



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
New Mexico State Office  
301 Dinosaur Trail  
Santa Fe, New Mexico 87508  
<https://www.blm.gov/new-mexico>

**October 21, 2024**

## **Notice of Competitive Geothermal Internet Lease Sale**

In accordance with the *Geothermal Steam Act, the Energy Policy Act of 2005 (final rules issued May 2, 2007)*, and the BLM regulations at 43 CFR 3200, the Bureau of Land Management (BLM) is offering 7 parcels containing 4467.770 acres in the State of New Mexico State Office for internet-based competitive geothermal leasing. This notice describes:

- The date, time and place of the sale;
- How to participate in the bidding process;
- The sale process;
- The conditions of the sale; and
- How to file a noncompetitive offer after the sale.

Attached is a list of lands we are offering by serial number, parcel number, and land description. We have included any stipulations, lease notices, special conditions or restrictions that will be made a part of the lease at the time we issue it. We have also identified those parcels where the United States owns less than 100% interest in the geothermal mineral rights.

For your convenience, additional sale documentation is located on <https://nflss.blm.gov/s/>

### **When and where will the sale take place?**

**When:** The sale date is December 5, 2024. The open bidding period will begin at 8:00 a.m. Mountain Standard Time (MST) / 9:00 a.m. Central Standard Time (CST). Each parcel will have its own unique open bidding period, with start and stop times clearly identified on the auction website. The open bidding period for each parcel will run for 2 hours, from start to finish, and bids will *only* be accepted during a parcel's open bidding period.

**Where:** The sale is held online at <https://www.energynet.com/>. Click on the Government Lease Sales icon to view this online lease sale. Parcels may be viewed online at the EnergyNet website approximately 10 business days after the posting of this Notice of Competitive Geothermal Internet-Based Lease Sale on the Nation Fluids Lease Sale System (NFLSS) BLM website at <https://nflss.blm.gov/s/>.

**Access:** The auction website is open to the public. The internet-based lease sale can be observed in real-time. However, you must register as a bidder on the website, in advance, in order to submit bids for a parcel. The auction website will be active and available for use approximately 10 days after the date of this Notice of Competitive Lease Sale and will remain available for viewing until the completion of the auction. The available parcels listed in this Notice will be detailed on the website. Interested parties may visit the website at any time.

Potential bidders may register for the online auction as soon as the auction website is active. Further, potential bidders are encouraged to visit the website prior to the start of the open bidding period to become familiar with the site and review the bidding tutorial. Supporting documentation is available on the website to familiarize new users with the process and answer frequently asked questions.

### **How will the sale be conducted?**

The sale will be conducted **by online bidding only**. The online auction will be a sequential, ascending clock, fixed period, English auction. Each parcel will have its own unique open bidding period, with start and stop times clearly identified on the auction website. The open bidding period for each parcel will run for two hours, from start to finish. Bids will only be accepted for each parcel during its open bidding period. Each parcel will close bidding sequentially so that each bidder will know if they are the highest winning bid before subsequent parcels close. The website will display each current high bid, and the high bid bidder's number. The winning bid is the highest bid per acre received, equal to or exceeding the minimum acceptable bid, which is on record in the online auction system by the close of the auction period.

The online system allows participants to submit maximum bids to enable a bidder to participate in the online auction without having to be logged into the website at the time the auction period closes. The auction website provides a full explanation of placing maximum bids, as well as an explanation of how they work to place bids on your behalf to maintain your high bidder status up to the chosen maximum bid amount. The BLM strongly encourages potential bidders to review the bidding tutorial, in the Frequently Asked Questions area on the auction website in advance of the online lease sale.

### **How do I participate in the bidding process?**

To participate in the BLM bidding process, you must register and obtain a bidder number. A participant can register to bid at the auction website <https://www.energynet.com/> approximately 10 days after posting of this Notice on the BLM NFLSS website at <https://nflss.blm.gov/s/>. Participants are encouraged to register early to familiarize themselves with the bidding instructions and ensure they have ample time to complete all of the required registration steps before the open bidding period commences.

If an entity is bidding for more than one party, they **must register separate credentials**, satisfy all registration requirements and **obtain a separate bidder number for each company or individual** they wish to represent.

You do not have to be “present” in the auction in order to participate as a bidder. The online auction provides a “maximum bid” bidding option. By using this “maximum bid” option, you are asking the system to bid automatically on your behalf, up to an amount you specify.

