NM1 -

# **BONDS**



## NEW MIXICO ENERGY, MINORALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor Joanna Prukop Cabinet Secretary

January 23, 2003

Lori Wrotenbery
Director
Oil Conservation Division

<u>CERTIFIED MAIL</u> <u>RETURN RECEIPT NO. 7001-1940-0004-3929-8898</u>

Mr. Tony Schmitz T-n-T Environmental, Inc. HCR 74 P.O. Box 113 Lyndrith, New Mexico 87029

RE: \$5,250.14 Cash Bond and Assignment for
Commercial Surface Waste Management Facility Permit NM-01-0008
T-n-T Environmental, Inc., Principal
Four Corners Community Bank, Surety
SE/4 Section 7 and SW/4 Section 8 (evaporation ponds), and the
SW/4 SE/4 and SE/4 SW/4 Section 5 and the NE/4 NW/4 Section 8 (landfarm),
Township 25 North, Range 3 West, NMPM, Rio Arriba County, New Mexico

Certificate Of Deposit No. 651

Dear Mr. Schmitz:

The New Mexico Oil Conservation Division hereby approves the above-referenced Commercial Surface Waste Management Facility cash bond and assignment of cash collateral deposit. T-n-T Environmental now has a total of \$148,690 in cash bonds for the above permitted facility

Sincerely,

David K. Brooks

Assistant General Counsel, EMNRD

DKB:mjk

Enclosure: Copy of cash bond and assignment of cash collateral deposit

xc with attachment:

Aztec OCD Office

### Energy, Minerals and Natural Resources Department Oil Conservation Division

### Cash Bond For Waste Management Facilities

(File with Oil Conservation Division, 1220 South Saint Francis, Santa Fe, New Mexico 87505)

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----	-----	------	-----	----	-------	---	-----	-----	----	----	----

That T-N-T Environmental, Inc.	(an individual, partnership,
or a corporation organized in the State of New Mexico	, with its principal office in the City
of Lindrith , State of New Mexico	and authorized to do business in
the State of New Mexico), as PRINCIPAL is firmly bound unto	the State of New Mexico, for the use and
penefit of the Oil Conservation Division of the Energy, Mine	erals and Natural Resources Department
(DIVISION) in the sum of **Five thousand two hundred=	•
·	& 14/100**
The conditions of this obligation are such that:	•
The concinent of this congulation are such than	
The PRINCIPAL has heretofore or may hereafter enter	into the collection disposal evaporation
remediation, reclamation, treatment or storage of produced water	•
fluids, contaminated soils, BS&W, tank bottoms, waste oil or other	
	non-control of the control of the co
Township <b>25N</b> , Range <b>3W</b> , NMPM, <b>Rio Arriba</b>	County, New Mexico.
NOW, THEREFORE, this \$ 5,250.14 bond is	conditioned upon substantial compliance
with all applicable statutes of the State of New Mexico and all rule	es and orders of the DIVISION and the Oil
Conservation Commission, and upon clean-up of the facility site	to standards of the DIVISION: otherwise
he hand is to be forfeited to the Division	,

The PRINCIPAL has deposited funds on behalf of the DIVISION in the amount of \$\frac{5,250.06}{2.750.06}\$ (\*\*Five thousand two hundred dollars) in the manner indicated on page 2 of this instrument, Assignment of Cash Collateral Deposit, to secure this bond. The PRINCIPAL pledges the funds as a guarantee that it, its executors, assigns, heirs and administrators will abide by the Statutes of the State of New Mexico and the rules and orders of the DIVISION in operating the waste management facility described herein, and that it will properly reclaim the facility site upon cessation of operations. If the PRINCIPAL does not properly reclaim and restore the facility site, and otherwise abide by the rules and orders of the DIVISION, this bond shall be forfeited in full and such funds as necessary applied to the cost of reclaiming the facility site. If the amount of the bond is less than the actual cost incurred by the DIVISION in reclaiming the facility site, the DIVISION may institute legal action against the PRINCIPAL to recover any amounts expended over and above the amount of the bond.

NOW THEREFORE, if the above PRINCIPAL or its successors, assigns, heirs, administrators or any of them shall properly reclaim and restore the above-described facility site upon cessation of operations and otherwise abide by the rules and orders of the Division, then therefore, this obligation shall be null and void and the principal sum hereof shall be paid to the PRINCIPAL, or its successors, heirs, or administrator; otherwise it shall remain in full force and effect.

