



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

**APPLICATION FOR PERMISSION TO MAKE IMPROVEMENTS**  
(Please complete in ink)

I / We, \_\_\_\_\_

of (mailing address) \_\_\_\_\_

hereby make application for the written consent of the Commissioner of Public Lands to make improvements on the lands in Lease # \_\_\_\_\_, described below.

Designated Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

Have you already been in contact with your District Resource Manager concerning this application?      YES       NO

Indicate the location of the proposed improvements in the space below, and on the attached map.

Improvement Type                      Quarter-quarter                      Section      Township      Range

Use the space below to describe each improvement and the projected cost including the amount that would be covered under a federal cost-share program, if any (see attached example).

<b>Specific Description</b> (type, method of treatment, construction material, and quantity)	<b>*Estimate or Actual Cost</b>	<b>*Estimate Cost-Share</b>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
<b>Totals:</b>	\$ _____	\$ _____

**Net Improvement Cost** (Total Actual Cost minus Total Cost-Share):      \$ \_\_\_\_\_

*\*Final cost value will be determined by actual cost affidavit*

Name(s) of federal cost-share program(s), under which improvements are to be built, if any:

\_\_\_\_\_

**Cultural Resource Protection:**

Please indicate that you (Applicant) have read the **T&E and Cultural Resources Notice to Applicants** and that you understand and agree to abide by the terms and conditions set forth therein.      YES     NO

An Archaeological Survey is strongly recommended. If no survey is provided an Archaeological Records Management Section Inspection (ARMS Inspection) in accordance with NMAC 4.10.15.9 is required. If the ARMS Inspection is not provided by the applicant, the Land Office will provide the ARMS Inspection in the order applications are received.

An Archaeological Survey is attached with a cover page labeled:  
Confidential Exhibit \_\_\_\_\_.      YES     NO

An ARMS Inspection is attached with a cover page labeled:  
Confidential Exhibit \_\_\_\_\_.      YES     NO

The Applicant would like the NMSLO to provide the ARMS Inspection:  
YES     NO

**Shape Files:**

Shape Files are recommended with all applications.

Shape Files for this project are available:    YES     NO

If yes, the NMSLO lease analyst will contact you at the address you provide:

Applicant Shape File Custodian (email contact information): \_\_\_\_\_

Date of Application: \_\_\_\_\_ Estimated date if improvement completion: \_\_\_\_\_

\_\_\_\_\_  
LESSEE SIGNATURE

\_\_\_\_\_  
LESSEE SIGNATURE

I, Stephanie Garcia Richard, Commissioner of Public Lands, hereby give my consent to the above lessee(s) to make improvements as listed above, conditioned upon the completion of such improvement(s) on or before \_\_\_\_\_.

\_\_\_\_\_  
APPROVAL DATE

\_\_\_\_\_  
COMMISSIONER OF PUBLIC LANDS

S-09 (04/2019) APPLICATION FEE \$60.00

*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.*

# APPLICATION FOR PERMISSION TO MAKE IMPROVEMENTS Map Addendum

\*Please provide a detailed map or use the grid map below.

RE: Application dated \_\_\_\_\_ Lease # \_\_\_\_\_

Township \_\_\_\_\_ Range \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Township \_\_\_\_\_ Range \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

6	5	4	3	2	1	6	5	4	3	2	1
7	8	9	10	11	12	7	8	9	10	11	12
18	17	16	15	14	13	18	17	16	15	14	13
19	20	21	22	23	24	19	20	21	22	23	24
30	29	28	27	26	25	30	29	28	27	26	25
31	32	33	34	35	36	31	32	33	34	35	36
6	5	4	3	2	1	6	5	4	3	2	1
7	8	9	10	11	12	7	8	9	10	11	12
18	17	16	15	14	13	18	17	16	15	14	13
19	20	21	22	23	24	19	20	21	22	23	24
30	29	28	27	26	25	30	29	28	27	26	25
31	32	33	34	35	36	31	32	33	34	35	36

## **Instructions for Completion of Improvement Application**

- 1.) Please complete the application in ink.
- 2.) To avoid delay in processing, be sure to answer all questions on the application that pertain to your improvement project, including the Cultural Resource Protection checklist.
- 3.) Cost Share amounts need to be submitted if any federal cost-share funds are being utilized.
- 4.) Sign your name or names as they appear on your agricultural lease; all entities listed on lease must sign the application.
- 5.) An incomplete application will be returned.
- 6.) Provide a map or use the Grid map attached to the Improvement application to give location and/or route of Improvement.
- 7.) Do not begin your improvement project until you receive the application back with the Commissioner's signature.
- 8.) **Should you encounter any archaeological sites, you must immediately cease operations and notify the State Land Office.**
- 9.) **Please include the \$60.00 filing fee when you submit the application.** *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.*