When registering as a bidder on the auction website, you will also be asked to sign a statement to confirm that any bid you cast will represent a good-faith intention to acquire a geothermal lease and that you understand that any winning bid will constitute a legally binding commitment to accept the terms of the lease and pay monies owed. Further, you will acknowledge, through self-certification of the enhanced bidder form, that you understand that it is a crime under 18 U.S.C. 1001 and 43 U.S.C. 1212 to knowingly and willfully make any false, fictitious, or fraudulent statements or representations regarding your qualifications; bidder registration and intent to bid; acceptance of a lease; or payment of monies owed; and that any such offense may result in a fine or imprisonment for not more than 5 years or both. You will also acknowledge that you understand that it is a crime under 30 U.S.C. 195 (a) and (b) to organize or participate in any scheme to defeat provisions of the mineral leasing regulations. Any person who knowingly violates this provision will be punished by a fine of not more than \$500,000, imprisonment for not more than 5 years, or both.

If you, or the party you represent, owe the United States any monies that were due the day of a previous geothermal lease auction conducted by any BLM office (the minimum monies owed the day of sale), or any monies owed EnergyNet for a previous geothermal lease auction conducted by EnergyNet for any BLM office, you will not be allowed to register to bid at this lease sale.

The Mineral Leasing Act requires that leases be issued to a “responsible qualified bidder” (30 U.S.C. 226(b)(1)(A)). Any bidder, or party represented by a bidding agent, that does not pay the minimum monies owed the day of the sale is not a “responsible qualified bidder” and will be barred from participating in any geothermal lease auction nationwide until the bidder settles that debt to the United States. In addition, if you or the party you represent defaults at any three sales conducted by any BLM office, you or the party you represent will be barred permanently from participating in any other BLM geothermal lease sale auction.

#### Provisions Pertaining to Certain Transactions by Foreign Persons Involving Real Estate in the United States

The Office of Investment Security, Department of the Treasury issued a final rule, **effective February 13, 2020**, establishing regulations to implement the provisions relating to real estate transactions in section 721 of the Defense Production Act of 1950, as amended by the Foreign Investment Risk Review Modernization Act of 2018. The final rule was published at 85 Fed. Reg. 3158 (Jan. 17, 2020) and codified at 31 C.F.R. part 802.

The new rule sets forth the process relating to the national security review by the Committee on Foreign Investment in the United States (CFIUS) of certain transactions, referred to in the rule as “covered real estate transactions,” that involve the purchase or lease (including an assignment or other transfer) by, or concession to, a foreign person of certain real estate in the United States. Covered real estate transactions could include some transactions involving the Federal mineral estate.

The CFIUS looks not only at the entities that are lessees, but also to any [legal] person with the ability to exercise control, as defined by the statute and its implementing regulations, over the lessee. CFIUS is authorized to review covered real estate transactions and to mitigate any risk to the national security of the United States that arises as a result of such transactions. This could result in the modification, suspension, or prohibition of a lease or interest therein.

Accordingly, BLM recommends that each potential bidder, lessee, or [other] interest holder review the final rule before bidding on or acquiring an interest in a Federal oil and gas lease.

For further information, please refer to the CFIUS page:

<https://home.treasury.gov/policy-issues/international/the-committee-on-foreign-investment-in-the-united-states-cfius>

### **What is the sale process?**

Starting at the posted opening date and time for each parcel:

- A block will be auctioned as one unit and all parcels within the block will receive the same high bid as the block. If the block receives no bids, the parcels will be offered individually.
- All bids are on the gross (total) per-acre basis, rounded up to whole acres, for the entire acreage in the parcel;
- All bids are made in minimum increments of \$1.00 per acre, or fraction of an acre thereof;
- The winning bid is the highest received bid, equal to or exceeding the minimum acceptable bid, which is on record in the online auction system at the close of the auction period; and

**The decision of the BLM, as presented on the auction website’s bid history at <https://www.energynet.com>, is final.**

The minimum acceptable bid is \$2 per acre. If a parcel contains fractional acreage, round it up to the next whole acre. For example, a parcel of 100.51 acres requires a minimum bid of \$202 (\$2 x 101 acres).

You cannot withdraw a bid once a bid is placed and the auction system determines that you are the high bidder.

### **How long will the sale last?**

Each parcel will have its own unique open bidding period, with start and stop times clearly identified on the auction website. The open bidding period for each parcel will run for two hours, from start to finish. The length of the sale depends on the number of parcels we are offering.

