

*COMPILATION OF STATE TAX LAW  
RELATING TO OIL, GAS AND MINING  
PROPERTIES IN NEW MEXICO*

BULLETIN 32

**Compilation of State  
Tax Law  
relating to Oil, Gas, and  
Mining  
Properties in New  
Mexico**

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COMPILATION OF STATE TAX LAW  
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PROPERTIES IN NEW MEXICO

By E. P. RIPLEY

The numerous inquiries received by the New Mexico Institute of Mining and Technology and the State Bureau of Mines and Mineral Resources have indicated the need for a recompilation of the tax law relating to taxation of mineral properties within New Mexico.

Broadly speaking, there are three classes of taxes levied on mineral properties: (1) Ad Valorem and Production Taxes; (2) Severance Taxes, and (3) Sales Taxes. This recompilation will follow this division. In an effort to make the compilation of maximum benefit, reproductions of the forms currently in use by the Tax Commission and the Bureau of Revenue are appended. Decisions of the Supreme Court on the subject also are referred to. However, no attempt is made to cover court decisions in detail, their inclusion in abbreviated head-note form makes the full text readily available to interested persons. This compilation does not deal with corporate taxes nor the State income tax.

Citations are to New Mexico Session Laws and to 1941 New Mexico Compilation and Cumulative Pocket Supplement thereof (Boobs-Merrill Company, 1942) .

## I

AD VALOREM AND PRODUCTION  
TAXATION OF MINERAL PROPERTIES

## A. PROPERTIES OTHER THAN OIL

Assessment of mineral properties other than oil is made annually by the State Tax Commission under authority of *Laws 1921, Ch. 133, Sec. 502*. As amended by *Laws 1925, Ch. 102, Sec. 33*, compiled as follows:

*"Sec. 76-502. Assessment by Commission—At its regular meeting beginning on the first Monday in March of each year, the commission:*

- (1) shall determine the actual value: ...
- (c) of mineral property in the state as hereafter defined, ... "

The method of valuing mineral property is prescribed by *Laws 1921, Ch. 133, Sec. 508*, as amended by *Ch. 118, Sec. 1, Laws 1945*, compiled as follows:

*"Sec. 76-505. (Pocket Supp.) Method of Valuing Mineral Property-1. "Mineral property" as used in this as shall mean and include all mineral property in this state, any interest therein, and any products thereof, and all improvements, equipment, materials, supplies, and personal property held or used in connection therewith, and the surface value of all mineral lands for grazing, timber, agricultural or other purposes when held in the same ownership as the mineral rights therein.*

"2 Mineral property, any interest therein, and any products thereof, for the purposes of taxation, shall be divided into the three following classes:

Class One: Mineral lands held in fee in private ownership and mineral rights and interest therein.

Class Two: The severed mineral products from mineral lands held by possessory title under the laws of the United States.

Class Three: The severed mineral products from leasehold and contract mineral rights in lands, the fee of which is in the United States or the State of New Mexico.

"3 Mineral properties falling in Class One shall be subclassified into either productive or nonproductive.

Productive properties shall be such as are mined or operated in good faith for the mineral values therein, with a reasonable degree of continuity during the year for which the return, hereinafter required, is made and to an extent in keeping with the market demand and conditions affecting the extraction and disposition of the product.

Nonproductive properties shall be such as are known to contain minerals in commercially workable quantities, of such character as add present value to the land in addition to its value for other purposes, and are not operated so as to fall in the class of productive properties as above defined.

"4 The word 'person' as used in this chapter shall mean and include any individual, corporation, copartnership, trust, or association of persons.

"5 Every person owning or holding any mineral property, subject to valuation by the commission, shall make a return to the commission on or before February 1st of each year, showing such facts and in such form as the commission may determine and prescribe.

In addition thereto, every owner or operator of any productive mineral property, and every owner or operator of any mineral property falling in classes Two and Three shall, between the first day of January and the first day of February in each year, make and forward to the commission at its office in Santa Fe, New Mexico, a sworn return or statement showing, in such form and detail as the commission shall prescribe, the total quantities and kinds of ores, metals, coal, coke, petroleum, natural gas, and other valuable minerals or metals produced and sold during, and on hand at the end of, the next preceding calendar year, together with the name and postoffice address of the owner and operator, and such information as to the description, location and area of such mineral property and the cost of production, value and amount realized from such output, and such other facts as may be required by the commission. Every person engaged in mining or operating any such property shall keep and preserve at such mine, mineral property, or at the principal office of such person in this state, accurate books and accounts showing in such detail as may be prescribed by the commission, all facts relating to the quantities and kinds of minerals and metals produced, the cost of production, milling, reduction, treatment, transportation and sale thereof, the quantities sold, the amount realized therefrom and the quantities and value of such mineral and metal produced and not disposed of.

"6 From such returns and statements, and such other information as may be available, the commission shall ascertain and determine the market value of the average annual output of such productive mineral property, including any bonus or subsidy payments, less the actual cost of producing and bringing the output to the surface and of milling, treating, reducing, transporting and selling the same, over the period of five (5) years (or so much of such period as the property has been in operation) next preceding the year in which such return is required to be made. Provided, however, that any person may elect to have his output valuation computed on an annual basis instead of on a five-year average basis. If such election is exercised, such person may not change from the one-year basis except with the approval of the commission.

But there shall not be included as part of such cost any amounts paid for salaries of any persons not actually engaged in the operation of such property or the milling, treatment, reduction, transportation, or selling such output, or in the immediate management or superintendence of such operations; nor shall there be included as part of such cost any amounts paid for improvements or the purchase of machinery, equipment, appliances, or for construction of mills, reduction works, transportation facilities or other buildings or structures.

"7 The commission shall determine a reasonable quantity or area of reserves of ores or minerals in lands owned or held by each person operating a productive property, to be operated by the same works, based upon the estimated life of such mine or mineral property, its average annual production, the market demand for the output, and other conditions surrounding such property, and shall allocate such reserves to each productive mineral property.

"8 For the purpose of the exercise of the option hereinafter provided for, as to the method of determining the ad valorem value of productive properties, such properties are hereby divided into the following two classes:

- I. Gas and oil wells,
2. All other properties.

The commission shall, between the date when this act takes effect and the third Monday in February, 1922, cause an appraisal of the productive mineral properties falling within class 2 of this subsection, for the purpose of comparison with the result of using the output method mentioned in subsection 10 hereof. The data, facts, and figures gathered by the commission in making the above appraisal shall be a public record open to inspection at all reasonable times.

"9 The commission may, in any particular year, determine the ad valorem value of the mineral in all productive mineral properties falling in any one of two classes enumerated in subsection 2 hereof, with the respective allocated reserves, by appraisal thereof. In such case the commission shall use all factors and elements which reasonably enter in and are necessary to determine such value, and the commission shall make specific findings of facts in writing, setting out in detail the factors, elements and method of calculation used in determining the value of each specific productive mineral property. Such findings shall be preserved in the official records of the commission and certified copies thereof shall be furnished to the taxpayer on request.

"10 The commission may, in any particular year, determine such average annual output value, being the market value of such average annual output, including any bonus or subsidy payments, less the deductions provided for in subsection 6 hereof, to be the ad valorem value of the mineral in all productive mineral properties, and the respective reserves allocated thereto, falling in any one of the two classes enumerated in subsection 8 hereof for the purpose of taxation for such year.

"II. The commission shall determine the ad valorem value of mineral in non-productive mineral property by appraisal thereof. In determining the value of such properties the commission shall take into consideration the distance from railroad, the condition for extracting and disposing of the minerals and the probable length of time before transportation facilities and market demand will warrant production and sale thereof.

"12 The commission shall, in each year, determine the average annual output value, being the market value of such average annual output, including any bonus or subsidy payments, less the deductions provided for in subsection 6 hereof, to be the taxable value of such year of all properties falling in classes (2) and (3) enumerated in subsection (2) hereof. In calculating the average annual output value of the severed product falling in class 3, the commission shall first deduct from the gross product any royalties belonging to the state or United States.

"13 In case any productive mineral property shall, for the period for which market value of average annual output, including any bonus or subsidy payments, is being calculated in a given year, fail to produce an average annual output of a value above actual cost, as defined in this act, commensurate with the opportunities and difficulty of producing and disposing of the same, the commission may, in its discretion, determine the taxable valuation of such property for the taxing year on the same basis as for nonproductive property.

"14 All improvements, equipment, materials, supplies and personal property held or used in connection with, and the surface value for grazing, timber, agricultural or other purposes, when held in the same ownership as the mineral rights, of all mineral property falling within class 1 enumerated in subsection (2) hereof shall be valued and assessed by an appraisal thereof in addition to the valuation of the mineral therein.

"15 All improvements, equipment, materials, supplies and personal property held or used in connection with all mineral property falling within classes numbered two and three enumerated in subsection (2) hereof shall be valued



and assessed by the commission by an appraisal thereof in addition to the values provided to be determined in subsection 12 hereof.

"16. The taxes upon mineral property, other than upon classes two and three as defined in subsection (2) hereof are hereby made a lien upon such mineral property, from the first day of January of the year in which the same are levied and assessed. In case of a mining claim not patented or entered for patent, such lien shall be upon the right of possession and the improvements, and if such mining claim be sold for taxes, such sale shall pass to the purchaser the title and right of possession, together with the improvements.

In any case where the minerals or mineral rights in land belong to a person or persons other than the owner of the land, taxes upon such minerals or mineral rights shall not be a lien upon the separately owned land, and taxes upon such separately owned land shall not be a lien upon the separately owned mineral or mineral rights."

The foregoing section covers ad valorem and production taxation of mineral properties other than oil. Forms 31-1 with Schedules 1-M to 14-M together with Form 43-142 for producing mines under \$10,000 valuation currently in use for making the reports called for in this section are appended. As a practical matter the Tax Commission prefers to assess productive mineral properties under the provisions of Sub-Section 10 rather than by appraisal as provided for in Sub-Section 9.

Nonproductive mineral properties other than oil coming within the scope of Sub-Section 3 (supra.) are assessed by the Tax Commission as a nominal valuation under Sub-Section 11 (supra.) because of the practical difficulties involved in attempting actual appraisals of such properties.

Nonproductive mineral properties other than oil not known to contain minerals in commercially workable quantities other than those held or used in connection with the properties known to contain minerals in commercially workable quantities as in connection with producing mineral properties are usually assessed by the local county assessors at a nominal valuation.

Personal property used in connection with producing oil wells such as casing and tubing in place, gate valves, derricks and rigs, separators, flow lines, measuring and receiving tanks, engines, boilers, motors and pumps, warehouses, dwelling houses for workers and miscellaneous supplies are taxable under Sub-Section 1 hereof. *State vs. State Tax Commission*, 49 N.M. 299, 58 Pac. 2nd. 1204.

## B. OIL PROPERTIES

Assessment of producing Oil Properties is made pursuant to the provisions of *Laws 1925, Ch. 83*, compiled as follows:

"Sec. 76.1001. *Owner or operator of producing well—Report to tax commission required—***Every** owner or operator of any oil well or gas well that shall have produced oil or gas during any three (3) months' period, as hereinafter specified, shall on or before the tenth day of February, May, August and November of each year make and forward to the state tax commission a certified return in such form as

said commission shall prescribe and covering the operations of each oil well and gas well during the three (3) months' period expiring on the last day of January, April, July and October, stating the name and address of such owner or operator, the location and description of the property, the total quantities of oil and gas produced during and on hand at the end of each of such periods, the current market value of such oil or gas at the place of production, any royalty paid or due on account of such production and to whom payable, and such other facts as may be required by the commission. The commission shall have all powers given it by existing law to enforce the making of such reports or to ascertain the facts relative thereto."

*"Sec. 76-1002. Tax commission to determine net value and certify to county assessor—*From such return and such other information as may be available, the commission shall determine the net value of such quarterly output, being the market value thereof at such well, less any royalties on such quarterly output paid or owing the United States, or to any Indian tribe or Indian, being wards of the United States, or the state of New Mexico, less a further deduction of fifty (50) per cent as allowance for production costs and amortization, and said commission shall certify such net value to the assessor of the county in which such well is located as the taxable valuation of the output of such well."

*"Sec. 76-1003. Assessment—*Within five (5) days after the receipt of such certificate, the assessor shall enter such valuation upon a special tax roll and assess and extend the taxes thereon at the rates levied and assessed upon the last tax filed with the county treasurer upon other property in the county and district in which such well is located, and deliver such tax roll to the county treasurer, and forward a copy thereof to the state tax commission."

*"Sec. 76-1004. Notice of taxes—When delinquent—Interest and penalties—Collection.*—Immediately upon the receipt of such tax roll, the county treasurer shall send by registered letter to the owner or operator at the address stated in said return, a notice giving the amount of such taxes and that the same are due and payable. If said taxes be not paid within thirty (30) days from the date of such notice, such taxes shall become delinquent at the expiration of such period and shall thereafter bear interest at the same rate and be subject to the same penalties as delinquent taxes upon real and personal property and shall be collected in the manner provided by law for the collection of such delinquent taxes."

