



New Mexico State Land Office

Oil and Gas Division

# Subsurface Agreement Guidance

September 4, 2025

# Application Requirements

## Application must include:

- Subsurface agreement details (leases, wellbore, project name)
- Fee: \$250 per well
- KMZ file of wellbore or full estate activities
- Exhibit A: Cultural resource report (if Full Estate)
- Exhibit B: Surface plan
- Exhibit C: C102 and directional plan
- Exhibit D: Off-lease bore length & acreage calculation
- Exhibit E: Consent letter

# Submission Process

## Steps for submission:

- Send complete packet to Allison Marks & Joseph Thompson (OGM Division)
- Attach emailed approval response to final application
- Include payment with application submission
- Consult with OGM before submitting if multiple wells or issues with consent/acreage

# Agreement Details

## Key terms:

- Agreement width: 100' (per survey plat)
- Described in 40-acre aliquot tracts with rods & acres
- Right-of-way term: 30 years or until wells are plugged and abandoned (whichever is earlier)
- Applicant must be registered with NM Secretary of State (active & in good standing)

# Cultural and Digital Requirements

## Requirements:

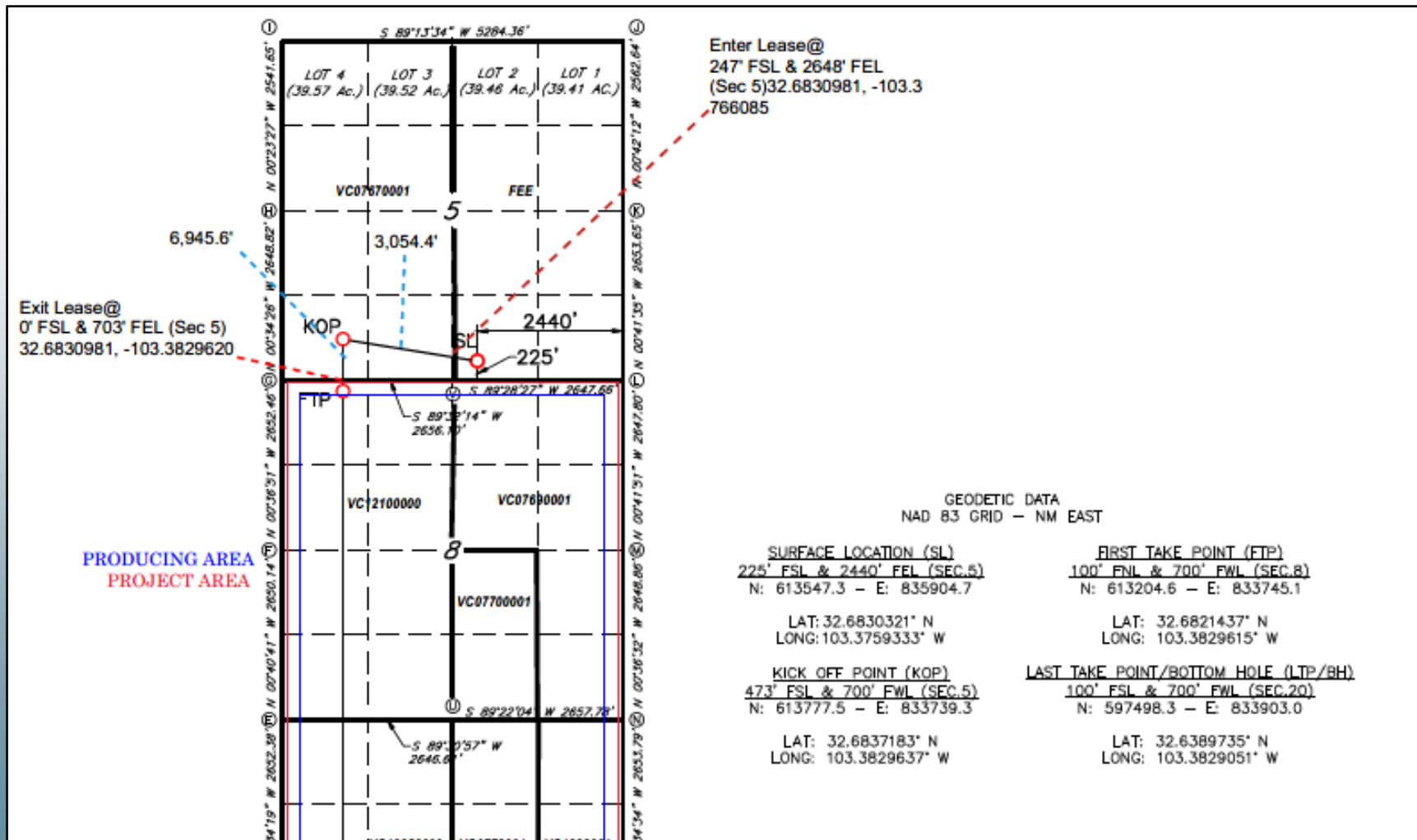
- Compliance with Cultural Properties Protection Rule (19.2.24 NMAC)
- Acknowledgment form required
- Full Estate: Archaeological review (ARMS inspection or survey)
- Digital files required: shapefiles or KMZ/KML