## Assignment of Cash Conteral Deposit For Bond for Waste Magement Facility

1 agc 2 01 5

Pursuan	at to Rule 711 of the Rules of the Oil Conservation	on Division, or successor provisions,
T-N-1	Environmental, Inc.	, (herinafter "Principal"), of
HCR 7	4 Box 113, Lindrith, NM	(address) has deposited with the Four Corners
Commun	nity Bank (name of the fin	ancial institution, which must be a federally insured bank
or savin	ngs institution within the state of New Mexico) o	f New Mexico
	(address) (hereinafter "Financial Institu	ution"), the sum of **Five thousand two hundred fifty &
(\$5,25)	<b>50.14</b> . 👀 dollars in Certificate of Deposit or sa	ivings account No. 14/100%. The Principal
hereby a	assigns and conveys all right, title and interest in	the deposited funds to the Financial Institution in trust for
		nd Natural Resources Department (hereinafter "Division")
	<u> </u>	rincipal and the Financial Institution agree that as to the
deposite	ed funds:	•
a.	The funds deposited pursuant to the terms of this management facility operated by the Principal.	s Assignment are to serve as a cash bond covering a waste
b.	the Financial Institution, in writing, to distributentitled thereto, including the Division itself, in	ntire beneficial interest in the funds with the right to order te the fund to persons determined by the Division to be a amounts determined by the Division, or to the Principal ment provided all applicable Division orders and rules have ement facility.
c.	thereon, and to return of the fund upon written	order of the Division in the event the Principal properly by the rules and order of the Division and the Oil
d.	upon written order of the Division or a court of	y not be assigned, transferred pledged or distributed except competent jurisdiction made in a proceeding in which the ives all statutory or common law liens or rights of set-off
incurre		deduct from interest due the Principal any attorney fees via writ, summons or other process arising from Principal's
Signed	this <b>26th</b> day of <b>November</b> , 2	002 .
Jignou /	day of November , 2	0
Ta	out to the	Meila Phane
Signatu	re of PRINCIPAL, personally or by	Signature of authorized officer of Financial
authoriz	zed officer	Institution
Pre	sident	President
Title		Title
(Note: If	PRINCIPAL is corporation, affix corporate seal here	e.)
	7/ - 110 - 1 - 1	
HCR	74 Box 113, Lindrith, NM	500 W. Main St., Suite 101
		Farmington, NM 87401
Mailing	Address	Mailing Address

## ACKNOWLEDGMENT FORM FOR NATURAL PERSONS

STATE O					
COUNTY	)SS. OF)		•		
by	he foregoing instrument was ackr	nowledged before	e me this	day of	, 2 ,
Му сотт	ission expires:				
 Date			Notary Public		
<u> </u>	ACKNOWLEDGMENT	FORM FOR CO	ORPORATION	OR PARTNERSHIP	
	F <u>New Mexico</u> ) )SS. OF <u>Rio Arriba</u> )				
by	The foregoing instrument was ackr  y Lee Schmitz	-	e me this <b>26th</b>		, 2 <u>002</u> ,
HOT V		conmental, I	nc.		
My comm PUB  05- Date FN				School	
NOTE: W	Then Principal is a partnership, cor.  This information may be provid		Notary Public	artners, officers and dir	ectors as may be
	ACKNOWLEDGMI		R FINANCIAL	INSTITUTION	
	F New Mexico ) SS. OF San Juan				
by	he foregoing instrument was ackn	-	***************************************	day of November	, 2 <u>002</u> ,
	heila Schauer	title Pr	esident		on behalf of
	our Corners Community B	ank		, fin	ancial institution.
<b>05-</b> 0	02-04		NotaryPublic	Schall	9
	•••				



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

#### BILL RICHARDSON

Governor
Joanna Prukop
Cabinet Secretary

January 15, 2003

Lori Wrotenbery
Director
Oil Conservation Division

<u>CERTIFIED MAIL</u> RETURN RECEIPT NO. 7001-1940-0004-3929-8294

Mr. Tony Schmitz T-n-T Environmental, Inc. HCR 74 P.O. Box 113 Lyndrith, New Mexico 87029

RE: \$31,922.78 Cash Bond and Assignment for

Commercial Surface Waste Management Facility Permit NM-01-0008

T-n-T Environmental, Inc., Principal Four Corners Community Bank, Surety

SE/4 Section 7 and SW/4 Section 8 (evaporation ponds), and the

SW/4 SE/4 and SE/4 SW/4 Section 5 and the NE/4 NW/4 Section 8 (landfarm), Township 25 North, Range 3 West, NMPM, Rio Arriba County, New Mexico

Certificate Of Deposit No. 651

Dear Mr. Schmitz:

The New Mexico Oil Conservation Division hereby approves the above-referenced Commercial Surface Waste Management Facility cash bond and assignment of cash collateral deposit. T-n-T Environmental now has a total of \$143,439.86 in cash bonds for the above permitted facility. An additional \$5,250.14 is needed to have the full \$148,690 required by permit NM-01-0008.

Sincerely,

David K. Brooks

Assistant General Counsel, EMNRD

DKB:mjk

Enclosure: Copy of cash bond and assignment of cash collateral deposit

xc with attachment:

Aztec OCD Office

### Energy, Minerals and Natural Resources Department **Oil Conservation Division**

### Cash Bond For Waste Management Facilities

(File with Oil Conservation Division, 1220 South Saint Francis, Santa Fe, New Mexico 87505)