*"Sec. 76-1005. Distribution of taxes collected—Taxes in lieu of all others.—*Taxes so collected shall be distributed in proportion to the various levies applicable to the district in which said oil or gas well is located. The tax provided herein shall be in lieu of all other taxes on such oil wells or gas wells or on their production."

*"Sec. 76-1006. Returns—Application of Tax.—*The first return required for the year 1925 shall be made on or before the tenth day of August, 1925, and shall cover the period from January 1, 1925, to July 1, 1925, and thereafter returns shall be made quarterly as above specified. Taxes on the output of such oil wells or gas wells for the period up to December 31, 1924, shall be covered by existing laws and not in any manner affected by this act, and the equipment belonging to such owner or operator used in the operation of such well."

Forms currently in use in making the reports called for by *Sec. 76-1001* are appended hereto marked 0 & G-1.

It is to be noted that the foregoing sections make no provision for taxation of the property and equipment used in operation of oil properties. This section provides for a production tax on the oil itself

as a method of fixing ad valorem tax values. The property and equipment used in the operations are taxable separately by the Tax Commission under the provisions of *Laws 1921, Ch. 133*, as amended compiled as *Sec. 76-502 (supra.)*. See *State ex rel. Attorney General vs. State Tax Commission* 40 N.M. 299, 58 Pac. (2) 1204 and explanatory note at end of preceding division. Forms marked 0 & G-2 for pipelines is also attached.

### C. OIL CONSERVATION TAX

In addition to the foregoing conservation tax of 1/2% is assessed against the proceeds of all oil and gas produced. This tax is levied and collected under authority of *Laws 1935, Ch. 72, Sec. 25*, re-enacted by *Laws 1949, Ch. 72, Sec. 25*, compiled as follows:

*"Sec. 69-231. Tax on oil and gas production—Use of proceeds—Employees of commission—There is hereby levied a tax of one-eighth of one per cent on the proceeds of all oil and gas produced in this state, except royalties payable to the United States or to this state. Such tax shall be reported and collected at the same time and in the same manner as the emergency school tax now, or hereafter provided by law, is returned and collected. Such tax when collected shall be paid to the state treasurer and by him covered into a fund designated as the oil conservation fund. Such fund, or so much thereof as may be necessary, is hereby appropriated to the oil conservation commission to be by it expended in the enforcement of this act (69-202-69-217, 69-219-69-232). The Commission is hereby authorized, within the limits of the fund available, to employ a secretary and such other employees and agents as may be necessary to enforce the provisions of this act (69-202-69-217, 69-219-69-232.)"*

### D. NON-PRODUCING OIL PROPERTIES

The question has been raised as to assessment of non-productive oil properties. It is the writer's opinion that such property if it is known to contain oil or gas in commercial quantities and to add present value to the land within the meaning of *Sec. 76-505 (3) (supra.)* is taxable by the Tax Commission. These have been held to be taxable where they have an actual as distinguished from a purely speculative value. Assessment of such properties is usually made by the different county assessors apparently upon the assumption that the provisions of *Laws 1921, Ch. 133, Sec. 502*, do not apply to non-productive oil properties. In connection with the assessment of such properties see *Sims vs. Vosburg* 45 N.M. 255, 91 Pac. (2) 43.1.

II

SEVERANCE TAX ON MINERAL PROPERTIES

Subsequent to March 1, 1937, oil, gas, coal, copper, gold, lead, silver, stone, asphalt, zinc, potash and timber severed from the soil have been subject to a severance tax.

This tax is assessed and collected under the provisions of *Laws 1937, Ch. 103*, to the following effect:

*"Sec. 76-1301. Taxes levied on natural resource products—Lien of tax.—From and after the effective date of this act, taxes hereby are levied on all natural resource products severed and saved from the soil of this state; provided however, that water shall not be subject to the provisions of this act.*

Such taxes shall be paid by the owner or proportionately by the owners thereof at the time of severance, and shall become due and payable monthly as herein provided, and shall operate as a first lien on all such products, which lien shall follow such products into the hands of third persons, whether in good or bad faith, and whether same shall be found in a manufactured or unmanufactured state."

*"Sec. 76.1302. Tax on gross value at severance—"Gross value" defined—Rates.* Taxes as levied under this act shall be predicated upon a gross value, as hereinafter defined, of such products severed and saved from the soil of this state and shall be paid at the rates provided for hereinafter in this section in the schedule of tax rates upon all such products as of the time when and the place where the same has been severed or taken from the soil immediately after such severance. The gross value, as hereinafter defined, on all such production shall be computed as of the time when and the place where the same have been severed or taken from the soil immediately after such severance.

Gross value is defined as being the sales value of the severed and saved product at the first marketable point. For such products as have a posted field or market price at the point of production, the value to be reported shall be its posted field or market price without any deductions except those expenses of hoisting, crushing and loading necessary to place the severed product in marketable form and at a marketable place. For such products as must be processed or beneficiated before sale the value to be reported shall be the proceeds from the first sale after deducting freight charges subsequent to severance to the point of first sale and the cost of processing or beneficiation.

SCHEDULE OF TAX RATES

On potash	2½%
On oil	2½%
On natural gas	2½%
On copper	½%
On coal, gold, lead, silver, zinc, timber, molybdenum, manganese, fluorspar, uranium, and pumice	1/8%

*"Sec. 76-1303. When due and payable—Filing return—Contents—Deduction—Extension—All taxes levied hereunder shall be due and payable in monthly installments on or before the 15th day of the month next succeeding the month in which said products were severed or taken from the soil of this state. The taxpayer on or before the 15th day of the month next succeeding the month in which the tax accrues shall make out and file with the bureau of revenue a return for the preceding month in such form as may be prescribed by the said*

bureau, showing the business conducted by the taxpayer during the preceding month showing the kind

and gross quantity and value of said products so severed, the names of the owner or owners at the time of severance, the portion owned by each, the location of each place or places where the same were severed from the soil, and such other information as the commissioner of revenue may require.

The commissioner of revenue may, in his discretion, require the first purchaser of said products to pay the tax hereunder, rather than the owner, or said commissioner may grant permission for the tax to be paid by the first purchaser of said products rather than by the owner thereof.

The taxpayer shall accompany the return with a remittance of the amount of the tax due. In computing the amount of said tax there shall be deducted from the gross value of said products, the value of said products due or paid to the United States of America or the state of New Mexico, as the case may be, for and as rental or royalty payments.

The commissioner of revenue, if he deems it necessary in order to insure the payment of any tax imposed by this act, (76-1301-76-1325), may require returns and the payment of the tax to be made for other than monthly periods.

The commissioner of revenue for good cause may extend not to exceed thirty (30) days the time for making any return required under the provisions of this act (76-1301-76-1325), and may by general order extend the time for making returns for any class of products subject to taxation hereunder."

*"Sec. 76-1304a. Taxes collected by bureau of revenue—Transfer—Administrative fund.—All taxes levied under this act shall be collected by the bureau of revenue of the state of New Mexico and by it paid over to the state treasurer immediately after receiving same. The state treasurer shall cover all such taxes into the general funds of the state treasury\*, after deducting three per centum (3%) of the amount thereof for administrative purposes, which shall be placed by the state treasurer in the severance tax administrative fund hereby created. There is hereby appropriated an amount equal to three per centum (3%) of all monies collected under this act, or so much thereof as may be necessary for the enforcement of this act, the same to be expended only with the approval of the state board of finance. The three per centum (3%) provided for herein for administrative purposes shall be in addition to the deduction provided for in section 4 hereof."*

*"Sec. 76-1305. Security may be required—Sale—Return of surplus—The bureau of revenue, whenever it deems it necessary to insure compliance with the provisions of this act (76-1301-76-1325), may require any person subject to tax hereunder to deposit with it such security as the commissioner of revenue may determine. The same may be sold by the bureau of revenue at public sale if it becomes necessary to do so, in order to recover any tax, interest, or penalty due. Notice of such sale shall be made by publication once a week for two (2) successive weeks in some newspaper published at the city of Santa Fe, and shall be served upon the person who deposited such securities personally or by mail addressed to such person at his address as the same appears upon the records of the said bureau. Upon any such sale the surplus, if any, above the amounts due under this act (76-1301-76-1325), and the cost of advertising and making the sale, shall be returned to the persons who deposited the security."*

*"Sec. 76.1306. Payments and returns must be by those actually engaged in severing—Except as otherwise provided in this act (76-1301-76-1325), the making of the reports required herein and the payment of said taxes shall be by those actually engaged in the operation of severing, whether it be the owner of the soil or another severing from the soil of another, or the owner of any of said products severing the same from the soil of another."*

The reporting taxpayer shall collect and withhold out of the value of said products so severed, the proportionate parts of the total tax due by the respective owners of the severed products at the time of severance."



*"Sec. 76-1307. Deducting amount of tax by person severing—*Every person actually engaged in the severing of any of said products mentioned herein from the soil or actually operating the properties from which said products are severed under contracts or agreements requiring royalty interest, excess royalty, or working interest, either in money or in kind, is hereby authorized, empowered, and required to deduct from any amount due or from anything due, the amount of tax herein levied before making such payments; Provided, however, no such deductions shall be made from any amount or amounts due the United States of America or the state of New Mexico as royalty or rental payments."

*"Sec. 76-1308. Deducting amount of tax by purchaser—*When any person actually engaged in severing said products from the soil under contracts or agreements requiring payments direct to any owner of the proportionate share of such products, as set out in preceding section, shall sell such products to any person under contracts or agreements requiring such purchasers to pay all owners of said products direct, then the person actually severing such products from the soil or actually operating the properties from which said products are severed, may not be required to deduct the tax herein levied, but in such event such deductions shall be made by the purchaser before making payments to each owner of such products; Provided, that nothing herein shall be construed as releasing the person severing the products from liability for the payment of said taxes."

*"Sec. 76-1309. Deductions by purchasers—Filing reports—Payment of tax deducted—*Every person purchasing said products severed from the soil under contracts or agreements requiring such purchasers to make payments direct to the owners of said products is hereby authorized, empowered, and required, to deduct from any amount due any owner of such products the amount of the tax levied by the provisions of this act (76-1301-76.1325) before making such payments.

All persons required to deduct from amounts due to others the tax herein levied shall file with the bureau of revenue the reports herein required and shall at the same time pay to said bureau the amount of the tax so deducted or withheld under the provisions of this act (76.1301-76-1325) ; Provided, that nothing herein shall be construed as releasing the person severing the products from the liability of payment of said taxes."

*"Sec. 76-1310. Withholding payments—Deducting tax from gross amount—*Whenever the title to any said products is in dispute or whenever any person, either the purchaser of such products or the person engaged in the severance of such products or operating the properties from which said products are severed, shall be withholding payments on account of litigation or for any other reason, such purchaser or person is hereby authorized, empowered, and required to deduct from the gross amount thus held the amount of the tax herein levied, and to make remittance thereof to the bureau of revenue as hereinbefore provided."

*"Sec. 76-1311. Owners proportionately responsible—Filing statement of amount due—Lien—*The owners of said products severed from the soil are hereby made proportionately responsible for the payment of the tax herein levied, and if the reports provided for herein are not made and the tax due on such products is not paid by the purchaser thereof or by the person actually engaged in severing such products from the soil or operating the properties from which said products are severed, then the commissioner of revenue shall make from any information in his possession and cause to be recorded in the mortgage records of the county where such products are severed from the soil, a statement under oath showing the proportionate amount of the tax due by each said owner of the product severed from the soil, which statement, when filed for record, shall operate as first lien and mortgage on all property from which said natural products were severed and on all property of the affected tax debtors as the case may be, and said property shall be subject to distraint and sale for the payment of the taxes due; Provided, nothing herein shall be construed as waiving or releasing the lien upon such products severed wherever same may be found."

*"Sec. 76.1312. Notice of recording of statement—Return—Payment—Distraint and sale on nonpayment—Whenever the commissioner of revenue shall have caused the statement provided for in the preceding section to be recorded, he shall give notice to the taxpayer by registered mail of the recording of such statement. The said taxpayer may thereafter within thirty (30) days make a correct return of the amount of tax due and pay the same together with interest as provided in this act (76-130176.1325) . If no return is made thereon within said thirty (30) days and the amount of the tax determined by the commissioner to be due together with any interest is not paid within said period, the sheriff of the county wherein said products were severed shall forthwith distraint and sell for the payment of such taxes and interest any property belonging to the tax debtor or debtors, as provided above, which may be found within the county of said sheriff."*

*"Sec. 76-1313. Distraint and sale of property for enforcement—The sheriff of any county, when ordered by the bureau of revenue, is hereby required to distraint and sell any property, assets, and effects belonging to any person owing the tax herein levied, after recodation of the statement required in this act (76-1301-76-1325), and after the notice required herein has been given; and all such distraint and sales shall be controlled and governed by the laws of the state respecting distraint and sale of personal property for the enforcement of collection of taxes, and penalties shall be imposed and collected as prescribed herein."*

*"Sec. 76-1314. Properties subject to distraint and sale—Priority—All leases, interests, including royalty interests, contracts, and rights of any kind to the ownership of any of the said products severed from the soil, and all and every kind of right of ownership in the properties from which same are severed, are hereby declared to be subject to distraint and sale for the payment of the tax herein levied, in preference and prior to all other claims and liens."*

*"Sec. 76-1315. Delinquency—Interest—Relation to other taxes—The tax provided by this act (76-1301-76-1325) shall be and become delinquent after the date fixed for making payment as herein provided, and from such time shall be subject to interest for such delinquency at 1% of the tax per month until paid."*

The payment of the severance tax levied by this act (76-1301-76-1325) shall be in addition to and shall not affect the liability of the party or parties so taxed for the payment of all state, county, municipal, district and special taxes levied upon their real estate and other corporeal property, including the emergency school tax, production, and other special taxes. No severance tax shall be levied by any county or other political subdivision of the state."

