

License No.: _____
Expiration Date: _____
Annual Rental: _____

**APPLICATION FOR AN ENCROACHMENT LICENSE
NEW MEXICO INTERSTATE STREAM COMMISSION: UTE RESERVOIR**

Name of Applicant: _____

Address: _____

(H) Phone: _____ (W) Phone: _____ Fax: _____

FEES: A Non-Refundable Encroachment License Application Fee of \$500.00 made payable to the New Mexico Interstate Stream Commission must accompany this completed application.

Legal Description of ISC Property Identified for Encroachment (include a map of the parcel and area of ISC lands (fee and/or easement) that are being encroached upon):

Submit completed application and fee to:
New Mexico Interstate Stream Commission
Attn: Jonathan Martinez, Canadian Basin Manager
P.O. Box 25102
Santa Fe, NM 87504-5102

For official use only:

ISC Decision, Encroachment License _____ Approved Not Approved
Date

Comments: _____

INSTRUCTIONS FOR ENCROACHMENT LICENSE APPLICATION
NEW MEXICO INTERSTATE STREAM COMMISSION; UTE RESERVOIR

1. General Policy. Encroachment license applications will be reviewed and considered by the New Mexico Interstate Stream Commission (ISC). Applications will be considered for approval according to the ISC's Ute Reservoir Shoreline Management Plan (2010). Water quality protection, general public use of ISC public property, public safety, and protection of Ute Reservoir for drinking water supply will not be compromised by improvements located on ISC property.
2. Application. Applications are available by contacting Rex Stall, the Ute Reservoir Caretaker, P.O. Box 281, Logan, NM 88246, (575) 487-2292 and may be picked up at the Ute Reservoir Caretaker office during posted business hours. Completely fill out the ISC encroachment license application forms.
3. Submittals Required for Initial Review. An encroachment license application must be accompanied by the following required submittals:
 - a) Check or money order for the entire amount of the non-refundable Application Fee made payable to the "New Mexico Interstate Stream Commission." Mail the completed application and fee directly to the NMISC, Attn: Jonathan Martinez, Canadian Basin Manager, P.O. Box 25102, Santa Fe, NM 87504-5102.
 - b) Deed or other instrument of title to Ute property owned by applicant attached as Exhibit A.
 - c) Map, plat, or survey (drawn to scale and acceptable to the ISC staff) showing property and proposed use attached as Exhibit B. Exhibit B must depict dimensions and square footage of area of encroachment upon ISC lands (fee and/or easement).
 - d) 8½ x 11 inch depiction of the property and the proposed use. This depiction must be acceptable to ISC staff, must clearly show the location of the property and the proposed use, and attached as Exhibit C. A reduced copy of the required map, plat, or survey, required in (b) above, may be appropriate. Simple hand-drawn sketches will not be sufficient.
 - e) Any previous licenses or permits attached as Exhibit D.
4. Review Process.
 - (a) All applications will be treated as public documents. Completed applications should be submitted directly to: NMISC, Attn: Jonathan Martinez, Canadian Basin Manager, P.O. Box 25102, Santa Fe, NM 87504-5102.
 - (b) Upon ISC's approval of an encroachment license application, the encroachment license applicant will be notified and the applicant must provide the following:
 - (i) Check or money order in the full amount for the Annual Encroachment License Fee (non-refundable) made payable to the "New Mexico Interstate Stream Commission". The first year's annual fee will be pro-rated so that all licenses will have the same anniversary date. Subsequent annual fee statements will be mailed every July, with fees due every September 1st.
 - a. Annual fees will be assessed at a rate of \$0.50 per square foot of encroachment upon ISC fee or easement property. A surety bond is also required in an amount of \$10,000 or \$5 per square foot of encroachment, whichever is greater.
 - (ii) Certificate of insurance in the amounts and in the form specified in the license agreement(s);

5. Encroachment License. All encroachment licenses will be subject to all of the terms, covenants, and conditions of the license agreement and the ISC's Ute Reservoir Shoreline Management Plan. The license agreement contains detailed provisions regarding fees, term, termination, and other requirements of permit.
6. Term. All encroachment licenses will be for a period of one (1) year and will have an anniversary date of September 1st, except for the first year which will be pro-rated to the anniversary date.
7. Running of Benefits and Burdens. The benefits and burdens of the encroachment license shall run with the land and shall be binding upon the successors in interest to the land to which the license is attached. See the license agreement(s) for particulars.
8. Concurrent Jurisdiction. Applicants seeking licenses may be required to obtain permits or approvals from other governing entities for proposed construction or installation. Applicants shall be responsible for determining what, if any, such permits or approvals are required, and for obtaining any necessary additional permits or approvals.
9. Modifications. Modifications to licensed encroachments upon ISC fee or easement lands will require the Applicant to submit a new application to and obtain approval from the New Mexico Interstate Stream Commission.

Questions may be directed to:

Rex Stall, Ute Dam Caretaker
NM Interstate Stream Commission
PO Box 281
Logan, NM 88426-0281
(575) 487-2292

OR

Jonathan Martinez, Canadian Basin Manager
NM Interstate Stream Commission
PO Box 25102
Santa Fe, NM 87504-5102
(505) 827-6134