1	KNOV	W A	4 T T	MFN	RV	THESE	PR	ECENT	re.
ш		Y 1	$\Delta LL$	IVILLIA	DI	THEOR	$\Gamma$ $\Gamma$	COLL	LD.

KNOW ALL M	IEN BY THESE PRES	ENTS:	
That	T-N-T ENVIRONMENT	TAL, INC.	(an individual, partnership, or
a corporation or	ganized in the State of	New Mexico	, with its principal office in the City of
	, State of		
State of New M	exico), as PRINCIPAL	is firmly bound unto	the State of New Mexico, for the use and benefit
the sum of *Th:	ervation Division of the irty one thousand enty two & 78/100	nine hundred\$3	nd Natural Resources Department (DIVISION) in 1,922.78 (908) Dollars.
The con	nditions of this obligation	on are such that:	
remediation, red fluids, contamir	clamation, treatment or nated soils, BS&W, tank	storage of produced bottoms, waste oil o	enter into the collection, disposal, evaporation, I water, drilling fluids, drill cuttings, completion or other oil field related waste in Section 5,7,8, rriba County, New Mexico.
with all applical Conservation C	ble statutes of the State	of New Mexico and	bond is conditioned upon substantial compliance all rules and orders of the DIVISION and the Oil site to standards of the DIVISION; otherwise the
The PR	INCIPAL has deposited	I funds on behalf of	the DIVISION in the amount of \$31,922.700 (

Thirty one thousand nine dollars) in the manner indicated on page 2 of this instrument, Assignment of Cash Collateral Deposit, to secure this bond. The PRINCIPAL pledges the funds as a guarantee that it, its executors, assigns, heirs and administrators will abide by the Statutes of the State of New Mexico and the rules and orders of the DIVISION in operating the waste management facility described herein, and that it will properly reclaim the facility site upon cessation of operations. If the PRINCIPAL does not properly reclaim and restore the facility site, and otherwise abide by the rules and orders of the DIVISION, this bond shall be forfeited in full and such funds as necessary applied to the cost of reclaiming the facility site. If the amount of the bond is less than the actual cost incurred by the DIVISION in reclaiming the facility site, the DIVISION may institute legal action against the PRINCIPAL to recover any amounts expended over and above the amount of the bond.

NOW THEREFORE, if the above PRINCIPAL or its successors, assigns, heirs, administrators or any of them shall properly reclaim and restore the above-described facility site upon cessation of operations and otherwise abide by the rules and orders of the Division, then therefore, this obligation shall be null and void and the principal sum hereof shall be paid to the PRINCIPAL, or its successors, heirs, or administrator; otherwise it shall remain in full force and effect.

## Assignment of Cash Collateral Deposit For Bond for Waste Management Facility

	Environmental, Inc.	, (herinafter "Principal"),
		(address) has deposited with t
Four		tution, which must be a federally in sured bank or savin
convey	s all right, title and interest in the deposited fund	te Thirty one thousand nine Mexico) am of twenty two & 78/100 (\$ 31.922.78.20) The Principal hereby assigns and the Financial Institution in trust for the Oil Conservation.
		es Department (hereinafter "Division") or successor agency acial Institution agree that as to the deposited funds:
a.	The funds deposited pursuant to the terms of management facility operated by the Principal	this Assignment are to serve as a cash bond covering a was l.
b.	Financial Institution, in writing, to distribute thereto, including the Division itself, without f Division, or to the Principal upon sale of the	entire beneficial interest in the funds with the right to order to the fund to persons determined by the Division to be entitle further consent by the Principal, in amounts determined by to facility covered by this Assignment provided all applicable with regarding the waste management facility.
c.	thereon, and to return of the fund upon writt	nterest in the fund and has only the right to interest, if an en order of the Division in the event the Principal proper by the rules and order of the Division and the Oil Conservation
d.	upon written order of the Division or a court	may not be assigned, transferred pledged or distributed exce of competent jurisdiction made in a proceeding in which the waives all statutory or common law liens or rights of set-
incurre		ay deduct from interest due the Principal any attorney fe d via writ, summons or other process arising from Principa
Signed	this 27th day of September,	2_002
By Prin	acipal Joseph	By Financial Institution Mula Schaue
PRE	SINENT	President
Title (Note: I	f PRINCIPAL is corporation, affix corporate seal h	Title ere.)
НСІ	R 74 Box 113, Lindrith, NM	500 W. Main St., Suite 101 Farmington, NM 87401
Mailing	g Address	Mailing Address

ACKNOWLEDGME	NT FORM FOR NATURAL PERSONS	
STATE OF		
)SS.		
COUNTY OF)		
The foregoing instrument was acknowled	edged before me this day of	, <u>2,</u> by
My commission expires:	•	
Date	Notary Public	
ACKNOWLEDGMENT FOR	RM FOR CORPORATION OR PARTNE	RSHIP
STATE OF New Mexico )		
)SS.		
COUNTY OF Rio Arriba		
The foregoing instrument was acknowled Tony Lee Schmitz	edged before me this27tHay of _Septem	ber , 2 <u>002</u> , by
officer or partner(s) ofT-N-T Environment	mental. Inc.	B. 7 h
corporation, a partnership on behalf of said corp		30.0170
My commission expires:	•	
•	Lastis School	3 Taylou
05-02-04 Date	Notary Public	70 - 73
	•	7. 7 h
NOTE: When Principal is a partnership, corpora applicable. This information may be provided b		and directors as may be
ACKNOWLEDGMENT	FORM FOR FINANCIAL INSTITUTIO	)N
STATE OF New Mexico		
)SS. COUNTY OF <u>San Juan</u> )		
The foregoing instrument was acknowled Sheila Schauer	edged before me this <u>27t</u> day of <u>Septem</u> title <u>President</u>	ber, 2 <u>002</u> , by on behalf of
Four Corners Community Bank		, financial institution.
My commission expires:	Leola Shell	i de la companya de l
05-02-04	Leolu SMI	1017077
Date	NotaryPublic	ANVION



