



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

ROAD MAINTENANCE AND RECLAMATION APPLICATION AND AGREEMENT

This is an agreement between the Commissioner of Public Lands of the State of New Mexico (“Lessor”) and the following Lessee:

Lessee Name (“Lessee”): _____

Lessee is the lessee of record of the following lease (“Lease”):

Lease Type: _____

Lease Number/Identifier: _____

By signing below, you acknowledge that you are either the lessee of record or a person legally authorized to sign on behalf of the Lessee.

Lessor has obtained or is obtaining the cleanup of oil and gas operations on the Lease premises, including the reclamation of roads associated with the oil and gas site(s) that is/are being decommissioned. Lessee desires to use, and therefore avoid the immediate reclamation of, the roads (“Subject Roads”) described particularly by reference to section/township/range, and/or Lat/Long coordinates; and shown visually on a reasonably detailed map, attached as Exhibit 1.

Land and Road Description

TOWNSHIP	RANGE	SECTION	SUBDIVISION

Road Coordinates

Point	Latitude (Decimal Degrees)	Longitude (Decimal Degrees)
Start of Road		
End of Road		
Road Name/ID		

“Exhibit 1” (Required) - Map of road location attached- Shown visually on a reasonably detailed map.

In exchange for Lessor's forbearance from requiring the party/parties responsible for the decommissioning of the oil and gas operations to reclaim the Subject Roads, Lessee agrees to accept responsibility, effective as of the date of Lessee's signature below, for the maintenance of those roads by performing maintenance and upkeep necessary to keep the Subject Roads in good, usable condition in accordance with Lessor's Road Rule (19.2.20 NMAC), at Lessee's cost.

In addition, unless this requirement is waived in writing by the Commissioner of Public Lands, Lessee agrees to reclaim the Subject Roads at Lessee's cost upon the earlier of (1) the expiration without renewal, or the cancellation, of the Lease; or (2) Lessee's cessation of use of the Subject Roads.

Lessee agrees not to obstruct Lessor's other authorized lessees, grantees, and permittees from using the Subject Roads.

Lessee acknowledges and understands that any widening of the existing road, or other maintenance or repair work that is outside the existing roadbed will require compliance with Lessor's Cultural Properties Protection Rule, 19.2.24 NMAC (which would require an initial desktop review, and potentially an archaeological survey, of the area of new surface disturbance).

The Undersigned Lessee(s) Consent(s) to the Foregoing Agreement.

Lessee(s)

Lessee(s)

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

Commissioner's Approval:

APPROVED THIS _____ DAY OF _____, 20_____.

COMMISSIONER OF PUBLIC LANDS