GTLT - ____15____

Alex R. Masson, Inc. 10-21S-1W Dona Ana County

Bonds

Chavez, Carl J, EMNRD

From:

Chavez, Carl J, EMNRD

Sent:

Wednesday, January 04, 2012 10:49 AM

To:

'James Witcher'

Cc:

Brooks, David K., EMNRD

Subject:

FW: Masson Nursery (GTLT-015) Geothermal Bond Inquiry

Jim:

FYI regarding the OCD quest for original or original duplicates of any Masson Bonds in our administrative records and/or files.

OCD is working to develop 2 letters (one w/ geothermal regulatory context and one with WQCC regulatory context). These letters should convey the OCD path forward for this facility.

OCD is currently awaiting the "Designated Agent" determination from the operator. Thank you.

Carl J. Chavez, CHMM

New Mexico Energy, Minerals & Natural Resources Dept.

Oil Conservation Division, Environmental Bureau

1220 South St. Francis Dr., Santa Fe, New Mexico 87505

Office: (505) 476-3490 Fax: (505) 476-3462

E-mail: CarlJ.Chavez@state.nm.us

Website: http://www.emnrd.state.nm.us/ocd/

"Why not Prevent Pollution; Minimize Waste; Reduce the Cost of Operations; & Move Forward with the Rest of the

Nation?" To see how, go to "Pollution Prevention & Waste Minimization" at: http://www.emnrd.state.nm.us/ocd/environmental.htm#environmental)

From: Phillips, Dorothy, EMNRD

Sent: Wednesday, January 04, 2012 10:20 AM

To: Chavez, Carl J, EMNRD

Subject: RE: Masson Nursery (GTLT-015) Geothermal Bond Inquiry

I do not see in ONGARD any bond for OGRID 208265 for Alex R. Masson, Inc., however, I do have a card file showing that there was a \$10,000 geothermal bond - 68879398 with American Manufacturers Mutual. Since it was a geothermal bond, Roy Johnson must have had the file. Here is information on American Manufacturers Mutual:

American Manufacturers Mutual Insurance Company

1 Kemper Drive

Long Grove, IL 60049 Phone: (847) 320-2000 Toll Free: (800) 833-0355

Here is what I show on ONGARD:

CMD:

ONGARD

01/04/12 10:14:

OG7OGRD

MAINTAIN OGRID

Comment:

OGODLP -TO

OGRID:............ 208265

OGRID Name:..... Agency:..SSON INC

OMID:..... 84962 ALEX R MASSON INC

History:

DFA Vendor Code:.

Last Modified: 09-13-2001

Issuing User:.... PHILLIPS, DOROTH BN78

OGRID Sort Name: ALEX R MASSON

Issuing Agency... OCD

Addressee: MICHAEL JUSTICE

Mail Stop:.....

Filing Medium...

Address(1):..... PO BOX 170

Status:..... A ACTIVE

Address(2):

Effective:.... 09-13-2001

City:....LINWOOD

Bankruptev:

State:.....KS

Ever Filed?:...N

Zip Code:...... 66052

Status date:...

City/State/Zip:.. Country:.....

Phone.....

From: Chavez, Carl J, EMNRD

Sent: Wednesday, January 04, 2012 9:39 AM

To: Phillips, Dorothy, EMNRD Cc: Brooks, David K., EMNRD

Subject: Masson Nursery (GTLT-015) Geothermal Bond Inquiry

Dorothy:

I think you indicated that there is no bond for this facility? Could you please confirm. Click here to see the copy of the bond in the OCD Administrative Record.

OCD is working to permit the facility and wells, so any info. you have would be appreciated. Thank you.

Carl J. Chavez, CHMM

New Mexico Energy, Minerals & Natural Resources Dept.

Oil Conservation Division, Environmental Bureau

1220 South St. Francis Dr., Santa Fe, New Mexico 87505

Office: (505) 476-3490 Fax: (505) 476-3462

E-mail: CarlJ.Chavez@state.nm.us

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Nation?" To see how, go to "Pollution Prevention & Waste Minimization" at:

http://www.emnrd.state.nm.us/ocd/environmental.htm#environmental)



STATE OF NEW MEXICO ENERGY AND MINERALS DEPARTMENT OIL CONSERVATION DIVISION

March 28, 1986

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
BANTA FE, NEW MEXICO 87501
(505) 827-5800

Alex R. Masson, Inc. Drawer F Linwood, Kansas 66052

> Re: \$10,000 Multiple-Well Geothermal Observation Well Bond; Alex R. Masson, Inc., Principal American Manufacturers Mutual Insurance, Surety Bond No. 585244

Gentlemen:

The Oil Conservation Division hereby approves the above-captioned Geothermal Bond effective March 25, 1986.