## NEW MEXICO ENERGY, MMERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

June 14, 2001

Lori Wrotenbery
Director
Oil Conservation Division

## <u>CERTIFIED MAIL</u> <u>RETURN RECEIPT NO. 7099-3220-0000-5051-2405</u>

Mr. Tony Schmitz T-n-T Environmental, Inc. HCR 74 P.O. Box 115 Lyndrith, New Mexico 87029

RE: \$74,345 Surety Bond for Commercial Surface Waste Management Facility

Permit WM-1-008

T-n-T Environmental, Inc., Principal Four Corners Community Bank, Surety

SE/4 Section 7 and SW/4 Section 8 (evaporation ponds), and the

SW/4 SE/4 and SE/4 SW/4 Section 5 and the NE/4 NW/4 Section 8 (landfarm), Township 25 North, Range 3 West, NMPM, Rio Arriba County, New Mexico

Certificate Of Deposit No. 247

Dear Mr. Schmitz:

The New Mexico Oil Conservation Division hereby approves the above-referenced Commercial Surface Waste Management Facility cash bond and assignment of cash collateral deposit.

Sincerely,

David K. Brooks

Assistant General Counsel, EMNRD

Lavid K. Brooks

DKB:mjk

Enclosure: Copy of cash bond and assignment of cash collateral deposit

xc with attachment:

Aztec OCD Office



# NEW MEXICO ENERGY, MERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

June 14, 2001

Lori Wrotenbery
Director
Oil Conservation Division

<u>CERTIFIED MAIL</u> <u>RETURN RECEIPT NO. 7099-3220-0000-5051-2412</u>

Mr. Tony Schmitz T-n-T Environmental, Inc. HCR 74 P.O. Box 115 Lyndrith, New Mexico 87029

RE: \$60,000 Surety Bond for Commercial Surface Waste Management Facility

Permit WM-1-008

T-n-T Environmental, Inc., Principal
Four Corners Community Bank, Surety
SE/4 Section 7 and SW/4 Section 8 (evaporation ponds), and the
SW/4 SE/4 and SE/4 SW/4 Section 5 and the NE/4 NW/4 Section 8 (landfarm),
Township 25 North, Range 3 West, NMPM, Rio Arriba County, New Mexico

Certificate Of Deposit No. 91

Dear Mr. Schmitz:

The OCD has received and approved a replacement certificate of for T-n-T Environmental, Inc. for the 711 Waste Management Facility (Permit WM-1-0008) and hereby approves the cancellation of the above-referenced financial assurance.

Sincerely,

David K. Brooks

Assistant General Counsel, EMNRD

David K. Broke

DKB:mjk

Enclosure: Original cash bond and assignment of cash collateral deposit

xc with attachment:

Aztec OCD Office



# NEW MEXICO ENERGY, MENERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor
Betty Rivera
Cabinet Secretary

February 20, 2002

Lori Wrotenbery
Director
Oil Conservation Division

<u>CERTIFIED MAIL</u> RETURN RECEIPT NO. 7099-3220-0000-5051-2269

Mr. Tony Schmitz T-n-T Environmental, Inc. HCR 74 P.O. Box 113 Lyndrith, New Mexico 87029

RE: \$37,172 Cash Bond and Assignment for

Commercial Surface Waste Management Facility Permit NM-01-0008

T-n-T Environmental, Inc., Principal Four Corners Community Bank, Surety

SE/4 Section 7 and SW/4 Section 8 (evaporation ponds), and the

SW/4 SE/4 and SE/4 SW/4 Section 5 and the NE/4 NW/4 Section 8 (landfarm), Township 25 North, Range 3 West, NMPM, Rio Arriba County, New Mexico

Certificate Of Deposit No. 367

Dear Mr. Schmitz:

The New Mexico Oil Conservation Division hereby approves the above-referenced Commercial Surface Waste Management Facility cash bond and assignment of cash collateral deposit. T-n-T Environmental now has a total of \$111,517 in cash bonds for the above permitted facility. An additional \$37,172 will be due on August 6, 2002.

Sincerely,

David K. Brooks

Assistant General Counsel, EMNRD

avid K. Brothe

DKB:mjk

Enclosure: Copy of cash bond and assignment of cash collateral deposit

xc with attachment:

Aztec OCD Office

Hazel Jackson, Four Corners Community Bank

## Energy, Minerals and Natural Resources Department Oil Conservation Division

## Cash Bond For Waste Management Facilities

(File with Oil Conservation Division, 1220 South Saint Francis, Santa Fe, New Mexico 87505)

KNOW ALL MEN BY THESE PRESENTS:

