Stephanie Garcia Richard
Commissioner of Public Land

Principal Bond # _________________________

DAMAGE BOND
RIGHT-OF-WAY OR WATER LEASE

Single Lease (Lease # _________________________) or Blanket Bond

KNOW ALL PERSONS BY THESE PRESENTS:
That ____________________________________________, as Principal,
and ____________________________________________, of ____________________________________________, a corporation organized, existing and doing business under and by virtue of laws of the State of New Mexico, as Surety, are held and firmly bound unto the State of New Mexico, for the use and benefits of interested holder of prior surface leases, licenses, rights-of-way and easements, in the total sum of ($ _________________) Dollars, for the payment of which, well and truly to be made, we bind ourselves, our heirs, successors and assigns, and each and every one of them and us jointly and severally, firmly by these presents.

Signed with our hands and sealed with our seals this _________ day of _____________, 20____.

The conditions of the foregoing obligation are such that:

WHEREAS, the said principal has heretofore or may hereafter enter into water leases or right-of-way agreements with the State of New Mexico of various dates and periods of duration, covering the land described in such leases or rights-of-way; and

WHEREAS, all or part of said lands is embraced in grazing lease, business lease, or other surface lease, or is embraced in a right-of-way, easement or license granting the holder thereof the right to go upon or cross over the surface of said land, or to construct improvements thereon, as shown by the official records of the State Land Office of the State of New Mexico.

NOW, THEREFORE, if said principal in all respects shall make good and sufficient recompense, satisfaction and/or payment unto the holder or his successors in interest of any said prior surface lease, license, or other holder of prior surface rights, for all damages to the livestock, water, crops, buildings, fences, pipelines, powerlines, or other tangible improvements on such lands as may be suffered by such prior holder or his successors in interest by reason of operations under said lease or right-of-way or for such damages as a court of competent jurisdiction may determine and fix in any action brought on this bond, then this obligation shall be null and void; otherwise to remain in full force and effect.
It is expressly understood and provided that said surface lessee and/or holder and owner of any prior surface right as designated herein, are hereby made obligees hereunder the same as if their names were written herein as such, and they, or each of them, may proceed or sue hereon, and it is further expressly understood and provided that the aggregate liability of the Surety for any claim or claims hereunder shall in no event exceed the specified total sum of this obligation.

Signed and sealed this _____ day of ______________, 20___.

______________________________   ______________________________
PERMITTEE/PRINCIPAL Signature   SURETY Signature

______________________________
Printed Name and Title

______________________________
Street Address

______________________________
City, State and Zip Code

Note: If Principal is a corporation, affix corporate seal here.

Note: If corporate surety, affix corporate seal here.

ACKNOWLEDGMENT FORM FOR NATURAL PERSONS:

STATE OF ________________________________ )
COUNTY OF ________________________________ ) ss.

On this _____ day of ______________, 20____, before me personally appeared
_________________________________________ to me known to be the person(s) described in and who executed
the same as (his, her, their) free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year in this certificate first above written.

______________________________   ______________________________
My Commission Expires   Notary Public name   Notary signature

(Notary seal)
ACKNOWLEDGMENT FORM FOR CORPORATION:

STATE OF ________________________________) ) ss.
COUNTY OF ________________________________) ) ss.

On this _______ day of ______________, 20_______, before me personally appeared ________________________________________, to me personally known, who, being by me duly sworn, did say that s/he is _____________________________________________ of _______________________________________________ and that this instrument was signed and sealed on behalf of said corporation by authority of its board of directors, and acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year in this certificate first above written.

____________________
Notary Public name
____________________
(Notary signature)
(Notary seal)

ACKNOWLEDGMENT FORM FOR CORPORATE SURETY:

STATE OF ________________________________) ) ss.
COUNTY OF ________________________________) ) ss.

On this _______ day of ______________, 20_______, before me personally appeared ________________________________________, to me personally known, who, being by me duly sworn, did say that s/he is _____________________________________________ of _______________________________________________ and that this instrument was signed and sealed on behalf of said corporation by authority of its board of directors, and acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year in this certificate first above written.

____________________
Notary Public name
____________________
(Notary signature)
(Notary seal)

(Note: Corporate surety attach power of attorney.)