### **What conditions apply to the lease sale?**

- **Parcel withdrawal or sale postponement:** We reserve the right to withdraw any or all parcels before the sale begins. If we withdraw a parcel, we will post a notice in the New Mexico State Office Information Access Center (Public Room) before the sale begins. Additionally, the auction website will clearly indicate that a parcel is withdrawn. If we postpone the sale, a clear notice will be posted in the New Mexico State Office Information Access Center, the NFLSS website at <https://nflss.blm.gov/s/>, and on the auction website.
- **Fractional mineral interests:** 43 CFR 3206.15 If the United States owns less than 100 percent of the geothermal mineral interest for the land in a parcel we will show that information as part of the parcel listing. When we issue the lease, it will be for the percentage or fraction of interest the United States owns. However, you must calculate your bonus bid and advance rental payment on the gross (total) acreage in the parcel, not the United States net interest. For example, if a parcel contains 199.31 acres and the United States owns 50 percent of the geothermal mineral interest, the minimum bonus bid will be \$400 (\$2 x 200 acres) and the advance annual rental will be \$400 (\$2 x 200 acres) for the first year and \$600 (\$3 x 200 acres) for the remainder of the lease term. Conversely, your chargeable acreage and royalty on production will be calculated on the United States net acreage.
- **Payment due:** You cannot withdraw a bid. Your bid is a legally binding contract. For **each parcel** you are the successful high bidder, on the day the parcel closes you must pay 20 percent of the bonus bid; the first year's advance rental of \$2 per acre or fraction of an acre; and a non-refundable administrative fee of \$200.00. These are monies you owe the United States, whether or not a lease is issued.

**You must provide notification of the payment process of these monies to the BLM New Mexico State Office prior to 4 p.m. Mountain Standard Time, the day the parcel closes, confirmation (via email or fax) that the payment for the parcel(s) has been initiated and the type of payment method.** Payment will be made directly to the BLM New Mexico State Office, or as otherwise directed by the BLM.

**Payments to the BLM will not be made through the auction website.** At the conclusion of each parcel's bidding period, the winning bidder will be provided instructions by the online auction system on how to make the required payment to the BLM. Also, you will be required to pay the buyer's premium to EnergyNet, 1.5% of any successful bid, in order to participate in the internet-based lease sale.

If your bonus bid was more than \$2 per acre or fraction of an acre and you do not pay the full amount on the day of the sale for the parcel, you must pay any balance due by the close of business on the 15th calendar day after the last day of the internet-based auction closes. **Remaining balance will be due in the New Mexico State Office by 4:00 p.m. Mountain Standard Time, December 20, 2024. If you do not pay in full by this date, you lose the right to the lease and all money paid the day of the sale.** If you forfeit a parcel, we may offer it again at a future sale.

The minimum monies owed on the day of the sale for a winning bid are monies owed to the United States [43 CFR 3203.17]. If we do not receive notification of the payment process for the minimum monies owed the day of the sale by the date and time above, the BLM will continue to pursue collection by issuing a bill for the monies owed and your offer will be rejected. If we do not receive payment by the bill due date, we will send a demand letter to you that will include additional fees. If we do not receive payment as requested by the demand letter, the U.S. will immediately pursue collection by all appropriate methods, and when appropriate, collect late fees, interest, administrative charges, and on past-due amounts assess civil penalties. "All appropriate methods" include, but are not limited to, referral to collection agencies and credit reporting bureaus; salary or administrative offset; offset of Federal and state payments, including goods or services; and Federal and state tax refund offset; and retirement payment offset. We may send debts to the Internal Revenue Service (IRS) and the IRS may charge them as income to you on Form 1099C, Cancellation of Debt (Federal Claims Collection Act of 1966, as amended; The Debt Collection Improvement Act of 1996; 31 CFR Part 285).

•**Forms of payment:** Specific payment instructions will be provided by the online auction system to winning bidders. You may pay by:

- Personal check, certified check, money order (expedited mailing methods);
- Electronic Funds Transfer (EFT);
- Automated Clearing House (ACH); and/or
- Credit card (Discover, Visa, American Express, or MasterCard only).
- We cannot accept cash.

