

Opinion No. 19-2191

February 8, 1919

BY: O. O. ASKREN, Attorney General

TO: Mr. Sam J. Nixon, Attorney at Law, Fort Sumner, New Mexico.

Purchasers of State Land on 30 Year Installment Plan Not Authorized to Lease Lands.

OPINION

In reply to your letter requesting my opinion as to whether or not the purchaser of state lands on 30 years' time can legally lease to others oil privileges on such lands, I advise that such a lease would be invalid, because the purchaser of state lands is not the owner in fee until his payments are all made; that is to say, he merely holds a contract to purchase, and in my judgment the state would still have the right to lease for mineral development.