

**TITLE 19        NATURAL RESOURCES AND WILDLIFE**  
**CHAPTER 2      STATE TRUST LANDS**  
**PART 7          RELATING TO GEOTHERMAL RESOURCES LEASES**

**19.2.7.1        ISSUING AGENCY:** Commissioner of Public Lands, New Mexico State Land Office, 310 Old Santa Fe Trail, P. O. Box 1148, Santa Fe, New Mexico 87501, Phone: (505) 827-5713.  
[12/31/1999; 19.2.7.1 NMAC - Rn, 19 NMAC 3. SLO 7.1, 9/30/2002]

**19.2.7.2        SCOPE:** This rule pertains to all geothermal resources on those lands held in trust by the commissioner of public lands under the terms of the Enabling Act and subsequent legislation (trust lands). This rule governs the lessees of such trust lands entered into subsequent to the date of this rule.  
[12/31/1999; 19.2.7.2 NMAC - Rn, 19 NMAC 3. SLO 7.2, 9/30/2002]

**19.2.7.3        STATUTORY AUTHORITY:** The commissioner's authority to manage the trust lands is found in N.M. Const., Art. XIII, and in Section 19-1-1 NMSA 1978. The authority to promulgate this rule is found in Section 19-1-2 NMSA 1978.  
[12/31/1999; 19.2.7.3 NMAC - Rn, 19 NMAC 3. SLO 7.3, 9/30/2002]

**19.2.7.4        DURATION:** Permanent.  
[12/31/1999; 19.2.7.4 NMAC - Rn, 19 NMAC 3. SLO 7.4, 9/30/2002 ]

**19.2.7.5        EFFECTIVE DATE:** January 20, 1984, unless a later date is cited at the end of a section.  
[12/31/1999; 19.2.7.5 NMAC - Rn, 19 NMAC 3. SLO 7.5, 9/30/2002; A, 6/30/2016]

**19.2.7.6        OBJECTIVE:** The objective of 19.2.7 NMAC is to provide for the orderly and lawful administration and the appropriate development of geothermal resources on trust lands.  
[12/31/1999; 19.2.7.6 NMAC - Rn, 19 NMAC 3. SLO 7.6, 9/30/2002]

**19.2.7.7        DEFINITIONS:** The following terms as used in this rule shall have the meaning here indicated, unless otherwise clearly stated in the text:

**A.        "Geothermal resources"** - The natural heat of the earth or the energy, in whatever form, below the surface of the earth present in, resulting from, or created by, or which may be extracted from this natural heat and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gasses, and steam, in whatever form, found below the surface of the earth, but excluding oil, hydrocarbon gas and other hydrocarbon substances.

**B.        "Lessee"** - The original geothermal lessee and the assignee of an assignment duly approved and recognized by the commissioner pursuant to 19.2.7.29 NMAC through 19.2.7.36 NMAC.

**C.        "Land"** - Includes all land owned by the state, all land owned by school districts, beds of navigable navigable rivers and lakes, submerged lands, and lands in which mineral rights have been reserved to the state.

**D.        "Legal subdivision"** – Legal subdivision as used and recognized by the general land office of the United States and the New Mexico state land office, ordinarily consisting of forty (40) acres, more or less, or one-sixteenth (1/16) part of a standard section, including lots as designated by the U.S. survey plats.

**E.        "Contiguous"** - Adjoining and having at least one (1) common side or boundary.

**F.        "Tract books"** - That set of tract books kept and maintained at the New Mexico state land office.

**G.        "Person"** - Individual or corporation, but does not include partnership or any other unincorporated association.

**H.        "Lease"** - A lease for the extraction and removal of geothermal resources from state trust lands.

**I.        "Well"** - Any well for the discovery of geothermal resources, or any well on lands producing geothermal resources or reasonably presumed to contain geothermal resources.

