Mr. Chuck Moran

copy over

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

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

ROSWELL, NM 88201

OFFICIAL USE

Postage	\$ 1.33	0612
Certified Fee	2.80	
Return Receipt Fee (Endorsement Required)	2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.53	

Sent To
 Spiral, Inc.
 Street, Apt. No., or PO Box No. P.O. Box 1933
 City, State, ZIP+4 Roswell, nm 88

PS Form 3800, August 2006

SENDER: COMPLETE THIS SECTION

DAGGER DRAW

- 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:
 Spiral, Inc.
 P.O. Box 1933
 Roswell, New Mexico 88201

2. Article Number (Transfer from service label) 7008 1300 0001 9162 5865

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *A. M. Conroy* Agent Addressee

B. Received by (Printed Name)
 C. Date of Delivery 1-26-11

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

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

7009 0820 0001 4129 5200

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 79705

OFFICIAL USE

Postage	\$ 1.22	0612
Certified Fee	2.80	04
Return Receipt Fee (Endorsement Required)	2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.52	

Sent To
 Nearburg Exploration
 Street, Apt. No., or PO Box No. 300 North "A" Street Building 2, Suite
 City, State, ZIP+4 Midland, Texas 79705-5421

PS Form 3800, August 2006

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1. Article Addressed to:
 Nearburg Exploration
 Company, L.L.C.
 300 North "A" Street
 Building 2, Suite 120
 Midland, Texas 79705-5421

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Jim [unclear]* Agent Addressee

B. Received by (Printed Name)
 C. Date of Delivery 1-28-11

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) 7009 0820 0001 4129 5200
 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-

7009 0820 0001 4129 5231

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

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

TULSA OK 74101 **OFFICIAL USE**

Postage	\$ 1.22	0612
Certified Fee	2.80	
Return Receipt Fee (Endorsement Required)	2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.32	

Sent To: Bank of Oklahoma, N.A.
 Street, Apt. No., or PO Box No.: P.O. Box 1588
 City, State, ZIP+4: Tulsa, OK 74101

PS Form 3800, August 2006 See Reverse for Instructions

7009 0820 0001 4129 5231

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

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

DRIPPING SPRINGS TX 78620 **OFFICIAL USE**

Postage	\$ 1.22	0612
Certified Fee	2.80	
Return Receipt Fee (Endorsement Required)	2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.32	

Sent To: Auvenshine's Children's Trust
 Street, Apt. No., or PO Box No.: P.O. Box 507
 City, State, ZIP+4: Dripping Springs, TX 78620

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 Testamentary Trust
 Cathie Cone McCown, Trustee
 P.O. Box 507
 Dripping Springs, Texas
 78620

2. Article Number
 (Transfer from service label) 7009 0820 0001 4129 5231

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) **BILL MCCOWN**

C. Date of Delivery **2/1/11**

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

7009 0820 0001 4129 5248

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	\$ 1.22	0612
Certified Fee	2.30	04
Return Receipt Fee (Endorsement Required)	2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.32	

Sent To
 Cathie Cone McCown
 P.O. Box 658
 Dripping Spring, TX 78620



COMPLETE THIS SECTION

Items 1, 2, and 3. Also complete Restricted Delivery is desired. Name and address on the reverse can return the card to you. card to the back of the mailpiece, if space permits.

Addressed to:
 Cathie Cone McCown
 P.O. Box 658
 Dripping Spring, Texas
 78620

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent Addressee

B. Received by (Printed Name)
 Bill McCown

C. Date of Delivery
 2/1/11

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

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

4. Restricted Delivery? (Extra Fee) Yes

1. Article Number (Transfer from service label) **7009 0820 0001 4129 5248**
 Form 3811, February 2004 Domestic Return Receipt 102595-02-M-154

