



**Stephanie Garcia Richard
Commissioner of Public Lands
State of New Mexico**

Initial Application
Land Exchange or Land Sale

TO: New Mexico Commissioner of Public Lands
Attention: Commercial Resources Division/EXCHANGES
P.O. Box 1148
310 Old Santa Fe Trail
Santa Fe, NM 87504-1148

Instructions: The State Land Office will use this initial application to make its determination of whether the proposed exchange/sale should be declined or investigated further. Following the submission of this application, the Commissioner of Public Lands will make a determination as to whether disposition of the State Trust Lands may result in a financial benefit to the Trust. If the Commissioner decides not to dispose of the State Trust Lands, the application will be rejected and the process will terminate. If the Commissioner determines that further investigation of the exchange is warranted, we will request that you complete a more detailed, sworn exchange/sale proposal and submit a deposit. If the Commissioner decides to proceed with a disposition of State Trust Land, a notice of the proposed exchange/sale will be published and a public auction will be held. For additional information regarding this process, all applicants are encouraged to read and understand State Land Office Rule 21 governing exchanges (19.2.21 NMAC).

***\$3,000.00 Land Sale/Exchange Application Fee (non-refundable fee).**

* Please make checks payable to "Commissioner of Public Lands". When you provide a check as payment, you authorize the State of New Mexico to either use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

1) Applicant's Name: _____
Company: _____
Address: _____

Telephone: _____
E-mail: _____

2) Provide a complete legal description of the state trust land and number of acres you would like to acquire. If necessary, attach description on a separate page.

3) State the estimated market value of the state trust lands you would like to acquire. Note that if the Commissioner determines that your application warrants further investigation, you will be required to deposit an amount determined to be sufficient to pay the costs of an appraisal of the trust lands.

4) If this is a proposed exchange, please provide, on a separate page, the following information about the non-trust lands to be exchanged so that the Commissioner may conduct a preliminary evaluation regarding their potential market value and financial benefit to the Trust.

- a) A complete legal description of the non-trust lands proposed to be exchanged.
- b) The estimated market value of the non-trust lands; note that if the Commissioner determines that your application warrants further investigation, you will be required to deposit an amount determined to be sufficient to pay the costs of an appraisal of the non-trust lands.
- c) The current uses of the non-trust lands.
- d) The current ownership of the non-trust lands.
- e) A description of any known environmental or cultural properties issues.

5) Briefly describe the reason you are applying for this sale/exchange. Provide any additional information that you believe the State Land Office should consider. (Attach additional sheets as necessary.)

6) Identify any additional supporting documents you are submitting with this application.

7) Do you understand and accept that in accordance with legal requirements, any State Trust Land conveyed in an exchange or sale will be subject to a reservation to the State for (1) all geothermal resources in, under or upon the Land; (2) all minerals of whatsoever kind in, under or upon the Land, including but not limited to, oil and natural gas, helium, carbon dioxide, coal and lignite, uranium, brine, salt, copper, iron, lead, talc, barite, gold and silver, precious and semi-precious stones and jewels, caliche, building stones, shale, clay, sand, gravel, and all commercially valuable rock; all of the foregoing whether or not now known to exist or to have value, of whatever form or type, at whatever depth, in whatever nature of deposit, whether solid, semi-solid, liquid, or gaseous, whether similar or dissimilar to any of those minerals enumerated, and regardless of the method of extraction, whether by wells (including input wells), mining (including by subterranean, open-pit, or strip mines), surface or subsurface leaching or dissolution, or any other means now or hereafter known or employed); (3) all rights to use present and future underground spaces in all strata under the Land, whether in caverns, fissures, pores, on the surface of formation rocks or otherwise, for any commercially valuable purpose whatever including but not limited to storage and/or sequestration and/or transport of fluids and gases (hereinafter, "pore space rights"); and (4) (i) all rights of access and surface use necessary for or reasonably incident to exploration for and extraction, injection, and removal of the reserved geothermal resources and minerals or the development and use of reserved pore space rights; (ii) the right to execute leases, permits and other agreements for geothermal resource and mineral exploration, development, and operation, and the use of reserved pore space rights; (iii) the right to sell or dispose of the geothermal resources, minerals or reserved pore space rights; (iv) the right to grant rights-of-way or entry and easements for geothermal, mineral and reserved pore space rights purposes; (v) the right to prospect for, mine, produce, and remove geothermal resources and minerals, the right to prospect for and use reserved pore space rights; and (vi) the right to perform any and all acts necessary in connection with the foregoing reserved minerals, geothermal resources, and reserved pore space rights?

Yes _____ No _____

8) Do you understand and accept that any State Trust Land conveyed in an exchange or sale may be subject to a reservation to the State of any and all water rights vested in the State of New Mexico as of the date of sale which are located on or derived from the subject land, any and all water rights appurtenant to or riparian to the subject land as of the date of sale and the right to renew and extend any water easements, water leases or water rights existing as of the date of sale together with the right to receive the rents and revenues therefrom?

Yes _____ No _____

9) Do you understand and accept that, in addition to the applicant, other individuals may attempt to bid at the public auction and that no Trust lands will be exchanged or sold except to the highest bidder?

Yes _____ No _____

10) Do you understand and accept that exchange applicants must pay all costs of exchanges and sales, including but not limited to the costs of publication of notice, land appraisal, appraisal of improvements, surveying and recording?

Yes _____ No _____

NOTE: Any land offered for exchange of state trust land must be free of all claims, liens, or mortgages at the time of conveyance.

Signature _____

Printed Name: _____

Title (if applicable): _____

Company (if any): _____

Date _____