New Mexico Minerals: Federal, State or Fee?

In New Mexico the first title question is which record system to search. Here is how I decide, and what I pull from each.

Three record systems

Who owns the minerals	Where the lease lives	What to search
United States	Bureau of Land Management	Federal serial (NMNM, NMLC): MLRS serial register page and the lease file
State of New Mexico	State Land Office	SLO Connect: state leases, assignments, communitization agreements
Private (fee)	County clerk	Book and page, grantor and grantee indexes

One section can carry all three. A federal lease searched only in the county records will not be found, and its absence there proves nothing.

Step 1: the patent

- Pull the patent on BLM GLO Records, searched by legal description.
- Read the granting clause. If the only reservation is a right of way for ditches and canals, the minerals passed.
- The Stock-Raising Homestead Act of December 1916 reserved the minerals to the United States, but patents issued after 1916 on entries made under the older Homestead Act may reserve nothing. The date is a reason to read the patent, not the answer.

Step 2: land status and school sections

- The township's land status records (master title plat and oil and gas plat) show the federal mineral estate with its case serials.
- Sections 2, 16, 32 and 36 are the state school sections granted at statehood: start at the State Land Office.

Step 3: the federal lease

- The BLM serial register page is the federal runsheet: issue date, extensions, every assignment with its approval date, suspensions, terminations.
- The serial search wants exactly 13 characters, padded with spaces (for example NMNM 029272). A typing error returns nothing, which looks like a lease that does not exist.
- An assignment of a federal lease has two dates: recorded in the county, and approved by the BLM. Both go on the runsheet.

Units

Federal and state acreage is communitized, not pooled: a communitization agreement approved by the BLM or the State Land Office. Different instrument, different approval trail.

My checklist

- ☐ Patent pulled and granting clause read
- ☐ Land status records and oil and gas plat checked for federal case serials
- ☐ School sections checked at the State Land Office
- ☐ Every federal lease tied to its serial register page and lease file
- ☐ County book and page beside every BLM approval date
- ☐ Communitization agreements identified and their approvals cited

Sources: BLM GLO Records (glorecords.blm.gov); BLM MLRS; New Mexico State Land Office; Stock-Raising Homestead Act of December 29, 1916. Example names and numbers are for illustration. General education only, not legal, tax or financial advice. I am not an attorney; talk to a licensed attorney in your state about your situation.