

**NM1 - 33**

**BONDS**



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**

Governor  
**Betty Rivera**  
Cabinet Secretary

March 20, 2002

**Lori Wrotenberg**  
Director

**Oil Conservation Division**

**CERTIFIED MAIL**

**RETURN RECEIPT NO. 7001 1940 0004 7923 3897**

Ms. Rebecca J. Doom  
Doom Landfarm, LLC  
Box 168  
Jal, NM 88252

**RE: \$27,833 Cash Bond for Commercial Surface Waste Management Facility**  
**Permit NM-01-0033**  
**Location: S/2 NE/4 & N/2 SE/4 Sec. 5, T. 25 S., R 37 E., NMPM, Lea County, NM**  
**Principal: Doom Landfarm, LLC**  
**Financial Institution: Wells Fargo Bank New Mexico, NA**  
**Cash Bond and Assignment of Cash Collateral CD No. 0294669213**

Dear Ms. Doom:

The New Mexico Oil Conservation Division hereby approves the above-referenced Commercial Surface Waste Management Facility Cash Bond and Assignment of Cash Collateral.

If you have any questions please do not hesitate to contact Martyne Kieling at (505) 476-3488.

Sincerely,

David K. Brooks  
Assistant General Counsel

DKB: mjk

Enclosure: Copy of Cash Bond and Assignment of Cash Collateral CD No. 0294669213

xc with enclosure:

Hobbs OCD Office  
Randy Atwood, Wells Fargo Bank New Mexico, NA, 1910 North Turner, Hobbs, NM 88240

**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 DOON LANDFARM LLC (an individual, partnership, or a corporation organized in the State of New Mexico, with its principal office in the City of \_\_\_\_\_, State of \_\_\_\_\_ 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 benefit of the Oil Conservation Division of the Energy, Minerals and Natural Resources Department (DIVISION) in the sum of Twenty seven thousand eight hundred thirty three Dollars.

The conditions of this obligation are such that:

The PRINCIPAL has heretofore or may hereafter enter into the collection, disposal, evaporation, remediation, reclamation, treatment or storage of produced water, drilling fluids, drill cuttings, completion fluids, contaminated soils, BS&W, tank bottoms, waste oil or other oil field related waste in Section \_\_\_\_\_, Township 25 S, Range 37 E, NMPM, Lea County, New Mexico.

NOW, THEREFORE, this \$ 27,833.00 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 \$ 27,833.00 (Twenty seven thousand eight hundred thirty three 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**

Pursuant to Rule 711 of the Rules of the Oil Conservation Division, or successor provisions, DOOM LANDFARM LLC, (hereinafter "Principal"), of 47 Doom Lane, Jal. NM 88252 (address) has deposited with the WELLS FARGO BANK NA (name of the financial institution, which must be a federally insured bank or savings institution within the state Twentyseven New Mexico of (address) (hereinafter "Financial Institution"), the sum of thousand eight hundred thirty-three .00 27,833.00 dollars in Certificate of Deposit or savings account No. 0294669213. The Principal hereby assigns and conveys all right, title and interest in the deposited funds to the Financial Institution in trust for the Oil Conservation Division of the Energy, Minerals and Natural Resources Department (hereinafter "Division") or successor agency of the State of New Mexico. The Principal and the Financial Institution agree that as to the deposited funds:

- a. The funds deposited pursuant to the terms of this Assignment are to serve as a cash bond covering a waste management facility operated by the Principal.
- b. The Division acquires by this Assignment 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, without further consent by the Principal, 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 beneficial 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 otherwise abides by the rules and order of the Division and the Oil Conservation Commission.
- d. The Financial Institution agrees that the funds may not be assigned, transferred pledged or distributed except upon written order of the Division or a court of competent jurisdiction made in a proceeding in which the Division is a party. The Financial Institution waives all statutory or common law liens or rights of set-off against the funds.

The Principal agrees that the Financial Institution may deduct from interest due the Principal any attorney fees incurred by the Financial Institution if claim or demand via writ, summons or other process arising from Principal's business is made upon the Financial Institution.

Signed this 6th day of March, 2002.

By Principal Rebecca J. Doom

CO OWNER

Title

(Note: If PRINCIPAL is corporation, affix corporate seal here.)

