



**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 MEN 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

Printed Name and Title

Street Address

Street Address

City, State and Zip Code

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 _____)

) ss.

COUNTY OF _____)

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 _____)

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.

My Commission Expires Notary Public name Notary signature
(Notary seal)

ACKNOWLEDGMENT FORM FOR CORPORATE SURETY:

STATE OF _____)
) ss.
COUNTY OF _____)

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.

My Commission Expires Notary Public name Notary signature
(Notary seal)

(Note: Corporate surety attach power of attorney.)