



Stephanie Garcia Richard, Commissioner of Public Lands
State of New Mexico
APPLICATION FOR DEEP WATER EASEMENT

1. APPLICANT INFORMATION

I _____ hereby submit this application for a Water Easement under the laws of the State of New Mexico and rules and regulations of the State Land Office, for a term of **five** years. I submit this application:

_____ for myself, as Applicant.

OR

_____ on behalf of the Applicant, as Applicant's Representative. By signing below, Representative represents and warrants that he or she is duly authorized and has legal capacity to submit this application for Water Easement on behalf of the Applicant:

Signature Date

Applicant's name (individual or business): _____

Mailing Address: _____

Phone: _____

Email: _____

Representative's name: _____

Relationship to Applicant: _____

Mailing Address: _____

Phone: _____

Email: _____

Applicant is: _____ an individual resident of the State of _____.

OR

_____ a business that has a home office in the State of _____

and is authorized to do business in the State of New Mexico. Business is a(n)

_____ (partnership, corporation, other).

LOCATION(S) OF REQUESTED EASEMENT

** Only for operations to extract water from formations below NM OSE jurisdiction (2500' or deeper).

Please provide the following information about the location(s) of the state trust land where the easement is requested (you may use more than one line but the land described must be contiguous):

County: _____ **Description of Common Landmarks:** _____

<i>Quarter-Quarter</i>	<i>Section</i>	<i>Township</i>	<i>Range</i>	<i># of Acres</i>
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2. WELL(S) INFORMATION

Please provide the following information about the well or wells associated with this application. Attach additional pages if necessary:

	New Well(s) on State Trust Lands	Existing Well(s) on State Trust Lands*
NM OSE well number**		
Proposed Well location (lat/long)		
Basin		
Name of water-bearing formation		
Depth of well		
Depth to water table		
Water quality (TDS)		

** Please attach a copy of OSE application / Notice of Intent for appropriation of Deep Water.

***If you are applying to the OCD to convert an existing Oil & Gas well**

NM OCD well API	
Well location (lat/long)	
Basin	
Name of water-bearing formation	
Depth of well	
Water quality (TDS)	
Casing/integrity test result)	

3. OSE PERMIT INFORMATION

Please provide the following information about the OSE Permit associated with this easement. Attach additional pages if necessary:

	<u>New Appropriation</u> on location of requested easement on state trust land	<u>Existing</u> <u>Appropriation on</u> location of requested easement on state trust land
NM OSE well file number		
Name of Permit applicant/ holder of record		
Total acre-feet/year of proposed water under OSE-granted Notice of Intent		
Acre-feet/year requested under this easement		
OSE permitted point(s) of diversion		
Point(s) of diversion requested under this easement		
OSE permitted purpose(s) of use		
Purpose(s) of use requested under this easement		
OSE permitted place(s) of use		
Place(s) of use requested under easement (TRS, lot/subdivision OR Unit/Mine name)		

4. SALE, GIFT, OR TRADE OF WATER

Will any or all of the water produced under this easement be sold, given away, or traded?

Yes _____ No _____

5. USE OF WATER

Please indicate all commercial product(s) and/or resource(s) that will be produced or extracted by Applicant or other recipients of the water produced under this easement:

6. GRANTEE IMPROVEMENTS

Please list all existing and planned wells, equipment, facilities, infrastructure, roads, power lines, and other improvements associated with the operation of this water easement, and that are or will be located within the boundaries of the easement during the term applied for herein:

Existing:

Planned:

****Please attach a plat map showing the location of existing or planned wells, equipment, facilities, infrastructure, roads, power lines, and other improvements listed above.**

7. CULTURAL RESOURCE PROTECTION

Parties are expected to review and abide by the laws and rules related to the protection of cultural properties, including the Cultural Properties Protection Rule (19.2.24 NMAC). Please indicate whether you have signed the enclosed Acknowledgment Form. Yes _____ No _____

The NMSLO Cultural Resources Cover Sheet (Exhibit _____) provided to you by the archaeological consultant is attached to your application and indicates whether:

an ARMS Inspection ____ or an Archaeological Survey ____ has been conducted for this project.

(see 19.2.24.9 & 19.2.24.10 NMAC for exceptions of certain categories of activity that do not require an ARMS inspection or survey).

Does your project involve federal or other state agencies? Yes _____ No _____

In addition to complying with the requirements of the Cultural Properties Protection Rule, parties also must comply with all other applicable state and federal laws and rules, including laws and rules pertaining to endangered and threatened species and habitat protection.

