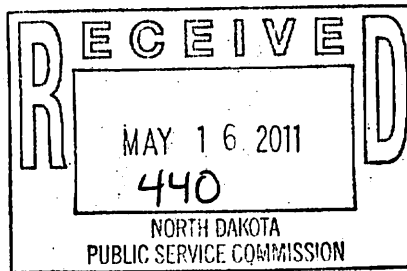




PERFORMANCE BOND
PUBLIC SERVICE COMMISSION
ABANDONED MINE LANDS DIVISION
 SFN 13652 (Rev. 05-2000)



Bond No. 2143605

Individual Corporation
 Partnership

Name of Contractor Kern & Tabery, Inc.			
Address of Contractor 222 SE First Street, Suite 3	City Wadena	State MN	Zip Code 56482
Name of Surety North American Specialty Insurance Company			
Address of Surety 650 Elm Street	City Manchester	State NH	Zip Code 03101

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 One Million Ninety-Nine Thousand Eight Hundred Ninety-Six and 41/100----- dollars, (\$ 1,099,896.41) 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. * and First National Insurance Company of America

THE CONDITION OF THIS OBLIGATION is such that whereas, the Principal entered into a certain contract with the OWNER, dated the 5th day of May 20 11, 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 2010 Buechler/Velva Phase 1 abandoned mine lands site in Ward County

NOW, THEREFORE, if the Principal shall well, truly and faithfully perform its duties, all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term thereof, and any extensions thereof which may be granted by the OWNER, with or without notice to the Surety and during the one year guaranty period commencing upon final acceptance, and if he shall satisfy all claims and demands incurred under such contract, and shall fully indemnify and save harmless the OWNER from all costs and damages which it may suffer by reason of failure to do so, and shall reimburse and repay the OWNER all outlay and expense which the OWNER may incur in making good any default, 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 5th day of May, 20 11.

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:

Kern & Tabery Inc.

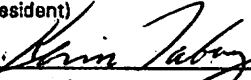
(Principal: Individual, Partnership, or Corporation)

Kern & Tabery, Inc.-Corporation

(SEAL)

(Partner or President)

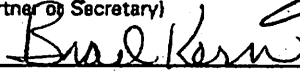
BY



Kevin Tabery, Pres.

(Partner or Secretary)

BY



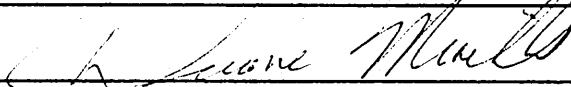
Brad Kern-Secretary

(Surety)

North American Specialty Insurance Company

(SEAL)

BY



Duane Mischke, attorney-in-fact

Countersigned by:

North Dakota Resident Agent

P.O./Address

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 Minnesota)
County of Ottertail)ss

On this 5th day of May 20 11, before me personally comes Kevin Tabery and Brad Kern to me known, who, being by me duly sworn, deposes and says that they reside in the City of Wadena, MN that they are the President-Treasurer and Vice Pres.-Secretary of the Kern & Tabery 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.

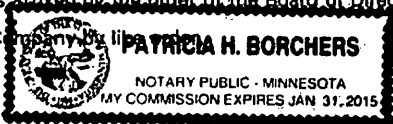


Handwritten signature of Donna Marie Schmitz, Notary Public

ACKNOWLEDGMENT OF SURETY

STATE OF Minnesota)
County of Hennepin)ss

On this 5th day of May 20 11, before me personally comes Duane Mischke Attorney-in-Fact of North American Specialty Insurance Company with whom I am personally acquainted, and who, being by me duly sworn, says that he/she resides in Minneapolis, MN that he/she is the Attorney-in-Fact of North American Specialty Insurance 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.



