

**RESOLUTION NO. 23 - 30**

**THE BOARD OF COUNTY COMMISSIONERS  
OF HUERFANO COUNTY, COLORADO**

**A RESOLUTION AMENDING RESOLUTION 23-20 AUTHORIZING THE  
RELEASE OF PAYMENT AND PERFORMANCE BONDS FOR TABULA RASA  
ENERGY, LLC**

WHEREAS, Tabula Rasa, LLC posted payment and performance bonds for the Harry Willis #7 & #4; and

WHEREAS, The bond LPM9213163 was not included in the release of bonds in 23-30; and

WHEREAS, the following wells were transferred from Tabula Rasa Energy, LLC to Perdure Petroleum, LLC, and replacement bonds have been issued:

Well Name	CUP #	Tabula Rasa Energy Bond Number	Perdure Petroleum Bond Number	Location ID	Amount
Harry Willis #7 & #4	55-06225 & 55-06287	00-24 LPM9213163	B013046	#334522	\$5,000

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Huerfano County, Colorado that the following Irrevocable Letter of Credit issued by Perdure Petroleum, B103046 Introduced, approved, and adopted on the 13th day of June, 2023 replace bond LPM9213163, formerly issued for the same wells bonded by Tabula Rasa Energy.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Board of County Commissioners of Huerfano County that Resolution 22-30 be amended to include the release of bond LPM9213163.

INTRODUCED, READ, APPROVED AND ADOPTED ON THIS 13<sup>th</sup> DAY OF JUNE, 2023.



BOARD OF COUNTY COMMISSIONERS  
OF HUERFANO COUNTY, COLORADO

BY \_\_\_\_\_  
John Galusha, Chairman

\_\_\_\_\_  
Arica Andreatta, Commissioner

\_\_\_\_\_  
Karl Sporleder, Commissioner

ATTEST:

\_\_\_\_\_  
County Clerk and Recorder and  
Ex-Officio Clerk to said Board

### SURETY RIDER NO. 1

To be attached to and form a part of Bond No. B013046 on behalf of Perdure Petroleum, LLC, as Principal, executed by U.S. Specialty Insurance Company, as Surety, for the benefit of the County Commissioners of Huerfano County, Colorado, as Obligee.

Executed date of bond: August 25, 2020  
Effective date of change: November 10, 2022

In consideration of the mutual agreement contained herein, the Principal and the Surety hereby consent to the following changes:

The *Principal Name* has changed from:

Perdure Petroleum, LLC

to:

**CapturePoint LLC**

Nothing contained herein shall vary, alter or extend any provision, term or condition of this bond except as expressly stated herein.

SIGNED, SEALED AND DATED THIS: 10<sup>th</sup> day of November, 2022.

Principal:

CapturePoint LLC

By: Thomas Rajan

Surety:

U.S. Specialty Insurance Company

By: Meredith K. Anderson  
Meredith K. Anderson, Attorney-in-Fact



TOKIOMARINE  
HCC

**POWER OF ATTORNEY**  
**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY**  
**UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Edwin H. Frank, III, Michele K. Tyson, Meredith K. Anderson, Stephen Michael Smith, Timothy J. Briggs or Roxanne Jimenez of Houston, Texas

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed** \*\*\*\*\*Three Million\*\*\*\*\* Dollars (\*\*\*3,000,000.00\*\*\*). This Power of Attorney shall expire without further action on January 31<sup>st</sup>, 2024. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

*Be it Resolved*, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

*Attorney-in-Fact* may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

*Be it Resolved*, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 23<sup>rd</sup> day of September, 2021.

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY**  
**UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

State of California  
County of Los Angeles



By: [Signature]  
Daniel P. Aguilar, Vice President

*A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document*

On this 23<sup>rd</sup> day of September, 2021, before me, D. Littlefield, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (seal)



I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 10th day of November, 2022.