In order to meet the payment requirement, you must provide BLM contacts with confirmation that the transaction has been initiated on the day the parcel closes before 4:00 p.m. MST / 5:00 p.m. CST. An email or fax containing confirmation must include, but is not limited to, the following appropriate documents: overnight shipping tracking document, a copy of the payment

instrument, and/or a bank provided electronic confirmation of EFT or ACH. **Do not email or fax privacy information such as account numbers.**

***Please note, in accordance with the Department of Treasury Financial Manual, Announcement No. A-2014-04, the BLM cannot accept credit card payments for an amount equal to or greater than \$24,999.99. The BLM cannot accept aggregated smaller amounts to bypass this requirement.*** An amount owed that exceeds the maximum dollar amount for a credit card payment transaction may not be split into two or more payment transactions in the same day by using one or more credit cards. The BLM does not have Personal Identification Number (PIN) equipment for the purpose of processing PIN authorized debit cards. All debit card transactions will be processed as credit cards and the dollar value limits will apply.

If you plan to make your payment using a credit card, you should contact your bank prior to the sale to let them know that you will be making a substantial charge against your account. If the credit card transaction is refused, we will try to notify you early enough so that you can make other payment arrangements. **However, we cannot grant you any extension of time to provide confirmation of payment to the BLM contacts.**

If you pay by check, please make your check payable to: **Department of the Interior-BLM**. If a check you have sent to us in the past has been returned for insufficient funds, we may ask that you give us a guaranteed payment, such as a certified check.

•**Bid form:** On the day of the sale, if you are a successful winning high bidder, you must submit (email or fax) to the applicable BLM State Office a properly completed and signed competitive bid form (Form 3000-2) and proof of the required payment. This form is a legally binding offer **by the prospective lessee** to accept a lease and all its terms and conditions. Once you sign the form, you cannot change it. The online auction system will provide the successful winning bidder with a fillable pdf of this bid form and instructions on how to submit the form to the New Mexico State Office after the auction. We will not accept any bid form that has information crossed out or is otherwise altered. **We will not issue a lease until we receive a signed copy of the bid form in accordance with 43 CFR 3202.11.**

You will be shown the bid form as part of the bidder registration process, and asked to certify that you will complete and execute it should you be the successful winning high bidder. We ask that you complete the form at this time to ensure you can meet this condition.

Your completed bid form certifies that:

1. You and/or the prospective lessee are qualified to hold a geothermal lease under our regulations 43 CFR 3202.11; and
2. Both of you have complied with 18 U.S.C. 1860, a law that prohibits unlawful combinations, intimidation of, or collusion among bidders.

This Notice includes a copy of the bid form, and again, you will be provided a copy during the bidder registration process and asked to assert that you agree that you will be able and willing to comply and sign it if you are the winning bidder at the close of the auction.

- **Federal acreage limitations:** Qualified individuals, associations, or corporations may only participate in a competitive lease sale and purchase Federal geothermal leases from this office if such purchase will not result in exceeding the state limit of 51,200 acres (public domain and acquired land combined) (43 CFR 3206.13).

For the purpose of chargeable acreage limitations, you are charged with your proportionate share of the lease acreage holdings of partnerships or corporations in which you own an interest greater than 10 percent. Lease acreage committed to a unit agreement, communitization agreement or development contract that you hold, own or control and was paid in the preceding calendar year is excluded from chargeability for acreage limitation purposes. The acreage limitations and certification requirements apply for competitive geothermal lease sales, noncompetitive lease offers, transfer of interest by assignment of record title or operating rights, and options to acquire interest in leases regardless of whether an individual, association, or corporation has received additional time under 43 CFR 3206.13, to divest excess acreage acquired through merger or acquisition.

- **Lease Issuance:** After we receive the signed bid form and all monies due we can issue the lease. The lease is effective the first day of the month following the month in which we sign it. (43 CFR 3206.18)
- **Lease terms:** A lease issued as a result of this sale will have a primary term of 10 years. The BLM will extend the primary term of the lease if the requirements found in the regulations 43 CFR 3207.10 have been met. Annual rental is \$2 per acre for the first year (paid to the BLM), and \$3 per acre for the second through tenth year (paid to the Office of Natural Resources Revenue (ONRR)). After the tenth year, annual rental will be \$5 per acre. Rental is always due in advance of the lease year. The ONRR must receive annual rental payments by the anniversary date of the lease year or your lease may be terminated. You will find other lease terms on our standard lease form (Form 3200-024a). emptytext



- **Split Estate:** Information regarding leasing of Federal minerals under private surface, referred to as “Split Estate,” is available at the following Washington Office website: <https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/leasing/split-estate>. A Split Estate brochure is available at this site. The brochure outlines the rights, responsibilities, and opportunities of private surface owners and geothermal operators in the planning, lease sale, permitting/development, and operations/production phases of the geothermal program.