Handwritten signature of Patricia H. Borchers, Notary Public

Notary Public



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

<input type="checkbox"/> Individual	<input checked="" type="checkbox"/> Corporation
<input type="checkbox"/> Partnership	

Name of Contractor Kern & Tabery, Inc.			
Address of Contractor 222 SE First Street, Suite 3	City Wadena	State MN	Zip Code 56482
Name of Surety North American Specialty Insurance Company			
Address of Surety 650 Elm Street	City Manchester	State NH	Zip Code 03101

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 One Million Ninety-Nine Thousand Eight Hundred Ninety-Six and 41/100----- dollars, (\$ 1,099,896.41) 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. *and First National Insurance Company

THE CONDITION OF THIS OBLIGATION is such that whereas, the Principal entered into a certain contract with the OWNER, dated the 5th day of May 20 11, 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 2010 Buechler/Velva Phase 1 abandoned mine lands site in Ward County

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 5th day of May, 20 11.

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:
Kern & Tabery Inc.

(Principal: Individual, Partnership, or Corporation)
Kern & Tabery, Inc. - Corporation

(SEAL)

BY (Partner or President)
Kevin Tabery Kevin Tabery, Pres.

BY (Partner or Secretary)
Brad Kern Brad Kern-Secretary

(Surety)
North American Specialty Insurance Company

(SEAL)

BY *Duane Mischke*

Duane Mischke, attorney-in-fact

Countersigned by:

North Dakota Resident Agent	P.O./Address
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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

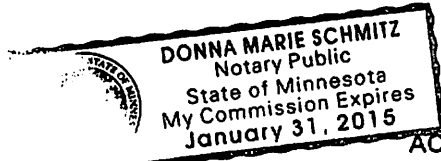
On this _____ day of _____ 20 _____, before me personally comes _____ a member of the co-partnership of _____ known to me to be the person who is described in and who executed the foregoing instrument and acknowledges to me that he/she executed the same as and for the act and deed of the said co-partnership.

Notary Public

ACKNOWLEDGMENT OF PRINCIPAL (Corporation)

STATE OF Minnesota)
County of Ottertail) ss

On this 5th day of May 20 11, before me personally comes Kevin Tabery and Brad Kern to me known, who, being by me duly sworn, deposes and says that they reside in the City of Wadena, MN that they are the President-Treasurer and Vice Pres.-Secretary of the Kern & Tabery 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.

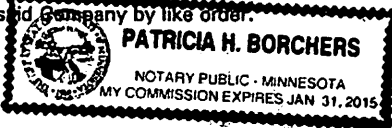


Signature of Donna Marie Schmitz, Notary Public, State of Minnesota, My Commission Expires January 31, 2015.

ACKNOWLEDGMENT OF PRINCIPAL (Individual)

STATE OF Minnesota)
County of Hennepin) ss

On this 5th day of May 20 11, before me personally comes Duane Mischke Attorney-in-Fact of North American Specialty Insurance Company with whom I am personally acquainted, and who, being by me duly sworn, says that he/she resides in Minneapolis, MN that he/she is the Attorney-in-Fact of North American Specialty Insurance 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.



Signature of Patricia H. Borchers, Notary Public.

NAS SURETY GROUP

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Manchester, New Hampshire, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Schaumburg, Illinois, each does hereby make, constitute and appoint:

PATRICIA H. BORCHERS, DUANE MISCHKE, JANET A. DELL,

CHRISTINE M. SCOTT and WENDY M. SCHMID

jointly and severally

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of: FIFTY MILLION (\$50,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 24th of March, 2000:

"RESOLVED, that any two of the Presidents, any Managing Director, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By [Signature] Steven P. Anderson, President & Chief Executive Officer of Washington International Insurance Company & Senior Vice President of North American Specialty Insurance Company



By [Signature] David M. Layman, Senior Vice President of Washington International Insurance Company & Vice President of North American Specialty Insurance Company

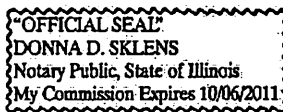
IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 15th day of December, 2010.

North American Specialty Insurance Company
Washington International Insurance Company

State of Illinois
County of Cook

ss:

On this 15th day of December, 2010, before me, a Notary Public personally appeared Steven P. Anderson, President and CEO of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and David M. Layman, Senior Vice President of Washington International Insurance Company and Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



[Signature] Donna D. Sklens, Notary Public

I, James A. Carpenter, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 5th day of May, 2011.

[Signature] James A. Carpenter

James A. Carpenter, Vice President & Assistant Secretary of Washington International Insurance Company & North American Specialty Insurance Company