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

Bond # 72458929

☐ Individual ☒ Corporation
☐ Partnership

Name of Contractor			
GEOSERV, Inc.			
Address of Contractor	**City**	**State**	**Zip Code**
3100 E Broadway Ave	Bismarck	ND	58501
Name of Surety			
Western Surety Company: South Dakota Corporation			
Address of Surety	**City**	**State**	**Zip Code**
333 S. Wabash Avenue, 41st Floor	Chicago	IL	60604

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 Twenty Two Thousand Three Hundred Ninety Dollars & Zero Cents **dollars, ($** 22,390.00 **) 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 4th **day of** April **20** 22**, 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
2022 Garrison Phase 5 Material Testing

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 3rd **day of** May**, 20** 22**.**

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) GEOSERV, Inc.	(SEAL)
BY	(Partner or President) Max Tschosik, Vice-President	
BY	(Partner or Secretary)	

	(Surety) Western Surety Company	(SEAL)
BY	Brent A Solberg, Attorney-in-Fact	

Countersigned by:

North Dakota Resident Agent	P.O./Address
Andrijana Mišić	Bain Agency, 1500 E Capitol Ave, Bismarck, ND 58501

SFN 13653 (Rev. 05-2000)

ACKNOWLEDGMENT OF PRINCIPAL (Individual)

STATE OF _____)
)ss
County of _____)

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 _____)
)ss
County of _____)

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)
)ss
County of Burleigh)

On this 3RD day of May 20 22, before me personally comes Max Tschosik, to me known, who, being by me duly sworn, deposes and says that he/she resides in the City of Bismarck that he/she is the Vice-President of the GEOSERV, 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.

Audrijana Misić
Notary Public

AUDRIANA MISIC
Notary Public
State of North Dakota
My Commission Expires Nov 6, 2023

ACKNOWLEDGMENT OF SURETY

STATE OF North Dakota)
)ss
County of Burleigh)

On this 3rd day of May 20 22, before me personally comes Brent A Solberg, Attorney-in-Fact of Western Surety Company with whom I am personally acquainted, and who, being by me duly sworn, says that he/she resides in Bismarck that he/she is the Attorney-in-Fact of Western Surety 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.

CHALSIE EMIL
NOTARY PUBLIC
STATE OF NORTH DAKOTA
MY COMMISSION EXPIRES MAY. 10, 2026

Chalsie Emil
Notary Public

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

Bond # 72458929

☐ Individual ☒ Corporation
☐ Partnership

Name of Contractor			
GEOSERV, Inc.			
Address of Contractor	**City**	**State**	**Zip Code**
3100 E Broadway Ave	Bismarck	ND	58501
Name of Surety			
Western Surety Company: South Dakota Corporation			
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333 S. Wabash Avenue, 41st Floor	Chicago	IL	60604

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THE CONDITION OF THIS OBLIGATION is such that whereas, the Principal entered into a certain contract with the OWNER, dated the 4th **day of** April **20** 22**, 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
2022 Garrison Phase 5 Material Testing

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 3rd **day of** May**, 20** 22**.**

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) GEOSERV, Inc.	(SEAL)
BY	(Partner or President) Max Tschosik, Vice-President	
BY	(Partner or Secretary)	

	(Surety) Western Surety Company	(SEAL)
BY	Brent A Solberg, Attorney-in-Fact	

Countersigned by:

North Dakota Resident Agent	P.O./Address
Andriana Mišić	Bain Agency, 1500 E Capitol Ave, Bismarck, ND 58501

SFN 13652 (Rev. 05-2000)

ACKNOWLEDGMENT OF PRINCIPAL (Individual)

STATE OF _____)
)ss
County of _____)

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 _____)
)ss
County of _____)

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)
)ss
County of Burleigh)

On this 3RD day of May 20 22, before me personally comes Max Tschosik, to me known, who, being by me duly sworn, deposes and says that he/she resides in the City of Bismarck that he/she is the Vice-President of the GEOSERV, 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.

Audriana Misic
Notary Public

AUDRIANA MISIC
Notary Public
State of North Dakota
My Commission Expires Nov 6, 2023

ACKNOWLEDGMENT OF SURETY

STATE OF North Dakota)
)ss
County of Burleigh)

On this 3rd day of May 20 22, before me personally comes Brent A Solberg, Attorney-in-Fact of Western Surety Company with whom I am personally acquainted, and who, being by me duly sworn, says that he/she resides in Bismarck that he/she is the Attorney-in-Fact of Western Surety 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.

Chalsie Emil
Notary Public

CHALSIE EMIL
NOTARY PUBLIC
STATE OF NORTH DAKOTA
MY COMMISSION EXPIRES MAY. 10, 2026

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Jared Blackwood, Samantha Gifford, Brent A Solberg, Individually

of Bismarck, ND, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 24th day of June, 2021.

WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

State of South Dakota
County of Minnehaha } ss

On this 24th day of June, 2021, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
March 2, 2026

M. BENT
NOTARY PUBLIC
SOUTH DAKOTA

M. Bent, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 3rd day of May, 2022.

WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

Form F4280-7-2012

Go to www.cnasurety.com > Owner / Obligee Services > Validate Bond Coverage, if you want to verify bond authenticity.

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.