That <u>T-N-T Environmental</u> ,	Inc.	(an individual, partnership,
or a corporation organized in the State of	New Mexic	• , with its principal office in the City
		o and authorized to do business in
the State of New Mexico), as PRINCIPAL is	firmly bound	l unto the State of New Mexico, for the use and
benefit of the Oil Conservation Division of	f the Energy	, Minerals and Natural Resources Departmen
(DIVISION) in the sum of		(\$ <u>37,172</u> .00) Dollars.
Thirty Seven Th	nousand On	e Hundred Seventy Two & 00/100*****
The conditions of this obligation are s	such that:	
remediation, reclamation, treatment or storage fluids, contaminated soils, BS&W, tank bottom Township 25N, Range 3W, NMPl  NOW, THEREFORE, this \$ with all applicable statutes of the State of New	e of produced ns, waste oil o M, <u>Rio Arr</u> b Mexico and	enter into the collection, disposal, evaporation water, drilling fluids, drill cuttings, completion or other oil field related waste in Section 7 & 5, iba County, New Mexico.  Ond is conditioned upon substantial compliance all rules and orders of the DIVISION and the Oity site to standards of the DIVISION; otherwise

NOW THEREFORE, if the above PRINCIPAL or its successors, assigns, heirs, administrators or any of them shall properly reclaim and restore the above-described facility site upon cessation of operations and otherwise abide by the rules and orders of the Division, then therefore, this obligation shall be null and void and the principal sum hereof shall be paid to the PRINCIPAL, or its successors, heirs, or administrator; otherwise it shall remain in full force and effect.

## Assignment of Cash Cllateral Deposit For Bond for Wast Canagement Facility

Pursua	nt to Rule 711 of t	he Rules of the Oil C	Conservation	n Division, or succ	essor prov	isions,		
	T-N-T Environ	mental, Inc.			•	after "Princ	<del>-</del>	
	HCR 74 Box 11	3, Lindrith, NM			-		Four Corners	
	Community Ban			incial institution, w				
		hin the state of New						
(\$_3 hereby the Oil or succ	7,172 .00) dolla assigns and conve Conservation Div	s) (hereinafter "Finar rs in Certificate of De ys all right, title and ision of the Energy, N he State of New Mex	eposit or sav interest in t Minerals and	vings account No he deposited funds d Natural Resource	367 to the Fina s Departm	ncial Instituent (hereina	The Principal Solition in trust for Ther "Division")	eventy
a.	•	ted pursuant to the te lity operated by the		Assignment are to	serve as a	eash bond co	overing a waste	
b.	the Financial Insentitled thereto, in upon sale of the f	uires by this Assignr titution, in writing, the including the Division acility covered by the ith regarding the was	to distribute n itself, in s Assignme	e the fund to perso amounts determine ent provided all app	ons determed by the I	ined by the Division, or	Division to be to the Principal	
c.	thereon, and to re	ains no legal or bene eturn of the fund upo ility site and otherw mmission.	n written c	order of the Division	on in the e	vent the Prin	ncipal properly	
d.	upon written orde	titution agrees that the er of the Division or a y. The Financial Inst	a court of co	ompetent jurisdiction	on made ir	ı a proceedii	ng in which the	
incurred	d by the Financial	the Financial Institu Institution if claim or E Financial Institution	demand vi					
Signatu	this 26th of the of PRINCIPAL zed officer	ay of July, personally or by		Hall	ack ocksorized office	M er of Financ	ial	
Presi Title (Note: If		poration, affix corpora		Business Devel Title	Lopment	Officer_		
HCR 7	74 Box 113, Li	ndrith, NM		500 W. Main St	t., Suit	e 101, Fa	rmington, NM	87401
Mailing	Address		Ī	Mailing Address	<del></del>			

## ACKNOWLEDGMENT FORM FOR NATURAL PERSONS

STATE OF		
COUNTY OF)		
The foregoing instrument was acknowledged beforeby	re me this day of	, 2,
My commission expires:		
Date	Notary Public	
ACKNOWLEDGMENT FORM FOR C	CORPORATION OR PARTNERSHIP	
STATE OF <u>New Mexico</u> ) )SS.		
COUNTY OF Rio Arriba )		
The foregoing instrument was acknowledged before  Tony Lee Schmitz	re me this 6th day of August	, 2 <i>_001</i> _,
	T	
officer of partner(s) of <u>T-N-T Environmental</u> a corporation, a partnership on behalf of said corporation of	r partnership.	,
5		
My commission expires:	Pula a	, ,
August 16, 2004	Tothe M. La Notary Public	NO
NOTE: When Principal is a partnership, corporation of assorphicable. This information may be provided below.	ociation, list all partners, officers and direc	tors as may be
ACKNOWLEDGMENT FORM FO	OR FINANCIAL INSTITUTION	
STATE OF <u>New Mexico</u>		
)SS. COUNTY OF <u>San Juan</u> )		
The foregoing instrument was acknowledged before	re me this <b>26th</b> day of <b>July</b>	_, 2 <u><b>001</b></u> ,
Hazel Jackson title Bu	usiness Development Officer	on behalf of
Four Corners Community Bank	, finan	cial institution.
My commission expires:	$\cap$	
08-14-03	Donna L. Lews	, N
Date	NotaryPublic	



## NEW MEXICO ENERGY, MENERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

may my t July 18, 2001 Lori Wrotenbery
Director
Oil Conservation Division

CERTIFIED MAIL
RETURN RECEIPT NO. Z-559-573-324

Mr. Tony Schmitz T-n-T Environmental, Inc. HCR 74 P.O. Box 115 Lyndrith, New Mexico 87029

RE: \$60,000 Surety Bond for Commercial Surface Waste Management Facility

Permit WM-1-008

T-n-T Environmental, Inc., Principal Four Corners Community Bank, Surety

SE/4 Section 7 and SW/4 Section 8 (evaporation ponds), and the

SW/4 SE/4 and SE/4 SW/4 Section 5 and the NE/4 NW/4 Section 8 (landfarm), Township 25 North, Range 3 West, NMPM, Rio Arriba County, New Mexico

Certificate Of Deposit No. 91

Dear Mr. Schmitz:

The New Mexico Oil Conservation Division hereby approves the above-referenced Commercial Surface Waste Management Facility cash bond and assignment of cash collateral deposit.