**J.        "Schedule of fees"** - A list of fees that must be paid for performance of certain administrative functions. The schedule of fees shall be published on the state land office website and is subject to change at the discretion of the commissioner. Unless otherwise noted in the schedule of fees or in this rule, the fee shall be non-refundable.

[12/31/1999; 19.2.7.7 NMAC - Rn, 19 NMAC 3. SLO 7.7, 9/30/2002; A, 6/30/2016]

**19.2.7.8 APPLICATION FOR LEASE:** State trust lands may be leased only upon application made to the commissioner in a manner prescribed in these rules and under the Geothermal Resources Act of 1967. [12/31/1999; 19.2.7.8 NMAC - Rn, 19 NMAC 3. SLO 7.8, 9/30/2002]

**19.2.7.9 LANDS SUBJECT TO LEASE:** Application to lease will be considered only for such lands as may be shown to be open upon the tract books of the New Mexico state land office or for those for which existing leases have been officially canceled or have expired and such action noted on the mineral tract books of the New Mexico state land office. Lands of other school districts or state agencies shall be available for leasing only after written request by the governing board of public officials having ordinary jurisdiction of such lands. [12/31/1999; 19.2.7.9 NMAC - Rn, 19 NMAC 3. SLO 7.9, 9/30/2002]

**19.2.7.10 FORMAL REQUIREMENTS FOR APPLICATIONS:**

**A.** Each application for lease shall be made with ink, or with typewriter using a record ribbon, in duplicate, upon forms to be prescribed by the commissioner, which application shall be acknowledged before an officer authorized to administer oaths, shall be accompanied by the application fee as set forth in the schedule of fees, which fee shall not be refunded, and shall be accompanied by the amount of the first (1st) year's rental and bonus offered, if any such bonus is offered, together with an appraisal of the value of the land for geothermal lease purposes made under oath by some disinterested party who is familiar therewith.

**B.** A separate check or other remittance covering the fee, rentals and bonus, if any, shall be submitted with each separate application to which applicable; however, the commissioner may waive this requirement when extreme hardship to the applicant would otherwise result.

[12/31/1999; 19.2.7.10 NMAC - Rn, 19 NMAC 3. SLO 7.10, 9/30/2002; A, 6/30/2016]

**19.2.7.11 APPLICATIONS WITHOUT DEPOSIT REJECTED:** Applications not accompanied by the proper fees, money or deposit, shall immediately be stamped "Rejected, No Deposit" and shall not be deemed a proper application. In computing proper rental to be due in this connection, the acreage as shown on the New Mexico state land office tract books shall be the basis. Rentals for application purposes are to be computed at the minimum rate of one dollar (\$1.00) per acre or fraction thereof, unless otherwise specified by the commissioner. [12/31/1999; 19.2.7.11 NMAC - Rn, 19 NMAC 3. SLO 7.11, 9/30/2002]

**19.2.7.12 SEPARATE APPLICATIONS:** Separate applications shall be made for each lease and application shall be deemed for all acreage listed thereon or for that part thereof as may be available for leasing. If an application covers more than two thousand five hundred sixty (2,560) acres, or if all legal subdivisions applied for are not contiguous, the application shall be rejected; provided, however, if an application covers less than six hundred forty (640) acres, or if all legal subdivisions are not contiguous, the application shall be rejected; provided, however, a lease, or leases, may be issued covering less than six hundred forty (640) acres if the subdivision or parcel is isolated from and not contiguous with other parcels available for lease. An application which covers less than a legal subdivision or less than an entire parcel in the case of a navigable river or lake bed shall be rejected. [12/31/1999; 19.2.7.12 NMAC - Rn, 19 NMAC 3. SLO 7.12, 9/30/2002]

