



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

**RENEWABLE ENERGY LEASE APPLICATION CHECKLIST**

To nominate State Trust Land for a wind or solar lease, complete the following:

- ☐ **Lease Application Form** (included below) – completed, signed and notarized
- ☐ **Identify Existing Encumbrances** – if there are any leases, rights-of-way or other instruments authorizing use of this trust land, list them in your Application Form below. Research encumbrances [online](https://secure.slo.state.nm.us/Applications/SLOConnect/) and at the SLO Records Room (505-827-5760) (<https://secure.slo.state.nm.us/Applications/SLOConnect/>).
- ☐ **Include Exact Description of the State Trust Land** – via Public Land Survey System  
(for example: Township 16 North, Range 20 West, Section 36, SW4, 160 Acres)
- ☐ **Email Digital Shape Files** – of your exact proposed lease area to [ORE@SLO.state.nm.us](mailto:ORE@SLO.state.nm.us). Use your Project Name (on page 3) to identify digital files. Spatial data must be drawn to scale and projected in the appropriate zone for the New Mexico State Plane Coordinate System, NAD83.
- ☐ **Site Plan Map** [Confidential] – showing potential placement of improvements on the land. Include access roads (existing and proposed), transmission interconnection location, and generation grid-tie line. This submission is only confidential if it is conspicuously marked as confidential. Applicants without a Site Plan Map may still request a lease, but applications that include Site Plan Maps are prioritized.
- ☐ **Review** – New Mexico State Land Office Business Leasing Rule 9 – 19.2.9 NMAC
- ☐ **Sign** – **Cultural Properties Acknowledgment Form** (included below)
- ☐ **Completed Cultural Resources Cover Sheet** – provided by your archaeological consultant. Required at the time you submit project plans to indicate whether an ARMS Inspection or an archaeological survey have been conducted. Submit with this initial lease application, if an ARMS Inspection or an archaeological survey have already been completed.

☐ **Short Term Lease Application Fee** – \$250.00 for a short term lease (5 years or less), or

☐ **Long Term Lease Application Fee** – \$500.00 for any term longer than 5 years.

Use your Project Name to identify your fee payment (via notes/memo).

☐ **Form of Payment** – indicate form of payment here: \_\_\_\_\_

Checks are payable to “Commissioner of Public Lands.” ACH/wire transfers accepted. When providing 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. Contact State Land Office Accounting at 505-827-05705 to arrange ACH/wire transfers.

☐ **Metes and Bounds Survey** – required with this Lease Application if PLSS description of State Trust Land to be leased includes sub-portioning of any quarter-quarter aliquot.

Survey Plats and Legal Description Requirements:

1. Survey plats must show ties to PLSS corners (second division level or higher).
2. Survey plats must include a legal description with the metes and bounds descriptions the parcel.
3. Survey plats must show the land surveyed in aliquot parts, and for any partial quarter-quarter section, lot or partial lot included.
4. Survey plats must show the acreage in each such partial quarter-quarter section, lot, or partial lot.
5. The survey plat must depict all rights-of-way and easements that burden or otherwise affect the land being surveyed.
6. All plats are to be drawn in the appropriate zone of the New Mexico State Plane Coordinate System, North American Datum 1983.

Deliver completed application by hand  
delivery or courier service to:

**Commissioner of Public Lands**  
**New Mexico State Land Office**  
**310 Old Santa Fe Trail**  
**Santa Fe, NM 87501**

For United States Postal Service  
deliveries use:

**Commissioner of Public Lands**  
**New Mexico State Land Office**  
**Post Office Box 1148**  
**Santa Fe, NM 87504-1148**

*If you have questions about your application, call the Office of Renewable Energy at 505-827-5724  
or email [ORE@slo.state.nm.us](mailto:ORE@slo.state.nm.us)*



**Stephanie Garcia Richard  
Commissioner of Public Lands  
State of New Mexico  
Application for Renewable Energy Lease**

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

Lease Number: \_\_\_\_\_  
(Assigned by SLO)

I, \_\_\_\_\_, State of \_\_\_\_\_,  
(Name of the legal entity, or if applying as an individual, the personal name)

an individual over the age of eighteen years (or a corporation authorized to do business in New Mexico) do hereby make application for a renewable energy business lease upon the following described lands, or such portion thereof as may be available for leasing, situated in the County/Counties of \_\_\_\_\_, State of New Mexico.