- **Stipulations:** Stipulations are part of the lease and supersede any inconsistent provisions of the lease form. They are requirements or restrictions on how you conduct operations. These stipulations are included in the parcel descriptions on the attached list.

All Federal geothermal lease rights are granted subject to applicable laws under Section 6 of the lease terms including requirements under the Endangered Species Act, as amended, 16 U.S.C. 1531 *et seq.* In accordance with Washington Office (WO) Instruction Memorandum (IM) No. 2002-174, each parcel included in this lease sale will be subject to the Endangered Species Act Section 7 Consultation Stipulation. In accordance with WO IM No. 2005-003, Cultural Resources and Tribal Consultation, for Fluid Minerals Leasing, each parcel in this sale will be subject to the Cultural Resource Protection Stipulation.

- **Unit and Communitization Agreements:** Parcels offered in this Notice may fall within an authorized Unit or Communitization Agreement. If the parcel falls within an authorized Unit or Communitization Agreement, the successful bidder may be required to join the agreement.

### **How do I file a noncompetitive geothermal offer after the sale?**

Under regulations 43 CFR 3204, lands that do not receive a bid and are available a 2-year period, beginning the first business day after the auction. The noncompetitive offers are handled directly by the BLM and not through the internet leasing website. If you want to file a noncompetitive offer on an unsold parcel, you must file it in the appropriate State Office:

- Two copies of current form 3200-24a, *Offer to Lease and Lease for Geothermal Resources* properly completed and signed. Describe the lands in your offer as specified in our regulations at 43 CFR 3203;
- \$450 nonrefundable administrative fee;
- First year advance rental (\$1 per acre or fraction thereof). Remember to round up any fractional acreage when you calculate the amount of rental; and
- Only one application per parcel may be submitted by the same applicant.

For 30 days after the competitive geothermal lease sale, noncompetitive applications will be accepted only for parcels as configured in the Notice of Competitive Geothermal Lease Sale. Subsequent to the 30-day period, you may file a noncompetitive application for any available lands covered by a competitive lease sale, not to exceed 5,120 acres per lease.

Submit the aforementioned items to the BLM New Mexico State Office Information Access Center (Public Room) in person or by mail. We consider all offers filed the first business day following the last day of the auction, filed at the same time. If a parcel receives more than one offer, we will randomly select an application to determine the winner (43 CFR 1822.17). Offers filed after this time period receive priority according to the date and time of filing in this office.

### **How do I submit a geothermal nomination?**

Geothermal nominations must be submitted on Form 3203-1, *Nomination of Lands for Competitive Geothermal Leasing* to the proper BLM State Office and comply with 43 CFR 3203. Please refer to these regulations for nomination requirements regarding maximum acreage, acceptable land descriptions, and nominating parcels as a block.

Nominations are not automatically placed on a sale when received, and the BLM cannot guarantee that the nominated lands will always be included on a particular sale notice. The parcels must be reviewed for availability, environmental and cultural concerns prior to being placed on a sale. Sale parcels will normally be configured as requested; however, BLM reserves the right to adjust the parcel size and configuration as needed.

Each nomination must be submitted with:

- \$200.00 nonrefundable administrative fee; and
- \$0.14 per acre Remember to round up any fractional acreage when you calculate the amount of rental.

### **When is the next competitive geothermal lease sale scheduled?**

We will schedule our next competitive sale once we have received nominations. We can make no guarantee as to when a given parcel will be offered for competitive sale. We will try to put nominations in the earliest possible sale.

### **How can I find out the results of this sale?**

The sale results will be posted on the [www.energynet.com](http://www.energynet.com) website and the NFLSS website at <https://nflss.blm.gov/s/>. Paper copies are available for viewing or purchase at the BLM New Mexico State Office Information Access Center.

**Who should I contact if I have questions?**

If you have questions on BLM stipulations, lease notices, etc., please contact the appropriate BLM Field Office for assistance.

If you have questions on another surface management agency's stipulations or restrictions, etc., please contact that agency.

For general information about the competitive geothermal lease sale process, or this Notice of Competitive Lease Sale, you may e-mail or call: JulieAnn Serrano, [jserrano@blm.gov](mailto:jserrano@blm.gov), (505) 954-2149.