**19.2.7.13 MISCELLANEOUS LANDS:** Lands of other state agencies or school districts (other than state trust lands or escheat lands under the direct control of the commissioner) shall be leased only after the agency or body controlling same has made request in writing to the commissioner to make same available for leasing and after such lands have been posted to the mineral tract books as herein provided. Premature applications covering such lands shall be rejected. Lands sold prior to July 17, 1967, with minerals reserved, shall be leased only after consultation with the surface patentee or contract purchaser. In addition, in the event the lessee's operation will involve appropriation of water, which is under the jurisdiction of the state engineer, written permission of the state engineer will be required before operations can commence. A copy of the written authorization of the state engineer to appropriate water shall be filed with the commissioner before water is appropriated. [12/31/1999; 19.2.7.13 NMAC - Rn, 19 NMAC 3. SLO 7.13, 9/30/2002]

**19.2.7.14 ONE (1) APPLICANT:** If more than one (1) person shall sign an application, the first (1st) name appearing thereon shall be considered as the bona fide applicant and the lease shall issue only in the name first listed. Such person only will be recognized by the commissioner as the lessee and sole record holder. This Rule specifically applies to cases of partnerships and other unincorporated associations; however, said agreements defining and setting out the various interests of other parties in the lease may be filed with the commissioner as

miscellaneous instruments, and when so filed shall constitute constructive notice to the world of the existence and the contents thereof; provided, however, that the commissioner shall look solely and only to the lessee record holder for compliance with the terms and conditions of the lease, and the commissioner shall not be a necessary party to any dispute or controversy arising out of or because of such side agreement. Notices hereunder and under the Geothermal Resources Act required to be given to the lessee by the commissioner shall be sufficient if mailed to the record lessee.

[12/31/1999; 19.2.7.14 NMAC - Rn, 19 NMAC 3. SLO 7.14, 9/30/2002]

**19.2.7.15 PRIORITY OF APPLICANTS - LIMITATIONS:** A prior application, if submitted in accordance with these rules and if in proper form, shall ordinarily be given a preference right to lease; provided, however, that neither this provision nor any other provision or combination of provisions contained in these rules shall ever be construed to limit the power of the commissioner to withhold at any time any tract or tracts from leasing for geothermal resources purposes, if in the commissioner's opinion the best interests of the trust, or the state agency involved would be served by so doing, and no such provision or provisions shall ever be construed so as to prohibit the commissioner from rejecting any application at any time prior to approval and issuance of lease, and to offer said tract or tracts for lease at public auction as provided in 19.2.7.21 NMAC through 19.2.7.26 NMAC, inclusive.

[12/31/1999; 19.2.7.15 NMAC - Rn, 19 NMAC 3. SLO 7.15, 9/30/2002; A, 6/11/2019]

**19.2.7.16 APPLICATION BY MAIL - SIMULTANEOUS APPLICANTS:**

**A.** Applications received in the same delivery of open mail shall be deemed to have been filed simultaneously and shall be stamped as of the date and hour delivery was made to the New Mexico state land office.

**B.** When newly acquired acreage is posted to the tract books, or when open acreage is designated upon the tract books to be open acreage after having been previously leased or withdrawn from leasing by the commissioner, all applications for lease filed thereon within three (3) New Mexico state land office work days after such posting or designating, shall be considered as simultaneous applications.

**C.** In computing the time, the day of relinquishment, expiration, posting or designation shall be disregarded.

[12/31/1999; 19.2.7.16 NMAC - Rn, 19 NMAC 3. SLO 7.16, 9/30/2002]

**19.2.7.17 DISPOSAL OF SIMULTANEOUS APPLICATIONS:** When simultaneous applications for lease are filed for the same lands, they may be disposed of in either of the following methods, as the commissioner may decide:

**A.** by submission of amended applications by the applicant in which case preference will be given to the applicant offering the highest bonus; or

**B.** by rejecting all applications and offering the lands for lease at public auction in the manner provided in 19.2.7.21 NMAC through 19.2.7.26 NMAC, inclusive.