I submit herewith a non-refundable application processing fee upon the following described:

- ☐ 5 years or less (\$250.00 Application Fee)  
☐ More than 5 years (\$500.00 Application Fee)

Company Name: \_\_\_\_\_

Parent Company Name: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Manager Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email Address: \_\_\_\_\_

Digital Files Custodian-Name (if other than the applicant): \_\_\_\_\_

Digital Files Custodian Email and Phone Number: \_\_\_\_\_

## PLSS LOCATION OF LAND

<i>PLSS Description</i>	<i>Township</i>	<i>Range</i>	<i>Section</i>	<i>Quarter-Quarter(s)/Aliquot Parts</i>	<i>ACRES</i>
Public Land					
Survey System	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____

List number of acres for each Section. If portions of Sections are included in this lease application, identify the acreage for each portion. For additional space, please attach your land description to this Lease Application and email your land description to [ORE@slo.state.nm.us](mailto:ORE@slo.state.nm.us) (with Project Name in file). Email shape files of proposed lease area to [ORE@slo.state.nm.us](mailto:ORE@slo.state.nm.us). Use Project Name in your email). The data must be drawn to scale and projected in the appropriate zone for the New Mexico State Plane Coordinate System, NAD83.

Enter general location of land:

- a. County/Counties \_\_\_\_\_
- b. Nearest City or Town \_\_\_\_\_
- c. Nearest Major Highway \_\_\_\_\_

1. Type of Lease (chose only one per application):

- ☐ Solar \_\_\_\_\_ Megawatts
- ☐ Wind \_\_\_\_\_ Megawatts

Describe any planned energy storage. Include anticipated power and energy output. \_\_\_\_\_

\_\_\_\_\_

2. Desired Term of Lease = \_\_\_\_\_ Years

3. List other company renewable projects; indicate which projects are in commercial operation).

- (1) Project: \_\_\_\_\_ Megawatts \_\_\_\_\_  
Location \_\_\_\_\_
- (2) Project: \_\_\_\_\_ Megawatts \_\_\_\_\_  
Location \_\_\_\_\_
- (3) Project: \_\_\_\_\_ Megawatts \_\_\_\_\_  
Location \_\_\_\_\_

4. Would you or your company be willing to participate with the State Land Office in open house meetings to explain the impact of your Project and to answer any questions from the public and government officials?

☐ Yes ☐ No

5. Are there grazing, surface, or mineral leases or rights-of-way easements on the land?

☐ Yes (If so, please list these encumbrances and describe below)

☐ No

6. Are there any existing improvements (such as fences, power lines, and roads) on the land?

☐ Yes (If so, please describe below and attach a list if additional space is needed)

☐ No

7. Cultural Resource Protection: a completed NMSLO Cultural Resources Cover Sheet, provided by your archaeological consultant, confirms any ARMS inspection and archaeological surveys. See 19.2.24.8(C), 19.2.24.8(E)(2) NMAC. These steps are required at the time a renewable energy lessee submits project plans; however, if an ARMS inspection/survey has already been performed by the time of initial lease application, your archaeological consultant should provide you with the relevant Cover Sheet. Please, submit the Cover Sheet with your application.

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 a description of the categories of activity that do not require an ARMS inspection or survey)

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. Does your project involve federal or other state agencies?

☐ Yes (If so, please list these agencies below)

☐ No

## Project Information

1. Describe your proposed renewable energy project; include a list with a description of all proposed elements of your project infrastructure. Include the useful lifespans of your infrastructure with any expected re-powering.

