

Outgoing  
C0070012  
OK



**State of Utah**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Oil, Gas & Mining**

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

MICHAEL R. STYLER  
*Executive Director*

JOHN R. BAZA  
*Division Director*

June 28, 2010

CERTIFIED MAIL  
7005 2570 0000 4801 8106

Tony D. Garcia, Manager, Environmental Services  
NV Energy, Inc.  
6226 West Sahara Avenue  
Las Vegas, Nevada 89146

Subject: Release of Surety Bond                      Bond Safeguard Insurance Company, Wellington  
Preparation Plant, C/007/0012, Nevada Electric Investment Company (NEICO)

Dear Mr. Garcia:

Enclosed please find original Bond #                      issued by Bond Safeguard Insurance Company in the amount of \$5,153,000. The State of Utah, Division of Oil, Gas and Mining fully and unconditionally releases and discharges Bond Safeguard Insurance Company from any and all past, present and future liability in connection with Bond #

Bond #                      issued by Fidelity and Deposit Company of Maryland in the amount of \$5,153,000 has been accepted as the replacement bond for the Wellington Preparation Plant.

If you have any questions, please call Angela Nance, bond coordinator, at (801) 538-5264.

Sincerely,

John R. Baza  
Director

an  
Enclosure

cc:            Angela Nance  
              Price Field Office

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

7005 2570 0000 4801 8106

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To	Tony Garcia, NV Energy Inc.
Street, Apt. No., or PO Box No.	6226 W Sahara Ave
City, State, ZIP+4	Las Vegas NV 89146

PS Form 3800, June 2002 See Reverse for Instructions

Bond Number:

**EXHIBIT "B"**  
**SURETY BOND**  
**(NON-FEDERAL COAL)**  
--ooOOoo--

This **SURETY BOND** entered into by and between the undersigned **PERMITTEE/PRINCIPAL** Nevada Electric Investment Company, and **SURETY Bond** Safeguard Insurance Company, hereby jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns unto the State of Utah, Division of Oil, Gas & Mining (**DIVISION**) in the penal sum of (\$5,153,000.00) Five Million One Hundred Fifty-Three Thousand and NO/100 Dollars (\$) (Surety Bond Amount) for the timely performance of reclamation responsibilities of the surface disturbance described in Exhibit "A" of the Reclamation Agreement.

This **SURETY BOND** will remain in effect until all of the **PERMITTEE'S/PRINCIPAL'S** reclamation obligation have been met and released by the **DIVISION** and is conditioned upon faithful performance of all of the requirements of the Act, the applicable rules and regulations, the approved permit, and the **DIVISION**.

The **SURETY** will not cancel this bond at any time for any reason, including non-payment of premium or bankruptcy of the Principal during the period of liability.

The **SURETY** and their successors and assigns, agree to guarantee the obligation and to indemnify, defend, and hold harmless the **DIVISION** from all expenses which the **DIVISION** may sustain as a result of the **PERMITTEE'S/PRINCIPAL'S** failure to comply with the condition(s) of the reclamation obligation.

The **SURETY** will give prompt notice to the **PERMITTEE/PRINCIPAL** and to the **DIVISION** of any notice received or action alleging the insolvency or bankruptcy of the **SURETY**, or alleging any violations or regulatory requirement which could result in suspension or revocation of the **SURETY'S** license.

Terms for release or adjustment of the **BOND** are as written and agreed to by the **DIVISION** and the **PERMITTEE/PRINCIPAL** in the **RECLAMATION AGREEMENT** incorporated by reference herein, to which this **SURETY AGREEMENT** has been attached as Exhibit "B".

**IN WITNESS WHEREOF**, the **PERMITTEE/PRINCIPAL** has hereunto set it's signature and seal this 4<sup>th</sup> day of May, 2009.

Nevada Electric Investment  
Company

**PERMITTEE/PRINCIPAL**

By:

PRESIDENT OF NEICO  
Title:

Bond Number: \_\_\_\_\_

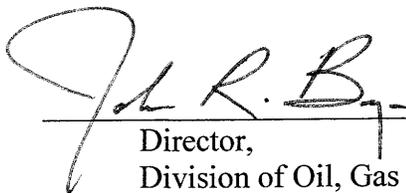
IN WITNESS WHEREOF, the SURETY has hereto set it's signature and seal  
this 16<sup>th</sup> day of April, 2009.

Bond Safeguard Insurance  
Company \_\_\_\_\_  
SURETY

By: 

David G. Jensen  
Attorney-in-Fact \_\_\_\_\_  
Title:

ACCEPTED BY THE STATE OF UTAH:

  
Director,  
Division of Oil, Gas & Mining

**NOTE:** An **Affidavit of Qualification** must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power of Attorney for a company, such Power of Attorney must be filed with this Agreement. If the **PERMITTEE/PRINCIPAL** is a corporation, the Agreement shall be executed by it's duly authorized officer.

**AFFIDAVITS  
OF  
QUALIFICATION**



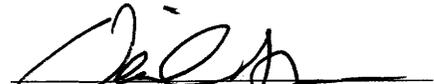


Bond Number \_\_\_\_\_

**AFFIDAVIT OF QUALIFICATION  
SURETY COMPANY**

--ooOOoo--

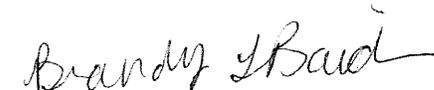
I, David G. Jensen, being first duly sworn under oath, deposes and says that he/she is the (officer or agent) Attorney-in-Fact of Bond Safeguard Insurance Company; and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said SURETY COMPANY is authorized to execute the same and has complied in all respects with the laws of Utah in reference to becoming sole surety upon bonds, undertakings and obligations herein.

  
(Signed) David G. Jensen, Attorney-in-Fact  
Surety Company Officer - Position

Attest:

STATE OF Arizona )  
 ) ss:  
COUNTY OF Maricopa )

Subscribed and sworn to before me this 16th day of April, 2009.

  
Notary Public Brandy L. Baich

My Commission Expires:

April 30, 2012.



Bond Number \_\_\_\_\_

**POWER OF ATTORNEY**

AO 30611

**POWER OF ATTORNEY**

**Bond Safeguard** INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: David G. Jensen, Maryann Carafello, \*\*\*\*\*  
Brandy L. Baich, Ethan Mitchell Baker \*\*\*\*\*

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, \$ 6,000,000.00 Six million dollars \*\*\*\*\*

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7<sup>th</sup> day of November, 2001.



**BOND SAFEGUARD INSURANCE COMPANY**

BY *David E. Campbell*  
David E. Campbell  
President

**ACKNOWLEDGEMENT**

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

**"OFFICIAL SEAL"**  
**MAUREEN K. AYE**  
Notary Public, State of Illinois  
My Commission Expires 09/21/09

*Maureen K. Aye*  
Maureen K. Aye  
Notary Public

**CERTIFICATE**

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 16<sup>th</sup> Day of April, 20 09



*Donald D. Buchanan*  
Donald D. Buchanan  
Secretary