Sincerely

Stephen C. Ross

Assistant General Counsel, EMNRD

SCR:mjk

Enclosure: Copy of cash bond and assignment of cash collateral deposit

xc with attachment:

Aztec OCD Office

## Energy, Minerals and Natural Resources Department Oil Conservation Division

### **Cash Bond For Waste Management Facilities**

(File with Oil Conservation Division, 1220 South Saint Francis, Santa Fe, New Mexico 87505)

#### KNOW ALL MEN BY THESE PRESENTS:

ThatT	-N-T Environme	ntal Inc.			(an inc	dividual, partnership,
or a corporation org	anized in the State	of New Me	xico	, v	vith its princ	ipal office in the City
ofLindrith	, State of	New Mexi	co		and authoris	zed to do business in
the State of New M	lexico), as PRINC	IPAL is firm	ly bound un	to the State	of New Me	exico, for the use and
						esources Department
(DIVISION) in the	sum of **Sixty	Thousand	& 00/100°	<u>***</u> (\$*	60,000	00_) Dollars.
The conditi	ions of this obligat	ion are such	that:			
The PRINC	CIPAL has heretof	ore or may l	ereafter ente	er into the o	collection, d	isposal, evaporation,
remediation, reclan	nation, treatment o	r storage of	produced wa	ter, drilling	fluids, drill	cuttings, completion
fluids, contaminated	l soils, BS&W, tan	k bottoms, w	aste oil or oth	ner oil field	related wast	e in Section 7 & 5,
Township 25N	, Range3W	_, NMPM, _	Rio Arrib	oa	County, Ne	ew Mexico.
	-	_		- 5 · · · ·		
NOW, THE	EREFORE, this \$	**60,000.	00** bond	is condition	ned upon su	bstantial compliance

NOW, THEREFORE, this \$ \*\*60,000.00\*\* bond is conditioned upon substantial compliance with all applicable statutes of the State of New Mexico and all rules and orders of the DIVISION and the Oil Conservation Commission, and upon clean-up of the facility site to standards of the DIVISION; otherwise the bond is to be forfeited to the Division.

The PRINCIPAL has deposited funds on behalf of the DIVISION in the amount of \$60,000 .00 (\*\*Sixty Thousand & 00/100\*\*\* dollars) in the manner indicated on page 2 of this instrument, Assignment of Cash Collateral Deposit, to secure this bond. The PRINCIPAL pledges the funds as a guarantee that it, its executors, assigns, heirs and administrators will abide by the Statutes of the State of New Mexico and the rules and orders of the DIVISION in operating the waste management facility described herein, and that it will properly reclaim the facility site upon cessation of operations. If the PRINCIPAL does not properly reclaim and restore the facility site, and otherwise abide by the rules and orders of the DIVISION, this bond shall be forfeited in full and such funds as necessary applied to the cost of reclaiming the facility site. If the amount of the bond is less than the actual cost incurred by the DIVISION in reclaiming the facility site, the DIVISION may institute legal action against the PRINCIPAL to recover any amounts expended over and above the amount of the bond.

NOW THEREFORE, if the above PRINCIPAL or its successors, assigns, heirs, administrators or any of them shall properly reclaim and restore the above-described facility site upon cessation of operations and otherwise abide by the rules and orders of the Division, then therefore, this obligation shall be null and void and the principal sum hereof shall be paid to the PRINCIPAL, or its successors, heirs, or administrator; otherwise it shall remain in full force and effect.

