

OGRCR-2  
09/20

New Mexico State Land Office  
Royalty Management Division

**Claim for Refund**  
Oil and Gas Royalties - Erroneous Payment  
**Non-Distributed Funds**

Commissioner of Public Lands  
New Mexico State Land Office  
P. O. Box 1148  
Santa Fe, New Mexico 87504-1148

Dear Commissioner:

Whereas, \_\_\_\_\_ Dollars (\$\_\_\_\_\_) were erroneously paid for oil and gas royalties by (OGRID NO.) \_\_\_\_\_ (OGRID NAME.) \_\_\_\_\_ to the Commissioner of Public Lands on account of Lease No. \_\_\_\_\_ and PUN \_\_\_\_\_, or such amounts are represented by Credit Invoice No (s). \_\_\_\_\_ in the amount of \_\_\_\_\_, advance deposit in the amount of \_\_\_\_\_, or other (describe) \_\_\_\_\_.

Whereas, such payment is carried in an oil and gas royalty suspense fund by the State Land Office or its agent (if any) but has not been distributed to the state permanent fund.

Applicant states that the reasons why such payment was erroneously made are, as follows:

Now, therefore, the undersigned makes a claim for refund of said payment from the oil and gas royalty suspense fund into which such payment was erroneously made.

Claimant petitions the Commissioner of Public Lands to investigate the facts herein and endorse their approval of this claim and take action thereon.

\_\_\_\_\_  
Signature of Applicant/Claimant

Notary Statement:

(Applicant)\_\_\_\_\_ being duly sworn states that the foregoing claim is made in good faith and the facts stated herein are true.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My commission expires: \_\_\_\_\_

Notary Public:\_\_\_\_\_

Seal:

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Approved ( )

Disapproved ( ) this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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**Instructions**

Purposes:

This form is to be used for applying for a refund from the New Mexico State Land Office for oil and gas royalties which have been paid but not distributed to a permanent fund. State notifications of such suspense fund payments should be in the possession of the applicant.

Amended Data:

If you are changing any information for prior reporting periods (sales months, by product), you must submit an amended report for each period affected. Note: Failure to submit the required amended report(s) will prevent the processing of your application and will result in a delay of your oil and gas royalty claim for refund.

Letter of Explanation:

Attach a letter of explanation if the space provided for reason for an erroneous payment is insufficient.

Signature

This form must be signed by the oil or gas royalty payor or an authorized agent.

Authority - Claimant Time Limitation:

Section 37-1-23 (NMSA, 1978, as amended) Contractual Liability; statute of limitations provides that an action must be based on a valid written contract (e.g. oil and gas lease) and each claim permitted by this section shall be barred forever unless brought within two years from the time of accrual. Such accrual time relates to the time the erroneous payment was made.

Subject to Audit:

Refunds are still subject to audit at the discretion of the Commissioner of Public Lands.

Registered Notification - Time Limitation:

If the Commissioner of Public Lands discovers an erroneous payment, notice is to be given, by registered mail, to the last recorded address of the person making such erroneous payment. All claims for refund of money shall be filed within ninety days after notice. All claims for refund not filed with the Commissioner of Public Lands within the time prescribed shall be forever barred. Section 9-7-60).