

# New Mexico State Land Office

**Patrick H. Lyons**

*Commissioner  
of  
Public Lands*



# *State Trust Lands*

- State-owned lands in the Whites Peak area are not public lands.
- These lands are trust lands, granted by the United States Congress to the Territory of New Mexico more than a century ago to serve as a source of revenue to support a public school system, which was essential to settling the West.



*Horses graze near the New Mexico Wind Energy Center, located on trust lands in Quay County*

# *History of Trust Lands*

- 1850: United States Congress passed the Organic Act, creating the Territory of New Mexico  
Reserved sections 16 and 36 in every township to generate revenue for public schools
- 1898: The Ferguson Act designated UNM, NMSU, NM Tech, NMMI, School for the Blind and Visually Impaired, School for the Deaf, the penitentiary, charitable purposes, Las Vegas Medical Center, Miner's Colfax Hospital, Rio Grande improvements, and water reservoirs as beneficiaries  
The first land commissioner was appointed
- 1910: The Enabling Act authorized the territory to organize for statehood and increased lands held in trust by granting sections 2 and 32 in every township
- 1912: Statehood

# *Duties of the Land Commissioner*

- The commissioner of public lands shall select, locate, classify, and have the direction, control, care and disposition of all public lands . . . (Article XIII; Sec. 2)
- The land commissioner has a fiduciary responsibility to generate revenue for the trust beneficiaries from trust lands and foster responsible land stewardship.

# *Trust Beneficiaries*

- Public Schools
- University of NM
- UNM Saline Lands
- NM State University
- Western NM University
- NM Highlands University
- Northern NM Community College
- Eastern NM University
- NM Institute of Mining & Technology
- NM Military Institute
- School for the Blind and Visually Impaired
- School for the Deaf
- NM Boys Schools ( \$ to CYFD)
- Miners' Colfax Hospital
- Las Vegas Medical Center
- Penitentiary of NM
- Charitable, Penal & Reform Institutions (7 institutions own equal shares of the rentals and royalties)
- Water Reservoirs (\$ to Interstate Stream Commission)
- Rio Grande Improvements (\$ to Interstate Stream Commission)
- Public Buildings
- Carrie Tingley Hospital
- State Park Division

# *Beneficiaries That Own Whites Peak*

Public Schools (12,145 acres)

New Mexico State University (8,786 acres)

Las Vegas Medical Center (2,684 acres)

New Mexico Tech (4,467 acres)

New Mexico Military Institute (4,528 acres)

New Mexico School for the Deaf (4,197 acres)

Penitentiary (4,437 acres)

Miners' Colfax Medical Center (4,595 acres)

School for the Blind and Visually Impaired (4,272 acres)

Charitable Penal and Reform (4,560 acres)

*This exchange will:  
Consolidate 44,000 acres  
Improve boundary distinction  
Create a quality game and wildlife area*



*This exchange will control trespass issues.*

*Summary of GMU 48 Trespass 2006-2008*

*(Source: Dept. of Game and Fish)*

- 2006: 19 criminal occurrences
- 2007: 35 criminal occurrences
- 2008: 26 criminal occurrences
- 3-year total: 80



*Even the NM Wildlife Federation's president ignored signs prohibiting trespass into the Whites Peak fire tower.*



*This exchange will mitigate vandalism, theft, such as tree-cutting, and game poaching.*



*This exchange will end illegal vehicle use  
that creates surface damage.*



*Post-exchange, the SLO will close unnecessary roads, improve existing roads, and construct new, all-weather roads to provide safe access.*



*The trust will acquire additional water resources.*



*The acquisition of grazing lands will generate revenues for the trust.*



## *Revenue Earnings on Whites Peak*

- In FY09, the trust earned \$56,478 from grazing leases, a biomass lease, and rights-of-way in the Whites Peak area
- Post exchange, income could increase due in part to the improved carrying capacity
- The lands acquired in three of the exchanges afford more carrying capacity for grazing, thereby increasing rentals
- Various acquired lands will handle 16 to 20 head