47 Doom Lane

Jal. NM 88252

Mailing Address

By Financial Institution Randy Alford

Assistant Vice President

Title

Wells Fargo Bank NA

1910 North Turner

Hobbs, NM 88240

Mailing Address

**ACKNOWLEDGMENT FORM FOR NATURAL PERSONS**

STATE OF \_\_\_\_\_ )  
 )SS.  
 COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, by

My commission expires:

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Notary Public

**ACKNOWLEDGMENT FORM FOR CORPORATION OR PARTNERSHIP**

STATE OF NEW MEXICO )  
 )SS.  
 COUNTY OF LEA )

The foregoing instrument was acknowledged before me this 6th day of March, 2002, by  
Rebecca J. Doom

officer or partner(s) of Doom Landfarm, LLC, a  
 corporation, a partnership on behalf of said corporation or partnership.

My commission expires:

March 22, 2003

\_\_\_\_\_  
 Date

Kathie A. Wiseman  
 Notary Public

NOTE: When Principal is a partnership, corporation or association, list all partners, officers and directors as may be applicable. This information may be provided below.

**ACKNOWLEDGMENT FORM FOR FINANCIAL INSTITUTION**

STATE OF NEW MEXICO )  
 )SS.  
 COUNTY OF LEA )

The foregoing instrument was acknowledged before me this 6th day of March, 2002, by  
Randy Atwood title Assistant Vice President on behalf of

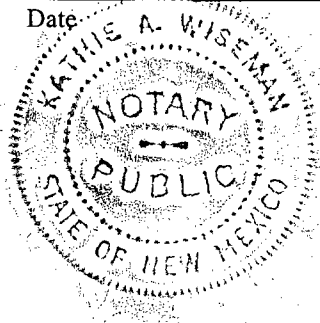
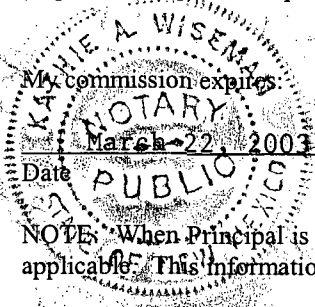
Wells Fargo Bank New Mexico, National Association, financial institution.

My commission expires:

March 22, 2003

\_\_\_\_\_  
 Date

Kathie A. Wiseman  
 Notary Public



## AS61 3 IDS CDA ACCOUNT SUMMARY

02/03/06 10.52.19

CUPR CO 585 OP MS ACTION SUCCESSFUL  
ACTION COID ACCT COND  
PROD CODE CDA ACCT 294669213 SHORT NAME DOOM REBECCA J  
GRACE INFORMATION ACCT NOT IN GRACE PERIOD. NEW ACCOUNT.  
CURRENCY LANG ENU PRIM PROD ACCT  
SUB PRODUCT B4 DATE OPENED 101/01/12 CURRENT BALANCE 29,512.21  
BRANCH 00616 CURR ISSUE DT 101/01/12 PL RESTRAINT AMT 27,833.00  
COST CTR 0005209 DATE LAST DEP 102/02/12 LAST DEPOSIT AMT 135.03  
OFFICER M0743 DATE LAST W/D LAST W/D AMT  
ACCT STATUS 99 CURR MATURITY 106/01/12 AIP DATE  
TERM 60 M FINAL MATURITY AIP PAYMENT AMT  
ACCT RESTRAINTS AIP OCCURRED AIP AMOUNT  
HH 0 PL 1 ACCRUED TO DT 102/03/06 ACCRUED INT CTD 96.21314314  
TYPE B DATE LAST STMT 101/01/12 BALANCE LAST STMT  
INTEREST STMT CYCLE 00 INT PD PRIOR CYCLE 135.03  
CODE S2 IDS STMT CRITERIA INT WH PRIOR CYCLE  
WAIVE CODE 00 MASTER PRD INT PD PRIOR YEAR 1,409.77  
PYMT CYCLE IM ACCT INT WH PRIOR YEAR  
PYMT METHOD TA ACCT APY 5.56052 INT PD CURR YEAR 269.44  
WITHHOLD CODE PC ACCT LEVEL RATE 5.40000 INT WH CURR YEAR  
PF: 3-PLVL 6-INQ 8-THMU 9-NXT 10-DOC 11-PORT