

NM1 - 15

BONDS



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Lori Wrotenbery

Director

Oil Conservation Division

December 1, 2003

Ms. Daniele Berardelli
Goo Yea Landfarms, Inc.
200 Sunset Drive, Suite D
El Paso, Texas 79922

RE: \$75,230 Surety Bond
Commercial Surface Waste Management Facility Permit NM-01-0015
Goo Yea Landfarms, Inc., Principal
RLI Insurance Company, Surety
SE/4 of Section 14, Township 11 South, Range 38 East, Lea County, New Mexico
Bond No. RLB0006380 and Rider No. 4

Dear Ms. Beradelli:

The New Mexico Oil Conservation Division hereby approves the above-referenced Commercial Surface Waste Management Facility Surety Bond Rider number 4 dated October 16, 2003 changing the Surety Company to RLI Insurance Company and the bond number to RLB0006380.

Sincerely,

A handwritten signature in cursive script, reading "Gail Macquesten".

Gail Macquesten,
Assistant General Counsel

GM: mjk

Enclosure: Surety Bond RLB0006380 rider number 4.

xc with attachment:

Hobbs OCD Office

Greg E. Chilson, Underwriters Indemnity Co., 8 Greenway Plaza, Suite 400, Houston, TX 77046



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop
Cabinet Secretary

Lori Wrotenbery

Director

Oil Conservation Division

March 28, 2003

Ms. Daniele Berardelli
Goo Yea Landfarms, Inc.
200 Sunset Drive, Suite D
El Paso, Texas 79922

RE: \$75,230 Surety Bond
Commercial Surface Waste Management Facility Permit NM-01-0015
Goo Yea Landfarm, Inc., Principal
Underwriters Indemnity Company, Surety
SE/4 of Section 14, Township 11 South, Range 38 East, Lea County, New Mexico
Bond No. UIB0005080 and Rider No. 1, 2 and 3

Dear Ms. Beradelli:

The New Mexico Oil Conservation Division hereby approves the above-referenced Commercial Surface Waste Management Facility Surety Bond Rider number 3 dated December 16, 2002 increasing the amount of the bond to \$75,230.

Sincerely,

David K. Brooks,
Assistant General Counsel

DKB: mjk

Enclosure: Surety Bond UIB0005080 rider number 3.

xc with attachment:

Hobbs OCD Office

Greg E. Chilson, Underwriters Indemnity Co., 8 Greenway Plaza, Suite 400, Houston, TX 77046

****DUPLICATE ORIGINAL****

RIDER NO. 3

Attaching to and forming part of Bond for Commercial Surface Waste Disposal Facility, Bond No. UIB0005080, effective February 10, 1995, on behalf of GOO-YEA Landfarms, Inc. as Principal, in favor of the State of New Mexico as Obligee, in the amount of Fifty Six Thousand Four Hundred Twenty Three and No/100 Dollars (\$56,423.00).

It is understood and agreed that effective December 16, 2002, the above bond is increased by Eighteen Thousand Eight Hundred Seven and No/100 Dollars (\$18,807.00).

The total penal sum of the bond is amended to read Seventy Five Thousand Two Hundred Thirty and No/100 Dollars (\$75,230.00).

All other conditions and terms to remain as originally written.

Signed, sealed and dated this 16th day of December, 2002.

GOO-YEA Landfarms, Inc.

Principal

By: 

Underwriters Indemnity Company

8 Greenway Plaza, Suite 400

Houston, Texas 77046

Surety

By: 

Greg E. Chilson, Attorney-in-Fact

GENERAL POWER OF ATTORNEY

CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That **UNDERWRITERS INDEMNITY COMPANY**, a corporation organized and existing under the laws of the State of Texas, and having its principal office in the City of Houston, Texas, does hereby constitute and appoint:

Greg E. Chilson

its true and lawful attorney-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, in an amount not to exceed:

\$75,230.00

and the execution of all such instrument(s) in pursuance of these presents, shall be binding upon said **UNDERWRITERS INDEMNITY COMPANY** as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office. This Power of Attorney is executed, and may be certified to and may be revoked, pursuant to and by authority of a resolution enacted by the Board of Directors of **UNDERWRITERS INDEMNITY COMPANY**. The following is a true transcript of said resolution:

That at all times since the formation of this corporation, the President or any Vice President, Assistant Vice President, Secretary or Assistant Secretary shall have power and authority.