*Phases three and four include:*

*Developing campgrounds and recreational facilities*

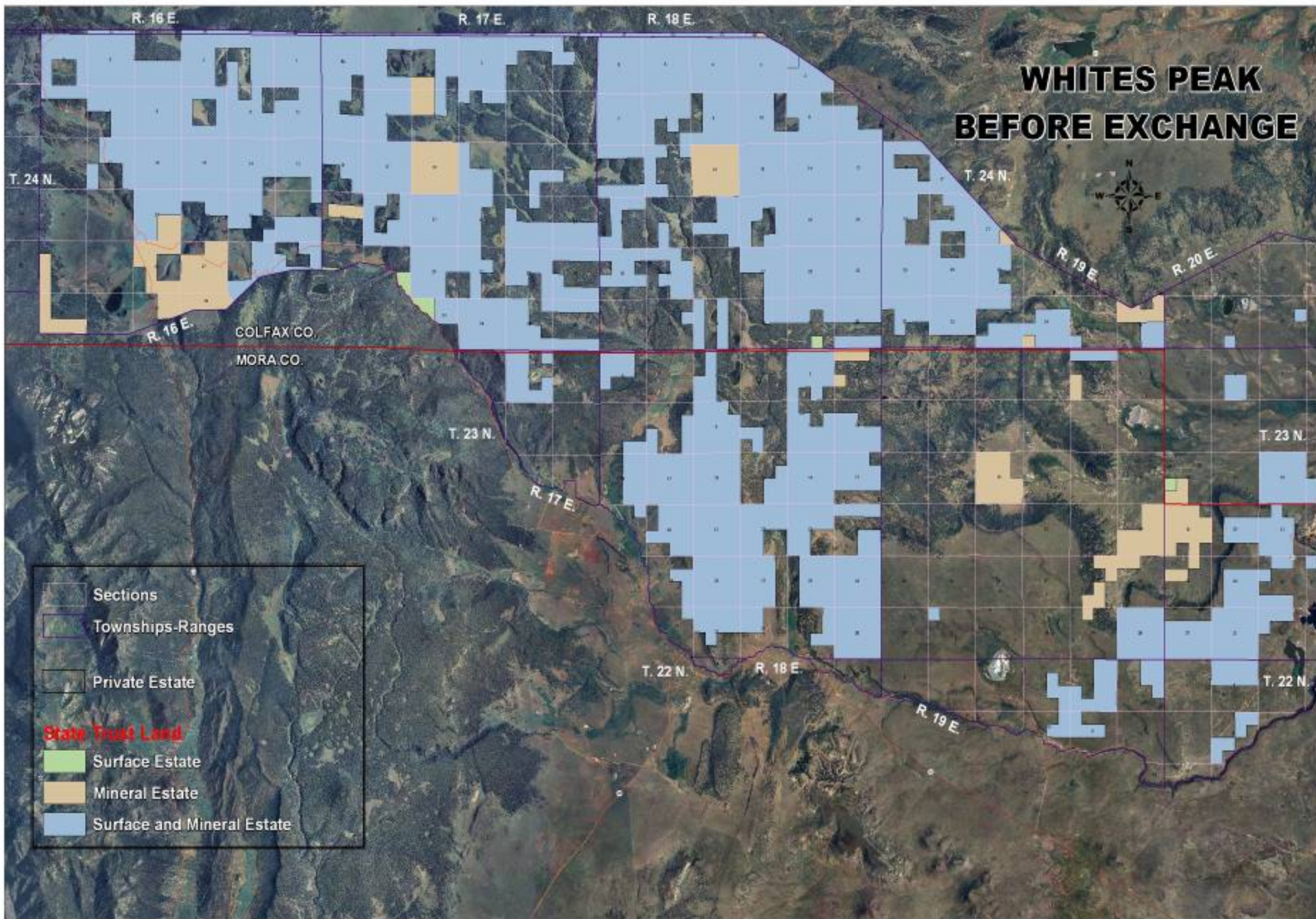
*Implementing forest restoration programs to improve forest health and wildlife habitat*

