

# Proposed Land Exchange

## NM State Land Office - Mescalero Apache Tribe

Doña Ana County ~ T23S R2E S36





**Landowner:**

NM State Land Office, 310 Old Santa Fe Trail, Santa Fe, NM 87501

**Beneficiary:**

Common Schools

**Property Location:**

The Property is located in southeast New Mexico, southeast of Las Cruces city limits, east of I-25, east of I-10 and south of State Highway 70, approximately 3 miles southeast of NM State University. **OUTSIDE OF CITY LIMITS**

- Doña Ana County
- Legal Description: S: 36 T: 23S R: 2E
- Parcel: 4-012-138-269-262
- Neighborhood: 265 - MS-LD-TO-EBL

**Utilities:**

- Electricity: NO, but buried electric (EPE) available in SE/SW of Section
- Water/Sewer: NO, but water main available in neighborhoods to west and south of property
- Gas: NO, but HP Gas Line (CLC) runs along east side of ROW

**ARCH/CRO:** awaiting their report

**Encumbrances:** ROW only

**Property Size:**

The full plat of State Trust Land consists of 640 total acres (27,878,400 sq. ft.). Mescalero is applying for the northern area, containing approximately 288.5 acres (12,567,060 sq. ft.)

**Property and Zoning Code:**

- Property Code: 9200 - EXEMPT Non-Residential Land
- Zoning Code: ETZ - EXTR-TERR-ZN

**Current Use/Improvements:**

- Recreational (walking trails) UNOFFICIAL, in trespass
- There are no improvements on the section requested

**ROW/Roadway:**

There is NOT a roadway in the portion of land that is being requested.

Directly to the left is the following road, which runs through STL and is held by:

ROW: R2-8640 ((S) 222713 - JAKES DEVELOPMENT CORP., 5465 Remington Rd., Las Cruces, NM 88011

ROW approved for Access Road and Utility Corridor

Original (2004) 14.23 acres, added 7.8739 in 2017

**Current total: 22.1039 acres**

- R – ROLLING

Undeveloped land, several rolling hills and numerous arroyos, which flow approximately 1 mile SW to the Fillmore Site 1 Dam. The elevation ranges from 4103 ft. up to a 4250 ft. The vegetation includes creosote bush, soap tree, tarbush, broom dalea, tobosa, and black grama. ROW for Sonoma Ranch Rd. (R2-8640) runs on the east portion of the STL area, adjacent to the proposed exchange area. This property is part of the Jordana Basin and it is just south of Jornada Experimental Range, a Long-Term Argo-ecosystem Research (LTAR) Network site.

**Adjacent Property Ownership(s):**

- United States of America (BLM) owns all property to the N, NE, E, SE, consisting of 2,559.76 acres, and a portion to the S, consisting of 157.77 acres
- Board of Regents (NMSU) owns the property to the NW and a portion to the west, consisting of 361.05 acres
- The remaining properties to the S and SW are all owned by private land/home owners

Mescalero Apache Tribe – Proposed Land Exchange

**When:** April 10, 2025 2:00 PM

**Where:** Dona Ana County, Community Development Conference Room 1-177

**Who:** State Land Office:

Stephanie Garcia Richard, Commissioner ✓ *State Land*  
Sunalei Stewart, Deputy Commissioner Operations  
Tarin Nix, Deputy Commissioner Public Affairs  
Michael Sage, Assistant Commissioner Commercial Resources ✓  
Dana Strang, Assistant Commissioner Surface Resources  
Ethan Ortega, Assistant Commissioner Cultural Resources  
Jack Sullivan, Associate Counsel  
Monyssha, Trujillo, Tribal Liaison/Conservationist  
Christopher Wolf, Special Projects Analyst ✓

Mescalero Apache Tribe:

Thora Padilla, President ✓  
Duane Duffy, Vice-President ✓  
Robert Rice, Secretary ✓  
Idella Starr, Treasurer  
Clyde Davis, Jr., Council Member ✓  
Christie Lapaz, Jr., Council Member  
Alfred Lapaz, Council Member ✓  
Dorlynn Simmons, Council Member  
Krystal Enjady, Council Member  
Nelva Cervantes, General Counsel

Dona Ana County:

Christina Ainsworth, Community Development Director  
Sean Vick, County Building Official/Assistant Director – Community Development Department  
Albert Casillas, Senior Planner – Community Development Department  
Bernadette Gendone, Engineering Associate – Engineering and Road Department  
Eric Garcia, Engineering Associate – Engineering and Road Department  
Michael Garza, Engineer Supervisor – Flood Commission  
Gregory Bustillos, Engineer Associate – Flood Commission  
Arturo Herrera, Fire Prevention Specialist – Fire Department ✓  
Stephen Lopez, Assistant County Manager (Tentative)

City of Las Cruces:

Carl Clark, Assistant Director Las Cruces Utilities  
Rocio Nasir, Senior Engineer Utilities

Elephant Butte Irrigation District:

Alex Rubio, Senior Engineering Supervisor

## Agenda:

- Welcome and Introductions
- Opening Comments
  - State Land Office *Stephanie Garcia SL Commissioner*
  - Mescalero Apache Tribe
- NM State Land Office Tribal Land Exchange
  - Process Overview
  - Cultural Compliance
  - Engagement with Nations, Tribes, and Pueblos
- Project Overview
  - Footprint
  - Utility/Road Easements
  - Flood Plain
  - Trails
- Project Discussion
  - City of Las Cruces
  - Dona Ana County
  - Elephant Butte Irrigation District
  - Other
- Next Steps
- Adjourn



**New Mexico State Land Office**  
Cultural Resources Office  
Tribal Liaison: Tribal@nmslo.gov  
505-469-0523

### **NMSLO engagement with Nations, Tribes, and Pueblos for the proposed land exchange with the Mescalero Apache Tribe**

This proposed Tribal Land Exchange (LE-1424) follows a standard operating procedure developed by the New Mexico State Land Office (NMSLO) in collaboration with Tribes.

1. A notification is sent via certified mail and email to all Nations, Pueblos, and Tribes within the state as well as any outside of the state that have cultural connections to the proposed exchange area as documented on the State Historic Preservation Officer consultation list.
2. Nations, Pueblos, and Tribes are invited to participate in consultation about the Cultural Resources inventory process of the proposed exchange area.
3. If Cultural Resources are identified, consultation will determine best care practices.

#### **For this proposed exchange:**

- Nations, Pueblos, and Tribes have asked for a class III archaeological survey of the proposed exchange area as well as an ethnobotanical study.
- The Mescalero Apache Tribe will participate in the class III survey and ethnobotanical study and copies of the Cultural Resource inventory report will be provided to all Nations, Pueblos, and Tribes that requested copies.

#### **NMSLO Cultural Resource compliance requirements:**

The New Mexico State Land Office is required to comply with all state laws and regulations regarding the identification, care, and protection of Cultural Resources including the Cultural Properties Act and the Cultural Properties Protection (CPP) Rule.

- The acquisition or disposition of lands through exchange or sale are exempted from the CPP Rule because it is not a surface-disturbing activity.
- A survey and discussion of care for any identified Cultural Resources will still occur at the request of Tribes during consultation.

#### **The CPP Rule defines Cultural Properties as:**

*A structure, place, site, object, or resource having historic, archaeological, scientific, architectural, or other cultural significance. A cultural property includes a property listed on or eligible for inclusion on either the New Mexico register of cultural properties pursuant to the Cultural Properties Act, or listed on or eligible for listing on the national register of historic places pursuant to the National Historic Preservation Act.*