Corporate Seals  
Bond No. B013046  
Agency No. 9353



[Signature]  
Kio Lo, Assistant Secretary



*This bond replaces and supersedes Fidelity and Deposit Company of Maryland Bond No. LPM9213163*

**PAYMENT AND PERFORMANCE BOND**

**KNOW ALL MEN BY THESE PRESENTS,**

THAT we, Perdure Petroleum, LLC, as Principal, and U.S. Specialty Insurance Company, 13403 Northwest Freeway, Houston, Texas 77040, as Surety, are held and firmly bound unto the County Commissioners of Huerfano County, Colorado, Huerfano County Courthouse, Walsenburg, Colorado 81089, as Obligee, in the sum of Five Thousand and No/100 Dollars (\$5,000.00) for which sum, well and truly to be paid, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

**THE CONDITION OF THIS OBLIGATION IS SUCH THAT,**

**Whereas**, the Principal has been or is about to be granted a permit by the Obligee to drill and/or operate the Location ID#334522; Location Name/Area: Harry Willis NWNE of Section 4, Township 29 South, Range 69 West, Huerfano County, Colorado; Well Names/API: Harry Willis #7 / 55-06225 and Harry Willis #4 / 55-06287; County CUP: 00-024 and 02-046.

**NOW, THEREFORE**, if the Principal shall indemnify and save harmless the Obligee against loss to which the Obligee may be subject by reason of the Principal's breach of any ordinance, rule or regulation relating to the above described license or permit and shall plug and abandon the well and remediate the well site, then this obligation shall be null and void, otherwise to remain in full force and effect.

**THIS IS A CONTINUING OBLIGATION** and shall not be discharged by one recovery by the Obligee but for each breach hereof a successive recovery may be had until the total amount of recoveries exhausts the amount of this Bond. This Bond is to cover all work done by said Principal, his agent or contractor under the aforesaid order for a period of one (1) year from the date hereof.

**PROVIDED, FURTHER**, that the liability of the Principal and the Surety shall in no event exceed Five Thousand and No/100 Dollars (\$5,000.00) regardless of the number of years this Bond shall remain in force and effect.

SIGNED, sealed and dated this 25<sup>th</sup> day of August, 2020.

**Perdure Petroleum, LLC**

By:  CEO

Name and Title:

**U.S. Specialty Insurance Company**

By:   
Meredith K. Anderson, Attorney-in-Fact





POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Edwin H. Frank, III, Michele K. Tyson, W. Russell Brown, Jr., Meredith K. Anderson, Stephen Michael Smith or Timothy J. Briggs of Houston, Texas

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed Three Million Dollars (\*\*\*3,000,000.00\*\*\*) . This Power of Attorney shall expire without further action on April 23rd, 2022. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 1st day of June, 2018.

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

State of California
County of Los Angeles



By: [Signature]
Daniel P. Aguilar, Vice President

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

On this 1st day of June, 2018, before me, Sonia O. Carrejo, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (seal)



I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 27th day of August, 2020.

Corporate Seals
Bond No. B013046
Agency No. 8353



[Signature]
Kio Lo, Assistant Secretary

## TEXAS COMPLAINT NOTICE

### IMPORTANT NOTICE

- 1 To obtain information or make a complaint:
- 2 You may contact your agent.
- 3 You may call the company's toll free telephone number for information or to make a complaint at:

1-800-486-6695

- 4 You may also write to the company:

601 S. Figueroa St., Suite 1600  
Los Angeles, CA 90017

- 5 You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at:

(800) 252-3439

- 6 You may write the Texas Department of Insurance:  
P.O. Box 149091  
Austin, TX 78714-9091  
Fax No.: (512) 490-1007  
Web: <http://www.tdi.texas.gov>  
E-mail: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

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#### PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim you should contact the agent or the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

#### ATTACH THIS NOTICE TO YOUR POLICY:

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This notice is for information only and does not become part or condition of the attached document.