*"Sec. 76-1316. Securing additional information—Subpoenas—Examining documents —Correction of returns—The commissioner of revenue shall have the power to require any person engaged in severing said products from the soil, to furnish any additional information by him deemed necessary for the purpose of computing the amount of such tax and for said purpose to examine the books, records, and files of any such person, and to that end may require all wells and pipe-lines producing off and natural gas taxed herein to be properly measured. The bureau of revenue shall have the further power in carrying out its duties in the administration of this act (76-1301-76-1325) to subpoena and examine witnesses, and if such witnesses shall fail or refuse to appear at the request of the commissioner of revenue or other person designated by him, or refuse access to the books, records, and files, the commissioner of revenue shall certify the facts and the name or names of the witness or witnesses so failing or refusing to appear or refusing access to the books or papers, to the district court within and for the proper county, and the said court shall thereupon issue a summons to the said party to appear before the said bureau of revenue at a place designated within the jurisdiction of said court on a day fixed, and give such evidence and open for inspection such books, records, and files, as *may be* required, and failure or refusal to obey the summons as aforesaid shall by said court be punished as a contempt of said court. And whenever it shall appear to the commissioner of revenue that any such person has made an untrue or in-*

correct return, as hereinabove provided, said commissioner shall correct such return and compute the tax on same and shall take the steps required by law to collect such tax."

*"Sec. 76-1317. False oath—Penalty—Any person who shall intentionally make any false oath to any return or report required by this act (76-1301-76-1325) shall be deemed guilty of perjury and shall be subject to all the penalties prescribed for said crime."*

*"Sec. 76-1318. Statements showing names of vendors and quantity required—It is hereby made the duty of all purchasers and others dealing in any said products severed from the soil of this state to file monthly with the bureau of revenue, a statement, under oath, showing the names and addresses of all persons from whom said purchaser or dealer has purchased any of said products in its natural state severed from the soil of this state during the preceding month, together with the total quantity of each such product purchased. Said reports shall be filed within fifteen (15) days after the expiration of each month and shall be upon such forms as prescribed by said bureau of revenue."*

*"Sec. 76-1319. Bureau of revenue to enforce collection—It is hereby made the duty of the bureau of revenue to supervise and enforce collection of all taxes that may be due under the provisions of this act (76-1301-76-1325), and to that end the bureau of revenue is hereby vested with all power and authority conferred by this act (76-1301-76-1325)."*

*"Sec. 76-1319a. Procedure for recovery of taxes erroneously collected.—No injunction or writ of mandamus, or other legal or equitable process, shall issue in any suit, action or proceeding in any court of this state, against any officer of the state, to prevent or enjoin the collection of any tax, penalty or interest under this act; but after payment of any such tax, penalty or interest under protest, which protest shall be duly verified by oath and shall set forth the grounds of objection to the legality of the tax, the reporting taxpayer or any person owning an interest in the product at the time of severance may bring action against the bureau of revenue in the district court of Santa Fe county for the recovery of any tax, interest or penalty so paid under protest. The protest may be filed by any one entitled to bring an action and the protest shall be filed on the day payment is made. No such action shall be instituted more than six (6) months after such payment under protest is made, and failure to bring such suit within six (6) months shall constitute a waiver of said protest. The grounds of illegality of the tax set forth in the protest shall be considered by the court. Any payments of tax made under protest subsequent to the original protested item and prior to the institution of the action within the aforesaid six (6) months, may be included or incorporated in the same action. Payments made under protest after a suit is instituted on a prior protest shall be held subject to the determination of said suit if the protest so provides, and no waiver of protest shall result although the period of six (6) months may have elapsed before the action is finally determined. Appeals from the final judgment of the district court may be taken to the Supreme Court by either party in the same manner as appeals in civil cases are taken."*

If in any such action, judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any taxes due from the plaintiff under this act and on any penalties or interest due on such taxes, and the balance of the judgment shall be paid to plaintiff. In any such judgment, interest shall be allowed at the rate of six (6) per cent per annum upon the amount found to have been illegally collected. Such judgment and interest shall be paid out of the suspense fund hereinafter provided for refunds."

*"Sec. 76-1319b. Severance tax suspense fund created—Refunds for overpayments—Transfer from suspense to general fund.—The state treasurer shall cover three per cent (3%) of the monies collected under the provisions of this act into a suspense*

fund known as the "Severance Tax Suspense Fund" to be held by him for the purpose of making rePunds as provided in this section, and for the purpose of paying judgments and interest as provided in section 3 (76-1319a) hereof. Any person who shall have paid more than the amount of severance tax due to the state may within six (6) months from the payment thereof, or within six (6) months from the *effective* date of this act, whichever is later, apply for a refund of the overpayment. and if such application is approved by the commissioner of revenue, such refund shall be paid from the suspense fund provided for herein. If the applicant for refund consents, the commissioner of revenue may issue credit memoranda in place of cash refunds in the event of overpayments as provided herein. Likewise, any judgment and interest rendered as provided in Section 3 above shall be paid out of said suspense fund. At the end of each fiscal year the amount remaining in said suspense fund shall be by the treasurer paid over into the general revenue funds of the state."

*"Sec. 76-1320. Penalties prescribed.—Any person failing or refusing to make the reports as required by this act (76-1301-76-1325) and remaining in default thereof for more than thirty (30) days after notice to him by the commissioner of revenue, or failing to comply with any other requirements in this act contained, shall be subject to a penalty of not less than five hundred (\$500.00) dollars nor more than fifteen hundred (\$1500.00) dollars payable to the state of New Mexico for each and every separate offense and default."*

*"Sec. 76-1321. Reports of amounts handled—Every corporation, association, person, common carrier, or pipe-line company who shall receive or purchase or transport any of said products shall make reports in the form and manner required by the bureau of revenue, showing the total amount of such products received, purchased, stored or transported during any prescribed period, and such other information as may be required by the commissioner."*

*"Sec. 76-1322. Terms defined—The word "oil" as used in this law (76.1301-76- 1325) means petroleum oil, mineral oil, or other oil taken from the earth, and the words "natural gas" mean any gas taken from the earth, including carbon dioxide gas. The word "severed" as used in this act (76-1301-76-1325), shall be construed to mean the taking from the soil any of the products mentioned herein in any manner whatsoever, and shall include the cutting of timber. The term "owner" when used in Connection with the severing of any of the natural resource products covered by this act (76-1301-76-1325) under any lease or contract with the state or United States, shall include any person having the right to sever such products."*

*"Sec. 76-1323. Production may be restrained during delinquency.—Upon complaint being filed under the direction of the attorney general in the district court for the county in which said natural products are located, the said court shall have the power to restrain by injunction, any person from continuing to produce said products while delinquent in the filing of any report or the paying of any tax, penalty or cost required under the provisions of this act."*

*"Sec. 76-1324. "Person" defined—The word "person" as used in this act (76-130176-1325) shall include any person, firm, concern, receiver, receivers, trustee, executor, administrator, agent, institution, association, partnership, company, corporations and persons acting under declarations of trust."*

*Sec. 76-1325. Receipts—Any person paying any tax, penalty or cost under the provisions of this act (76-1301-76-1325), shall be entitled to a receipt for the same, showing the time of payment and the purpose for which paid."*

*"Sec. 76-1326. Installing measuring devices on pipe-lines—The commissioner of revenue is hereby empowered to install meters, gauges, or other measuring devices on any or all pipe-lines through which oil or gas is transported from points within this state and destined to points without this state whenever in his discretion such installation is advisable or necessary for the best interests of the state or any department thereof."*

In 1949, the Legislature by *Ch. 65, Laws 1949, amended, Ch. 103 Laws 1937 (Sec. 76-1301 to Sec. 76-1325 N.M.S.A. 1941)*, among other things raising the severance tax rate, granting the taxpayer an exemption of \$200,000.00, annually, to be deducted from the gross value of the natural products severed, before computing the tax, which amounted to an exemption up to \$5000.00 to each person entitled thereto. This amendment led to great confusion as to the meaning of the word "taxpayer" i.e., the persons entitled to the exemption. The Supreme Court in *State et rel Commissioner of Revenue vs. Humble Oil & Ref. Co., et als*, N.M., 234 *Pac.* 2nd 339 held the amendatory Act unconstitutional. In 1951, the Legislature by *Ch. 24 Laws 1951* again amended Sec. 76-1302 by which amendment the provision with respect to the exemption was eliminated.

Form Severance I the application for registration under the Severance Tax Act is appended hereto.

Oil and Gas Form I marked Severance 2 is appended hereto.

Form marked Severance 3 for reporting production on metals is appended hereto. This report is customarily accompanied by the company's audit showing deductible items of expense. *Note: This form should now show the tax rate on copper as 1/2 of 1% instead of 1/8 of 1%.*

Form marked Severance 4 has use in making monthly reports on Potash is appended as is Form marked Severance 5 for use in reporting on Pumice operations and Form marked Severance 6 for use in reporting on coal, asphalt and stone.

## III

SALES OR PRIVILEGE TAX  
ON PRODUCTIVE MINERAL PROPERTIES

Since 1935 a sales or privilege tax has been collected on the gross receipts of operating mine and oil enterprises. This tax, commonly referred to as the Emergency School Tax, is not set out in full because of its length.

Sections deemed relevant to mineral operations follow:

*"Sec. 76-1404. Privilege taxes levied—Measured by amount of business.—There is hereby levied, and shall be collected by the bureau of revenue, privilege taxes, measured by the amount or volume of business done, against the persons, on account of their business activities, engaging or continuing, within the state of New Mexico, in any business as herein defined, and in the amounts determined by the application of rates against gross receipts, as follows:*

A. At the amount equal to the percentages hereinafter in this paragraph specified, of the gross receipts of the business of every person engaging or continuing in the business of mining, quarrying or extracting from the natural resources of this state, for sale, profit or commercial use, any oil, natural gas, carbon dioxide gas, potash, copper, gold, silver, limestone, sand, gravel or other metalliferous or non-metalliferous mineral products or combination or compound of mineral products, or felling or producing timber for sale, profit or commercial use; providing that coal shall not be subject to the provisions of this paragraph (A).

Upon oil, natural gas, carbon dioxide gas and potash, at the rate of two (2) per cent of the gross receipts, and upon all other businesses specified in this paragraph, at the rate of one-half of one per cent of the gross receipts.

The measure of the tax imposed by this paragraph is the value of the entire production in this state, regardless of the place of sale or the fact that delivery may be made to points outside of the state.

Any person engaging or continuing in any of the businesses taxed by this paragraph (A) who shall refine, smelt, reduce, compound, manufacture or otherwise prepare for sale or use as manufactured or partly manufactured products, any minerals, timber or other natural resource products so that the character or condition thereof is materially changed, in mills or plants located in this state and taxable under paragraph (B) of this section shall not be required to pay the tax levied by this paragraph (A), on account of the production of such minerals, timber or other natural resource products, where the value of such products is included in the measure of the tax levied upon and collected from the taxpayer under paragraph (B) of this section; but such person may be required by the bureau of revenue to make reports to it covering his business. Any person engaging or continuing in any of the businesses taxed by this paragraph (A) who shall sell such minerals, timber or other natural resource products to a person engaged in the business of refining, smelting, reducing, compounding, manufacturing or otherwise preparing for sale or use as manufactured or partly manufactured products, such minerals, timber, or other natural resource products, so that the character or condition thereof is materially changed, in mills or plants located in this state, and taxable under paragraph (B) of this section, shall not be required to include in *the* amount of tax imposed by this section any gross receipts derived from such sales of minerals, timber or other natural *resource* products to such persons; but such persons must make report on forms to be prescribed by the bureau of revenue showing the gross receipts of such sales and the person to whom such products were sold.

Any person engaging or continuing in any business taxable under any other paragraph in this section, or any other section of this act, who produced minerals, - timber or other natural resource products, the production of which is taxable under this paragraph (A), and who uses or consumes same in his business, so that the gross receipts of such business does not include the value of such natural resource product so used or consumed, shall be deemed to be engaged in the business of mining and producing minerals, timber, or other natural resource products for sale, profit, or commercial use, and shall be required to make returns on account of the production of such minerals, timber or natural resource products, so used or consumed, and to pay the tax imposed by this paragraph (A) for the privilege of engaging in the business of producing such natural resource products, and such tax shall be measured by the value of the product thus produced determined under uniform and equitable rules for ascertaining such value, to be prescribed by the bureau of revenue.