- (1) to appoint attorneys-in-fact, and to authorize them to execute on behalf of the company; and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and
- (2) to appoint special attorneys-in-fact, who are hereby authorized to certify to copies of any power-of-attorney issued in pursuance of this section and/or any of the Bylaws of the Company, and
- (3) to remove, at any time, any such attorney-in-fact or special attorney-in-fact and revoke the authority given to him.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said company adopted by consent of which the following is a true excerpt:

"Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the company in the future with respect to any bond or undertaking to which it is attached."

IN TESTIMONY WHEREOF, **UNDERWRITERS INDEMNITY COMPANY** has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, Roy C. Die; on this the 30th day of July, 2001.

STATE OF TEXAS

COUNTY OF HARRIS

On this 30th day of July, 2001, before me came the individual who executed the preceding instrument, to me personally known, and, being duly sworn, said that he is the therein described and authorized officer of **UNDERWRITERS INDEMNITY COMPANY**; that the seal, affixed to said instrument is the Corporate Seal of said company; that the said Corporate Seal and his signature were duly affixed by order of the Board of Directors of said company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Houston, Texas, the day and year first above written.



Nancy Cruz
Notary Public, Harris County, Texas

CERTIFICATION

I, the undersigned officer of **UNDERWRITERS INDEMNITY COMPANY**, do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said company as set forth in said Power of Attorney, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 16 day of Dec., 2002.

Greg E. Chilson
Greg E. Chilson Assistant Secretary

Only a certified copy of Power of Attorney bearing the Certificate of Authority No. printed in red on the upper right corner is binding. Photocopies, carbon copies or other reproductions of this document are invalid and not binding upon the company.

ANY INSTRUMENT ISSUED IN EXCESS OF THE PENALTY AMOUNT STATED ABOVE IS TOTALLY VOID AND WITHOUT VALIDITY.



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor

Jennifer A. Salisbury

Cabinet Secretary

January 2, 2002

Lori Wrotenbery

Director

Oil Conservation Division

CERTIFIED MAIL

RETURN RECEIPT NO. 7099-3220-0000-5051-2788

Ms. Daniele Berardelli
Goo Yea Landfarms, Inc.
P.O. Box 57180
Albuquerque, NM 87187-7180

**RE: \$56,423 Surety Bond
Commercial Surface Waste Management Facility Permit NM-01-0015
Goo Yea Landfarm, Inc., Principal
Underwriters Indemnity Company, Surety
SE/4 of Section 14, Township 11 South, Range 38 East, Lea County, New Mexico
Bond No. UIB0005080 and Rider No. 1 and 2**

Dear Ms. Daniele Beradelli:

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

Sincerely,

David K. Brooks,
Assistant General Counsel

DKB: mjk

Enclosure: Surety Bond No. UIB0005080 and Rider No.1 and 2

xc with attachment:

Hobbs OCD Office

Greg E. Chilson, Underwriters Indemnity Co., 8 Greenway Plaza, Suite 400, Houston, TX 77046



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor

Jennifer A. Salisbury
Cabinet Secretary

May 16, 2000

Lori Wrotenbery
Director

Oil Conservation Division

CERTIFIED MAIL

RETURN RECEIPT NO. 7099-3220-0000-5051-2382

Ms. Daniele Beradelli
Rhino Environmental Services, Inc.
P.O. Box 4232
Anthony, NM 88021

RE: \$37,615 Surety Bond
Commercial Surface Waste Management Facility Permit NM-01-0015
Goo Yea Landfarm, Inc., Principal
Underwriters Indemnity Company, Surety
SE/4 of Section 14, Township 11 South, Range 38 East, Lea County, New Mexico
Bond No. UIB0005080

Dear Ms. Daniele Beradelli:

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

Sincerely,

Stephen C. Ross
Assistant General Counsel, EMNRD

SCR:mjk

Enclosure: Surety Bond No. UIB0005080

xc with attachment:

Hobbs OCD Office

Greg E. Chilson, Underwriters Indemnity Co., 8 Greenway Plaza, Suite 400, Houston, TX 77046



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION

2040 S. PACHECO
SANTA FE, NEW MEXICO 87505
(505) 827-7131

March 8, 1995

GOO-YEA Landfarms, Inc.
PO Box 2327
Hobbs, New Mexico 88241

Attention: Royce Cooper, Jr.

