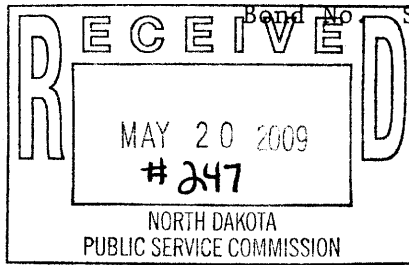




PAYMENT BOND
PUBLIC SERVICE COMMISSION
ABANDONED MINE LANDS DIVISION
 SFN 13653 (Rev. 05-2000)



Bond No S357436

Individual Corporation
 Partnership

Name of Contractor AGRI INDUSTRIES, INC.			
Address of Contractor PO BOX 1166	City Williston	State ND	Zip Code 58802-1166
Name of Surety EMPLOYERS MUTUAL CASUALTY COMPANY			
Address of Surety PO BOX 712	City Des Moines	State IA	Zip Code 50306

KNOW ALL PERSONS BY THESE PRESENTS, that the above named Contractor, hereinafter called the Principal, and the above named Surety, are held and firmly bound unto the North Dakota Public Service Commission on behalf of the State of North Dakota hereinafter called OWNER, in the penal sum of Nine Hundred Fifty Eight Thousand Three Hundred Seventy Five & No/100 Dollars, (\$958,375.00) in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, successor, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that whereas, the Principal entered into a certain contract with the OWNER, dated the 12th day of May 20 09, a copy of which is hereto attached and made a part hereof for the reclamation of the following described abandoned mine site.

Abandoned Mine Site Description 2009 Williams County Road 9 Phase 4 AML ND000111 Williams County, ND
Drilling and the injection of grout into abandoned mine workings along Williams
County Rd 9 as well as other areas in and around Williston, ND as described in the IFB.

NOW, THEREFORE, if the Principal shall promptly make payment to all persons, firms, SUBCONTRACTORS, and corporations furnishing materials for or performing labor in the prosecution of the WORK provided for in such contract, and any authorized extension or modification thereof, including all amounts due for materials, lubricants, oil, gasoline, repairs on machinery, equipment and tools, consumed or used in connection with the construction of such WORK, and all insurance premiums on said WORK, and for all labor, performed in such WORK whether by SUBCONTRACTOR or otherwise, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED, FURTHER, that the said Surety for value received hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract or to the WORK to be performed thereunder or the SPECIFICATIONS accompanying the same shall affect its obligation of this BOND, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the contract or to the WORK or to the SPECIFICATIONS.

PROVIDED, FURTHER, that no final settlement between the OWNER and the CONTRACTOR shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

IN WITNESS WHEREOF, this instrument is executed in two counterparts, each one of which shall be deemed an original, this the 15th day of May, 2009.

NOTE: Date of BOND must not be prior to date of Contract. If CONTRACTOR is Partnership, all partners shall execute BOND.

IMPORTANT: Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in North Dakota.

Witness as to Principal:

(Principal: Individual, Partnership, or Corporation)

(SEAL)

AGRI INDUSTRIES, INC.

BY (Partner or President)

BY (Partner or Secretary)

(Surety)

(SEAL)

EMPLOYERS MUTUAL CASUALTY COMPANY

BY

Philip David Seitz, Attorney-in-Fact

Countersigned by:

North Dakota Resident Agent

P.O./Address

PO Box 326 Sidney, MT 59270

ACKNOWLEDGMENT OF PRINCIPAL (Individual)

STATE OF _____)
County of _____)ss

On this _____ day of _____ 20 _____, before me personally comes _____, known to me to be the person who is described in and who executed the foregoing instrument and acknowledges to me that he/she executed the same.

Notary Public

ACKNOWLEDGMENT OF PRINCIPAL (Partnership)

STATE OF _____)
County of _____)ss

On this _____ day of _____ 20 _____, before me personally comes _____, a member of the co-partnership of _____ known to me to be the person who is described in and who executed the foregoing instrument and acknowledges to me that he/she executed the same as and for the act and deed of the said co-partnership.

Notary Public

ACKNOWLEDGMENT OF PRINCIPAL (Corporation)

STATE OF North Dakota)
County of Williams)ss

On this 18 day of May 20 09, before me personally comes John Ames to me known, who, being by me duly sworn, deposes and says that he/she resides in the City of Williston that he/she is the President of the Agri Industries, Inc. the corporation described in and which executed the foregoing instrument; that he/she knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation, and that he/she signed his/her name thereto by like order.

Sandy Long
Notary Public
SANDY LONG
Notary Public
State of North Dakota
My Commission Expires February 28, 2014

ACKNOWLEDGMENT OF SURETY

STATE OF Montana)
County of Richland)ss

On this 15th day of May 20 09, before me personally comes Philip David Seitz Attorney-in-Fact of Employers Mutual Casualty Company with whom I am personally acquainted, and who, being by me duly sworn, says that he/she resides in Sidney, MT/Richland County that he/she is the Attorney-in-Fact of Employers Mutual Casualty Company the Company described in and which executed the foregoing instrument; that he/she know(s) the corporate seal of such Company; and that the seal affixed to the foregoing instrument is such corporate seal and that it was affixed by the order of the Board of Directors of said Company, and that he/she signed said instrument as Attorney-in-Fact of the said Company by like order.

Lori Mayer
Notary Public
Lori Mayer
Commission Exp: 5/16/2010