Where any person conducts a business taxable under this paragraph (A) under any lease, or other contract express or implied, whereby any royalty or similar interest of any nature, whether payable in cash or in kind, is held or owned by another, any holder or owner of such royalty or other similar interest, shall, for the purpose of this act, be considered as also engaged in the business of producing the mineral, timber or other natural resource product involved, and shall be taxable under this act. If the royalty, or other similar interest, is paid in cash by *the* person conducting the business of extracting the minerals or other natural resource product, such person shall pay the tax on such royalty or other similar interest, and shall deduct the amount thereof from the payments due on account of such royalty or other similar interest, and shall be allowed by the owner thereof credit for all such payments. If the royalty or other similar interest is paid by the delivery of a part of the mineral or other natural resource product to another, the tax on such royalty or other similar interest shall be paid by the person conducting the business of extracting any minerals or other natural resource product, and such person shall have a first and prior lien on any future production on account of such royalty or similar interest, for all amounts so paid, and shall have the right to reimburse himself out of any such future production for the amounts so paid, and such right shall not be defeated by any transfer of such royalty or other similar interest.

The tax hereby imposed on the owner or holder of any royalty or other similar interest shall be the personal obligation of the owner or holder of such interest, and if the tax is not paid by the producer, as herein provided, it may be enforced against such owner or holder, and shall become a lien on the royalty or other similar interest, as hereinafter provided. Royalties or rentals paid the United States or the state of New Mexico shall be deducted from the gross receipts of the business, and shall not be subject to the tax hereby imposed. Royalties payable to any Indian or Indian Tribe shall be taxable hereunder to the extent authorized by Congress, and any person engaged in any business taxable under this paragraph (A) upon any Indian land shall report to the bureau of revenue the amount of any such royalties, and the bureau of revenue shall collect from the department of the interior of the United States the amount of the tax imposed by this paragraph (A) on such royalty interest. Nothing herein contained shall be construed as imposing any lien on the royalty interest of any such Indian or Indian tribe.

Every person conducting the business of extracting the minerals, timber or other natural resource products shall report on forms prescribed by the bureau of revenue, the amount of any natural resource product produced and the amount of taxes due thereon, including all royalty and similar interest. The bureau *of* revenue may require any purchaser of minerals, timber or natural resource products produced in this state to make a report of all such purchases (purchases) on forms to be prescribed by it, and to pay the tax on such products, and may accept such reports as showing the amounts due from the owner or holder of any interest in

the product so produced. If any such purchaser pays any tax imposed hereby, he shall have the right to deduct it from the amount due the owner or holder of taxable interest in any mineral, timber or natural resource product.

B. At an amount equal to one-fourth of one per cent of the gross receipts of the business of every person engaging or continuing in each or any or all of the businesses of manufacturing, smelting, refining, reducing, processing, compounding, fabricating, packing, preserving, distilling, preparing for sale or commercial use, or the making of wares, commodities or material products by hand or machinery, including the generation of electricity; provided that the tax provided by this paragraph shall be at the rate of one-half of one per cent of the gross receipts of the business of every person engaging or continuing in the business of smelting, leaching, refining, reducing, or processing oil, natural gas, carbon dioxide gas, potash, copper, gold, silver, limestone, sand, gravel or other metalliferous or non-metalliferous products or combinations, or compound of mineral products. The measure of the tax imposed by this paragraph is the value of the entire production in this state, regardless of the place of sale or the fact that delivery may be made to points outside of the state.

C. At an amount equal to one-eighth of one per cent of the gross receipts of the business of every person engaged in the business of wholesale merchandising of any goods, wares, materials and commodities, including the sale of alcohol and alcoholic liquors and beverages, and electricity, to others for resale.

D. At an amount equal to two (2) per cent of the gross receipts of the business of every person engaging or continuing in the business of selling at retail of goods, wares, materials, equipment, machinery, and commodities, including alcohol and all alcoholic liquors and beverages, for consumption and not for resale, and including receipts from rentals or leasing of tangible personal property; provided that the gross receipts of all live stock, feeds for live stock or poultry; all seeds, roots, bulbs and plants: all fertilizer applied to land; all agricultural implements, not including tractors used in planting, cultivating, harvesting or processing agricultural products upon the ranch or farm where grown shall be deductible before computing the tax due under this section; and provided that sales of coal in car-load lots shall, for the purposes of this act, be considered as wholesale sales. Provided that coal sold to a retail coal dealer duly licensed under this act and hauled from the mine by truck for the purpose of resale shall be considered as in car-load lots for the purpose of this section; provided that a person engaged in selling at retail, new or second-hand automobiles, trucks or tractors, shall pay a tax of one (1) per cent upon the gross receipts of sales of such commodities; and further provided that allowances for trade-ins on the purchase of tangible personal property shall be deductible before computing the tax due under this section. No person, firm or corporation shall hereafter charge or collect in excess of two (2) per centum for the purposes of this act.

E. At an amount equal to two (2) per cent of the gross receipts of the business of every person engaging or continuing in the following businesses:

- (1) Furnishing to consumers, electricity or electrical power, natural or artificial gas.
- (2) Transmitting messages or conversation by telegraph, telephone or radio from one point to another point in this state, including all telephone business.
- (3) Transporting for hire persons or property by railroad, motor vehicle, air transportation, pipe-line, or by any other means, from one point to another point in this state, and including all express, sleeping car, parlor car, collect on delivery, and any other special or extra service in connection therewith; provided that no tax shall be imposed on the gross receipts arising from the transportation of timber or timber products owned by the taxpayer or owned by a corporation owning at least ninety percent (90%) of the capital stock of the taxpayer.



(4) All other transportation service of any kind including street railways, busses, taxicabs, driverless cars, and any service for which a franchise, permit or license is required from any governmental agency as a condition to the use of the streets or highways in this state, but not including the transportation of property by the actual owner thereof.

F. At an amount equal to two (2) per *cent* of the gross receipts of the business of every person engaging or continuing in the business of contracting for the construction, reconstruction, repair or improvement of any building, dwelling, or edifice, as original contractor, sub-contractor, or independent contractor, or engaging or continuing in the business of contracting for the construction, repair or improvement of highways, bridges, *dams*, canals, public or private, excavation for and laying of pipe-lines, erection and repair of oil storage tanks, water tanks, construction of railroads, railroad terminals, the drilling of wells, oil wells, sinking of shafts or driving of tunnels in mines, tanking, land-clearing, cutting timber, and general excavation dirt work, or any other similar work or performance in which each person, firm or corporation covenants, bargains or agrees to perform said work for a stipulated sum of money, or thing of value or at a cost plus a percentage or additional sum, provided however, that a contractor cutting and sawing timber which will be further processed by a lumber or saw mill before use, the cutting and sawing thereof shall be considered as manufacturing and preparing for commercial use and shall be taxed under paragraph B of this section. The rental of contractor's teams, with or without drivers and of contractor's machinery and equipment, with or without operators, shall be considered a sale of service and the income therefrom shall be taxable at the rate of two (2) per cent without deduction. There shall be deducted from the gross receipts of the business of contracting, the cost of all materials used and expended in the physical operation on the particular job, and becoming a part of the structure or subject of the contract, and upon which the New Mexico school or compensating tax of two (2) per cent has been paid, and which will not thereafter be a part of the capital assets of the contractor; provided, gasoline, motor fuel, grease and oil, freight or transportation charges, wages, and salaries paid, small tools and accessories shall not be considered deductible items.

G. At an amount equal to two (2) per cent of the gross receipts of the business of every person engaging or continuing in the business of conducting any amusement enterprise, including theatres, picture shows, radio broadcasting stations, location businesses, sales or punchboard operations, carnivals, circuses, amusement parks, menageries, dog-shows, horse-shows, fairs, races, rodeos, games, dance-halls, pool or billiard halls, or any business charging admission for any exhibition for amusement, edification, or instruction; provided that any religious, fraternal, education or other nonprofit organization not regularly engaged in such enterprises shall be exempt from taxation on the gross receipts of such operations conducted exclusively by them and for their sole benefit, and upon the gross income received by them as sponsors of any such enterprise. All persons conducting dog-shows, traveling circuses, horse-shows (shows), rodeos, and amusement enterprises of all kinds shall be subject to and pay the tax on the gross receipts of any and all concessions operated in connection therewith.

H. At an amount equal to two (2) per *cent* of the gross receipts of any person engaging or continuing in the practice of any profession, or of any business in which the service rendered is of a professional, technical or scientific nature and is paid for on a fee basis, or by a consideration in the nature of a retainer.

I. At an amount equal to two (2) per *cent* of the gross receipts of any person engaging or continuing in any of the following or similar businesses: Laundries, abstractors, undertaking establishments, barber shops, beauty parlors, hotels, camp grounds, rooming and boarding houses, bath and bathhouses, restaurants (restaurants), filling stations, retail oil stations, tire service stations, storage garages, repair establishments of all kinds, tailors, cleaning or pressing of clothes or other articles, publication of newspapers and magazines (but the gross receipts of the business

of publishing newspapers or magazines shall include only the amounts *received* for the sale of advertising space), bill boards, and any other business in which services (not professional) are performed on a price or fee basis, provided that threshing or cleaning of agricultural products, including the ginning of cotton, shall be considered as manufacturing and preparing for commercial use and shall be taxed under paragraph B of this section. None of the income received by hotels, camp grounds and rooming-houses from lodger, guests or roomers, shall be considered as real estate rentals, irrespective of the duration of the inhabitancy or occupancy of such lodger, guest or roomer.

J. At an amount equal to two (2) per cent of the gross receipts of the business of every person engaging or continuing in the business of selling real estate, but the gross receipts of such person shall include only the total amounts of the commissions for such business.

K. At an amount equal to two (2) per cent of the gross receipts of the business of every person engaging or continuing in the business of acting as factor, agent or broker selling on a commission basis, and where title to the goods, wares or merchandise sold does not vest in such person at any time during the transaction; provided that a factor, agent or broker who buys and sells merchandise for his own account shall so far as all such transactions are concerned, be considered a wholesaler, or retailer, as the case may be, and be subject to tax as such wholesaler or retailer.

*"Sec. 76-1405. Exemption of governmental transactions—Constitutional exemptions —Exemption of societies, hospitals, fraternal and religious organizations, not for profit.—None of the taxes levied by this act shall be construed to apply to sales made to the government of the United States or any agency or instrumentality, nor to sales to the state of New Mexico or any of its political subdivisions; provided that deposits of gold and silver with the United States' mint shall not be considered as sales to the government of the United States and shall not be exempt hereunder; nor shall such taxes apply to any business or transactions exempted from taxation under the Constitution of the United States or the state of New Mexico, or to sales made to societies, hospitals, fraternal or religious organizations not organized for profit."*

*"Sec. 76-405a. Tax exemption for instrumentalities of the armed forces of the United States.—No excise taxes of the state of New Mexico, direct or indirect, shall be imposed upon the sale, use, delivery or storage of articles of merchandise to or by any instrumentality of the armed forces of the United States engaged in resale activities; except those state excise taxes which are specifically authorized by acts of the Congress of the United States, and except those excise taxes levied on spirituous liquors and wine as they are defined in section 61-101, New Mexico Statutes Annotated, 1941 Compilation."*

*"Sec. 76-1406. Charge and time sales—A. In the case of charge and time sales, or transactions, the amount thereof may, at the taxpayer's option, be included in the gross proceeds of sales or gross receipts only as and when payments are received by the seller. Conditional sales and lease contracts shall be treated as time sales, and, if the taxpayer so elects, the tax shall be paid only upon the amounts received under such contract; provided, that in the event the seller or leaser, who has so elected, transfers his interest in any such contract to some third person he shall pay the tax upon the full sale price of the commodity involved, unless a record is kept of payments thereafter made on such contracts in such manner that the bureau of revenue can at all times ascertain from the records of the seller the amount paid thereon by the purchaser. The taxpayer shall indicate his election hereunder in such form as the bureau of revenue shall prescribe."*

B. It shall be unlawful for any person engaged in any business or profession to directly advertise that any tax imposed by this act is not considered as an element of the price of property sold or service rendered."

"Sec. 76-1408. *Rate applied to certain business*—In the case of businesses classified under paragraphs A, B, K, and I, section 201 (76-1404, A, B, K, I) of this act, the rate shall be applied to the entire business of the taxpayer, regardless of the fact that deliveries may be made outside the state. In the case of persons engaged in the business classified under paragraphs B or I of section 201 (76-1404, B, I) of this act, whose gross receipts, in whole or in part, are derived from service or manufacturing charge instead of from sales of the product manufactured, or otherwise handled, the rate applicable shall be applied to the gross receipts of such persons derived from such manufacturing or service charge."

"Sec. 76-1409. *Assessing property shipped out of state*—If any person engaged in any business subject to tax under this act shall ship, transmit, or transport his products, or any part thereof, out of the state without making sale of such products, or shall ship his products outside of the state in an unfinished condition, or make a sale of the same which is exempt from tax under the provisions of this act, the value of the products or articles in the condition or form in which they existed when transmitted or transported out of the state and before they enter interstate commerce or before such exempt sale shall be the basis for the assessment of the tax on such business, and the tax commission (bureau of revenue) shall prescribe equitable and uniform rules for ascertaining such value."