2. Estimate the time schedule for your Project (insert beginning and end dates below:)

Development: \_\_\_\_\_

Construction: \_\_\_\_\_

Production of Energy: \_\_\_\_\_

List any Power Purchase or Energy Offtake Agreements for your Project: \_\_\_\_\_

Describe your power marketing plan, customers, or how your electricity will be used: \_\_\_\_\_

\_\_\_\_\_

3. Describe your grid interconnect site, plan and progress to date: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. If there are existing lessees on the trust land you seek to lease, have you contacted them? Yes ☐ No ☐

5. Describe the total value and local economic impact of your proposed project: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. Describe local New Mexico hiring and sourcing for construction personnel and materials: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. How many acres of federal, private and state trust land are proposed for this project:

Federal Land \_\_\_\_\_ acres

Private Land \_\_\_\_\_ acres

State Land \_\_\_\_\_ acres

8. Describe how your project will be decommissioned: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I, \_\_\_\_\_, the above applicant, do solemnly swear, or affirm,  
(Please print name of applicant or of attorney in fact / authorized agent)  
that each and every statement made in this application is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Printed Name of Applicant

\_\_\_\_\_  
Name of Person Signing on Behalf of Applicant  
(if Applicant is Other Than an Individual)

\_\_\_\_\_  
Title of Person Signing on Behalf of Applicant  
(if Applicant is Other Than an Individual)

\_\_\_\_\_  
Signature of Applicant (/on Behalf of Applicant)

\_\_\_\_\_  
State of Incorporation of Parent Entity

\_\_\_\_\_  
Address, City, State, Zip Code

STATE OF \_\_\_\_\_)  
\_\_\_\_\_)ss.  
COUNTY OF \_\_\_\_\_)

Subscribed and sworn to, or affirmed, before me by \_\_\_\_\_, \_\_\_\_\_  
Name Title

Of \_\_\_\_\_ Corporation, on behalf of  
(Company/Corporation)

the above named applicant, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_AD.

\_\_\_\_\_  
My Commission Expires

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



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

## **CULTURAL PROPERTIES PROTECTION ACKNOWLEDGMENT FORM**

**Exhibit \_\_\_\_\_**

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.

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**Wind or Solar Lease Number:** \_\_\_\_\_  
(Assigned by SLO))

**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:** \_\_\_\_\_



# INSTRUCTIONS FOR COMPLIANCE

## Cultural Properties Protection Rule (19.2.24 NMAC)

The following instructions apply to all lessees, operators, grantees, permittees, and/or applicants (collectively, “Parties”) that intend to conduct new surface disturbing activities on state trust lands. The instructions provide additional guidance for fulfilling the requirements of NMSLO’s Cultural Properties Protection Rule. A copy of the Cultural Properties Protection Rule can be found at <https://www.nmstatelands.org/culturalproperties/>.

We thank you in advance for your commitment to protecting New Mexico’s past and living history. NMSLO encourages all Parties to provide current and accurate documentation as early as possible to minimize processing delays.

Please do not hesitate to reach out to the Cultural Resources Office at [croinfo@slo.state.nm.us](mailto:croinfo@slo.state.nm.us) should you have any questions after reviewing these instructions or with NMSLO’s cultural properties review process.