*Facilitating effective land management strategies*

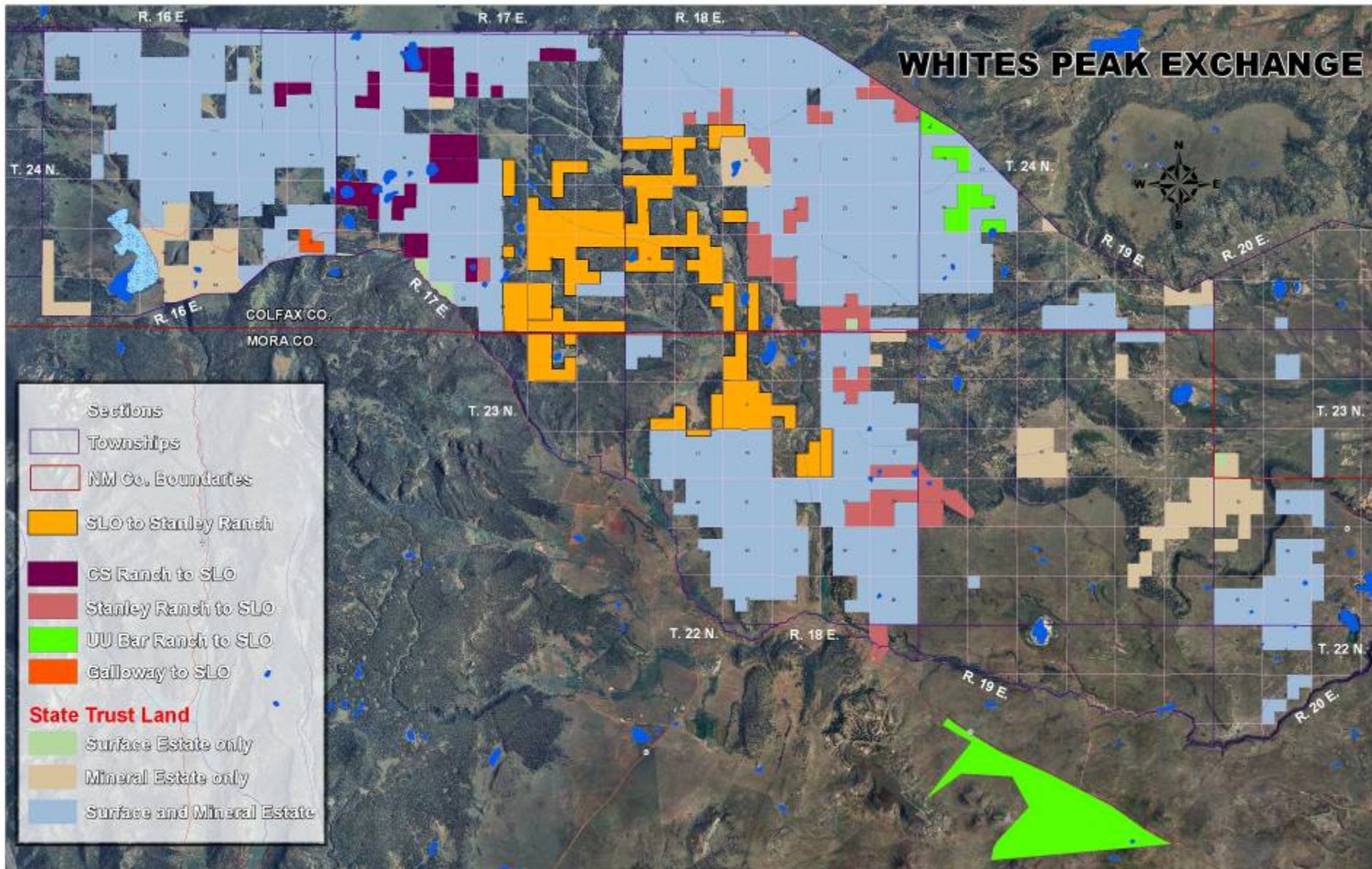




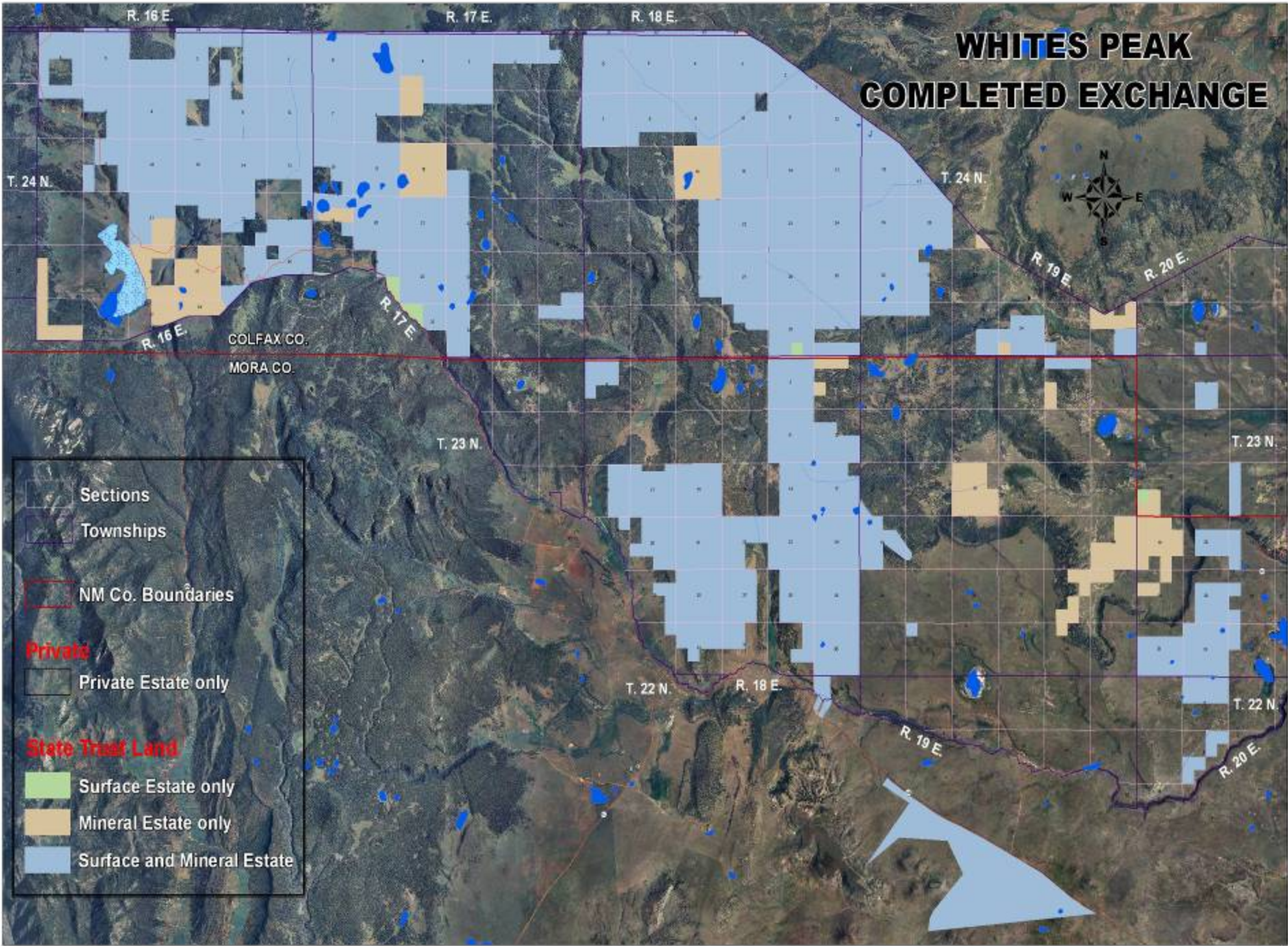
# WHITES PEAK BEFORE EXCHANGE



# Private Lands Offered to SLO



# WHITES PEAK COMPLETED EXCHANGE



- Sections
- Townships
- NM Co. Boundaries
- Private**
  - Private Estate only
- State Trust Land**
  - Surface Estate only
  - Mineral Estate only
  - Surface and Mineral Estate

# *Exchange Value Summary*

*This exchange will increase the trust's land value by \$13 million.*

## *Whites Peak Exchange*

## **Summary**

12/9/2009

<b>Description</b>	<b>Offered Lands</b>		<b>Trust Lands</b>		<b>Trust Gain or Loss</b>	
	<b>Acres</b>	<b>Value</b>	<b>Acres</b>	<b>Value</b>	<b>Acres</b>	<b>Value</b>
CS Cattle Ranch Exchange	2,600.00	\$ 13,480,000	166.84	\$ 734,000	2,433.16	\$12,746,000
Stanley Ranch Exchange	3,336.22	\$ 6,413,000	7,205.75	\$ 6,356,000	(3,869.53)	\$57,000
UU Bar Ranch Exchange	3,610.19	\$ 2,383,000	3,431.34	\$ 2,381,000	178.85	\$2,000
Galloway Exchange	109.94	\$ 951,500	160.00	\$ 840,000	(50.06)	\$111,500
	<b>9,656.35</b>	<b>\$ 23,227,500</b>	<b>10,963.93</b>	<b>\$ 10,311,000</b>	<b>(1,307.58)</b>	<b>\$ 12,916,500</b>

