



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

NEW MEXICO STATE LAND OFFICE
Agricultural Leasing Bureau

Instructions for Submitting a Request for Assignment of Agricultural Lease

The S-37 Assignment of Agricultural Lease form is to be used whether part of the entire agricultural lease is to be assigned. Any revisions or alterations to this form will not be processed.

- The first page of the application is to be completed by current Lessee(s) and signed in the presence of a notary.
- Name, mailing address and telephone number of purchaser(s) shall be given on the first two lines of the form. If there is more than one purchaser, the conjunction "or" will not be accepted.
- The legal description of the acreage being assigned shall be given on the front side of the form. The description shall include subdivision, sections, townships, ranges and acreage amounts. It is required that the total acreage amount being assigned is written on the form.
 - If this is a partial assignment request- An additional letter explaining the reason for partial assignment, map of the area, and PLSS legal description with acreage breakdowns are required.
- The second page of the application is to be completed by Assignee(s) and signed in the presence of a notary.
- A **\$100.00 Filing Fee** must accompany this assignment. If Lessee or Assignee submits a check for this payment, Lessee or Assignee authorizes the State of New Mexico to either process the payment as a check transaction *or* use the information from the check to make a one-time electronic fund transfer from the associated bank account.
- **If multiple Purchasers exist, a Limited Power of Attorney designating one Purchaser as the legal decision-maker must accompany this assignment, along with a separate \$10.00 Filing Fee.**
- **If a Trust is listed as the purchaser, a copy of the trust shall be provided, along with a separate \$10.00 Filing Fee.**
- **If an entity such as: LLC, LLP, INC, etc. is requesting to lease. That entity is required to be registered to conduct business and in "Good Standing" with the New Mexico Secretary of State.**
- **THIS LEASE ASSIGNMENT SHALL NOT BE EFFECTIVE UNLESS APPROVED IN WRITING BY THE COMMISSIONER OF PUBLIC LANDS.**

If you have any questions, please feel free to contact our Agricultural Leasing team at

SRDleasing@nmslo.gov or (505) 827-5775.



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ASSIGNMENT OF AGRICULTURAL LEASE

TO BE COMPLETED BY THE LESSEE:

(I/We), the undersigned lessee(s), hereby assign to _____

at the following Address (one mailing address only): _____

_____, telephone: () - _____, e-mail address: _____,

all (my/our) right, title, and interest in State Agricultural Lease No. _____, and all rights to compensation for the improvements located on the leased lands, for which improvements (I/we) hereby either waive payment or acknowledge receipt of payment of full improvement value.

(I/We) acknowledge this assignment does not assign appurtenant water rights, and the transfer of water rights to the Purchaser requires a separate filing to the Office of the State Engineer with a copy of such filing to the Commissioner of Public Lands. (I/We) understand that this lease assignment results in the automatic termination of any existing sublease. State Agricultural Lease No. _____ expires on: _____. The lands covered by said lease are described as follows:

TOWNSHIP

RANGE

SECTION

SUBDIVISION

ACRES

Check here if land description attached as Exhibit A and enter the total acreage:

(Signature(s) of lessee(s) must exactly match name(s) on record. For example, if lessee's name on record is John A. Smith, lessee's signature should read John A. Smith, not J.A. Smith or J. Smith.)

Lessee Signature

Lessee Signature

Printed Name, Title *(if signing for a corporation)*

Printed Name, Title *(if signing for a corporation)*

State of

County of

This instrument was acknowledged before me this _____ day of _____, 20 _____
by _____.

(Print name(s) of person(s) acknowledged)

[Official Stamp]

Signature of notarial officer

Name:

Title:

TO BE COMPLETED BY THE ASSIGNEE:

(I/We), the undersigned lease Assignee(s), being eighteen years or more of age, do solemnly swear or affirm that (I/we) have read State Agricultural Lease No. _____, accept its terms and conditions, and agree to assume all obligations to the State as the lessee(s) of record under the said lease, which is on file with the Commissioner of Public Lands as a public record. (I/We) acknowledge this assignment does not assign appurtenant water rights.

(I/We) acknowledge that commercial sales of water for use in oil and gas drilling, development, or production is expressly prohibited. Please note that you are limited to 3 acre-feet per year on a livestock well permit.

(I/We) acknowledge that plans to cultivate, sublease, or place improvements upon this State Agricultural Lease, require a separate application from the State Land Office's Agricultural Leasing Bureau and the Commissioner's written approval.

(I/We) have reviewed and agree to comply with the State Land Office's Cultural Properties Protection Rule (19.2.24 NMAC).

Signature of Assignee

Signature of Assignee

Printed Name, Title *(if signing for corporation)*

Printed Name, Title *(if signing for corporation)*

State of

County of

This instrument was acknowledged before me this _____ day of _____, 20 _____

by _____.

(Print name(s) of person(s) acknowledged)

(Title/authority and corporation, *if applicable*)

[Official Stamp]

Signature of notarial officer

Name:

Title:

THIS LEASE ASSIGNMENT SHALL NOT BE EFFECTIVE UNLESS APPROVED IN WRITING BY THE COMMISSIONER OF PUBLIC LANDS.

Commissioner's Approval:

APPROVED IN FAVOR OF THE ABOVE-NAMED PURCHASER(S) THIS _____ DAY OF _____, 20_____.

COMMISSIONER OF PUBLIC LANDS

S-37 (Revised 1/23) APPLICATION FEE \$100.00

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.