## Assignment of Cash Collateral Deposit For Bond for Waste Management Facility

Pursua	ant to Rule 711 of the Rules of the C	Dil Conservation Division, or successor provisions,						
	N-N-T Envrionmental, Inc.	, (herinafter "Principal"), of						
I	ICR 74 Box 113, Lindrith, N							
(	Community Bank (r	name of the financial institution, which must be a federally insured bank						
or sav	ings institution within the state of N	ew Mexico) of 500 W. Main Street, Suite 101, Farmington,						
NM	(address) (hereinafter "F	inancial Institution"), the sum of **Sixty Thousand & 00/100**						
	0,000 .00) dollars in Certificate o	f Deposit or savings account No. 91 . The Principal						
		and interest in the deposited funds to the Financial Institution in trust for						
•		y, Minerals and Natural Resources Department (hereinafter "Division")						
		Mexico. The Principal and the Financial Institution agree that as to the						
	ted funds:							
•		•						
a.	The funds deposited pursuant to the management facility operated by t	e terms of this Assignment are to serve as a cash bond covering a waste he Principal.						
b.	The Division acquires by this Assi	gnment the entire beneficial interest in the funds with the right to order						
•	the Financial Institution, in writing, to distribute the fund to persons determined by the Division to be							
		entitled thereto, including the Division itself, in amounts determined by the Division, or to the Principal						
	upon sale of the facility covered by this Assignment provided all applicable Division orders and rules have							
	been complied with regarding the waste management facility.							
c.	The Principal retains no legal or b	eneficial interest in the fund and has only the right to interest, if any,						
	thereon, and to return of the fund upon written order of the Division in the event the Principal properly							
	reclaims the facility site and oth	nerwise abides by the rules and order of the Division and the Oil						
	Conservation Commission.							
d.		the funds may not be assigned, transferred pledged or distributed except						
	<del>-</del>	or a court of competent jurisdiction made in a proceeding in which the						
		Institution waives all statutory or common law liens or rights of set-off						
	against the funds.							
m n	r r a di la <del>ma</del> ri ra w							
	-	stitution may deduct from interest due the Principal any attorney fees						
	•	or demand via writ, summons or other process arising from Principal's						
busines	ss is made upon the Financial Institu	ition.						
Cionad	this Oth day of Mar-	2 001						
Signed	this 8th day of May	, 2 001						
		Maila Schaus						
	are of PRINCIPAL, personally or by	Signature of authorized officer of Financial						
/ - /	zed officer	Institution						
autiloi	zed officer	Histitution						
Presi	dent	President						
Title		Title						
	f PRINCIPAL is corporation, affix corp							
	- · · · •							
IIOn	7/ Par 112 Tindedah and	FOO II Main Ch Cuide 101 Paradantes No.						
	74 Box 113, Lindrith, NM Address	500 W. Main St. Suite, 101, Farmington, NM Mailing Address						
		IVICALITIES / VALUE AND						

ACKNOWI	LEDGMENT	FORM I	FOR N	ATURA	١T.	PERSONS

AC	KNOWLEDGMENTF	ORM FOR NATURA	T LEKSON2	
STATE OF				
COUNTY OF	)SS. )			
The foregoing instru	ument was acknowledged	before me this	day of	, 2 ,
My commission expires:				<u>.</u>
Date		Notary Public		
ACKNOW	LEDGMENT FORM FO	OR CORPORATION	OR PARTNERSHI	P
STATE OF New Mexico				
COUNTY OF Rio Arrib	)SS. a)	•		
The foregoing instruby Tony Lee Schmit	ument was acknowledged	before me this 10th	day of May	, 2 <u>601</u> ,
My commission expires:			/ <del>-</del>	
December 31,	200/	Notary Public	Jo Voss	
NOTE: When Principal is a applicable. This information		f association, list all par	rtners, officers and di	irectors as may be
ACKN	OWLEDGMENT FOR	M FOR FINANCIAL	INSTITUTION	
STATE OF New Mexico				
COUNTY OF San Juan	)SS. )			
The foregoing instru	ment was acknowledged	before me this 8th	day of <u>May</u>	, 2 <u>001</u> ,
Sheila Schauer	title _	President		on behalf of
Four Corners Comm	unity Bank		, fi	nancial institution.
My commission expires:		$\wedge$	() ()	
08/14/03		Donn	a L. Le	urs
Date		NotaryPublic		

OIL CONSERVATION DIVISION 2040 South Pacheco Street Santa Fe, New Mexico 87505 (505) 827-7131

June 26, 1996

## CERTIFIED MAIL RETURN RECEIPT NO.P-176-013-154

Mr. Tony Schmitz TNT Construction, Inc. HCR 74, Box 115 Lyndrith, New Mexico 87029

RE: \$25,000 Commercial Waste Management Facility Bond

T-N-T Construction, Inc.

TNT Disposal Facility (Permit #NM-01-0008)

Rio Arriba County, New Mexico

Dear Mr. Schmitz:

The New Mexico Oil Conservation Division hereby approves the above-referenced Commercial Waste Management Facility Bond.

Sincerely,

Roger C. Anderson

Environmental Bureau Chief

RCA/cee

cc: OCD Aztec Office



BECEIVED

AUG 28 1997

Environmental Bureau Oil Conservation Division



IRREVOCABLE STANDBY LETTER OF CREDIT NO. ANB3420 New Letter of Credit Number Referenced Herein: L931830 Date: August 11, 1997

### AMENDMENT NUMBER THREE

State of New Mexico Energy, Minerals and Natural Resources Department Oil Conservation Division 2040 South Pacheco Santa Fe, NM 87505

#### Gentlemen:

Please be advised that Standby Letter of Credit No. ANB3420 opened in your favor at the request of T-N-T Construction, Inc., a New Mexico S corporation, HCR 74, Box 115, Lindreth, NM 87029 and for the account of same is amended as follows:

Letter of Credit number amended to L931830.

As of August 15, 1997, Sunwest Bank of Albuquerque, N.A. will be merged with and into NationsBank, N.A. If this letter of credit remains in effect on that date, NationsBank, N.A. will assume any and all obligations under this letter of credit by operation of law, and the following section will apply.