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

**New Mexico State Land Office - Instructions for Compliance  
Cultural Resources Protection Policy**

Applicants acknowledge receipt and acceptance of the New Mexico State Land Office (“NMSLO”) “T & E and Cultural Resources Notice to Applicants” by signing the acknowledgment contained in the application form. “The Notice” is part of the application packet.

**Archaeological Surveys**

1. Applicants and lessees should always exercise due caution to ensure that cultural properties are not inadvertently excavated, injured or destroyed by any person. To that end, the NMSLO strongly recommends that an archaeological survey be conducted to current standards for the area of potential effect (“APE”) in compliance with 4.10.15 NMAC at <http://164.64.110.239/nmac/parts/title04/04.010.0015.htm>.
2. If a survey is produced in conjunction with the application, applicants will be expected to design the project so as to avoid any cultural properties found by the survey. If cultural properties are discovered within the APE, the survey must include avoidance and protection measures.
3. If an archaeological survey is conducted, the applicant should provide the survey with the application, in a sealed envelope marked “Confidential” and attached to the NMSLO Cultural Resources Cover Sheet. If the survey is in progress at the time the application is submitted, a Notification of Intent to Conduct an Archaeological Survey pursuant to 4.10.8.17(C) NMAC <http://164.64.110.239/nmac/parts/title04/04.010.0008.htm> will suffice.
4. Only surveys from permitted archaeological consulting firms will be accepted. The list of permitted firms is available at: <http://www.nmhistoricpreservation.org/documents/archaeological-permits.html>

Scroll down past the headings for “SHPO Directory Forms” and “Permit Applications” to “Consultants Lists.” Click on the Word document titled “Cultural Resource Consultants.” The list is arranged by county of location. Proximity will be a factor in estimated costs. Because costs vary, the NMSLO encourages you to contact more than one firm.

The consulting firm will ask for supporting documentation. This may include a description of the project along with ArcGIS shape files, CAD drawings, plats, or accurate depictions on USGS 1:24000 quadrangles.

5. The applicant must provide the NMSLO with two copies of the completed survey. If the application is already in process when the survey is completed, the survey with cover sheet should be delivered directly to the NMSLO archaeologist at the address provided below:

David Eck, Trust Land Archaeologist  
New Mexico State Land Office  
P.O. Box 1148  
310 Old Santa Fe Trail  
Santa Fe, New Mexico 87504  
(505) 827-5857 (voice) [deck@slo.state.nm.us](mailto:deck@slo.state.nm.us)  
(505) 827-5873 (fax) <http://nmstatelands.org/>

### ARMS Review

1. If an archaeological survey is not provided with the application, an Archaeological Records Management Section Inspection (ARMS Inspection) in accordance with 4.10.15.9 NMAC is required. If the applicant is unable to provide an ARMS Inspection, the Land Office will provide the Inspection in the order in which applications are received.
2. Only ARMS Inspections from permitted archaeological consulting firms will be accepted. The list of permitted firms is described above.
3. ARMS Inspections should be provided in a sealed envelope marked "Confidential" and attached to the NMSLO Cultural Resources Cover Sheet with the application.
4. At a minimum, the ARMS Inspection is a records review and should:
  - a. query the New Mexico Cultural Resource Information System ("NMCRIS") database and map server to identify previously recorded sites within 500 meters of the area of potential effect (APE) and previous archaeological surveys within 500 meters of the APE;
  - b. include a copy of the NMCRIS map server map and provide copies of the archaeological site record forms for all cultural properties in the APE;
  - c. review national and state register property files, and provide copies of documents for all such cultural properties that may be directly or indirectly affected by the project;
  - d. examine historic cultural properties inventory (HCPI) forms, and provide copies of documents for any such cultural properties within the APE;
  - e. review other archival sources (General Land Office ("GLO"), county records, state lease records, etc.) and summarize all archival information in tabular form -- sorted by site, activity, property, and register number(s);
  - f. note any previous surveys conducted more than 10 years ago that may be inadequate or insufficient by current standards;
  - g. summarize the findings into one of three results:
    - (A)\_\_\_ *The entire area of potential effect or project area has been previously surveyed to current standards and **no cultural properties were found** within the survey area.*
    - (B)\_\_\_*The entire area of potential effect or project area has been previously surveyed to current standards and **cultural properties were found** within the survey area.*
    - (C)\_\_\_*The entire area of potential effect or project area has **not** been previously surveyed.*
  - h. if the ARMS Inspection result shows the presence of cultural properties within the APE (result B above), devise avoidance and protection measures for the project.