[12/31/1999; 19.2.7.17 NMAC - Rn, 19 NMAC 3. SLO 7.17, 9/30/2002]

**19.2.7.18 COMMISSIONER MAY WITHHOLD LAND FROM LEASING - POSTING TO TRACT BOOK:**

The commissioner, at the commissioner's discretion, may at any time either before or after application is made, withhold any tract, subdivision or parcel of land from leasing, if in the commissioner's opinion the best interest of the trust would be served. Immediately after making determination to withhold any tract or tracts, the commissioner shall reject any and all pending applications and enter a proper notation upon the tract books, indicating the action taken and the date thereof. If and when thereafter the commissioner shall determine said lands again to be open for leasing, the commissioner shall enter a notation on the tract books to that effect, and the provisions of 19.2.7.16 NMAC (three day rule) shall apply from the date of said notation. Provided, further, that should the commissioner so determine said lands again to be open for leasing within six months from the date of withdrawal, the commissioner shall give 15 days advance written notice to all previously rejected applicants, if any.

[12/31/1999; 19.2.7.18 NMAC - Rn, 19 NMAC 3. SLO 7.18, 9/30/2002; A, 6/11/2019]

**19.2.7.19 APPLICANTS REJECTED - LEASE AUCTIONED:** The commissioner may, at the commissioner's discretion, reject any pending application for lease and offer the acreage embraced therein for lease upon competitive bidding by sealed bids or at public auction to the bidder offering the highest bonus in addition to the minimum annual rentals as set by the commissioner.

[12/31/1999; 19.2.7.19 NMAC - Rn, 19 NMAC 3. SLO 7.19, 9/30/2002; A, 6/11/2019]

**19.2.7.20 KNOWN GEOTHERMAL FIELDS:** Lands classified as "known geothermal fields" as provided in Section 6 of the Geothermal Resources Act (Section 19-13-6 NMSA 1978) shall be withdrawn, such withdrawal posted to the tract books, and such lands shall be leased at public auction only as provided in 19.2.7.18 NMAC, 19.2.7.19 NMAC, and 19.2.7.21 NMAC through 19.2.7.26 NMAC, inclusive.  
[12/31/1999; 19.2.7.20 NMAC - Rn, 19 NMAC 3. SLO 7.20, 9/30/2002]

**19.2.7.21 PUBLIC AUCTION SALE DATE:** Regular lease sales will ordinarily be held on the third (3rd) Thursday of each month, or on the next business day following where the third (3rd) Thursday falls on a holiday. Special sales may also be held on other dates at the discretion of the commissioner.  
[12/31/1999; 19.2.7.21 NMAC - Rn, 19 NMAC 3. SLO 7.21, 9/30/2002]

**19.2.7.22 NOTICE OF SALE POSTED - SEALED OR ORAL BIDS:** Before any regular or special sale shall be held, the commissioner shall post in a conspicuous place in the New Mexico state land office, not less than ten (10) days before the date of the sale, a notice of same, specifying the place, date and hour of the sale, and containing a description of the lands to be offered for lease and indicating whether the sale is to be by sealed bids or at oral public auction.  
[12/31/1999; 19.2.7.22 NMAC - Rn, 19 NMAC 3. SLO 7.22, 9/30/2002]

**19.2.7.23 SEALED BIDS PROCEDURE:** In the event the sale is to be by sealed bids, bids will be received up to the hour set in the notice of sale, and all bids submitted will be opened at the appointed hour, and the lease will be awarded to the highest bidder, subject to the right of the commissioner to reject all bids if the commissioner shall deem the bids too low or shall deem it in the best interest of the trust to do so. In the event of such rejection, the action taken, the date and hour thereof, and reason therefor, shall be indicated on the tract books, in the same manner as provided in 19.2.7.18 NMAC. Sealed bids will be accompanied by remittance covering application fee, first year's rental and bonus offered.  
[12/31/1999; 19.2.7.23 NMAC - Rn, 19 NMAC 3. SLO 7.23, 9/30/2002; A, 6/11/2019]

