



Commissioner of Public Lands State of New Mexico

APPLICATION FOR RIGHT-OF-WAY EASEMENT

Dear Commissioner:

(Name of Applicant)

(Designated Field Contact Name)

(Street Address, City, State, Zip Code)

(Field Contact Phone Number)

(Contact Name, Phone Number)

(Field Contact Email Address)

Email Address:

hereby applies for a right-of-way easement for the construction and location of a (project description including pipeline diameter OD & quantity if applicable):

Select purpose: **Note that applications for multiple use purposes will not be accepted and must be applied for separately.

☐ Telecommunications ☐ Broadband

☐ Electrical Easement

☐ Transmission Line over 345kv

Road: ☐ NEW (or if being improved)
☐ EXISTING

☐ Pipeline (non-water)

☐ Pipeline (water)

☐ Other:

☐ FRESHWATER ☐ PRODUCED/TREATED

If freshwater is being utilized, the following questions must be answered:

What is the source?:

Is source on State Trust Land? ☐ YES ☐ NO

Whether on State Trust Land or other, what are the OSE well permit number(s)?

Is the well(s) permitted for commercial sales? ☐ YES ☐ NO

What will the freshwater be used for? Specifically?

If a pipeline is applied for, please check the following: ☐ Buried ☐ Surface ☐ P.S.I

Is this a **reissue of an existing easement**? Yes ☐ No ☐ If yes, provide NMSLO Lease #: _____

Reissue applications may qualify for streamlined processing under NMAC 19.2.10.25.

Has the **Right of Way Reissue Affirmation** been submitted with this application?: ☐ YES ☐ NO

Project Name: _____

It is requested that the right of way be _____ (must correspond to survey plat) feet wide as indicated on the attached two copies of survey maps or plats with the survey centerline shown in red and length of the right of way measured in rods. The legal description of the proposed right of way is described in aliquot 40-acre tracts (qtr/qtr breakdown) with a description of rods and acres shown in each aliquot part and a total of rods and acres included in the proposed right of way. Permission to survey is included with this application. The survey was completed within twelve months of this application and the proposed right of way has been staked and flagged. Failure to do so will result in an additional fee. It is requested that the right of way be for a term of _____ years. (**Term may not exceed 35 years.**)

Registration with NM Secretary of State: Active? ☐ In Good Standing? ☐ Business ID#: _____

Bonding Requirements:

In accordance with 19.2.10.18, one of the following is enclosed to cover payment for damages that might occur to the state land improvements of a surface lessee: (**Bond may be in the form of a Surety Bond or Cash Bond.**)

☐ Single improvement damage surety bond in the amount of \$5,000.00. Bond #: _____

☐ Blanket improvement damage surety bond in the amount of \$25,000.00. Bond #: _____

☐ Cash damage improvement bond submitted in the amount of \$ _____.

☐ Single surety produced/treated water reclamation bond in the amount of \$25,000.00. Bond #: _____

☐ Blanket surety produced/treated water reclamation bond in the amount of \$250,000.00. Bond #: _____

☐ Applicant requests that the bond amount for damages to the trust lands be reduced or waived by the Commissioner.

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.

Digital Files for Project:

Digital information of your project's location is required. Acceptable formats: shapefiles (ESRI shape files preferred) or kml/kmz files. Yes ☐ No ☐

****Note that shape files must include the proposed route's centerline, Additional Temporary Workspaces, surface sites, etc. as well as a one-mile buffer layer.**

Karst Requirements:

Does the project area lie in an area of medium or high/critical karst concern? Yes ☐ No ☐

If yes, has a karst survey been conducted by an approved karst expert and submitted with this application? Photos/Surveys/Shape Files submitted to karst@nmslo.gov? Yes ☐ No ☐

****High/critical karst areas require the survey to be submitted at time of application. Shape files must be available upon request. Low/Medium karst areas highly recommend karst surveys but not required.**

Digital Shape Files Custodian (project & karst)-name if other than the applicant: _____

Email: _____ Phone Number: _____

Payment Information:

Pursuant to New Mexico State Land Office fee schedule, enclosed is a check in the amount of \$_____ for _____ rods (16.5 feet) at _____ per rod, plus **\$250.00** application fee.

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.

***Note that payment of rental is not required to begin processing, minimum \$250.00 application fee is required. The Rights of Way Bureau will determine the amount of rental due prior to execution of lease.**

Applicant Signature

Signature of Authorized Agent/Natural Person
(must be signed here & notarized on the following page)

Agent name and address:
(**Letter of Authorization attached**)

Print Name of Attorney in Fact or Authorized Agent

Title:

Phone number

Email Address

NOTE: Agents authorized to sign on behalf of a company or corporation should use this notary block.
****All agents must have an agent authorization on file with the ROW Bureau****

ACKNOWLEDGMENT

STATE OF)
) ss.
COUNTY OF)

The foregoing instrument was acknowledged before me this _____ day of
_____, 20____, by _____,
(Name of Authorized Signatory or Natural Person) *(Title)*

of _____, a _____
(Name of Corporation if applicable) *(State of Incorporation if applicable)*

corporation, on behalf of said corporation.

My Commission Expires:

NOTARY PUBLIC