8. DIGITAL FILES

Digital information of your project’s location is required. Acceptable formats: shapefiles (preferred), gps coordinates, kml/kmz files or georeferenced AutoCAD files Yes _____ No _____

Shapefiles are required with all applications. If you do not have shapefiles for the requested easement, please contact the surveyor who developed the project location plat for your application. If you already have shapefiles for the requested easement, please provide the following information:

Digital Files Custodian-Name if other than the applicant: _____

Email: _____ Phone Number: _____

9. ADDITIONAL INFORMATION

If you have additional information that you believe is relevant to this application, please provide it below:

10. FEES

Please submit the following fees with this application:

Application Fee:	<u>\$250.00</u>
Production Well Annual Rent(s)	
Number of production wells requested _____ X \$1,000.00:	<u> </u>
TOTAL PAYMENT SUBMITTED	<u> </u>

11. ACKNOWLEDGEMENTS

Please initial each statement below:

- _____ Applicant or Representative understands and agrees that before a Temporary Boring / Water Easement can be granted, the Applicant must provide \$5,000 bond to reclaim all surface damages that could result from activities undertaken under this easement.
- _____ Applicant or Representative understands that the State Land Office might require additional information based on this application, and agrees to provide such additional information as reasonably necessary to complete the application process.

I, _____, do solemnly swear (or affirm) that the above statements and answers to questions in this application are true and correct to the best of my knowledge and belief.

If application is being submitted by Applicant, please initial the following statement:

_____ Applicant covenants and agrees to abide by all laws and regulations of the Land Office and to hold harmless, indemnify, and defend the Commissioner, his agents and lessees, in their official and individual capacities of and from any and all liability, claims, losses, or damages arising out of or alleged to arise out of or indirectly connected with operations under any grant made by the Commissioner.

If application is being submitted by Representative on Applicant’s behalf, please initial the following statement:

_____ I solemnly swear (or affirm) that I have advised the Applicant of the acknowledgements and agreements of this Paragraph, and that Applicant covenants and agrees to the statements in this Paragraph, and to abide by all laws and regulations of the Land Office and to hold harmless, indemnify, and defend the Commissioner, his agents and lessees, in their official and individual capacities of and from any and all liability, claims, losses, or damages arising out of or alleged to arise out of or indirectly connected with operations under any grant made by the Commissioner.

Signed: _____

ACKNOWLEDGMENT BY APPLICANT

State of _____)
) ss.
County of _____)

This instrument was acknowledged before on _____ (date) by
_____ (printed name).

(seal) _____
(Signature of notarial officer)

My commission expires: _____

OR

ACKNOWLEDGMENT BY APPLICANT’S REPRESENTATIVE

State of _____)
) ss.
County of _____)

This instrument was acknowledged before on _____ (date) by
_____ (printed name) as _____ (title) of
_____ (name of party on behalf of whom instrument is executed).

(seal) _____
(Signature of notarial officer)

My commission expires: _____

*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

CULTURAL PROPERTIES PROTECTION ACKNOWLEDGMENT FORM

All lessees, operators, grantees, permittees, and/or applicants (collectively, “Parties”) requesting any authorization from the Commissioner of Public Lands, or conducting any project or activity on state trust land, are expected to review and abide by all applicable laws and rules related to the protection of cultural properties on state land, including the New Mexico State Land Office’s (“NMSLO”) Cultural Properties Protection Rule, 19.2.24 NMAC. The Cultural Properties Protection Rule can be viewed at <https://www.nmstatelands.org/culturalproperties/>.

Parties conducting surface-disturbing activity on state trust land must follow the procedures and timelines outlined in 19.2.24.8 NMAC. To minimize processing delays, Parties are strongly encouraged to supply NMSLO with appropriate documentation as early as possible pursuant to 19.2.24.8 (C), (D), (E) & (F) NMAC. Parties are advised to always exercise due caution to ensure that cultural properties on state trust land are not inadvertently excavated, disturbed, dislodged, damaged, destroyed, or removed by any person, pursuant to the Cultural Properties Protection Rule, 19.2.24.8 (A) NMAC and Section 18-6-9 (A) and (B), NMSA 1978.

By signing this acknowledgment form, Parties affirm that they have read this document, including the accompanying Instructions for Compliance, and have reviewed and agree to comply with NMSLO’s Cultural Properties Protection Rule. If a Party is other than a natural person, the individual signing below attests that they have the authority to execute this acknowledgment on behalf of and bind that Party.

Type and Number of Instrument (Lease Number): _____

(Required for Oil & Gas Leases-eg. VB06320001; include if available for other leases: Business, Renewables, Minerals, Water Bureau, ROW or Agricultural leases-eg. BL05220001, GR0232, R40893, SW0520, HA0102)

Name of Party (Company Name, if applicable): _____

Name of Signatory (Person Signing): _____

Relationship to Party/Title (position): _____
(eg. lessee, operator, grantee, applicant, self or other)

Phone Number: _____ **Email Address:** _____

Signature : _____ **Date:** _____