**19.2.7.24 ORAL BIDS - PROCEDURE:** In the event sale is by public auction, the successful bidder will be required to pay the filing fee as set forth in the schedule of fees, the first (1st) year's rental and bonus offered on or before close of business on the date of sale.  
[12/31/1999; 19.2.7.24 NMAC - Rn, 19 NMAC 3. SLO 7.24, 9/30/2002; A, 6/30/2016]

**19.2.7.25 WHERE NO BIDS RECEIVED:** If no bids are received for any tract described in the notice, said tract shall be considered as withdrawn until further notice and proper notations made upon the mineral tract books.  
[12/31/1999; 19.2.7.25 NMAC - Rn, 19 NMAC 3. SLO 7.25, 9/30/2002]

**19.2.7.26 TIE BIDS:** In the event the sale is by sealed bid and in the event two (2) or more highest bids are received for the same tract, offering the same bonus, the lease shall be disposed of by submission of amended applications by the applicants, in which case preference will be given to the applicant offering the higher bonus.  
[12/31/1999; 19.2.7.26 NMAC - Rn, 19 NMAC 3. SLO 7.26, 9/30/2002]

**19.2.7.27 FORMS:** Leases are to be made upon forms prescribed and furnished by the commissioner.  
[12/31/1999; 19.2.7.27 NMAC - Rn, 19 NMAC 3. SLO 7.27, 9/30/2002]

**19.2.7.28 LIMITATIONS OF ACREAGE:** No person, association or corporation shall take, hold, own or control any interest, direct or indirect, in state geothermal resources leases exceeding fifty-one thousand two hundred (51,200) acres.  
[12/31/1999; 19.2.7.28 NMAC - Rn, 19 NMAC 3. SLO 7.28, 9/30/2002]

**19.2.7.29 LIMITATIONS ON ASSIGNMENTS - MANNER OF EXECUTION:** Subject to such conditions as the commissioner may require, leases may be assigned in whole or in part; however, no assignment of an undivided interest in a lease or any part thereof, or any assignment of less than a legal subdivision or tract shall be recognized or approved by the commissioner. Such assignments shall be executed and acknowledged in the same manner prescribed for conveyance of real estate and shall be filed in triplicate with the commissioner. One (1) copy

shall be recorded permanently, another filed, and the third (3rd) copy returned to the assignee. The approval of the commissioner shall be noted upon all copies.

[12/31/1999; 19.2.7.29 NMAC - Rn, 19 NMAC 3. SLO 7.29, 9/30/2002]

**19.2.7.30 FORMS AND FEE:** All assignments shall be upon forms prescribed and furnished by the commissioner which shall recite, among other things, the consideration paid for the assignment. The fee for filing shall be as set forth in the schedule of fees.

[12/31/1999; 19.2.7.30 NMAC - Rn, 19 NMAC 3. SLO 7.30, 9/30/2002; A, 6/30/2016]

**19.2.7.31 REFUSAL AND CONDITIONS:** The commissioner may refuse to approve any assignment and may condition the commissioner's approval on such additional terms and compensation as the commissioner may deem in the best interests of the trust.

[12/31/1999; 19.2.7.31 NMAC - Rn, 19 NMAC 3. SLO 7.31, 9/30/2002; A, 6/11/2019]

**19.2.7.32 EFFECT OF COMMISSIONER'S APPROVAL - MISCELLANEOUS INSTRUMENTS:**

Upon approval of the commissioner, the assignor shall be relieved from all obligations owing to the state of New Mexico with respect to the lands embraced in the assignment, and the state shall likewise be relieved from all obligations to the assignor as to the said lands, and the assignee shall succeed to all the rights and privileges of the assignor and assumes all of the duties and obligations of the assignor as to the said lands; provided, however, any record owner of any lease may enter into any contract for the development of the leasehold premises or any portion thereof, or may create overriding royalties or obligations payable out of production, or enter into any agreements with respect to the development or operation of the leasehold premises. It shall not be necessary for any such contracts, agreements or other instruments to be approved by the commissioner, but nothing contained in these rules shall relieve the record title owner of such lease from complying with any of the terms or provisions thereof, and the commissioner shall look solely and only to such record owner for compliance therewith, and in any controversy respecting any such contracts, agreements or other instruments, the commissioner shall not be a necessary party. All such contracts, agreements and other instruments may be filed either in the office of the commissioner or recorded in the office of the county clerk wherein the lands are situated, and the filing and recording thereof shall constitute notice to the world of the existence and the contents thereof, except as to the commissioner. The fee for filing such miscellaneous instruments with the commissioner shall be as set forth in the schedule of fees.