Re: \$25,000 Bond for Commercial Waste
Disposal Facility
GOO-YEA Landfarms Inc., Principal
Underwriters Indemnity Co., Surety
Sec. 14, T-11-S, R-38-E, Lea County
Bond No. BO-5080

Dear Mr. Cooper:

The Oil Conservation Division hereby approves the above-captioned bond effective March 1, 1995.

Sincerely,

A handwritten signature in dark ink, appearing to read "William J. Lemay".

WILLIAM J. LEMAY,
Director

dr/

cc: Oil Conservation Division
Santa Fe

Underwriters Indemnity Co.

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

\$25,000.00 BOND FOR COMMERCIAL SURFACE WASTE DISPOSAL FACILITY

RECEIVED

BOND NO. B05080
(For Use of Surety Company)

File with Oil Conservation Division, P. O. Box 2085, Santa Fe, New Mexico 87504

KNOW ALL MEN BY THESE PRESENTS:

That GOO-YEA Landfarms, Inc., (~~an individual~~)
(~~partnership~~) (a corporation organized in the State of New Mexico
with its principal office in the City of Hobbs, State of New Mexico
and authorized to do business in the State of New Mexico), as
PRINCIPAL, and Underwriters Indemnity Company, a corporation
organized and existing under the laws of the State of Texas
and authorized to do business in the State of New Mexico with duly appointed resident
agent licensed in the State of New Mexico to execute this bond on behalf of the
surety company, as SURETY, are held firmly bound unto the State of New Mexico, for
the use and benefit of the Oil Conservation Division of the Energy, Minerals and
Natural Resources Department pursuant to Chapter 72, Laws of New Mexico, 1935, as
amended, and to the State of New Mexico in the sum of Twenty Five Thousand
(\$25,000.00) Dollars lawful money of the United States for the payment of which, well
and truly to be made, said PRINCIPAL and SURETY hereby bind themselves, their
successors and assigns, jointly and severally, firmly by these presents.

The conditions of this obligation are such that:

WHEREAS, The above principal has heretofore or may hereafter enter into the
collection, disposal or storage of produced water and/or other oil field related
waste in Section 14, Township 11 (~~North~~) (South), Range 38 (East)
(~~West~~), N.M.P.M., Lea County, New Mexico.

NOW, THEREFORE, This \$25,000 performance bond is conditioned upon substantial
compliance with all applicable statutes of the State of New Mexico and all rules,
regulations, and orders of the Oil Conservation Division of the Energy and Minerals
Department, and upon clean-up of the facility site to standards of the Oil
Conservation Division; otherwise the principal amount of the bond to be forfeited to
the State of New Mexico.

PROVIDED, HOWEVER, That sixty (60) days after receipt by the Oil Conservation
Division of written notice of cancellation from the Surety, the obligation of the
Surety shall terminate as to activities or operations conducted by PRINCIPAL after
said sixty (60) day period but shall continue in effect, notwithstanding said notice,
as to such activities or operations conducted or commenced before the expiration of
the sixty day period.

Signed and sealed this 10th day of February, 19 95.

GOO-YEA Landfarms, Inc.

Underwriters Indemnity Company

PRINCIPAL

SURETY

P.O. Box 2327

8 Greenway Plaza, Suite 400

Hobbs, NM 88241

Houston, Texas 77046

Mailing Address

Mailing Address

By

[Signature] Vice President
Signature Title

By

[Signature]
Attorney-in-Fact Roy C. Die

(Note: Principal, if corporation
Affix corporate seal here.)

(Note: Corporate surety affix corporate
seal here.)