ISSUING BANK: DRAFTS TO BE DRAWN ON: PLACE FOR PRESENTATION OF DRAFTS: NATIONSBANK, N.A. NATIONSBANK, N.A. NATIONSBANK, N.A. LETTER OF CREDIT DEPT. 901 MAIN ST., 9TH FL. (TX1-492-09-01) DALLAS, TX 75202 (USA)

All references in this letter of credit to Sunwest Bank of Albuquerque, N.A. shall be deemed to be references to NationsBank, N.A. On or after August 15, 1997, please address any inquiries to the above address, or by telephone to 214/508-0502.

All other conditions remain unchanged. This amendment constitutes an integral part of and must be attached to the original letter of credit. This credit is subject to Uniform Customs and Practice for Documentary Credits (1993 Revision) International Chamber of Commerce, Publication No. 500.

SUNWEST BANK OF ALBUQUERQUE, NA

RECEIVED

AUG 22 1997

Oil Conservation Division

A Subsidiary of Boatmen's Bancshares, Inc.

SUNWEST

SUNWEST BANK OF ALBUQUERQUE, N.A. International Department Post Office Box 25500 Albuquerque, NM 87125-0500

196 AP 15 AP 8 52

Cable Address: SUNWEST ABQ Telex No.: 66 0430 Phone: (505) 765-2205

April 15, 1996 Date: State of New Mexico To: Energy, Minerals, and Natural Resources Dept. 2040 South Pacheco Santa Fe, NM 87505 ANB3420 Ref: Our Letter of Credit No. \_ in favor of \_\_\_\_\_ State of New Mexico, Energy, Minerals, and Natural Resources Dept. Gentlemen: We attach original and the state of the stat ☐ We attach original and one/two copy(ies) of our amendment to our Letter of Credit. Please deliver the original to the beneficiary, retaining a copy for your files. Your charges, if any, are for account of beneficiary. In order for this amendment to become effective, we must have your written agreement. Therefore, please sign the blue copy enclosed, and return it to us in the envelope provided for your convenience. Other:

Authorized Signature

Thank you.

Sincerely

Overnight courier

#### INTERNATIONAL DEPARTMENT

P. O. Box 25500 Albuquerque, New Mexico 87125-5500

Cable Address: SUNWESTBK-ABQ Telex Number: 660430

IRREVOCABLE STANDBY LETTER OF CREDIT NO. ANB3420

DATED APRIL 15, 1996

AMOUNT \$25,000.00

State of New Mexico Energy, Minerals, and Natural Resources Dept. Oil Conservation Division 2040 South Pacheco Santa Fe, NM 87505

#### Gentlemen:

At the request of: T-N-T Construction Inc., S Corporation, HCR 74

Box 115, Lindreth, NM 87029

and for the account of: same

We hereby open in your favor our Irrevocable Standby Letter of Credit not exceeding an aggregate amount of:

### \*\*TWENTY FIVE THOUSAND AND 00/100 DOLLARS\*\*

Available with the issuing bank by payment upon receipt of your draft(s) at **SIGHT** drawn on **SUNWEST BANK OF ALBUQUERQUE**, **NA** when accompanied by the documents listed below:

- The original of this letter of credit.
- 2. A statement purportedly signed by an authorized representative of the State of New Mexico, Energy, Minerals and Natural Resources Dept., Oil Conservation Division, stating that "T-N-T Construction Inc. has failed to comply with Part B.L.i. of Rule 711 of the State of New Mexico, Energy, Minerals and Natural Resources Dept., Oil Conservation Division, general rules and regulations."

Partial drawing(s) are allowed.

Our obligation under this letter of credit shall not be effected by any circumstance, claim, or defense, real or personal, as to the enforceability of the agreement referenced herein; it being understood that our obligation shall be that of a primary obligor and not that of a surety guarantor, or accommodation maker.

THIS CREDIT IS SUBJECT TO UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (1974 REVISION) INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 290.

Continued on Page 2.



## INTERNATIONAL DEPARTMENT P. O. Box 25500 Albuquerque, New Mexico 87125-5500

Cable Address: SUNWESTBK-ABQ Telex Number: 660430

Page 2

Attached to and forming an integral part of Irrevocable Standby Letter of Credit No. ANB3420

This letter of credit sets forth in full the terms of our undertaking, and such undertaking shall not in any way be modified, amended, or amplified by reference to any document, instrument, or agreement referred to herein or in which this letter of credit is referred to or to which this letter of credit relates and any such reference shall not be deemed to incorporate herein by reference any document, instrument, or agreement.

We hereby engage with the beneficiary that drafts drawn under and in compliance with the terms of this credit, that such drafts will be duly honored upon presentation on or before **April 5, 1997**, at our counters, Sunwest Bank of Albuquerque, NA, International Department, 303 Roma NW, Albuquerque, New Mexico 87102 U.S.A.

Drafts drawn under this credit must be endorsed and contain the clause: "DRAWN UNDER SUNWEST BANK OF ALBUQUERQUE, N.A. LETTER OF CREDIT NO. ANB3420 DATED APRIL 15, 1996."

This credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision) International Chamber of Commerce Publication No. 500.

SUNWEST BANK OF ALBUQUERQUE, NA

THIS CREDIT IS SUBJECT TO UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (1974 REVISION) INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 290.