[12/31/1999; 19.2.7.32 NMAC - Rn, 19 NMAC 3. SLO 7.32, 9/30/2002; A, 6/30/2016]

**19.2.7.33 EFFECT OF ASSIGNMENT ON PRODUCTION:** When any assignment of a portion of the lease shall be approved by the commissioner, the assigned and the retained portions of the lease shall be treated and considered as separate leases for the purpose of determining whether the lessee or lessees have a right of renewal for succeeding five (5) year terms, and also for the purpose of bonding as provided in 19.2.7.37 NMAC, 19.2.7.38 NMAC, and 19.2.7.39 NMAC.

[12/31/1999; 19.2.7.33 NMAC - Rn, 19 NMAC 3. SLO 7.33, 9/30/2002]

**19.2.7.34 ASSIGNMENTS TO BE RECORDED IN NEW MEXICO STATE LAND OFFICE:**

Assignments must be accompanied by the filing fee as set forth in the schedule of fees and filed with the commissioner within one hundred (100) days after having been signed by the assignor as shown upon the face of the instrument and not from the date of acknowledgment. Those presented after expiration of that time shall not be approved unless it can be shown to the satisfaction of the commissioner that extreme hardship will result to one (1) or more of the parties and that no prejudice to the rights of the state of New Mexico will occur. An additional fee as set forth in the schedule of fees will be charged for each such assignment (or each group of assignments, if the same basic facts are involved) to cover expense of investigation and records search.

[12/31/1999; 19.2.7.34 NMAC - Rn, 19 NMAC 3. SLO 7.34, 9/30/2002; A, 6/30/2016]

**19.2.7.35 RESIDENT DECEDENT'S LEASE:** To effect transfer of an interest in a lease owned by a deceased resident of New Mexico, proper probate proceedings must be had in accordance with the New Mexico Probate Code, and certified copies of such proceedings showing proper legal authority to transfer must be filed with the commissioner.

[12/31/1999; 19.2.7.35 NMAC - Rn, 19 NMAC 3. SLO 7.35, 9/30/2002]

**19.2.7.36 FOREIGN DECEDENT:** In the event a decedent owner of a lease was a resident of a state other than New Mexico, the estate must be probated in the state of such residence and ancillary proceedings conducted in the proper New Mexico court, and certified copies of such proceedings showing proper legal authority to transfer must be filed with the commissioner. Provided, however, where the decedent died on or after July 1, 1976, the lease may be transferred upon the foreign personal representative's compliance with the provisions of the New Mexico Probate Code.

[12/31/1999; 19.2.7.36 NMAC - Rn, 19 NMAC 3. SLO 7.36, 9/30/2002]

**19.2.7.37 SURETY TO PROTECT SURFACE LESSEE WAIVERS:**

**A.** Before any lessee shall commence development or operations, including any and all prospecting activities upon the lands, such lessee shall execute and file with the commissioner a sufficient bond or other surety, in an amount to be fixed by the commissioner, but not less than five thousand dollars (\$5,000.00), in favor of the state of New Mexico, for the benefit of the state, its contract purchaser, patentee, or surface lessee, to secure payment for any damages to the leased land or tangible improvements upon the leased land as may be suffered by reason of development and operations upon the land by the lessee.