JulieAnn Serrano  
Supervisory, Land Law Examiner  
Branch of Adjudication

**FORM 3000-002**

<https://www.blm.gov/sites/default/files/docs/2024-05/3000-002.pdf>

## Parcels

NM

**NMNM106695739 NM-2024-12-0512 640 Acres**

NM, Dona Ana, Las Cruces District Office, BLM, PD

NM T0250S, R0010E, NEW MEXICO PRINCIPAL

Sec. 29 ALL

Rental \$1,280.00

100 % US Mineral Interest

1.750 % Royalty Rate

Stipulations:

**NM-13-CSU** BLM CSU Stipulation for Paleontological Resources

**HQ-CR-1** BLM Lease Notice for Cultural Resource Protection

**HQ-TES-1** BLM Lease Notice for Threatened and Endangered Species Act

**LCDO-VRM3-LN-19** BLM Lease Notice for Class III Visual Resource Management

**NM-11-LN** BLM Lease Notice for Special Cultural Resource

**NM-14-LN** BLM Lease Notice for Paleontological Resources

**MR 1-2** BLM NSO Stipulation for Solar Energy Zone

EOI #NM00019419

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**NMNM106695740 NM-2024-12-0504 636.8 Acres**

NM, Dona Ana, Las Cruces District Office, BLM, PD

NM T0250S, R0010E, NEW MEXICO PRINCIPAL

Sec. 30 LOTS 1-4;

Sec. 30 E2W2,E2

Rental \$1,274.00

100 % US Mineral Interest

1.750 % Royalty Rate

Stipulations:

**NM-13-CSU** BLM CSU Stipulation for Paleontological Resources

**HQ-CR-1** BLM Lease Notice for Cultural Resource Protection

**HQ-TES-1** BLM Lease Notice for Threatened and Endangered Species Act

**LCDO-VRM3-LN-19** BLM Lease Notice for Class III Visual Resource Management

**NM-11-LN** BLM Lease Notice for Special Cultural Resource

**NM-14-LN** BLM Lease Notice for Paleontological Resources

**MR 1-2** BLM NSO Stipulation for Solar Energy Zone

EOI #NM00019420

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**NMNM106695741 NM-2024-12-0502 638.4 Acres**

NM, Dona Ana, Las Cruces District Office, BLM, PD

NM T0250S, R0010E, NEW MEXICO PRINCIPAL

Sec. 31 LOTS 1-4;

Sec. 31 E2W2,E2

Rental \$1,278.00

100 % US Mineral Interest

1.750 % Royalty Rate

Stipulations:

**NM-13-CSU** BLM CSU Stipulation for Paleontological Resources**HQ-CR-1** BLM Lease Notice for Cultural Resource Protection**HQ-TES-1** BLM Lease Notice for Threatened and Endangered Species Act**LCDO-VRM3-LN-19** BLM Lease Notice for Class III Visual Resource Management**NM-11-LN** BLM Lease Notice for Special Cultural Resource**NM-14-LN** BLM Lease Notice for Paleontological Resources

EOI #NM00019421

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**NMNM106695742 NM-2024-12-0509 640 Acres**

NM, Dona Ana, Las Cruces District Office, BLM, PD

NM T0260S, R0020E, NEW MEXICO PRINCIPAL

Sec. 33 ALL

Rental \$1,280.00

100 % US Mineral Interest

1.750 % Royalty Rate

Stipulations:

**NM-13-CSU** BLM CSU Stipulation for Paleontological Resources**HQ-CR-1** BLM Lease Notice for Cultural Resource Protection**HQ-TES-1** BLM Lease Notice for Threatened and Endangered Species Act**LCDO-VRM3-LN-19** BLM Lease Notice for Class III Visual Resource Management**NM-11-LN** BLM Lease Notice for Special Cultural Resource**NM-14-LN** BLM Lease Notice for Paleontological Resources

EOI #NM00019415

**NMNM106695743 NM-2024-12-0508 640 Acres**

NM, Dona Ana, Las Cruces District Office, BLM, PD

NM T0260S, R0020E, NEW MEXICO PRINCIPAL

Sec. 34 ALL

Rental \$1,280.00

100 % US Mineral Interest

1.750 % Royalty Rate

Stipulations:

**NM-13-CSU** BLM CSU Stipulation for Paleontological Resources

**HQ-CR-1** BLM Lease Notice for Cultural Resource Protection

**HQ-TES-1** BLM Lease Notice for Threatened and Endangered Species Act

**LCDO-VRM3-LN-19** BLM Lease Notice for Class III Visual Resource Management

**NM-11-LN** BLM Lease Notice for Special Cultural Resource

**NM-14-LN** BLM Lease Notice for Paleontological Resources

EOI #NM00019416

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**NMNM106695744 NM-2024-12-0507 636.26 Acres**