### Part I: Archaeological Records Management Section (ARMS) Inspection (Records Review)

- The ARMS inspection is a records review and should comply with the pre-field requirements of 4.10.15.9 NMAC. An ARMS inspection must be conducted prior to any new surface-disturbing activities, in compliance with 19.2.24.8 (C) NMAC. The specific timing of when an ARMS inspection is required depends on the category of activity, as described in 19.2.24.8 (E) NMAC. The Cultural Properties Protection Rule provides exceptions for certain categories of activity that do not require an ARMS inspection or survey; see 19.2.24.9 NMAC and 19.2.24.10 NMAC.
- Parties are expected to engage a permitted archaeologist to conduct the initial ARMS inspection. Permitted archaeologists are referred to in these Instructions as “archaeological consultants.” Only ARMS inspections from archaeological consultants will be accepted. The list of archaeological consultants in New Mexico is available at <http://www.nmhistoricpreservation.org/documents/consultants.html>. Scroll down past the headings for “Archaeological Permits” and “Official Scenic Markers” to “Preservation Consultants.” Click on the pdf document titled “Cultural Resource Consultants.” The list is updated regularly and arranged by county of location. Because costs vary, the NMSLO encourages Parties to contact more than one archaeological consultant.
- The Party must provide the archaeological consultant with all relevant supporting documentation. This may include a description of the project, cadastral plats, and location information in digital form (ArcGIS shape files, kml/kmz format, GPS coordinates, CAD drawings, plats, or accurate depictions on USGS 1:24000 quadrangles).
- The archaeological consultant will conduct an ARMS inspection of the entire area of potential effect (APE). Based on the ARMS inspection, the findings will be summarized into one of three results as indicated on the NMSLO Cultural Resources Cover Sheet (“Cover Sheet”). The Cover Sheet is a fillable PDF form (available from the Web Portal and also from NMSLO’s website and Cultural Resources Office):
  - 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 or has not been surveyed to current standards. A complete archaeological survey must be conducted and submitted for review.
- If the ARMS inspection indicates that the entire APE has been previously surveyed and no cultural properties were located (**result A above**), NMSLO’s Cultural Resources Office and the Renewable Energy Office will complete the lease application process.
  - For the ARMS Review (**result A above**), the archaeological consultant will complete and submit the ARMS Inspection/Desktop Review web form on the Cultural Compliance Web

Portal (Web Portal), available at <http://culturalcompliance.nmstatelands.org/>. NMSLO's Cultural Resources Office will have immediate access to the submitted web form and accompanying documents.

- If the ARMS inspection result indicates a previous survey showing the presence of cultural properties within the APE (**result B above**), the Party must propose avoidance and protection measures for the project as designed in collaboration with their archaeological consultant.
- If the ARMS inspection shows that the entire APE has **not** been subject to archaeological survey or to a current standards survey (**result C above**), a complete archaeological survey must be conducted. The new survey need not include areas already subjected to acceptable surveys. See continued instructions below, Part II.
  - Because specific locational information of cultural properties that may be contained in an ARMS inspection or archaeological survey is confidential under New Mexico law (see Cultural Properties Act, Section 18-6-11.1, NMSA 1978, and Section 19-1-2.1, NMSA 1978), Parties should expect to receive a copy only of the Cover Sheet from their archaeological consultant, and should forward the Cover Sheet to the appropriate NMSLO leasing division with their application.
  - Parties conducting project activities on state land under oil and gas leases, like other Parties, will receive a copy of the Cover Sheet from their archaeological consultant. To provide information on their upcoming projects on state land, Parties will then fill in the Oil and Gas Project Description Web Form at <http://culturalcompliance.nmstatelands.org/> and will submit, along with the Cover Sheet, any necessary documentation for cultural compliance review pursuant 19.2.24.8 (E)(3) NMAC. Only on- lease oil and gas projects with activities that are not included in any other lease application at NMSLO (eg. Business or Right of Way) should utilize the Web Portal.

