



New Mexico State Land Office

Land Commissioner Aubrey Dunn



Overview of the State Land Office

- Responsible for administering 9 million acres of surface and 13 million acres of subsurface estate for the beneficiaries of the state land trust, which includes schools, universities, hospitals and other important public institutions.
- SLO seeks to optimize revenues while protecting the health of the land for future generations.
- By leasing state trust land for a wide array of uses, the State Land Office generates hundreds of millions of dollars each year to support these beneficiaries.



How Land Management Began

- **Thomas Jefferson** proposed the public land survey system that is used today.
- This system incorporates a land survey that uses a mathematical rectangular grid applied to the land area. The grid designation was based on a standard unit marker placed on the ground.
- This was the basis of the General Land Ordinance of 1785, which established the present land survey system and charted Western History of the US.





What is State Trust Land?



6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Land Endowment by Township
Township=36 Sections/Section=1 square mile



Why Are There State Trust



Schools



Hospitals



Universities



Other
Institutions



How Did We Get the Land?

➤ ***Organic Act of 1850:***

- Bestowed Sections 16 and 36 for the benefit of the Common Schools

➤ ***Ferguson Act of 1898:***

- Designated the Commissioner of Public Lands to oversee the Trust
- Established specific Beneficiaries, including Universities, Hospitals, and Penitentiary, Charitable & Reform Institutions

➤ ***Enabling Act of 1910:***

- Added Sections 2 and 32 for the benefit of Trust beneficiaries

➤ ***In Lieu Lands***

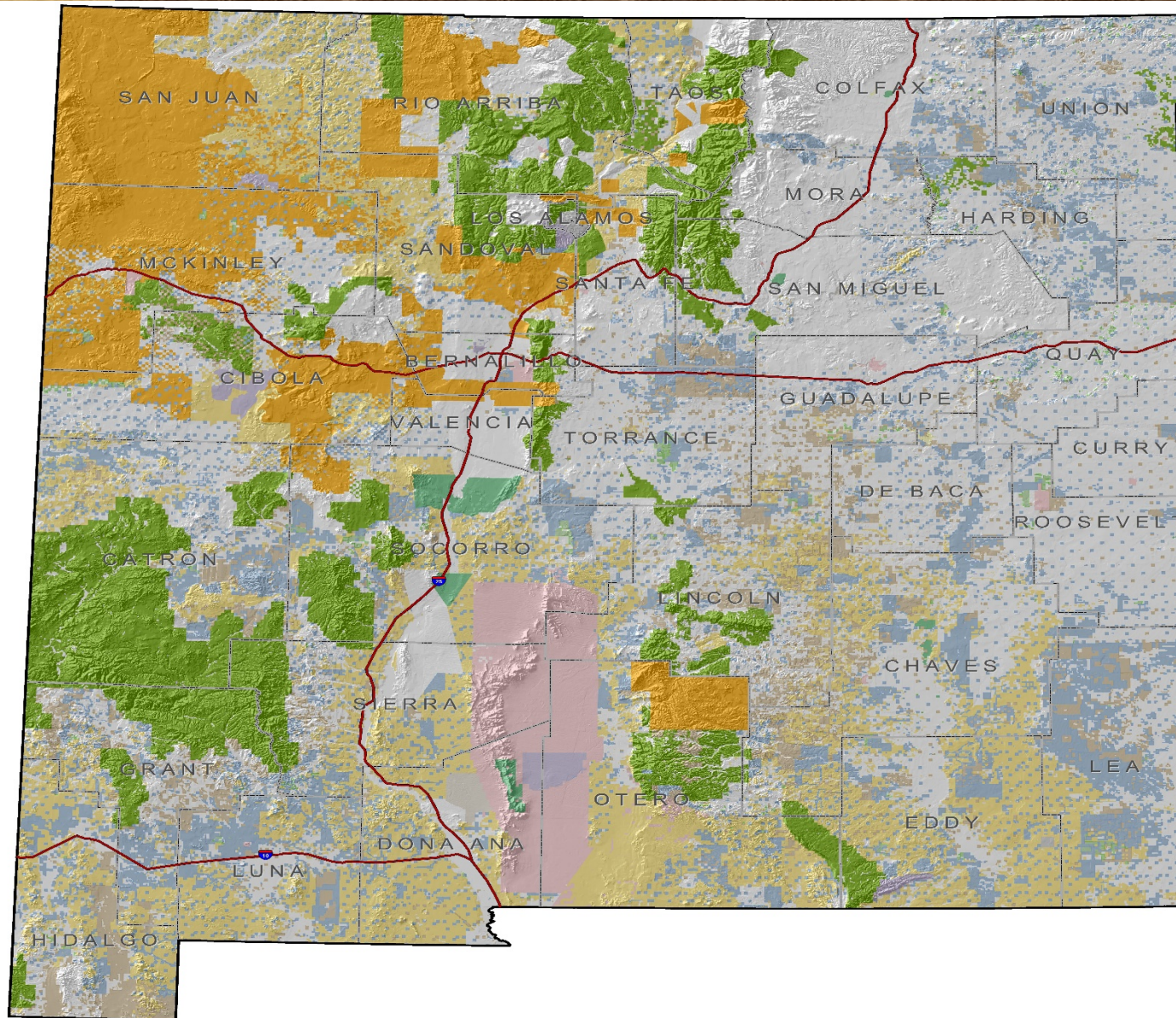
- Due to Forest Reserves, Spanish Land Grants & Native American Lands