If you have any questions, please feel free to contact Danny Sandoval at  
(505)-827-5775 or [dannys@slo.state.nm.us](mailto:dannys@slo.state.nm.us).



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

## **T & E AND CULTURAL RESOURCES NOTICE TO APPLICANTS**

Prior to approval of any application, all applicants requesting permission to conduct any project or activity on state trust land must acknowledge receipt and acceptance of the following instruction and notification:

Lessees are expected to know and abide by the laws related both to threatened and endangered species, and to the protection of cultural properties.

### *Threatened and Endangered Species*

Plant and animal species may be listed with various state and federal agencies as threatened or endangered. Each agency designation carries specific prohibitions against “take” which may result in distinct regulatory impacts on land use within the range of each species. “Take” is defined and interpreted differently across jurisdictional boundaries. **It is the lessee’s obligation to know, understand and abide by the laws related to threatened and endangered species.**

### *Protection of Cultural Resources*

The New Mexico Historic Preservation Division maintains records of all cultural resource surveys through its Archaeological Records Management Section (ARMS). **An ARMS Inspection of Records in compliance with NMAC 4.10.15.9 will be included with all applications.**

To minimize processing delays, **applicants are strongly encouraged to supply an ARMS Inspection with their applications.** If no ARMS Inspection is provided by the applicant, the Land Office will provide the ARMS Inspection in the order applications are received.

NMSA 1978, § 18-6-9(A) states “Any person who knowingly excavates, injures or destroys cultural property located on state land without a permit is guilty of criminal damage to property.” Further, NMSA 1978, § 18-6-9(B) states “Any person who solicits, employs or counsels another person to excavate injure or destroy cultural property located on state land without a permit is guilty of criminal damage to property.”

Applicants and lessees should always exercise **due caution** to ensure that cultural properties are not inadvertently excavated, injured or destroyed by any person. The State Land Office recommends that a survey be conducted to current standards, as defined by NMAC 4.10.15, prior to any activity in the proposed project area. If a survey is produced in conjunction with the application, the applicant will design the project so as to avoid any cultural properties found by the survey.

As a condition of this permit and pursuant to NMAC 19.2.10.20, any project or lease activities that reveal or result in discovery of a previously undocumented significant cultural property or archaeological site on state trust land shall result in immediate cessation of activities and **immediate notification of the State Land Office and SHPO**. Activities shall remain suspended until SHPO and the State Land Office approve resumption of activities.

In addition, if any project or lease activity results in damages to cultural property on state trust land, the State Land Office must be notified immediately and the responsible party will be required to provide an archaeological damage assessment. The responsible party will be held liable for the cost of the damage assessment, plus the remediation value of said property, as determined by that damage assessment.

Furthermore, if activity is conducted without the benefit of a survey and any cultural property is damaged in the process, the lessee will be **subject to a fine of no less than \$100,000.00** at the discretion of the Commissioner of Public Lands. The lessee will also be held liable for the cost of an archaeological damage assessment, plus the remediation value of said property as determined by that damage assessment.

For further information, please contact  
New Mexico Historic Preservation Division: 505-827-6320; or  
New Mexico State Land Office:

Commercial Resources Division: 505-827-5724

(Business Leases and Rights of Way)

Oil & Gas Division: 505-827-5774

Mineral Leasing Division: 505-827-5750

Agricultural Leasing: 505-827-5732

Field Operations Division: 505-827-5856



NMSLO Cultural Resources Cover Sheet  
Confidential Exhibit \_\_\_\_\_.

Exhibit Type (check one):

\_\_\_\_\_ Archaeological Survey

\_\_\_\_\_ ARMS Review

\_\_\_\_\_ Other (describe): \_\_\_\_\_

NMCRIS Activity No. (if any): \_\_\_\_\_

Section/Township/Range: \_\_\_\_\_

Cultural Resources Report/Exhibit Title:

Cultural Resources Consultant:

Project Proponent (Applicant):

Applicant Project Title/Description:

If Archaeological Survey, avoidance and protection measures have been devised.