Sincerely,

R. L. STAMETS,

Director

dr/

cc: Oil Conservation Division - Santa Fe

STATE OF NEW MEXICO \$10,000 MULTIPLE—WELL LOW—TEMPERATURE WELL OR GEOTHERMAL OBSERVATION WELL BOND

Form GB-LT-10 Adopted 10-1-74 Revised 10-1-78

BOND NO. 585244

(For Use of Surety Company)

Note: Pile with Oil Conservation Division, P. O. Box 2088, Santa Fe, NM 87501

| *** | That Alex R. Masson, Inc. | | | n individual) (a j | partnership) |
|--|--|---|--|--|--|
| corporation organized in the Stat | te of Kansas | | | rincipal office in | |
| I down a d | Van | 0.0.0 | | | Ξ. |
| | , State ofRan | | , and | authorized to de | business in |
| e State of New Mexico), as PRIN | CIPAL, and Ameri | can Manufac | turers Mut | tual Insura | ince Comp |
| do business in the State of New ecute this bond on behalf of the rather use and benefit of the Oil e sum of Ten Thousand (\$10.00 ply to be made, said PRINCIPA perally, firmly by these presents. The conditions of this obligat | e surety company, as SU Conservation Divisio 0.00) Dollars lawful mo AL and SURETY here | JRETY, are held for of New Mexicon ney of the United | irinly bound un pursuant to Ch States, for the | to the State of Napter 272, Laws payment of which | ew Mexico, of 1975, in h, well and |
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(NOTE: A maximum of TEN wells may be drilled or acquired under this bond. If the identification and location of all the wells is not known at the time of filing this bond with the Division, the identification and location may be furnished by supplemental rider or riders to this bond.)

NOW, THEREFORE, If the above bounden principal and surety or either of them or their successors or assigns, or any of them, shall plug all of said wells if non-productive or when abandoned in accordance with the rules, regulations, and orders of the Oil Conservation Division of New Mexico in such way as to confine any geothermal resources or oil, gas, and water in the strata in which they are found, and to prevent them from escaping into other strata;

THEN, THEREFORE, This obligation shall be null and void; otherwise and in default of complete compliance with any and all of said obligations, the same shall remain in full force and effect.

PROVIDED, HOWEVER, That thirty (30) days after receipt by the Oil Conservation. Division of New Mexico of written notice of cancellation from the surety, the obligation or the surety hereunder shall terminate as to property or wells acquired, drilled, or started after said thirty (30) day period but shall continue in effect, notwithstanding said notice, as to property or wells theretofore acquired, drilled, or started.

GEOTHERMAL American Manufacturers Mutual Insurance Company

| Alex R. Masson, Inc. | Insurance Company |
|--|--|
| Drawer F PRINCIPAL |) SURFIY |
| Linwood, Kansas 66052 | // |
| | Olin Camari VII |
| Signature · | Attorney in Fact, Sue Camaril |
| PRESIDENT | Attitude, ode Camarra |
| Title | . |
| Note: Principal, if corporation, affix corporate seal here.) | (Note: Corporate surety affix corporate seal here.) |
| | orney-in-fact not in New Mexico, the resident New Mexico agent |
| ountersigned by: | • |
| Not applicable | |
| New Mexico Resident Agent | Address |
| ACKNOWLEDGMENT FO | DESTRUCT DEDCOME |
| STATE OF | |
| STATE OF) ss. | |
| On thisday of | , 19, before me personally appeared |
| | , to me known to be the person (persons) |
| lescribed in and who executed the foregoing instrument a ree act and deed. | and acknowledged that he (they) executed the same as his (their) |
| IN WITNESS WHEREOF, I have hereunto set my written. | hand and seal on the day and year in this certificate first above |
| | Notary Public |
| dy Commission expires | • |
| ACKNOWLEDGMENT | FORM FOR CORPORATION |
| | |
| STATE OF KANSAS) SS. | |
| COUNTY OF CONDUCTOR 14 | 7. 1 |
| Outhisting /4 day of M | , to me personally known who, being by me of |
| lary system, did say that he is PRESIDENT | |
| THE KNASSON INC | and that the foregoing instrument was signed and sealed on |
| | rectors, and acknowledged said instrument to be the free act and |
| | hand and earl on the day and ware in this effections a first about |
| Villen. | hand and seal on the day and year in this pertificate first above |
| AUDINITY CO. | fran Dray |
| VEC. 4, 1987 | — Notary Public |
| | RM FOR CORPORATE SURETY |
| STATE OF Missouri | |
| COUNTY OF Platte) 33. | |
| On this 3rd day of _ | March , 1986 , before |
| ne appeared Sue Camari | March , 186 , hefore 110 , to me personally known, who, Attorney in fact of |
| oring by me duly sworn, did say that he is | O. and that the foregoing instrument was signed and scaled on |
| | rectors, and acknowledged said instrument to be the free act and |
| IN WITNESS WHEREOF, I have ' my | hand and seal on the day and year in this certificate first above |
| vritten. | BRENDA LINZE Notary Public - State of 63 |
| March 14, 1989 | BRENCA LINZE Notary Public - State of M Kotary Public Commission Expires March |
| dy Commission expires | |
| Note: Corporate surety attach power of attorney.) | |
| | APPROVED BY: |
| | OH. CONSURVATION COMMISSION OF NEW MEXICO |
| | AJYIII |
| | By () I A Warm () |

AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY

Home Office: Long Grove, IL 60049

POWER OF ATTORNEY

Know All Men By These Presents:



That the American Manufacturers Mutual Insurance Company, a corporation organized and existing under the laws of the State of Illinois, and having its principal office in Long Grove, Illinois, does hereby appoint ** Vernon M. Jones, Brenda Linze and Sue Camarillo of Kansas City, Missouri;

its true and lawful agent(s) and attorney(s)-in-fact, to make, execute, seal, and deliver during the period beginning with the date of issuance of this power and ending December 31, 1986, unless sooner revoked for and on its behalf as surety, and as its act and deed: Any and all bonds and undertakings provided the amount of no one bond or

EXCEPTION: NO AUTHORITY is granted to make, execute, seal and deliver any bond or undertaking which guarantees the payment or collection of any promissory note, check, draft or letter of credit.

This authority does not permit the same obligation to be split into two or more bonds in order to bring each such bond within the dollar limit of authority as set forth herein.

This appointment may be revoked at any time by the American Manufacturers Mutual Insurance Company.

The execution of such bonds and undertakings in pursuance of these presents shall be as binding upon the said American Manufacturers Mutual Insurance 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 in Long Grove, Illinois.

THIS APPOINTMENT SHALL CEASE AND TERMINATE WITHOUT NOTICE AS OF DECEMBER 31, 1986.

This Power of Attorney is executed by authority of a resolution adopted by the Board of Directors of said American Manufacturers Mutual Insurance Company on May 20, 1981 at Long Grove, Illinois, a true and accurate copy of which is hereinafter set forth and is hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the Chairman, the President, or any Vice President, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and 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 any such officers of the Company may appoint agents for acceptance of process.

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 20th day of May, 1981:

"VOTED, That the signature of the Chairman of the Board, the Chairman, the President, any Vice President, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to resolution adopted by the Board of Directors on May 19, 1981 and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company.

In Testimony Whereof, the American Manufacturers Mutual Insurance Company has caused this instrument to be signed and its corporate seal to be affixed by its authorized officers, this 22nd day of October _, 19 <u>__84</u>

Attested and Certified:

AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY

R. H. Johnson, Secretary

STATE OF ILLINOIS COUNTY OF LAKE

I, Margaret Redmore, a Notary Public, do hereby certify that G. H. Kasbohm and R. H. Johnson personally known to me to be the same persons whose names are respectively as Vice President and Secretary of the American Manufacturers Mutual Insurance Company, a Corporation of the State of Illinois, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they being thereunto duly authorized signed, sealed with the corporate seal and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary act for the uses and purposes

1 argarel Margaret Redmore, Notary Public

G. H. Kasbohm, Vice President

My commission expires: July 6, 1988

FN 836-3 7-84 1M

therein set forth.

Power of Attorney-Term

PRINTED IN U.S.A.

CERTIFICATION

| I, Sven L. Johanson, Secretary of the American Manufacturers Mutua | al Insurance Company, do hereby certify that the attached |
|---|---|
| Power of Attorney dated October 22, 1984 | on behalf of <u>persons</u> as <u>listed</u> on |
| Power of Attorney dated <u>October 22, 1984</u> reverse side************************************ | ****************** is a true and correct copy and that |
| that same has been in full force and effect since the date thereof and is further certify that the said G. H. Kasbohm and R. H. Johnson who exercise the verse on the date of the execution of the attached Power of the American Manufacturers Mutual Insurance Company. | in full force and effect on the date of this certificate; and I do cuted the Power of Attorney as Vice President and Secretary |
| IN TESTIMONY WHEREOF, I have hereunto subscribed my name and Mutual Insurance Company on this3rd day ofMar | |

Sven L. Johanson, Secretary

This Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

FOR INFORMATION CONCERNING THIS POWER OF ATTORNEY, CALL (312) 540-2000, CONTRACT BOND DEPARTMENT; OR WRITE, CONTRACT BOND DEPARTMENT, KEMPER GROUP, LONG GROVE, ILLINOIS 60049.