# Consent and Exhibits

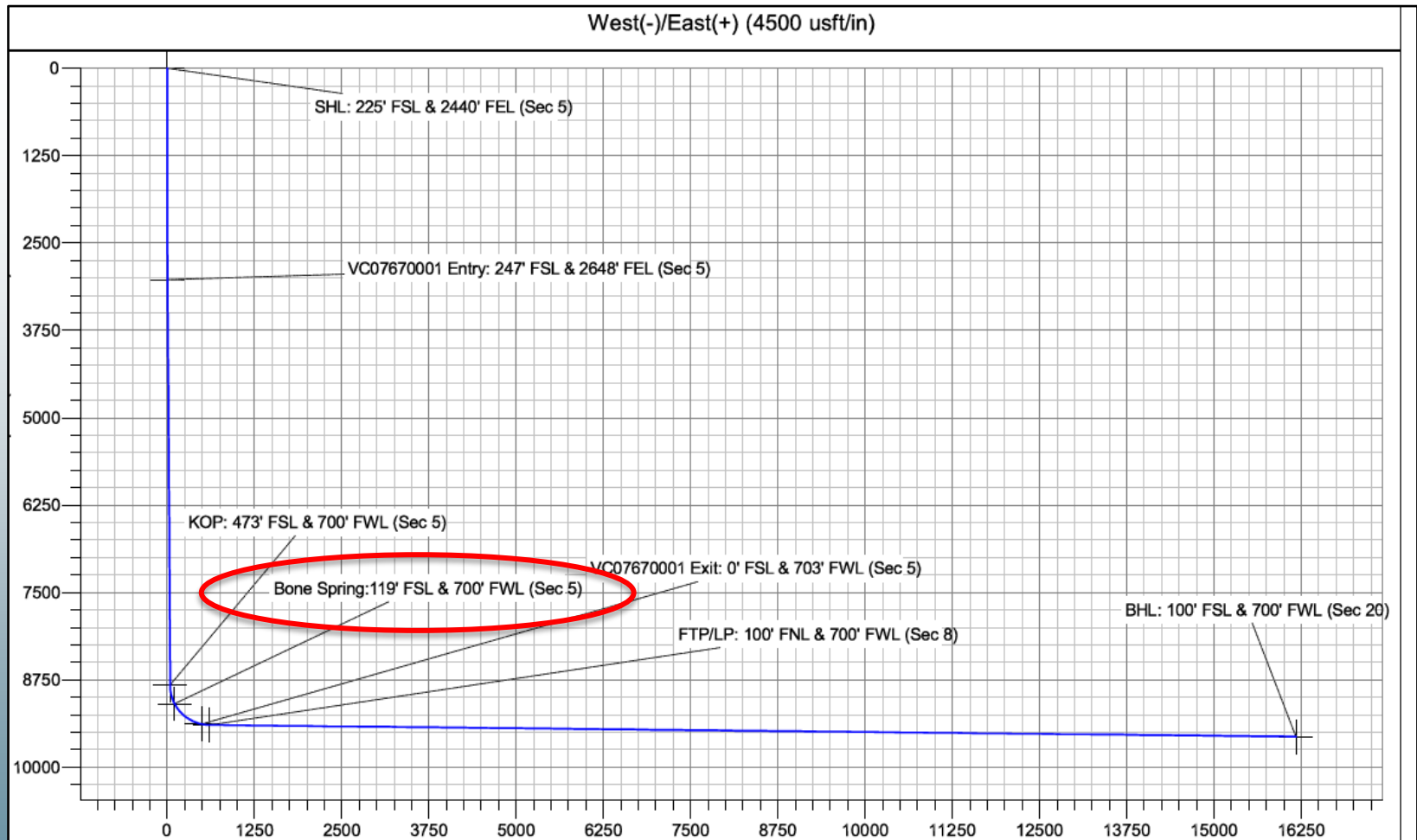
## Consent and supporting documents:

- Consent letter from Lessee of Record (Exhibit E)
- Must confirm only State Trust Land wells benefit
- Consent valid for 30 years or until wells are plugged and abandoned
- Supporting exhibits: Cultural Resources Cover Sheet, Acknowledgment Form

# Exhibit C



# Exhibit C



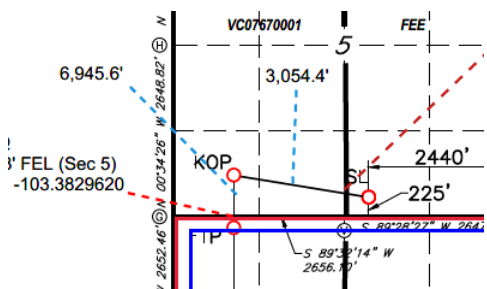


# Exhibit D

## SUBSURFACE AGREEMENT LENGTH AND FIRST ON-LEASE TAKE POINT

The table below is the calculated length or the measured distance (MD) of the well bore portion that will reside off lease.

WELL NAME	OFF LEASE MD-FT	OFF LEASE MD-ROD
The Commissioner	10,000'	606.06
TOTAL:	10,000'	606.06



10,000'/16.5'

10,000' x 30' = 300,000 sq ft/43,560

## DESCRIPTION OF SUBSURFACE AGREEMENT IN ACREAGE/ALIQUOT PARTS

WELL NAME	OFF LEASE MD-FT	SUBSURFACE AGREEMENT WIDTH-FT	SA SQ-FT	SA ACRES	ALIQUOT	SECTION	TOWNSHIP	RANGE
The Commissioner	10,000'	100'	1,000,000	22.956	SESW & SWSW	5	19S	36E

#### Subsurface Agreement Guidance – NMSLO

1. Cover letter (attached)
2. Application for Subsurface agreement (must include the language below)
  - a. Subsurface agreement for well bore onto \_\_\_\_\_ and Oil & Gas lease \_\_\_\_\_. Ultimately the wells will produce from Lease # \_\_\_\_\_ as depicted in Exhibit B & C. The well will initiate on Lease \_\_\_\_\_ as drilled it will enter into the lease \_\_\_\_\_ @ KOP the well will be turned and back into lease \_\_\_\_\_.
  - b. Project name: Well name – Subsurface agreement.
  - c. Multiple wells can be applied for with one application.  
The \$250 application fee is per well and the total number of rods will be added together for each well.
  - d. The KMZ file noted will be of the wellbore unless Full Estate. If Full Estate, KMZ will include well pad, road, and any other surface disturbing activities.
3. Exhibit A – Cultural resource report - Only required for Full Estate applications.
4. Exhibit B – Surface plan. Well site & lease road.
5. Exhibit C – C102, directional plan and plot. (example attached)
6. Exhibit D – Off-Lease well bore length and length on-lease to FTP. This is the TOTAL amount of pipe in the ground off lease, not just what is depicted on an x, y coordinate plane. The acreage needs to be calculated for the subsurface easement of the NM State Lease based on a 100' wide easement (50' on either side of the wellbore). Off Lease Measured Distance x Width of Easement / 43,560 sq ft per acre = acres. Aliquot needs to be listed as well.(example attached)
7. Exhibit E – Consent letter (example attached)

**\*The entire packet is to be emailed to Allison Marks & Joseph Thompson @ NMSLO OGM division to obtain their approval. The emailed response from OGM will be attached to the application when submitting the entire packet with payment to OGM Division.**

**\*If there are multiple wells in the area where a project is proposes, there is difficulty obtaining consent, the plans look like they may strand acreage or cause difficulty for current or future drilling, it is best to have a quick meeting with OGM first to discuss the proposal.**

Questions?