➤ ***Quantity Grants***

- Specific Land for the Benefit of Specific Beneficiaries



NM Land Status Map



- NMSLO Trust Lands**
- Surface Estate
 - Subsurface Estate
 - Surface and Subsurface Estates
- Federal Surface Management**
- Bureau of Land Management
 - Bureau of Reclamation
 - Department of Agriculture
 - Department of Defense
 - Department of Energy
 - USDA Forest Service
 - Fish and Wildlife Service
 - Bureau of Indian Affairs/Tribes
 - National Park Service





Beneficiaries

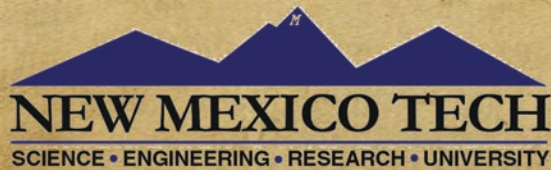
Public (Common) Schools



New Mexico Boys' School



New Mexico School for the Blind and Visually Impaired



Carrie Tingley Hospital



Las Vegas Behavioral Health Institute



- Capital Buildings
- Charitable Penal and Reform
- Penitentiary of New Mexico
- Rio Grande Improvements
- Saline Lands, UNM



How Does State Trust Land Make Money?

\$739.5 Million FY2015

**Commercial,
Grazing, Wind/
Solar, and other
uses
4%**



**Oil, Gas and
Minerals
96%**



Income Producing Divisions



State Land Office



Field Operations



Oil, Gas & Mineral Resources



Commercial Resources



Agriculture & Grazing



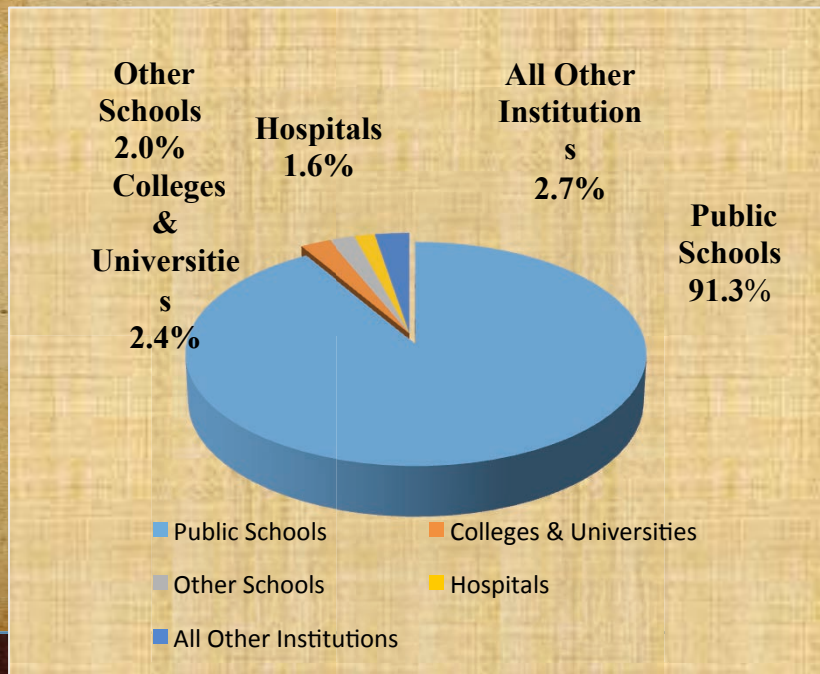
Rights of Way



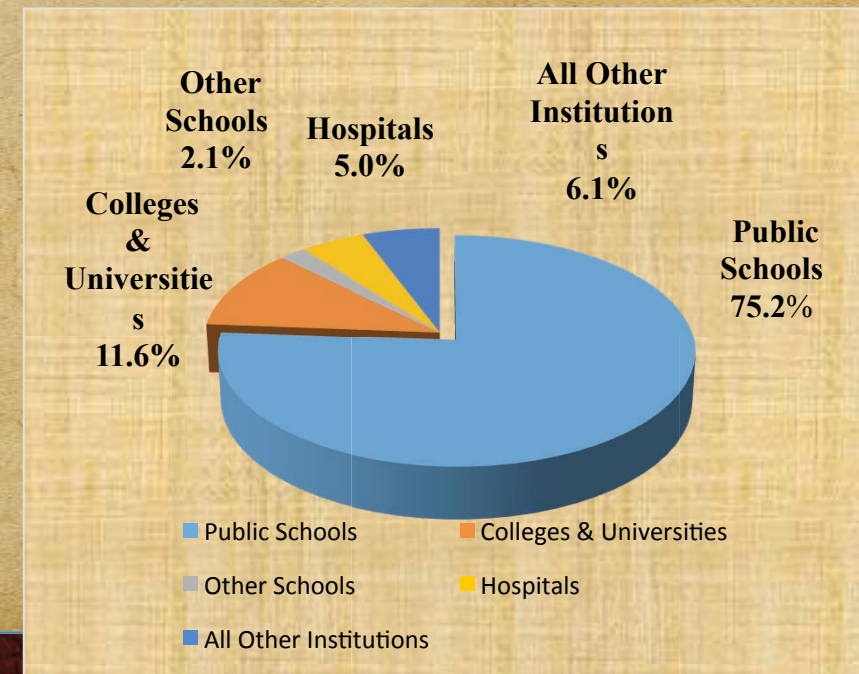
Where Does The Money Go?