Note: If corporate surety executes this bond by an attorney-in-fact not in New
Mexico, the resident New Mexico agent shall countersign here below.)

Countersigned by:

Recd
10-19-94

New Mexico Resident Agent

Address

STATE OF _____)
COUNTY OF _____) ss.

On this _____ day of _____, 19____, before me personally appeared _____, to me known to be the person (persons) described in and who executed the foregoing instrument and acknowledged that he (they) executed the same as he (their) free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year in this certificate first above written.

Notary Public

My Commission Expires: _____

ACKNOWLEDGMENT FORM FOR CORPORATION

STATE OF New Mexico)
COUNTY OF Lea) ss.

On this 10th day of February, 1995, before me personally appeared Royce Cooper Jr, to me personally known who, being by me duly sworn, did say that he is Vice President of GOOD-VEA Land Farms Inc. and that the foregoing instrument was signed and sealed on behalf of said corporation by authority of its board of directors, and acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year in this certificate first above written.

Sam J. McWilliams
Notary Public

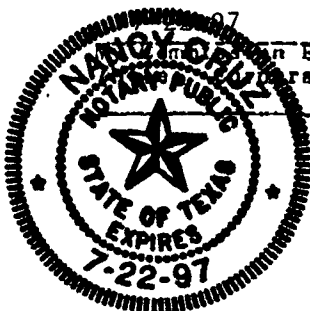
1-21-98
My Commission Expires

STATE OF Texas)
COUNTY OF Harris) ss.

On this 10th day of February, 1995, before me appeared Roy C. Die, to me personally known, who, being by me duly sworn, did say that he is Attorney-in-Fact of Underwriters Indemnity Co. and that the foregoing instrument was signed and sealed on behalf of said corporation by authority of its board of directors, and acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year in this certificate first above written.

Nancy Cruz
Notary Public



My Commission Expires: _____
(Rate surety attach power of attorney)

APPROVED BY:
OIL CONSERVATION DIVISION

By [Signature]

GENERAL POWER OF ATTORNEY

CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That **UNDERWRITERS INDEMNITY COMPANY**, a corporation organized and existing under the laws of the State of Texas, and having its principal office in the City of Houston, Texas, does hereby constitute and appoint:

ROY C. DIE

its true and lawful attorney-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, in an amount not to exceed:

*******FIFTY THOUSAND AND NO/100*******
and the execution of all such instrument(s) in pursuance of these presents, shall be binding upon said **UNDERWRITERS INDEMNITY COMPANY** as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

This Power of Attorney is executed, and may be cerified to and may be revoked, pursuant to and by authority of Article V, Section 6(C) of the By-Laws adopted by the Board of Directors of **UNDERWRITERS INDEMNITY COMPANY**, at a meeting called and held on the 23rd day of January 1985, of which the following is a true transcript of said Section 6(C):

- "The President or any Vice President, Assistant Vice President, Secretary or Resident Secretary shall have power and authority
- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and
 - (2) to appoint special Attorneys-in-fact, who are hereby authorized to certify to copies of any power-of-attorney issued in pursuance of this section and/or any of the By-laws of the Company, and
 - (3) to remove, at any time, any such Attorney-in-fact or Special Attorney-in-fact and revoke the authority given to him."

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 23rd day of January, 1985, of which the following is a true excerpt:

"Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN TESTIMONY WHEREOF, **UNDERWRITERS INDEMNITY COMPANY** has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, E.H. Frank, III, on this the third day of September, 1991.



E.H. Frank III

President

STATE OF TEXAS
COUNTY OF HARRIS

On this the 3rd day of September, 1991, before me came the individual who executed the preceding instrument, to me personally known, and, being duly sworn, said that he is the therein described and authorized officer of **UNDERWRITERS INDEMNITY COMPANY**; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Houston, Texas, the day and year first above written.



Mary Williams

NOTARY PUBLIC, Harris County, Texas

CERTIFICATION

I, the undersigned officer of **UNDERWRITERS INDEMNITY COMPANY**, do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 10TH day of FEBRUARY, 19 95



Greg E. Chilson
Greg E. Chilson

Assistant Secretary

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