"Sec. 76-1410. *Actual freight charges deductible*—In the case of businesses classified under A, B, C, or F of section 201 (76-1404, A, B, C, F) of this act, actual freight charges prepaid by the taxpayer or included in the invoice price for the shipping of the product of said business shall be deducted in determining the gross receipts of such taxpayer."

"Sec. 76-1411. *Determining gross receipts where sale price not indicative of true value*—In determining the gross receipts from sales as regards sales from one to another of affiliated companies or persons, or under such circumstances where the relation between buyer and seller is such that the amount of the sale price is not indicative of the true value of the subject-matter of the sale, the state tax commission (bureau of revenue) shall prescribe uniform rules and regulations for determining the gross receipts of such sales upon which the taxes imposed by this act, under the appropriate classification, shall be levied, which value shall correspond as nearly as possible to the gross proceeds from the sale of similar products of like quality or character by other businesses where no common interest exists between the buyer and seller, but otherwise under similar circumstances and conditions?"

"Sec. 76-1412. *Additional tax—Exceptions*—Any person exercising any privilege taxable under paragraphs A, B, or C of section 201 (76.1404, A, B, C) of this act and engaging in the business of selling his product at retail in this state shall be required to make returns of the gross proceeds of such retail sales, and shall pay at the rate of two per cent (2%) upon such gross proceeds, in addition to the tax imposed upon him by paragraphs A, B, or C of section 201 (76-1404, A, B, C) of this act; provided, that if any such person sells his products either produced as extractions of natural resources or by the manufacturing process to another for resale, he shall not be required to pay the additional tax provided for in this section; and provided further, that no such person shall be required to pay the additional tax provided for in this section if such person sells his products either produced as extractions of natural resources or by manufacturing process to a manufacturer or other persons classified under section 201E (76.1404, B) where the product so sold becomes an ingredient or component part of the product produced by the manufacturer or other person classified under such section 201B (76-1404,B)."

"Sec. 76-1413. *Sums paid to United States as taxes excepted from gross receipts*—In all computations of the tax levied by this act, there shall be excepted from the gross receipts or gross proceeds of sales of any business all sums paid by the taxpayer to the United States as taxes on the product produced or sold, or on such business; provided that this exception shall not include any stamp or income tax

in any form. The word stamp as used in this section shall mean any impression made by order of the state or federal government, on paper, which must be affixed to any article or commodity produced or sold, which is subject to the provisions of this act to signify payment of a tax thereon."

*"Sec. 76-1416. Application for license—Fee—Exemption—No person shall engage or continue in any business within this state, subject to taxation under this act, unless he shall file with the tax commission (bureau of revenue) an application for a license. Every such application shall be made upon a form prescribed by the tax commission (bureau of revenue), shall set forth the name in which applicant transacts or intends to transact business, the location of his place or places of business, the character of the business to be transacted, and such other information as the tax commission (bureau of revenue) may require. The application shall be signed by the owner of the business, if a natural person, and in the case of an association or partnership, by a member or partner thereof; in the case of a corporation, by an executive officer thereof or some person specifically authorized by the corporation to sign the application. Such application shall be accompanied by a license fee of \$1.00 for each place of business of the applicant, in charge of the owner, any agent or employee, excluding telephone toll and pay station. Provided, that a person who has heretofore registered under chapter 7 of the Laws of the Special Session of 1934 and whose license has not been revoked shall not be required to register or to pay an additional fee under the terms of this section."*

*"Sec. 76-1418. Misdemeanor for failure to get license—Any person who engages in any business on which a tax is imposed by this act without a license from the tax commission (bureau of revenue) , and any officer, agent, member or employee of any corporation, partnership or association of any kind who engages in such business, shall be guilty of a misdemeanor and punished as hereinafter provided."*

*"Sec. 76.1419. Due date—Filing return—Payment—All taxes levied hereunder shall be due and payable in monthly instalments on or before the fifteenth day of the month next succeeding the month in which the taxes accrue, or on such day other than the fifteenth as the bureau of revenue upon due cause therefor being shown may prescribe. The taxpayer, on or before the fifteenth day (or such other day as the bureau of revenue may have prescribed) of the month next succeeding the month in which the tax accrues, shall make out and file with the bureau of revenue a return for the preceding month in such form as may be prescribed by the bureau of revenue, showing the nature of the business engaged in by the taxpayer, the gross receipts of the taxpayer for the period covered by the return, and amount of the tax for such period, and such additional information as the bureau of revenue may deem necessary for the proper administration of this act. The taxpayer shall accompany the return with a remittance of the amount of the tax due. The bureau of revenue, if it deems it necessary in order to insure the payment of any tax imposed by this act, may require returns and the payment of the tax to be made for other than monthly periods. The return shall be signed by the taxpayer or his duly authorized agent, but need not be verified by him. The bureau of revenue may require cash and credit sales to be reported separately in such manner as it may deem necessary for the proper administration of this act."*

*"Sec. 76-1420. Extensions for making returns—The tax commission (bureau of revenue) , for good cause, may extend, for not to exceed thirty (30) days, the time for making any return required under the provisions of this act, and may, by general order, extend the time for making returns for any class of business subject to taxation hereunder."*

*"Sec. 76-1435. Remittances—All remittances of taxes imposed by this act shall be made by draft, check, cashier's check, money order payable to the state treasurer. or money. No remittance other than cash shall be final discharge of liability for the tax herein assessed and levied unless and until it has been paid in cash."*

"Sec. 76-1436. *Address of notices*—All notices required or authorized by this act to be given by mail to any taxpayer shall be addressed to him at the address shown in his application for a license under the provisions of this act."

"Sec. 76-1437. *Information from returns not to be divulged—Exceptions—Preservation of reports and returns—Penalties*—Except in accordance with judicial order or as otherwise herein provided, the tax commission (bureau of revenue), its agents, clerks and employees shall not divulge any information gained by it from any return filed under the provisions of this act. The officials charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the tax commission (bureau of revenue) in an action or proceeding under the provisions of this act to which it is a party, or on behalf of any party to any action or proceeding under the provisions of this act when the report of facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of and may admit in evidence so much of said reports or of the facts shown thereby as are pertinent to the action or proceeding and no more. Nothing herein contained shall be construed to prohibit the delivery to a person or his duly authorized representative of a copy of any return or report filed in connection with his tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the attorney-general or other legal representative of the state of the report or return of any person by or against whom an action or proceeding is contemplated or has been instituted under this act. Reports and returns shall be preserved for three (3) years and thereafter until the tax commission (bureau of revenue) orders them destroyed. Any person violating any of the provisions of this section shall be punished by a fine of not exceeding one thousand dollars (\$1,000) or by imprisonment not exceeding one (1) year, or both, at the discretion of the court; and if the offender be an officer or employee of the state he shall be dismissed from office and be incapable of holding any public office in this state for a period of five (5) years thereafter."

"Sec. 76-1438. *Tax information before corporate dissolution or withdrawal*—The corporation commission shall withhold the issuance of any certificate of dissolution or withdrawal from this state of any corporation until the receipt of a written notice from the tax commission (bureau of revenue) that all taxes, penalties and interest levied under this act against any such corporation have been fully paid, or that no tax under this act is due from such corporation."

*Comment:* Section 76-1401 to 1403 deal with purpose, definitions and title of the act. Section 76-1407 deals with tokens, stamps, etc. Section 76-1414 deals with presumptions. Section 76-1415 deals with exemptions not applicable to oil and gas or mineral properties. Section 76-1417 deals with issuance of license. Sections 76-1421 to 76-1435 deal with penalties, lien of tax, and methods of enforcement.

Sections 76-1439 to 76-1446, inclusive, deal with penalties, administration of Act, disposition of moneys, bureau expense, employees, refunds, suspense fund and transfer of powers and duties from the State Tax Commission to the Bureau of Revenue.

This Act was held to be constitutional in *Langer vs. Bureau of Revenue*, 42 N.M. 115, 76 Pac. (2) 6, and in *State ex rel. Attorney General vs. Tittman*, 42 N.M. 76, 75 Pac. (2) 701. Basically it is a privilege tax. See *State vs. Tittman supra*.

Taxes levied against receipts on contracts with persons outside of state were held not to violate Interstate Commerce Provision of Federal Constitution since performance was found to be in New Mexico. See *Western Live Stock vs. Bureau of Revenue*, 303 U.S. 250, 82 L. ed. 823.

Form marked School Tax I being application for a license, form marked School Tax 2 being monthly report, and form marked School Tax 3 being purchaser's monthly report, are all currently in use by the New Mexico Bureau of Revenue and are appended hereto.

## COMPENSATING TAX

In addition to the School Tax a compensating or use tax is also levied under the provisions of Sec. 76-1501 to 76-1530 inclusive, N.M.A.S., 1941. This tax is levied against personal property imported, stored, used or consumed within New Mexico.

"76-1503. Tax on *tangible personal property stored, used, or consumed in state*.—An excise tax is hereby imposed on the storage, use or other consumption in this state of tangible personal property purchased from a retailer on or after July 1, 1939, for storage, use or other consumption in this state at the rate of two (2) per cent of the sales price of such property; Provided that the storage, use or other consumption in this state of new or second-hand automobiles, trucks or tractors shall be at the rate of one (1) per cent of the sales price of such automobile, truck or tractor; and further provided that allowances for trade-ins on the purchase-price of such tangible personal property shall be deductible before computing the tax due under this section.

Every person storing, using or otherwise consuming in this state tangible personal property purchased from a retailer shall be liable for the tax imposed by this act, and the liability shall not be extinguished until the tax has been paid to this state; Provided, however, that a receipt from a retailer maintaining a place of business in this state or a retailer authorized by the bureau, under such rules and regulations as it may prescribe, to collect the tax imposed hereby and who shall for the purposes of this act be regarded as a retailer maintaining a place of business in this state, given to the purchaser in accordance with the provisions of section 6 (76-1506) hereof, shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer."

"Sec. 76-1504. *Exemptions*.—The storage, use or other consumption in this state of the following tangible personal property is hereby specifically exempted from the tax imposed by this act.

(a) Property sold in this state, the receipts from the sale of which are required to be included in the measure of the tax imposed by paragraphs A, B, D, E, I of section 201 of chapter 73, Laws of 1935, as heretofore or hereafter amended (76.1404, A, B, D, E, I).

(b) Property, the storage, use or other consumption of which this state is prohibited from taxing by the Constitution and laws of the United States, or by the Constitution of this state, or the storage, use or consumption of such property by the United States government, or by the state of New Mexico, its departments and institutions and political subdivisions, or by any religious, educational, charitable or eleemosynary institution, in the conduct of their regular religious, charitable, education (educational) or eleemosynary functions.

(c) Property purchased outside this state, on the sale or use of which a tax equal to that imposed by this act has been levied by some other state and which tax has been paid. The bureau shall prescribe by regulations the manner in which the payment of the tax imposed by some other state shall be established.

(d) The products of New Mexico farms and live stock, when sold by the producers thereof, for storage, use or consumption in this state.

- (e) Gasoline or motor fuel on which a tax for the sale or use thereof is imposed by the laws of this state.
- (f) Tangible personal property which directly enters into or becomes an ingredient or component part of any manufactured article or substance or commodity.
- (g) Electricity, gas or fuel consumed directly in manufacturing.
- (h) All live stock, feeds for live stock, or poultry; all seeds, roots, bulbs and plants; all fertilizer applied to land.
- (i) Tangible personal property brought into the state by a non-resident thereof for his own storage, use or consumption while temporarily within this state, unless such property is used in conducting a business in this state which is not transitory.
- (j) Newsprint.
- (k) All railroad locomotives, tenders and cars, railroad bridge materials and rails, including all repairs and replacements thereto, procured or purchased for use or consumption in railroad transportation.

(1) All chemicals and reagents procured or purchased by any mining, milling or oil company for use or consumption in processing ores or oil in mill, smelter, or refinery, or in acidizing oil wells; Provided, that in no case shall explosives, blasting powder or dynamite be exempted hereunder."

*"Sec. 76-1505. Retailers must register with bureau.—*Every retailer selling tangible personal property for storage, use or other consumption in this state shall, within thirty (30) days after the effective date of this act, register with the bureau and give the name and address of all agents operating in this state, the location of any and all distribution or sales houses or offices or other places of business in this state and such other information as the bureau may require."

*"Sec. 76-1507. Reports—Returns—Remittances—Presumptions—Exceptions—*The Tax imposed by this Act shall be due and payable to the Bureau monthly on or before the twenty-fifth day of each month. Every retailer maintaining a place of business in this state shall on or before the twenty-fifth day of each month file with the Bureau a return for the preceding monthly period in such form as may be prescribed by the Bureau, showing the total sales price of the tangible personal property sold by the retailer during such preceding monthly period, the storage, use or consumption of which is subject to the tax imposed by this Act, and such other information as the Bureau may deem necessary for the proper administration of this Act. The return shall be accompanied by a remittance of the amount of tax herein required to be collected by the retailer during the period covered by the return. Returns shall be signed by the retailer or his duly authorized agent, but need not be verified by oath.