**B.** The bond may be either a corporate or individual surety bond and such sureties may be required to furnish proof that their net worth free and clear of all indebtedness or claims equals or exceeds the amount of the obligation. In lieu of said bond, with the commissioner's consent, the lessee may file with the commissioner a waiver of bond or other surety duly executed and acknowledged by the applicable surface owner or holders owning improvements.

[12/31/1999; 19.2.7.37 NMAC - Rn, 19 NMAC 3. SLO 7.37, 9/30/2002]

**19.2.7.38 PERFORMANCE SURETY:** Before a lease shall issue, the lessee shall file with the commissioner a bond or other surety in an amount to be set by the commissioner which the commissioner deems necessary to guarantee payment of royalties to become due the state of New Mexico. With the approval of the commissioner, in lieu of separate surface improvement damage and performance bonds, a twenty-five thousand dollar (\$25,000.00) bond or other surety may be used at the option of lessee for the use and benefit of the commissioner, to secure surface improvement damage and the performance of the lessee as lessee under one or more state leases or permits for minerals, oil and gas, coal or geothermal resources, or as holder under one or more state rights of way or easements which the lessee has executed with the commissioner. The lessee will be obligated to perform and keep all terms, covenants, conditions and requirements of all state leases for minerals, oil and gas, coal or geothermal resources, and of all state rights of way and easements executed with the commissioner, including the payment of royalties when due and compliance with all established mining plans and reclamation requirements.

[12/31/1999; 19.2.7.38 NMAC - Rn, 19 NMAC 3. SLO 7.38, 9/30/2002; A, 6/11/2019]

**19.2.7.39 FORMS:** Forms for all bonds are prescribed and furnished by the commissioner.

[12/31/1999; 19.2.7.39 NMAC - Rn, 19 NMAC 3. SLO 7.39, 9/30/2002]

**19.2.7.40 ROYALTY REPORTS:** Lessees shall file royalty reports as such times and upon forms as may be prescribed by the commissioner.

[12/31/1999; 19.2.7.40 NMAC - Rn, 19 NMAC 3. SLO 7.40, 9/30/2002]

**19.2.7.41 [RESERVED]**

[12/31/1999; 19.2.7.41 NMAC - Rn, 19 NMAC 3. SLO 7.41, 9/30/2002]

**19.2.7.42 COLLATERAL ASSIGNMENTS OF LEASES:** Collateral assignments of leases shall be filed in duplicate upon forms provided by the commissioner together with the filing fee as set forth in the schedule of fees.

[12/31/1999; 19.2.7.42 NMAC - Rn, 19 NMAC 3. SLO 7.42, 9/30/2002; A, 6/30/2016]

**19.2.7.43 CO-OPERATIVE OR UNITIZED DEVELOPMENT FOR OPERATION OF LEASES:** The commissioner may, after public hearing, approve cooperative or unit development for operation of leases under the provisions of Section 14 of the Geothermal Resources Act (Section 19-13-14 NMSA 1978) upon the commissioner's determining that such will be in the interest of conservation of geothermal resources and where the commissioner finds such would be to the best interests of the trust or the agency with jurisdiction over the lands involved.

[12/31/1999; 19.2.7.43 NMAC - Rn, 19 NMAC 3. SLO 7.43, 9/30/2002; A, 6/11/2019]

**19.2.7.44 [RESERVED]**

[12/31/1999; 19.2.7.44 NMAC - Rn, 19 NMAC 3. SLO 7.44, 9/30/2002; Repealed, 6/30/2016]

**HISTORY OF 19.2.7 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the State Records Center and Archives under:

CPL 69-5, Rules and Regulations Concerning the Sale, Lease, and Other Disposition of State Trust Lands, filed 9/02/1969;

CPL 71-2, filed 12/16/1971;

CPL 77-1, filed 1/07/1977;

Rule 7, Rules and Regulations Relating to Geothermal Resources Leases, filed 3/11/1981;

SLO Rule 7, filed 1/20/1984;

SLO Rule 7, Amendment No. 1, filed 6/16/1995.

**History of Repealed Material: [RESERVED]**