## **Part II: Archaeological Surveys and Compliance Measures**

1. If the ARMS inspection, in compliance with 19.2.24.8 NMAC, indicates that the entire APE has not been subject to archaeological survey (see Part I, Para. 4, **result C**), a complete archaeological survey must be conducted to current standards in compliance with 4.10.15 NMAC. The new survey need not include areas already subjected to acceptable surveys.
2. In compliance with 19.2.24.8 (F) NMAC, at least 15 calendar days prior to any survey activities, the archaeological consultant should fill in and submit a Notification of Intent to Conduct an Archaeological Survey through the Web Portal at <http://culturalcompliance.nmstatelands.org/>.
3. Only archaeological surveys from archaeological consultants will be accepted and must be conducted under current standards in compliance with 4.10.15 NMAC. Information on how to access the list of archaeological consultants is listed in Part I, Para. 2 above. NMSLO encourages Parties to contact more than one archaeological consultant in your location as proximity will be a factor in estimated costs of an archaeological survey.
4. Parties will be expected to design their project to avoid any cultural properties identified within the APE (as recorded on the Cover Sheet in Part I, Para. 4, **result B**) by the archaeological survey obtained in conjunction with a project or by pre-existing surveys, or provide other mitigation measures in collaboration with their archaeological consultant. Parties are encouraged to provide NMSLO with appropriate current and accurate documentation of the proposed activity as early as possible (preferably at least sixty calendar days prior to any surface disturbing activity) to minimize processing delays and ensure implementation of avoidance and protection measures.
  - a. Pursuant to the Cultural Properties Protection Rule, 19.2.24.12 (A) NMAC, if any Party becomes aware of actual or imminent damage to cultural properties on state trust lands where that Party is conducting activities, that Party shall immediately notify NMSLO and suspend project activities in the immediate area of the damage or the threatened cultural property. Activities shall remain suspended until the State Historic Preservation Officer and NMSLO approve resumption of activities.

- b. A Party that damages cultural properties on state trust land is responsible for the cost of an archaeological damage assessment, plus the remediation value of the affected cultural property as determined by that damage assessment. In addition, the Commissioner of Public Lands may file an action to recover an amount equal to twice the cost of restoration, stabilization, and interpretation of the damaged cultural property, in accordance with the Cultural Properties Act, Section 18-6-11.2(C), NMSA 1978.
5. The archaeological consultant, upon completion of the survey report, should submit the fillable, completed Cover Sheet to [croinfo@slo.state.nm.us](mailto:croinfo@slo.state.nm.us) with any relevant questions.

Pursuant to the requirements of 4.10.8.18 NMAC, the Cultural Resources Office will review a complete copy of the survey report, its findings and any required compliance (avoidance or mitigation) measures and recommend revisions, if applicable. The Cultural Resources Office will provide further guidance on how archaeological consultants should submit complete survey reports and any required compliance measures for review.

The Cultural Resources Office additionally may request electronic files of survey report(s), sites, location of findings, or survey areas in order to complete its review, all of which should be sent to [croinfo@slo.state.nm.us](mailto:croinfo@slo.state.nm.us).
6. The complete results of an archaeological survey are confidential under New Mexico law (see Cultural Properties Act, Section 18-6-11.1, NMSA 1978, and Section 19-1-2.1, NMSA 1978).
  - a. Upon approval of the final archaeological survey report and its findings/recommendations, the archaeological consultant will upload the final archaeological report along with all supporting documentation to the New Mexico Cultural Resources Information System (NMCRIS). Parties should expect to receive a copy of the Cover Sheet from their archaeological consultant, and should forward it to the appropriate leasing division with their application.
  - b. In the case of oil and gas leases only, Parties themselves will upload the Cover Sheet along with their Project Description Web Form documentation submitted via the Web Portal at <http://culturalcompliance.nmstatelands.org/>.
7. The website <http://nmstatelands.org/cultural-resources-office/> contains a list of State Trust Land Archaeologists within NMSLO's Cultural Resources Office (along with related contact info) to whom questions can be addressed.
8. Below is a list of useful links, emails, and phone numbers:
  - a. Cultural Compliance Portal: <http://culturalcompliance.nmstatelands.org>
  - b. Cultural Resources Office Website: <http://www.nmstatelands.org/cultural-resources-office/>
  - c. Cultural Properties Protection Rule and FAQs: <http://www.nmstatelands.org/culturalproperties/>
  - d. Historic Preservation Division-List of Archaeological consultants: <http://www.nmhistoricpreservation.org/documents/consultants.html>
  - e. Inquiries to the Cultural Resources Office: [croinfo@slo.state.nm.us](mailto:croinfo@slo.state.nm.us)
  - f. Main New Mexico State Land Office phone number: 505-827-5760