Every person storing, using or consuming tangible personal property purchased from a retailer who does not maintain a place of business in this state shall on or before the twenty-fifth day of each month file with the Bureau a return for the preceding monthly period in such form as may be prescribed by the Bureau, showing the total sales price of the tangible personal property purchased by such person during such preceding monthly period, the storage, use or consumption of which is subject to the tax imposed by this Act, and such other information as the Bureau may deem necessary for the proper administration of this Act. The return shall be accompanied by a remittance of the amount of tax herein imposed during the period covered by the return. Returns shall be signed by the person liable for the tax or his duly authorized agent but need not be verified by oath.



For the purpose of the proper administration of this Act and to prevent evasion of the tax and the duty to collect the same herein imposed, it shall be presumed that tangible personal property sold by any person for delivery in this state is sold for storage, use or other consumption in this state, unless such sale be made to a person licensed as a wholesaler or retailer under Chapter 73, Laws of 1935, as amended, and unless the person selling such property shall have taken from the purchaser a certificate signed by and bearing the name and address of the purchaser to the effect that the property was purchased for resale and it shall be further presumed that tangible personal property shipped to this state by the purchaser thereof was purchased from a retailer on or after July 1, 1939, for storage, use, or other consumption in this state. Notwithstanding the presumptions of this paragraph, however, where the person to whom tangible personal property is delivered or shipped within this state is one licensed as a wholesaler or retailer under Chapter 73, Laws of 1935, as amended, who regularly maintains within this state a stock of tangible personal property, a portion of which is used within the state and a portion of which is either resold in the regular course of business within the state or subsequently used solely outside the State of New Mexico, the excise tax hereby imposed shall not apply to such stock of tangible personal property or to the storage thereof within this state until withdrawn from storage and then shall apply only to such portion thereof as is withdrawn from storage for use within this state."

Forms marked Compensating Tax 1 to 5 inclusive currently in use by the Bureau of Revenue are attached hereto.

*TAX FORMS REPRODUCED*

Form 31-1

# ANNUAL REPORT

For the Year Ending December 31, 19 \_\_\_\_  
of

\_\_\_\_\_  
(Name of Company)

**PRODUCING PATENTED AND UNPATENTED MINES**  
to the  
**Tax Commission of the State of New Mexico**

The "Oath" on this page must be administered by an officer authorized by law to administer oaths, to the President, Secretary, Treasurer, Superintendent or Chief Officer of the Company making this report.

## O A T H

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.

I, the undersigned, \_\_\_\_\_  
(Name of Officer) (Official Title)

of the \_\_\_\_\_ Company,  
on oath do say that the return as shown on the accompanying schedules numbered 1, 2, 3, 4, 5, 6, 7,  
8, 9, 10, 11, 12, 13 and \_\_\_\_\_  
(List Numbers of Additional Schedules Here)

has been prepared, under my direction, from the original books, papers, maps and records of said company, and that I have carefully examined the same, and declare the same to be a complete and correct statement of the business and affairs of said company in respect to each and every matter and thing therein set forth, and that the accounts and figures contained in said return embrace all the financial operations of said Company during the period for which said return is made; that the items and the actual value, as listed in Schedules 4, 5, 6, 7, & 8, is a true, complete and correct list of all the physical property owned by this company in the State of New Mexico, as of Dec. 31, 19 \_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
Official Title

Subscribed and sworn to before me at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

My Commission Expires \_\_\_\_\_  
Notary Public

**GENERAL INSTRUCTIONS:** This report must be completed and returned to the office of the State Tax Commission, Santa Fe, New Mexico, on or before February 1st, after that date a penalty of 25 per cent, as provided by law, will be added unless extension of time is granted by the State Tax Commission. To facilitate the work of this office the Tax Commission will appreciate any effort made to complete and return the report prior to that date.

Every question should be answered fully and accurately, without reference to former reports. Do not leave the space for any answer blank. The word "None" may be used where same applies. Where specific data called for cannot be returned exactly as requested, or when the answers reported do not reflect a true condition of affairs, full explanation should be given under "Explanations and Remarks" headings. Specific instructions and suggestions regarding the information required on each schedule will be found heading each schedule.

Do not permanently bind the various schedules comprising this report.

Be sure that all schedules are listed in the "Oath" and that all schedules so listed are returned therewith.

Please forward copy of your annual report to stockholders, for the previous year with this statement, also, maps, plats or sketches showing location and-or operation of property.

**HISTORY AND ORGANIZATION**  
of  
**RESPONDENT COMPANY**

Name of Company or Owner: .....

Organized under the Laws of: .....  
(State or Country)

Principal Office: .....  
(Street and No.) (City) (State)

Directors:

NAME	ADDRESS	TERM OF OFFICE EXPIRES
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

Officers:

	NAME	ADDRESS	TERM OF OFFICE EXPIRES
President:	.....	.....	.....
Vice-President:	.....	.....	.....
Secretary:	.....	.....	.....
Treasurer:	.....	.....	.....
Auditor:	.....	.....	.....
General Counsel:	.....	.....	.....
Counsel in New Mexico:	.....	.....	.....
General Manager:	.....	.....	.....
General Superintendent:	.....	.....	.....

Principal Office in New Mexico:.....

Chief Officer or Managing Agent of Company in New Mexico:  
.....  
(Name) (Title) (Address)

Officer to whom correspondence regarding this report should be addressed:  
.....  
(Name) (Title) (Address)

When will your next annual meeting be held? ..... 19.....

Use back of this schedule for explanations and remarks.

..... COMPANY

Form 31-3

**CONTROL OF PROPERTY**  
(As of Dec. 31, 19.....)

Total Number of Stockholders: \_\_\_\_\_

Names, Addresses and Holdings of Five Largest Stockholders:

NAME	ADDRESS	NO. OF SHARES

Is Stock fully paid and Non-assessable? \_\_\_\_\_

If not, state terms: \_\_\_\_\_

Is property controlled by another through lease, contract or other agreement? \_\_\_\_\_

If so, does the same cover all the property in this report? \_\_\_\_\_  
 If only part of the property contained in the report is covered by lease, contract or agreement, show on the back of each schedule under Explanations and Remarks that part that is covered by such lease, contract and agreement on which a separate assessment is to be made: Give name of contracting party, date effective, period covered, consideration, and a concise though full explanation of the other terms thereof: \_\_\_\_\_

**Valuation of Capital Stock Outstanding**

Is Stock listed on Exchange? \_\_\_\_\_ Where? \_\_\_\_\_

Give high and low quotations for the year - - - High: \_\_\_\_\_ Low: \_\_\_\_\_

Number of shares transferred during the year: \_\_\_\_\_

Largest single transfer during the year: \_\_\_\_\_  
(No. of Shares) (Consideration)

If no transfers have been made during the year, give date, number of shares and consideration of last transfer made: \_\_\_\_\_

Use back of this sheet for Explanations and Remarks.

\_\_\_\_\_  
COMPANY

Schedule No. 2-M

Form 31-4

**CAPITAL STOCK**  
(As of Dec. 31, 19 ....)

DESCRIPTION	NO. OF SHARES AUTHORIZED	PAR VALUE AUTHORIZED	PAR VALUE ISSUED	PAR VALUE IN TREASURY	PAR VALUE OUTSTANDING

**FUNDED AND MORTGAGE INDEBTEDNESS**

CLASS AND INTEREST RATE	DATE ISSUED	DATE DUE	AMOUNT AUTHORIZED	AMOUNT ISSUED	CASH REALIZED ON AMT. ISSUED	AMOUNT OUTSTANDING

**INVESTMENTS—OUTSIDE NEW MEXICO**

DESCRIPTION	PAR VALUE	INT. RATE	INCOME REC'D. DURING YEAR	BOOK VALUATION	MARKET VALUATION	EST. ACTUAL VALUATION

**INVESTMENTS—IN NEW MEXICO**

DESCRIPTION	PAR VALUE	INT. RATE	INCOME REC'D. DURING YEAR	BOOK VALUATION	MARKET VALUATION	EST. ACTUAL VALUATION

How have you arrived at the estimated Actual Valuation of the Investments listed above?

Note: Use back of this sheet for Explanations and Remarks.

\_\_\_\_\_  
COMPANY

Schedule No. 3-M

Form 31-5

**PRODUCTIVE PATENTED AND UNPATENTED MINES, AND ALL CLAIMS  
IN A GROUP CONTIGUOUS THERETO**  
(Under Ownership of Respondent Dec. 31, 19...)

List separately each productive contiguous group, and indicate claims from which production for the year 19\_\_\_\_ was taken. Head each group with the name of Mining District, School District and County wherein located.

Should additional space be required for listing these claims, use blank schedules for that purpose, showing the name of the company reporting, marking subsequent schedules A, B, C, D, etc. on the lower right hand corner of each sheet and inserting such additional schedule numbers in the "Oath."

Mill sites should not be included with Mining claims. See schedule No.

Use back of this sheet for Explanations and Remarks.

NAME OF CLAIM	SURVEY NO	ACRES	NAME OF CLAIM	SURVEY NO	ACRES
No. Acres Forward					
Total No. Acres					

\_\_\_\_\_  
COMPANY

Schedule No. 4-M

Form 31-6

### NON-PRODUCTIVE PATENTED AND UNPATENTED MINING CLAIMS

(Under Ownership of Respondent Dec. 31, 19...)

List contiguous mining claims by groups. If not patented, so state. Head each group with names of Mining District, School District and County wherein located. Use back of this sheet for Explanations and Remarks.

NAME OF CLAIM	SURVEY NO.	ACRES	BOOK VALUE	MINERAL CONTENT	FOR USE OF TAX COMM.
Total Number Acres					

What comprises the Book Value shown?

\_\_\_\_\_ COMPANY

Schedule No. 5-M



Form 31-7

**PATENTED AND UNPATENTED MILL SITES**

(Under Ownership of Respondent Dec. 31, 19.....)

If not patented, so state. Indicate Mining District, School District and County wherein located, Use back of this sheet for Explanations and Remarks.

NAME OF MILL SITE:	SURVEY NO.	ACRES	HOW USED	ACTUAL VALUE	FOR USE OF ST. TAX COMM.

**REAL ESTATE—INDUSTRIAL**

(For Reduction Plant, Tailings Disposal and Like Purposes)

LEGAL DESCRIPTION	SEC.	TWP.	RGE.	ACRES	COUNTY	ACTUAL VALUE	FOR USE OF ST. TAX COMM.
<b>Total</b>							

How do you arrive at the Actual Value?

NOTICE: Attach Blueprint or drawing showing location and use of buildings, etc., on above mill sites and real estate.

\_\_\_\_\_ COMPANY

Schedule No. 6-M

Form 31-8

**ALL OTHER REAL ESTATE WITH IMPROVEMENTS THEREON**

(Under Ownership of Respondent Dec. 31, 19 ...)

List all Real Estate, Mill Sites and Mining Claims where surfaces are used for purposes other than mining.

Under "Cost" of improvements show first cost plus betterments and additions, unless the latter items are large, in which event list betterments and additions on a separate line. If purchased second hand, so state.

Use back of this sheet for Explanations and Remarks.

LEGAL DESCRIPTION	SEC.	TWP.	RGE.	ACRES	COUNTY	ACTUAL VALUE	FOR USE OF ST. TAX COMM.

**IMPROVEMENTS**

DISTRIBUTION & LOCATION	YE. AC-QUIRED	COST	DEPRECIATION CHG'D.		ACTUAL VALUE	FOR USE OF ST. TAX COMM.
			PAST YRS.	DURING 19		

How do you arrive at the Actual Value?

\_\_\_\_\_ COMPANY

Schedule No. 7-M



Form 31-11

## GROSS INCOME FROM PRODUCTIVE MINES

(Year Ending Dec. 31, 19 \_\_)

Companies that do not smelt and convert their own ores should report the gross metal contents of Products Sold and Metal Stocks LESS any deductions made therefrom by the purchaser for slag and other treatment losses.

The "Average Gross Price Received" for Products Sold should be the gross quotations used in making settlement, WITHOUT ANY DEDUCTIONS. Any deductions made FROM THE QUOTATION by the purchaser should be considered as part of the treatment charges and included under EXPENDITURES on Schedule No. 10-M. Any payments made for Iron, Lime Sulphur and like constituents should be considered as a credit to the treatment charges, and should be deducted from such charges on the Expenditures Schedule No.

Use back of this sheet for Explanations and Remarks.

### PRODUCTS SOLD

CLASS:	TOT. PRODUCTS SOLD	Less Est. Recovery from Custom Material Treated	PRODUCTS SOLD: RESPONDENT'S MINES	AVERAGE GROSS PRICE REC'D.	GROSS VALUE OF PRODUCTS SOLD
Gold Ozs.					
Silver Ozs.					
Copper Lbs.					
Lead Lbs.					
Zinc Lbs.					
Fluxes:					
	(Containing no precious or semi-precious metals)				
<b>TOTAL</b>					

Under Explanations and Remarks, explain fully method used in estimating Recovery from Custom Material Treated.