### AVISO IMPORTANTE

Para obtener informacion o para someter una queja:  
Puede comunicarse con su agente.

Usted puede llamar de numerero de telefono gratis de la compania para informacion o para someter una queja al:

1-800-486-6695

**Usted tambien puede escribir a la compa ia:**

601 S. Figueroa St., Suite 1600  
Los Angeles, CA 90017

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al:

(800) 252-3439

Puede escribir al Departamento de Seguros de Texas:

P.O. Box 149091  
Austin, TX 78714-9091  
Fax No.: (512) 490-1007  
Web: <http://www.tdi.texas.gov>

E-mail: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

#### DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiene una disputa concerniente a su prima o a un reclamo, debe comunicarse con el agente o la companie primero. Si no se resuelve la disputa, prede entonces comunicarse con el departamento (TDI).

#### UNA ESTE AVISO A SU POLIZA:

Esta aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto.



Bond No. LPM9213163

PAYMENT AND PERFORMANCE BOND

**KNOW ALL MEN BY THESE PRESENTS,**

THAT we, Tabula Rasa Energy, LLC, as Principal, and Fidelity and Deposit Company of Maryland, 1400 American Lane, Schaumburg, IL 60196, as Surety, are held and firmly bound unto the County Commissioners of Huerfano County, Colorado, Huerfano County Courthouse, Walsenburg, Colorado 81089, as Obligee, in the sum of Five Thousand and No/100 Dollars (\$5,000.00) for which sum, well and truly to be paid, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

**THE CONDITION OF THIS OBLIGATION IS SUCH THAT,**

**Whereas,** the Principal has been or is about to be granted a permit by the Obligee to drill and/or operate the Location ID#334522; Location Name/Area: Harry Willis NWNE of Section 4, Township 29 South, Range 69 West, Huerfano County, Colorado; Well Names/API: Harry Willis #7 / 55-06225 and Harry Willis #4 / 55-06287; County CUP: 00-024 and 02-046.


**NOW, THEREFORE,** if the Principal shall indemnify and save harmless the Obligee against loss to which the Obligee may be subject by reason of the Principal's breach of any ordinance, rule or regulation relating to the above described license or permit and shall plug and abandon the well and remediate the well site, then this obligation shall be null and void, otherwise to remain in full force and effect.

**THIS IS A CONTINUING OBLIGATION** and shall not be discharged by one recovery by the Obligee but for each breach hereof a successive recovery may be had until the total amount of recoveries exhausts the amount of this Bond. This Bond is to cover all work done by said Principal, his agent or contractor under the aforesaid order for a period of one (1) year from the date hereof.

**PROVIDED, FURTHER,** that the liability of the Principal and the Surety shall in no event exceed Five Thousand and No/100 Dollars (\$5,000.00) regardless of the number of years this Bond shall remain in force and effect.

SIGNED, sealed and dated this 18<sup>th</sup> March 2016.

Tabula Rasa Energy, LLC

By:  **Carla D. Nims**  
Controller  
Tabula Rasa Partners, LLC  
Name and Title

Fidelity and Deposit Company of Maryland

  
Desiree E. Westmoreland, Attorney-in-Fact

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **THOMAS O. MCCLELLAN, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Bret S. BURTON, Tim H. HEFFEL, Desiree E. WESTMORELAND, Timothy Craig Smith, David B. McKinney, Simon KINDEL and Ivey M. BECK, all of Wichita, Kansas, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 11th day of February, A.D. 2016.

**ATTEST:**

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: *Eric D. Barnes*  
*Secretary*  
*Eric D. Barnes*

*Thomas O. McClellan*  
*Vice President*  
*Thomas O. McClellan*

**State of Maryland**  
**County of Baltimore**

On this 11th day of February, A.D. 2016, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **THOMAS O. MCCLELLAN, Vice President, and ERIC D. BARNES, Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

*Maria D. Adamski*

Maria D. Adamski, Notary Public  
My Commission Expires: July 8, 2019