NM, Dona Ana, Las Cruces District Office, BLM, PD

NM T0270S, R0020E, NEW MEXICO PRINCIPAL

Sec. 3 LOTS 1-4;

Sec. 3 N2S2,S2

Rental \$1,274.00

100 % US Mineral Interest

1.750 % Royalty Rate

Stipulations:

**NM-13-CSU** BLM CSU Stipulation for Paleontological Resources

**HQ-CR-1** BLM Lease Notice for Cultural Resource Protection

**HQ-TES-1** BLM Lease Notice for Threatened and Endangered Species Act

**LCDO-VRM3-LN-19** BLM Lease Notice for Class III Visual Resource Management

**NM-11-LN** BLM Lease Notice for Special Cultural Resource

**NM-14-LN** BLM Lease Notice for Paleontological Resources

EOI #NM00019417

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**NMNM106695745 NM-2024-12-0506 636.31 Acres**

NM, Dona Ana, Las Cruces District Office, BLM, PD

NM T0270S, R0020E, NEW MEXICO PRINCIPAL

Sec. 4 LOTS 1-4;

Sec. 4 N2S2,S2

Rental \$1,274.00

100 % US Mineral Interest

1.750 % Royalty Rate

Stipulations:

**NM-13-CSU** BLM CSU Stipulation for Paleontological Resources

**HQ-CR-1** BLM Lease Notice for Cultural Resource Protection

**HQ-TES-1** BLM Lease Notice for Threatened and Endangered Species Act

**LCDO-VRM3-LN-19** BLM Lease Notice for Class III Visual Resource Management

**NM-11-LN** BLM Lease Notice for Special Cultural Resource

**NM-14-LN** BLM Lease Notice for Paleontological Resources

EOI #NM00019418



**Stipulations**  
**BLM Stipulations CSU**  
**NM-13-CSU-Paleontological Resources**

All development in this lease will be subject to compliance with the Paleontological Resources Preservation Act (PRPA), the National Environmental Policy Act (NEPA), and the Federal Land Policy and Management Act (FLPMA). Surface occupancy or use is subject to the following special operating constraints:

- Motorized vehicle use associated with lease operations are restricted to approved roads. Prior to approved operations, any vehicle use necessary for well stakings and surveys should be constrained to existing roads and trails when possible.
- A pedestrian survey must be conducted for paleontological material, using a qualified permitted paleontologist determined by the BLM as part of the permit application for the proposed lease activity in geologic units that are classified on the BLM's Potential Fossil Yield Classification (PFYC) scale as a PFYC U- Unknown, 4 or 5. A survey is also required in areas that are known to contain fossil localities. The survey and report will be used to determine the presence of paleontological material exposed on the surface, and if necessary, the appropriate mitigation of ground disturbing activities such as monitoring, avoidance, project re-design, data recovery, stabilization, protective barriers and/or signs.
- The lessee shall immediately notify the BLM Authorized Officer (AO) of any paleontological resources discovered as a result of approved surface disturbing operations. The lessee shall suspend all activities in the vicinity of such discovery until notified to proceed by the AO and shall protect the discovery from damage or looting. The AO will evaluate, or will have evaluated, such discoveries after being notified and determine, after consulting with the operator and the BLM Regional Paleontologist, the appropriate measures to mitigate adverse effect to significant paleontological resources. Upon approval of the AO, the operator will be allowed to continue construction through the site, or will be given the choice of either following the AO's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or following the AO's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area. The lessee is responsible for any cost associated for mitigating paleontological resources discovered as a result of their activities. For the purpose of: Protecting paleontological resources to ensure that sensitive paleontological resources are not inadvertently damaged, destroyed, or removed from public ownership. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820). An operator may request that the BLM waive, except, or modify a lease stipulation for a Federal lease. A request to waive, except, or modify a stipulation should include information demonstrating that the factors leading to its inclusion in the lease have changed sufficiently to make the protection provided by the stipulation no longer justified or that the proposed operation would not cause unacceptable impacts. When the waiver, exception, or modification is substantial, the proposed waiver, exception, or modification is subject to public review for 30 days. An exception, waiver, or modification may not be approved unless 1) the authorized officer determines that the factors leading to its inclusion in the lease have changed sufficiently to make the protection provided by the stipulation no longer justified;

or 2) the proposed operations would not cause unacceptable impacts. Waiver: A waiver is a permanent exemption from a lease stipulation. When a waiver is granted, the stipulation no longer applies anywhere within the leasehold. Exception: An exception is a one-time exemption for a particular site within the leasehold. Exceptions are determined on a case-by-case basis. The stipulation continues to apply to all other sites within the leasehold. Modification: A modification is a change to the provisions of a lease stipulation, either temporarily or for the term of the lease. Depending on the specific modification, the stipulation may or may not apply to all sites within the leasehold to which the restrictive criteria are applied.