### METAL STOCKS

On Hand, In Process, In Transit and Unsold  
(Excluding Custom Material)

JANUARY 1, 19 \_\_\_\_\_

CLASS:	DRY TONS:	ESTIMATED RECOVERY				ACTUAL VALUE
		GOLD OZS.	SILVER OZS.	COPPER LBS.	LEAD LBS.	
Ore:						
Concentrates:						
Bullion:						
Material in Process:						
<b>TOTAL</b>						

DECEMBER 31, 19 \_\_\_\_\_

CLASS:	DRY TONS:	ESTIMATED RECOVERY				ACTUAL VALUE
		GOLD OZS.	SILVER OZS.	COPPER LBS.	LEAD LBS.	
Ore:						
Concentrates:						
Bullion:						
Material in Process:						
<b>TOTAL</b>						

INCREASE OR DECREASE IN ABOVE METAL STOCKS FOR THE YEAR:

NOTICE: Under Explanations and Remarks explain fully the Method used in arriving at the Actual Value of each item comprising the above Metal Stocks.

Schedule No. 9-M

COMPANY

Form 31-25

### GROSS INCOME FROM PRODUCTIVE COAL MINES

(Year Ending Dec. 31, 193.....)

The "Average per Ton" for Products Sold should be the gross quotation used in making settlement, WITHOUT ANY DEDUCTIONS. Any deductions made from the quotations by the purchaser should be considered as part of the treatment charges and included under EXPENDITURES on Schedule No. 10-M.

Use back of this sheet for Explanations and Remarks.

#### STATEMENT OF PRODUCTION

CLASS:	T O N S			T O N S			TOTAL TONS ON HAND—UNSOLD Year Ended Dec. 31 193
	On Hand Beginning of Year	Produced During Year Ended	Total	Sold During Year	Consumed During Year	Total	
LUMP							
MINE RUN							
NUT							
PEA							
EGG							
STEAM							
SLACK							
COKE							
TOTAL							

#### STATEMENT SHOWING SALES AND ON HAND

CLASS:	PRODUCTS SOLD			PRODUCTS ON HAND			TOTAL SALES AND PRODUCTS ON HAND
	Tons	Average Per Ton	Amount Realized from Gross Sales	Tons	Average Per Ton	Value Products On Hand	
LUMP							
MINE RUN							
NUT							
PEA							
EGG							
STEAM							
SLACK							
COKE							
BY-PRODUCTS							
TOTAL							
DEDUCT Am't. Beginning Year							
TOTAL							

\*Use the same "Average per Ton" for PRODUCTS ON HAND as used for PRODUCTS SOLD.

.....COMPANY

Schedule No. 9-M

Form 31-12

### SUMMARY OF INCOME AND EXPENDITURES OF PRODUCTIVE MINES OF RESPONDENT

The net income shown on this schedule is for the producing mines of Respondent only.

Every expenditure item shown on this schedule must be detailed in full on additional schedules. Use schedules and show names of company reporting and schedule number, marking subsequent schedules A, B, C, D, etc., on lower right hand corner of each sheet, and insert such additional numbers in the "Oath" Detail ALL Expenditures, then deduct expenditures disallowed on Schedule 12, before entering on this schedule.

Items should not be bunched on schedules showing detail of expenditures, and all large "Miscellaneous Expense" accounts must be segregated and the nature of the items making up same fully explained.

Use back of this sheet for Explanations and Remarks.

<b>GROSS INCOME:</b>	
Gross Value of Products Sold, Excluding Custom (Schedule 9) _____	
Increase OR Decrease in value of Metal Stocks (Schedule 9) _____	
<b>TOTAL GROSS INCOME FROM PRODUCTIVE MINES</b> _____	
<b>EXPENDITURES:</b>	
AS DETAILED IN FULL ON SCHEDULES FOLLOWING	

SUMMARY OF ACCOUNTS:	TOTAL EXPENDITURES	COST OF TREATING CUSTOM MATERIAL	NET EXPENDITURES
Exploration _____			
Development _____			
Extraction _____			
Transportation of Ore _____			
(Cost per Wet Ton Mile: ) _____			
Milling _____			
Transportation of Concentrates _____			
(Cost per Wet Ton Mile: ) _____			
Smelting _____			
Converting _____			
Transportation of Bullion _____			
Refining Bullion _____			
Cost (Paid Shipper) of Custom Material Treated _____			
<b>TOTAL EXPENDITURES</b>			
<b>NET INCOME FROM PRODUCTIVE MINES</b>			

NOTICE: Under Explanations and Remarks on back of this sheet explain fully method used in arriving at Cost of Treating Custom Material.

\_\_\_\_\_ COMPANY

Schedule No. 10-M

Form 31-13

**GENERAL BALANCE SHEET**

(As of Dec. 31, 19.....)

Supply the information required exactly as called for. The blank spaces under Assets and Liabilities may be used for inserting special accounts not covered by the form. The Total Assets and Liabilities must check, and the Balance Sheet in general should agree with the Balance Sheet furnished your Officers, Directors and Stockholders as of December 31st, except as to arrangement and segregation of items.

<b>ASSETS:</b>	
Property—Original Investment: (Date Purchased: _____)	
Mining Claims (No. of Claims: _____)	
Equipment and Improvements of Mines _____	
Real Estate—Industrial, and Mill Sites _____	
Reduction Plant _____	
All Other Real Estate and Improvements thereon* _____	
Property—Acquired since Original Investment: _____	
Mining Claims (No. of Claims: _____)	
Development of Mines (Not absorbed in Expenses) _____	
Equipment and Improvements of Mines _____	
Real Estate—Industrial, and Mill Sites _____	
Reduction Plant _____	
All Other Real Estate and Improvements thereon* _____	
Investments _____	
Metal Stocks _____	
Custom Ores, Concentrates, etc., on Hand Untreated _____	
Material and Supplies, for Mine, Mill and Smelter, per Inventory _____	
Store Merchandise, per Inventory _____	
Furniture and Fixtures (Household, Office, etc.) _____	
Livestock, Wagons, and Motor Vehicles _____	
Cash, Bills Receivable and Accounts Receivable _____	
Prepaid Insurance and Other Expenses _____	
<b>TOTAL ASSETS</b> _____	
<b>LIABILITIES</b>	
Capital Stock—Outstanding _____	
Bonds—Outstanding _____	
Reserve for Depreciation—Mine Orebodies _____	
Reserve for Depreciation—Mine Orebodies _____	
Reserve for Depreciation—All Other _____	
Bills Payable and Accounts Payable _____	
Surplus (Earned) _____	
<b>TOTAL LIABILITIES</b> _____	

\*Including Surface Value of Claims and Mill Sites when used for purposes other than Mining.

COMPANY

Schedule No. 11-M

Form 31-14

### RECONCILEMENT OF NET INCOME FROM PRODUCTIVE MINES WITH EARNED SURPLUS SHOWN ON GENERAL BALANCE SHEET

<p>Net Income from Productive Mines, per Schedule 10-M _____</p> <p>Add: Income from Other Sources:</p> <p style="padding-left: 20px;">All Interest Received _____</p> <p style="padding-left: 20px;">Income from Investment _____</p> <p style="padding-left: 20px;">Net Profit on Custom Material Treated _____</p> <p style="padding-left: 20px;">Net Profit on Merchandise Sold _____</p> <p style="padding-left: 20px;">Rentals _____</p> <p style="padding-left: 20px;">Telephones _____</p> <p style="padding-left: 20px;">Water and Lights _____</p> <p style="text-align: center; margin-top: 10px;">TOTAL INCOME _____</p>	
<p>DEDUCT: Expenditures Disallowed and NOT TO BE INCLUDED IN EXPENDITURES SHOWN ON SCHEDULE 10-M</p> <p style="padding-left: 20px;">All Interest Paid (Including Interest paid on advance a-c Bul- lion Shipments) _____</p> <p style="padding-left: 20px;">New Construction, New Equipment, Addition, Improvements, etc., Charged by Respondent to Operating Expenses (These items should be listed in detail on Schedule 7-M or 8-M) _____</p> <p style="padding-left: 20px;">Depreciation of Mine Orebodies _____</p> <p style="padding-left: 20px;">All Other Depreciation _____</p> <p style="padding-left: 20px;">All Expenditures (including proportion of Administrative expense, Taxes, etc.) properly chargeable to "Income from Other Sources" (shown above): (List below showing expense chargeable to each item of income) _____</p>	
<p style="text-align: center; margin-top: 10px;">TOTAL EXPENDITURES _____</p> <p>Entire net income of Respondent _____</p> <p>Less: Dividends Paid During Year _____</p> <p>Earned Surplus for Year _____</p> <p>Earned Surplus—Balance brought forward from Previous Year _____</p> <p><b>TOTAL EARNED SURPLUS DECEMBER 31, 19____, PER GENERAL BALANCE SHEET _____</b></p>	

NOTICE: Explain fully, under Explanations and Remarks on back of this sheet, your method of charging Depreciation.

\_\_\_\_\_  
COMPANY

Schedule No. 12-M



Form 31-15

**METALLURGICAL DATA**

DRY TONS OF .....	CUSTOM MATERIAL	RESPONDENT'S ORE	RESPONDENT'S CONCENTRATES	COPPER ELISTER
In Stock, in Transit and Unsold Jan. 1, 19.....				
Received, Extracted and Produced During Yr. ....				
Total .....				
Less: Milled During Year .....				
Smelted During Year .....				
Sold During Year .....				
Sold During Year .....				
Total Deductions .....				
In Stock, in Transit and Unsold Dec. 1, 19.....				

NOTICE: Detail all Custom Material Received during the Year on Form Provided

**ESTIMATED ORE RESERVES IN MINES, DEC. 31, 19.....**

CLASSIFICATION .....	ORE PROSPECTIVE	ORE DEVELOPED	ORE BROKEN
Dry Tons .....			
Gold Ozs. ....			
Silver Ozs. ....			
Copper % .....			
Lead % .....			
Zinc % .....			
Gross Value—per Ton (Use same quotations as for Products Sold) .....			
Metal Losses—per Ton .....			
Recovery Value—per Ton .....			
Treatment, etc.—per Ton .....			
Net Value—per Ton .....			
TOTAL NET VALUE—Entire Tonnage .....			

State period (give dates) property was NOT operated during the year 19.....

NOTICE: Reports of Geologists and Mining Engineers may be returned with this Statement, if Respondent so desires.

EXPLANATIONS AND REMARKS:

\_\_\_\_\_  
COMPANY

Schedule No. 13-M

Form 31-16

### CUSTOM MATERIAL RECEIVED

(During Year Ending Dec. 31, 19 .....

Indicate by an asterisk (\*) after the name when freight was prepaid by shipper.

NAME OF SHIPPER:	P. O. ADDRESS:	DRY TONS:	PAID SHIPPER:
TOTAL .....			

\_\_\_\_\_ COMPANY

FORM 43-1

## ANNUAL REPORT

### For Producing Mines Under \$10,000.00 Valuation

FOR THE YEAR ENDING DECEMBER 31, 19\_\_\_\_

List all patented and unpatented productive mineral claims in group contiguous thereto, state whether leased from state or from U. S. Government or individuals.

S. D.	CLAIM	SURVEY NO.	ACRES	S.	T.	R.	CLAIM	SURVEY NO.	ACRES	S.	T.	R.

List non-productive patented or unpatented mines. State whether leased from State, U. S. Government or individuals

S. D.	CLAIM	SURVEY NO.	ACRES	S.	T.	R.	CLAIM	SURVEY NO.	ACRES	S.	T.	R.

Real estate and improvements, millsite, Survey No., No. of acres, actual value.

REAL ESTATE	IMPROVEMENTS	MILLSITE	SURVEY NO.	ACRES	VALUE	S. D.

**PERSONAL PROPERTY:** List in detail all personal property, plants, equipment, machinery, material and supplies merchandise, furniture and fixtures, livestock, used in operation of this property. List is by county and school district. If second hand items were purchased it should be so noted.

ITEMS	YEAR ACQUIRED	COST	DEPRECIATION CHARGED PAST YRS.—DURING 19____	ACTUAL VALUE	COUNTY	S. D.

Form 43-1

Gross value of products sold . . . . .	\$ _____
Increase or decrease in value of metal stocks . . . . .	\$ _____
Total gross income from productive mines . . . . .	\$ _____

Deduct Expenses:

Exploration . . . . .	\$ _____
Development . . . . .	\$ _____
Extraction . . . . .	\$ _____
Transportation of Ore . . . . .	\$ _____
Milling . . . . .	\$ _____
Transportation of Concentrates . . . . .	\$ _____
Smelting . . . . .	\$ _____
Converting . . . . .	\$ _____
Transportation of Bullion . . . . .	\$ _____
Refining Bullion . . . . .	\$ _____
Selling Expense . . . . .	\$ _____
Total Expenditures . . . . .	\$ _____
Net Income from Production . . . . .	\$ _____

OATH

STATE OF \_\_\_\_\_ }  
 COUNTY OF \_\_\_\_\_ } ss.