7009 0820 0001 4130 7514

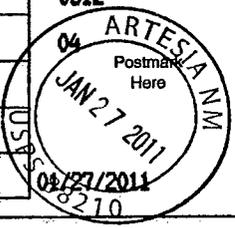
U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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

OFFICIAL USE

Postage	\$ 1.05	0612
Certified Fee	2.80	04
Return Receipt Fee (Endorsement Required)	2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.35	

Sent To
 Tom R. Cone
 P.O. Box 400
 Southwest, Missouri 64863



COMPLETE THIS SECTION

Items 1, 2, and 3. Also complete Restricted Delivery is desired. Name and address on the reverse can return the card to you. card to the back of the mailpiece, if space permits.

Addressed to:
 Tom R. Cone
 P.O. Box 400
 Southwest, Missouri
 64863

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent Addressee

B. Received by (Printed Name)
 SUE RAY

C. Date of Delivery
 2/1/11

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

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) **7009 0820 0001 4130 7514**
 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-15

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 79702 **OFFICIAL USE**

Postage	\$ 1.22	0612
Certified Fee	2.80	04
Return Receipt Fee (Endorsement Required)	2.30	Postmark Here ARTESIA NM JAN 27 2011 01/27/2011 8210
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.32	

Sent To Kenneth G. Cone Trustee of the Trusts
Abo child of Kenneth G Cone

Street, Apt. No., or PO Box No. P.O. Box 11310
 City, State, ZIP+4 Midland Texas 79702

PS Form 3800, August 2006 See Reverse for Instructions

7009 0820 0001 4129 5217

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 79702 **OFFICIAL USE**

Postage	\$ 1.32	0612
Certified Fee	2.80	04
Return Receipt Fee (Endorsement Required)	2.30	Postmark Here ARTESIA NM JAN 27 2011 8210
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 4.42	

Sent To Kenneth G. Cone

Street, Apt. No., or PO Box No. P.O. Box 11310
 City, State, ZIP+4 Midland, Texas 79702

PS Form 3800, August 2006 See Reverse for Instructions

7009 0820 0001 4129 5217

PER DRAW

COMPLETE THIS SECTION

Items 1, 2, and 3. Also complete Restricted Delivery if desired. Name and address on the reverse can return the card to you. Attach this card to the back of the mailpiece, front if space permits.

Delivered to:

Kenneth G Cone
P.O. Box 11310
Midland, Tx 79702

COMPLETE THIS SECTION ON DELIVERY

A. Signature K. Shapiro Agent Addressee

B. Received by (Printed Name) _____ C. Date of Delivery 2/11/11

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

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) 7009 0820 0001 4129 5217



Track & Confirm

Search Results

Label/Receipt Number: **7009 0820 0001 4129 5224**
Expected Delivery Date: **January 31, 2011**
Class: **First-Class Mail®**
Service(s): **Certified Mail™**
Return Receipt
Status: **Acceptance**

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Your item was accepted at 3:53 pm on January 27, 2011 in ARTESIA, NM 88210. No further information is available for this item.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)



Bank of America
Dagger Draw



Track & Confirm

Search Results

Label/Receipt Number: **7009 0820 0001 4129 5163**
Expected Delivery Date: **January 31, 2011**
Class: **First-Class Mail®**
Service(s): **Certified Mail™**
Return Receipt
Status: **Delivered**

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Your item was delivered at 12:20 pm on February 11, 2011 in MIDLAND, TX 79701.

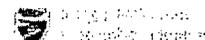
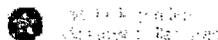
Detailed Results:

- **Delivered, February 11, 2011, 12:20 pm, MIDLAND, TX 79701**
- **Notice Left, January 29, 2011, 1:30 pm, MIDLAND, TX 79702**
- **Arrival at Unit, January 28, 2011, 8:45 am, MIDLAND, TX 79701**
- **Acceptance, January 27, 2011, 3:54 pm, ARTESIA, NM 88210**

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)



*Kenneth Cong Trustee
Dagger Draw*