**BLM Lease Notice LN**  
**HQ-CR-1-Cultural Resource Protection**

This lease may be found to contain historic properties and/or resources protected under National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground-disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized, or mitigated.

**HO-TES-1-Threatened and Endangered Species Act**

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. The BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that would contribute to a need to list such a species or their habitat. The BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. The BLM will not approve any ground-disturbing activity until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. § 1531 et seq. including completion of any required procedure for conference or consultation.

**LCDO-VRM3-LN-19-Class III Visual Resource Management**

Surface activities on the lease are subject to Visual Resource Management Class III restrictions. This may require the lease holder to take additional mitigation measures such as low profile tanks, special paint requirements, movement of locations, roads, and pipelines, or other measures to minimize visual impacts. The need for additional mitigation measures will be determined on a case-by-case basis for each proposed action.

**NM-11-LN-Special Cultural Resource**

All development activities proposed under the authority of this lease are subject to compliance with Section 106 of the NHPA and Executive Order 13007. The lease area may contain historic properties, traditional cultural properties (TCP's), and/or sacred sites currently unknown to the BLM that were not identified in the Resource Management Plan or during the lease parcel review process. Depending on the nature of the lease developments being proposed and the cultural resources potentially affected, compliance with Section 106 of the National Historic Preservation Act and Executive Order 13007 could require intensive cultural resource inventories, Native American consultation, and mitigation measures to avoid adverse effects—the costs for which will be borne by the lessee. The BLM may require modifications to or disapprove proposed activities that are likely to adversely affect TCP's or sacred sites for which no mitigation measures are possible. This could result in extended time frames for processing authorizations for development activities, as well as changes in the ways in which developments are implemented.

**NM-14-LN-Paleontological Resources**

All development in this lease will be subject to compliance with the Paleontological Resources Preservation Act (PRPA), the National Environmental Policy Act (NEPA), and the Federal Land Policy and Management Act (FLPMA). The lessee shall immediately notify the BLM Authorized Officer (AO) of any paleontological resources discovered as a result of approved surface disturbing operations. The lessee shall suspend all activities in the vicinity of such discovery until notified to proceed by the AO and shall protect the discovery from damage or looting. The AO will evaluate, or will have evaluated, such discoveries after being notified and determine after consulting with the operator and the BLM Regional Paleontologist, the appropriate measures to mitigate adverse effect to significant paleontological resources. Upon approval of the AO, the operator will be allowed to continue construction through the site, or will be given the choice of either • following the AO's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or • following the AO's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area. The lessee is responsible for any cost associated for mitigating paleontology resources discovered as a result of their activities. In addition, surface occupancy or use may be subject to, but not limited to, the following special operating constraints: • Motorized vehicle use associated with lease operations may be restricted to approved roads. • A pedestrian survey for paleontological resources is generally required in areas that have been classified as Potential Fossil Yield Classification (PFYC) U-Unknown, 4 or 5, and in areas that are known to contain fossil locations. However, a pedestrian survey may be required in other areas that are not classified as PFYC U, 4 or 5, but have been identified by the Authorized Officer as having the potential for paleontological resources. A qualified permitted paleontologist determined by the BLM as part of the permit application for the proposed lease activity, is required to complete the survey. The survey and report will be used to determine the presence of paleontological material exposed on the surface, and if necessary, the appropriate mitigation of ground disturbing activities such as monitoring, avoidance project re-design, data recovery, stabilization, protective barriers and/or signs.

**BLM Stipulation NSO**  
**MR 1-2-Solar Energy Zone**

All solar energy development ROWs shall contain the stipulation that the BLM retains the right to issue oil and gas or geothermal leases with a stipulation of no surface occupancy within the ROW area. Upon designation, SEZs will be classified as no surface occupancy areas for oil and gas and geothermal leasing.