Royalties go to the Permanent Fund
 Rental Income goes to Maintenance Fund

Distribution to **Permanent Fund** for Beneficiaries



Distribution to Beneficiaries from **Maintenance Fund**





Authority & Responsibility Under the State Constitution

- Section 10 of the **Enabling Act for the State of New Mexico** requires that State Trust Lands “shall be by the said state **held in trust**, to be disposed of in whole or in part only in manner as herein provided.” *Enabling Act*, June 20, 1910, § 10, 36 Stat. 557. Furthermore, “**every sale, lease, conveyance or contract** ... not made in substantial conformity with the provisions of this act shall be null and void.” *Id.*
- Commissioner of Public Lands has very **broad discretion** in the management of State Trust Lands. *See State ex rel. King v. Lyons*, 2011-NMSC-004; *Id.*
- Commissioner of Public Lands **cannot be compelled** to hold a public land offering; decision is within Commissioner's discretion. *Id.*
- It’s important to note that **all measures within the Enabling Act** were incorporated into the **New Mexico Constitution**, thereby making the Act **irrevocable** without the **consent of the United States (Congress) and the people of this State (general election ballot)**. *See* N.M. Const. art. XXI, §§ 1–11.



Fiduciary Duties of the Commissioner

- Commissioner **must ensure** that any conveyance of State Trust Land (lease, sale, contract or other use) will yield at least the **appraised value** of the land. *See State ex rel. King v. Lyons, 2011-NMSC-004.* “All lands ... before being offered shall be appraised at their true value, and no sale or other disposal thereof shall be made for a consideration less than the value so ascertained, nor in any case less than the minimum price hereinafter fixed...”. *Enabling Act, June 20, 1910, § 10, 36 Stat. 557.*
- Commissioner’s **sustainable land management plan** is critical to ensure that State Trust Lands will continue to provide for the State of New Mexico in perpetuity.



SLO Goals & Objectives

- Administer State Trust Land to generate the highest possible level of revenue for our beneficiaries to continue this endowment for generations to come.
- Conservation and enhancement of trust asset values through diligent land management.
- Conduct the operations of the State Land Office in a manner consistent with strong fiscal accountability, efficiency, and customer services.



SLO and NMDGF – 2017-20 Easement

- Similar in scope to 2016-17 easement agreement
- Three-year agreement – to be effective from April 1, 2017, to March 31, 2020
- In response to public safety concerns, language has been added to post notices regarding the location of traps on State Trust Lands in conspicuous places – either at the nearest Access Point or on a structure or post adjacent to traps



SLO/NMDGF Cooperation in 2015-16

- In response to a request from Game Commissioners during the May 2016 public meeting, SLO staff were surveyed to help capture data on SLO cooperation with NMDGF as well as other local/state/federal agencies.
- Key findings from the survey:
 - Among all regulatory and law enforcement agencies, SLO staff liaise most with staff from NM Oil Conservation Division, NMDGF and Sheriff's Depts.



SLO/NMDGF Cooperation in 2015-16

- Key findings from the survey (continued):
 - **56%** of SLO District Resource Managers (DRMs) reported meeting with NMDGF officers and staff more often than quarterly or annually
 - **12.5%** of SLO DRMs meet with NMDGF officers and staff at least quarterly
 - **12.5%** of SLO DRMs meet with NMDGF officers and staff at least annually
 - The balance of SLO DRMs that have not met with NMDGF staff likely represent more urban areas



SLO/NMDGF Cooperation in 2015-16

- Key findings from the survey (continued):
 - When asked to quantify the number of hours spent annually on key field issues, DRMs responded as follows:
 - **849 hours** on General SLO Rule/Statute Violations
 - **728.5 hours** on General Lessee Complaints
 - **529.25 hours** on Access Issues Relating to Hunting, Camping and Recreation
 - **140.5 hours** on Professional Guide/Outfitter Inquiries



SLO/NMDGF Cooperation in 2015-16

- Survey responses from SLO DRMs do not account for additional interface between SLO and NMDGF staff:
 - **~200 hours** on SLO GIS mapping of hunter access points
 - **~150 hours** on additional interactions between SLO staff and NMDGF staff on hunter access point discussions, signage issues, field contractor matters, other access efforts (i.e. Luerā Road Easement), lessee/licensee interface issues and general inter-agency liaison



New Mexico State Land Office

Thank you!