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

If ARMS Inspection, please summarize results:

(A)\_\_\_ The entire area of potential effect or project area has been previously surveyed to current standards and **no cultural properties were found** within the survey area.

(B)\_\_\_ The entire area of potential effect or project area has been previously surveyed to current standards and **cultural properties were found** within the survey area.

(C)\_\_\_ The entire area of potential effect or project area **has not been previously surveyed.**

For agency use only:

NMSLO Lease No.: \_\_\_\_\_

Lease Analyst: \_\_\_\_\_

Exhibit Routed to Field Operations Division: \_\_\_\_\_

Date



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

APPLICATION FOR PERMISSION TO MAKE IMPROVEMENTS  
(Please complete in ink)

**SAMPLE**

I / We, John Smith and Lisa Jones

of (mailing address) PO Box 1234, Hobbs, NM 88240

herewith make application for the written consent of the Commissioner of Public Lands to make improvements on the lands in Lease # GR-9999, described below.

Designated Contact: Mike Williams - Manager Phone: (575) 555-6543

Has the person or party already been in contact with their District Resource Manager concerning this application? YES  NO

Indicate the location of the proposed improvements in the space below, and on the attached map.

Improvement Type	Quarter-quarter	Section	Township	Range
<i>Water Well, Windmill</i>	<i>NE 1/4 NE 1/4</i>	<i>4</i>	<i>19S</i>	<i>38E</i>
<i>Fence</i>	<i>NW 1/4, SW 1/4</i>	<i>4</i>	<i>19S</i>	<i>38E</i>
<i>Brush Management</i>	<i>All</i>	<i>9</i>	<i>19S</i>	<i>38E</i>

Describe and provide the projected cost for each proposed improvement, and include the amount that would be covered under a federal cost-share program, if any.

Specific Description (type, method of treatment, construction material, and quantity)	*Estimate or Actual Cost	*Estimate Cost-Share
<i>Livestock well, 6" steel casing, 200' deep</i>	\$ <i>5,900</i>	\$ <i>4,425</i>
<i>Windmill, metal tower on concrete pad, 30' high</i>	\$ <i>1,000</i>	\$ <i>750</i>
<i>Fence, 4-strand barbed wire, 2,000'</i>	\$ <i>4,000</i>	\$ <i>3,000</i>
<i>Brush, Mesquite, chemical-aerial spray, 640 acres</i>	\$ <i>28,000</i>	\$ <i>16,800</i>
Totals:	\$ <i>38,900</i>	\$ <i>24,975</i>
<b>Net Improvement Cost</b> (Total Actual Cost minus Total Cost-Share):	\$ <u><i>13,925</i></u>	

*\*Final cost value will be determined by actual cost affidavit*

Name(s) of federal cost-share program(s), under which improvements are to be built, if any:

*EQIP and CSP programs*

**Cultural Resource Protection:**

*Please indicate that you (Applicant) have read the T&E and Cultural Resources Notice to Applicants and that you understand and agree to abide by the terms and conditions set forth therein.*

YES  NO

An Archaeological Survey is strongly recommended. If no survey is provided an Archaeological Records Management Section Inspection (ARMS Inspection) in accordance with NMAC 4.10.15.9 is required. If the ARMS Inspection is not provided by the applicant, the Land Office will provide the ARMS Inspection in the order applications are received.

An Archaeological Survey is attached with a cover page labeled:

Confidential Exhibit \_\_\_\_\_. YES  NO

An ARMS Inspection is attached with a cover page labeled:

Confidential Exhibit \_\_\_\_\_. YES  NO

The Applicant would like the NMSLO to provide the ARMS Inspection:

YES  NO

**Shape Files:**

Shape Files are required with all applications.

Shape Files for this project are available: YES  NO

If yes, the NMSLO lease analyst will contact you at the address you provide:

Applicant Shape File Custodian (email contact information): Myemail@email.com

Date of Application: 2/15/2019 Estimated time of completion: November, 2021

\_\_\_\_\_

LESSEE

\_\_\_\_\_

LESSEE

I, Stephanie Garcia Richard, Commissioner of Public Lands, hereby give my consent to the above lessee(s) to make improvements as listed above, conditioned upon the completion of such improvement(s) on or before \_\_\_\_\_.

\_\_\_\_\_  
APPROVAL DATE

\_\_\_\_\_  
COMMISSIONER OF PUBLIC LANDS

S-09 (02/2019) **APPLICATION FEE \$60.00** \*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.