

WELL DRILLER'S BOND

Bond No. _____

Effective Date: _____

(For Conformance with Chapter 72, Section 72-12-12 through 72-12-17, New Mexico Statutes 1978 Annotation.)

KNOW ALL MEN BY THESE PRESENTS:

That _____,
of the County of _____,
State of _____, as principal, and _____
of the County of _____, State of _____,
as surety, are held and firmly bound unto the State of New Mexico for the use and benefit of the State Engineer, and to any other person injured by a breach of the conditions of this bond, in the sum of Five Thousand Dollars (\$5,000.00) for the payment of which we hereby bind ourselves, our heirs, executors, administrators, successors and assigns and each and every one of us and them, jointly and severally, firmly by these presents.

Sealed with our seal and dated this _____ day of _____, _____.

The condition of this obligation is such that whereas the above bounden as principal, is engaged in the business of constructing, drilling, repairing and plugging wells for water from an underground stream, channel, artesian basin, reservoir or lake, upon lands situated in the State of New Mexico and of contracting for such work.

NOW, THEREFORE, if the above bounden principal, his heirs, executors, administrators or assigns, or any of them, shall, as to each such well in the State of New Mexico so constructed, drilled, repaired, or plugged by him, properly comply with the provisions of Chapter 72, New Mexico Statutes Annotated, 1978, and the rules and regulations promulgated pursuant to said laws, then this obligation shall be null and void, otherwise to remain in full effect.

PROVIDED, that when any such well or wells so constructed, drilled, repaired or plugged by the above bounden principal shall have been inspected by the State Engineer or his representative, provided by the above mentioned laws of the State of New Mexico, this bond shall thereupon be of no further force and effect as to such well or wells and the work so performed upon it and the bondsmen hereunder shall be relieved from further liability hereunder as to such well or wells and such work.

IN WITNESS WHEREOF the same principal and sureties have hereunto set their hand and seal this _____ day of _____, A.D., _____.

Principal _____ (Seal)

Surety _____ (Seal)

BY _____ (Seal)

ACKNOWLEDGMENT OF PRINCIPAL

STATE OF _____ }
COUNTY OF _____ } ss

On the _____ day of _____, A.D., _____, before me personally appeared _____ to me known to be the person described in and who executed the foregoing bond as principal and acknowledged that he executed the same as his free act and deed.

WITNESS my hand and seal the day and year in this certificate first above written.

My Commission Expires: _____

NOTARY PUBLIC

ACKNOWLEDGMENT OF PERSONAL SURETIES*

STATE OF _____ }
COUNTY OF _____ } ss

On the _____ day of _____, A.D., _____, before me personally appeared _____ and _____ each severally known to me to be the persons described in and who executed the foregoing bond as sureties, and each for himself or herself acknowledged that he or she executed the same as their free act and deed, and _____

and _____, sureties hereto, being first duly sworn, upon their oaths state, the said _____, that he is worth the sum of Five Thousand Dollars (\$5,000.00) over and above all of his just debts and liabilities and the amount allowed exempt by law, and the said _____, that he is worth the sum of Five Thousand Dollars (\$5,000.00) over and above his just debts and liabilities and the amount allowed exempt by law.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this instrument first above written.

My Commission Expires: _____
NOTARY PUBLIC

AFFIDAVIT BY SURETY COMPANY AGENT †

STATE OF _____ }
COUNTY OF _____ } ss

On this _____ day of _____, _____, before me personally came _____, known to me to be the Attorney-in-Fact of the _____, the Corporation described in and which executed the within foregoing bond of _____, of _____, as Surety thereon, and who being by me duly sworn, did depose and say that he resides in the City of _____, State of _____; that his is the Attorney-in-Fact of said Company and knows the corporate seal thereof; that the said _____ is duly and legally incorporated under the laws of the State of _____; that the seal affixed to the within bond is the corporate seal of said Company and was thereto affixed by order and authority of the Board of Directors of said Company, and that he signed his name thereto by like order and authority as Attorney-in-Fact of said Company; and that the signature of said _____ subscribed to said bond is the genuine handwriting of said _____ and was thereto subscribed to said bond authority of said Board of Directors; and that the assets of said Company, unencumbered and liable to execution, exceed its claims, debts and liabilities of every nature except capital by more than the sum of _____ (\$ _____); that the _____ has complied with all the laws of the State of New Mexico, relating to Surety Companies doing business in said State, and is duly licensed and legally authorized by such State to qualify as sole Surety on the bond hereto annexed.

DEPONENT'S SIGNATURE

Sworn to, acknowledged before me and subscribed in my presence this _____ day of _____, _____.

NOTARY PUBLIC

My Commission Expires: _____ In and for _____ County
State of _____

NAME AND ADDRESS OF NEW MEXICO RESIDENT AGENT

_____ of _____, New Mexico,
issued the above bond No. _____ on this _____ day of _____, _____.

By: _____

INSTRUCTIONS

This form shall be executed and submitted in duplicate. Each of the duplicate copies must be properly signed and attested.

*Well drillers' bonds secured by the signature of two personal sureties must have the signature of the sureties acknowledged and must be accompanied by financial statements of each surety, preferably prepared by the banker, showing them to be worth the net sum of \$5,000.00 each and showing each to be residents of New Mexico.

† Well drillers' bonds secured by surety companies must be executed by companies authorized to do business in New Mexico. The agent for the surety company will execute the above affidavit or, in lieu thereof, will attach to the bond a duly executed power of attorney bearing the corporate seal showing that the agent has authority to bind the company and that the company is authorized to do business in New Mexico.