# *Communication Efforts*

- July 28, 2008: The Game Commission was sent letters requesting support for a quality hunt area and advising of the potential exchanges.

Letters were sent to: Bruce Thompson, Jim McClintic, Leo Simms, Dutch Salmon, Oscar Simpson, Sandy Buffett, Tom Arvas and Alfredo Montoya.

Commissioner Simms confirmed receipt of the letter.

- September 17, 2009: SLO employees Brian Henington, Scott McDowell, and Dan Estrada met with Game and Fish employee Lief Alm to discuss exchanges, provide maps, and answer questions.

The meeting took place at the New Mexico Highlands University library.

- Commissioner Lyons invited Game and Fish Director Tod Stevenson to attend the State Lands Trust Advisory Board meeting at the SLO on Dec. 15, 2009.

Commissioner Lyons left two messages with Stevenson's secretary.

The commissioner was advised by Stevenson's secretary that Stevenson would not attend the meeting, discuss this matter, or send anybody to the meeting on his behalf.

# *Fiscally Conservative*

- Flat budget: \$13.996 million
- Reverted \$5.776 million in budgeted monies
- Continue to monitor the agency's budget for non-essential operations
- Reduced number of full time employees
- No employee earns more than \$100,000 per year

# **New Mexico State Land Office**



**Education is Our Business!**