I, the undersigned, \_\_\_\_\_  
 (Name of Officer) Official Title

of the \_\_\_\_\_ Company on oath do say that the return shown on the accompanying schedules numbered 1, 2, have been prepared, under my direction, from the original books, papers, maps and records of said company, and that I have carefully examined the same, and declare the same to be a complete and correct statement of the business and affairs of said company in respect to each and every matter and thing therein set forth, and that the accounts and figures contained in said return embrace all the financial operations of said Company during the period for which said return is made; that the items and the actual value, as listed in Schedules 1 and 2, is a true, complete and correct list of all the physical property owned by this company in the State of New Mexico, as of December 31, 19\_\_\_\_.

\_\_\_\_\_  
 (Official Title)

Subscribed and sworn to before me at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

My Commission expires: \_\_\_\_\_ Notary Public



**Wells acquired through purchase, etc., during 194\_\_\_\_\_** (To be listed on Reverse of this Report)

SCHOOL DIST.	WELL NO.	LEASE NAME	DESCRIPTION				Date Purchased or Acquired	FROM WHOM PURCHASED OR ACQUIRED
			Subdivision	S	T	R		

**Wells sold or Abandoned during calendar year 194\_\_\_\_\_** (Do Not List on Reverse of this Report)

SCHOOL DIST.	WELL NO.	LEASE NAME	DESCRIPTION				Date Sold or Abandoned	ABANDONED OR TO WHOM SOLD
			Subdivision	S	T	R		

OATH

State of \_\_\_\_\_ }  
 County of \_\_\_\_\_ } ss.

I, \_\_\_\_\_ of the \_\_\_\_\_  
do hereby certify that the foregoing is a true and correct statement of all Oil and/or Gas Wells completed or acquired in any other manner, abandoned or sold during the calendar year 194\_\_\_\_\_.

\_\_\_\_\_  
 (Name of Officer)  
 \_\_\_\_\_  
 (Official Title)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_\_

My Commission expires \_\_\_\_\_ (Notary Public)

**GENERAL INSTRUCTIONS:** This report must be completed and returned to the office of the State Tax Commission, Santa Fe, New Mexico, on or before February 1st, after that date a penalty, as provided by law, will be added unless extension of time is granted by the State Tax Commission. To facilitate the work of this office the Tax Commission will appreciate any effort made to complete and return the report prior to that date.

QUARTERLY REPORT OF OIL AND GAS PRODUCTION TO THE  
NEW MEXICO STATE TAX COMMISSION, SANTA FE, NEW MEXICO  
For the Period

Commencing on first day of \_\_\_\_\_ Ending on last day of \_\_\_\_\_

Name: Owner \_\_\_\_\_ Address \_\_\_\_\_

Operator \_\_\_\_\_ Address \_\_\_\_\_

NAME AND LOCATION OF WELL

COUNTY OF \_\_\_\_\_ NAME OF LEASE \_\_\_\_\_ School District \_\_\_\_\_

Name and number of well	Legal description	Sec.	Twp.	Rge.

STATEMENT OF PRODUCTION

MONTH	BBLS.OIL	MCF.GAS
Production for first month of period		
Production for second month of period		
Production for third month of period		
<b>TOTAL PRODUCTION FOR PERIOD</b>		
Balance on hand at beginning of period		
<b>TOTAL AT END OF THIS PERIOD</b>		
Less sales during period		
Balance to be reported next period		

WHEN SOLD	BBLS.OIL	STATEMENT OF SALES				TOTAL
		@	AMOUNT	MCF.GAS	@	
<b>TOTAL SALES</b>						

STATEMENT OF ROYALTIES		FOR USE OF STATE TAX COMMISSION	
PAID OR DUE TO:	AMOUNT		
U. S. Government			
Indian Agencies			
State of New Mexico			
<b>TOTAL ROYALTIES</b>			
Per cent of total solds:			

Name of pipe line) \_\_\_\_\_ ADDRESS \_\_\_\_\_  
 serving same: ) \_\_\_\_\_ ADDRESS \_\_\_\_\_

State of \_\_\_\_\_ )  
 County of \_\_\_\_\_ ) ss

I, \_\_\_\_\_ of the \_\_\_\_\_  
 do hereby certify that the foregoing is a true and correct statement of the production  
 and market value to the State Tax Commission as required by law.

(Signature of officer) \_\_\_\_\_ (Title) \_\_\_\_\_  
 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 1951  
 My commission expires: \_\_\_\_\_ Notary Public

Form 47-1

**ANNUAL REPORT**

For the Year Ending December 31, 19  
of

(Name of Company)

**PIPE LINES AND GAS TRANSMISSION COMPANIES**  
to the  
**Tax Commission of the State of New Mexico**

The "Oath" on this page must be administered by an officer authorized by law to administer oaths, to the President, Secretary, Treasurer, Superintendent or Chief Officer of the Company making this report.

**OATH**

STATE OF ..... }  
COUNTY OF ..... } ss.

I, the undersigned, .....  
(Name of Officer) (Official Title)

of the ..... Company,  
on oath do say that the return as shown on the accompanying schedules numbered 1, 2, 3, .....

(List Numbers of Additional Schedules Here)

has been prepared, under my direction, from the original books, papers, maps and records of said company, and that I have carefully examined the same, and declare the same to be a complete and correct statement of all the physical property owned by this company in the State of New Mexico, as of Dec. 31, 19.....

Official Title

Subscribed and sworn to before me at ..... this ..... day of  
....., 19

My Commission Expires .....  
Notary Public

**SUMMARY OF VALUES**

Schedule No.		Rendered Value	Final Value
1-P	Real Estate and Improvements		
2-P	Personal Property		
3-P	Pipe and Telephone Line		
	Total—		



STATE OF NEW MEXICO  
**BUREAU OF REVENUE** **SEVERANCE TAX DIVISION**  
*Send No Money Herewith*  
**APPLICATION FOR REGISTRATION**

DO NOT WRITE IN THIS SPACE	DO NOT WRITE IN THIS SPACE
----------------------------	----------------------------

This Application is Required of All Persons, Firms, Companies, Corporations, and Receivers, Etc., engaged in PRODUCING, PURCHASING, STORAGE OF, TRANSPORTATION OF (or any combination of such operations) of certain natural resource products within the State of New Mexico as particularly set out in Committee Substitute for Senate Bill No. 49, 13th Legislative Session, Approved Mar. 15, 1937.

**TO THE COMMISSIONER OF REVENUE:**

I, or We, hereby make application for permit to sever from the soil of the State of New Mexico, or deal in such products, under rules and regulations promulgated by the Commissioner of Revenue of the State of New Mexico, in conformity with the provisions of Committee Substitute for Senate Bill Number 49, 13th Legislative Session, approved March 15, 1937.

NAME \_\_\_\_\_  
(Give Name of Business/Style Under Which Same is Conducted.)

Location of Operation \_\_\_\_\_  
County or Counties; Oil/Gas Field or Fields; Mining District.

Timber Area, Nat'l Forest, State Land, Private Holding, Etc.

Mail Address \_\_\_\_\_  
Street or P. O. Box No. Postoffice State

Check Products Severed, or Severance Contemplated, or Acquired by First Purchaser, by Purchase or Otherwise, the Storage/Transportation thereof:

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
OIL	GAS	COAL	GOLD	LEAD	STONE	TIMBER	ZINC	SILVER	COPPER	POTASH	ASPHALT

Were you on producing basis \_\_\_\_\_, or non-producing basis \_\_\_\_\_ Prior to March 1, 1937? (Please Check).

Check Nature of Business:  
 Producer \_\_\_\_\_, Purchaser \_\_\_\_\_, Storer \_\_\_\_\_, Transporter \_\_\_\_\_.

If engaged in operations on or prior to March 1, 1937. Complete "INVENTORY OF SEVERED STOCK ON HAND," as of March 1, 1937; If on Non-Producing Basis, with no severed stock on hand, state expected date of beginning operations \_\_\_\_\_ 19\_\_\_\_.

Indicate Type of Ownership:  
 Individual \_\_\_\_\_, Partnership \_\_\_\_\_, Company \_\_\_\_\_, Corporation \_\_\_\_\_, Other \_\_\_\_\_.

Give name and address of owner, partners or 3 principal officers of corporation.

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

The books and records of this business are kept and may be examined at \_\_\_\_\_

City State

This Application shall be signed by the owner if a Natural Person; in case of Firm, Association or Partnership, by a Member or Partner thereof; in case of a Corporation, by an Executive Officer thereof.

I, We, hereby certify that the statements made herein are true; that all taxes due the State of New Mexico by reason of the Severance Tax Law will be paid.

SIGNED \_\_\_\_\_  
 By \_\_\_\_\_  
 Date \_\_\_\_\_

NEW MEXICO BUREAU OF REVENUE  
SANTA FE, NEW MEXICO  
**PRODUCER'S MONTHLY REPORT**  
OIL AND GAS FORM No. 1

(DO NOT USE THIS SPACE—FOR CASHIER ONLY)

For Period Beginning: \_\_\_\_\_, 194\_\_\_\_; Ending: \_\_\_\_\_, 194\_\_\_\_

[ \_\_\_\_\_ ]  
[ \_\_\_\_\_ ]

(If above name and address is in error, please print or type correction)

**FOR CASHIER ONLY**

Check No.      Amount

M. O. No.      Amount

**RECAPITULATION OF INSIDE PAGES**

**SEVERANCE TAX COMPUTATION**

(Fill out this section of Green Copy — leave blank when reporting Emergency School Tax)

1. Total Value of Fuel Consumed and Sales, (Col. 7) ..... \$
2. Less Value to be Reported by Purchaser, (Col. 8) .....
3. To be accounted for by producer, (Item 1 minus 2) .....
4. Less non-taxable royalty, (Col. 9) .....
5. Producer's Taxable Value, (Item 3 minus 4) .....
6. Total Severance Tax, (2½% of Item 5) Separate Check Attached .....

**EMERGENCY SCHOOL TAX AND CONSERVATION TAX COMPUTATION**

(Fill out this section of White Copy — leave blank when reporting Severance Tax)

1. Total Value of Fuel Consumed and Sales, (Col. 7) ..... \$
2. Less Value to be reported by Purchaser, (Col. 8) .....
3. To be Accounted for by Producer, (Item 1 minus 2) .....
4. Less Non-Taxable Royalty, (Col. 9) ..... \$
5. Less Federal Production Tax, (Col. 10) .....
6. Total Taxable Value (Item 3 minus 4 and 5) .....
7. Allowable Deductions, (Col. 11) .....
8. Net Taxable Value, (Item 6 minus 7) .....
9. Emergency School Tax, (2% of Item 8) .....
10. Conservation Tax, (¼ of 1% of Item 6) .....
11. Total Tax Paid, Separate Check Attached .....

**AFFIDAVIT**

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.

\_\_\_\_\_, being first duly sworn, says that he is the person who prepared the foregoing report and attached sheets thereto on behalf of \_\_\_\_\_; that he knows the contents thereof, and that the same are true and correct.

Signed \_\_\_\_\_, Official Title \_\_\_\_\_

Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_

My Commission Expires \_\_\_\_\_ Notary Public

(Do not use this space—for cashier only)

NEW MEXICO BUREAU OF REVENUE  
 SANTA FE, NEW MEXICO  
**PRODUCER'S MONTHLY REPORT**  
 OIL AND GAS FORM NO. 1

Name of Producer \_\_\_\_\_ Address \_\_\_\_\_

1		2			3	4		5		6		7
LEASE (List Alphabetically by Counties) NAME COUNTY		DESCRIPTION			GROSS PRODUCTION Bbls. or M.C.F.	CLOSING INVENTORY Bbls.		FUEL CONSUMED Bbls. or M.C.F.		SALES % Vol. Basis Bbls. or M.C.F.		TOTAL VALUE Sales and Fuel
		S.	T.	R.								\$

Reports must be filed on or before the 26th of the month succeeding the month for which filed. Use separate sheets for oil and gas or plainly segregate. Mail green copy, with proper section on recapitulation page filled in, to SEVERANCE TAX DIVISION, Bureau of Revenue, Santa Fe, New Mexico. Mail white copy, with proper section on recapitulation page filled in, to EMERGENCY SCHOOL TAX DIVISION, Bureau of Revenue, Santa Fe, New Mexico. Inside pages may be duplicated for the two Divisions. Separate checks must be sent to each Division.

Month of \_\_\_\_\_ 194\_\_

	8	9	10	11	12	
TO BE REPORTED BY PURASER (Gross Value)	NON-TAXABLE ROYALTY (S) State (F) Federal	Federal Production Tax	OTHER DEDUCTIONS (C) Certificate (I) Indian Reservation	PURASER OR USER	ADDRESS	
	\$	\$	\$			

## INSTRUCTIONS

For the convenience of the taxpayers, the oil and gas forms for reporting Severance tax and Emergency School tax have been consolidated. The green copy is to be used for reporting Severance tax, and the white copy is for the Emergency School tax. The detailed information on the inside pages may be duplicated for both taxes, but the recapitulation pages are to be filled in for each tax separately. Affidavit should be executed for each form.

- Columns 1 and 2: Give complete information showing name of lease, county, section, township, and range.
- Column 3: Gross production should be expressed in standard 42 gallon barrels or M.C.F., and should reflect actual total gross production including fuel used on lease, stored, local sales, and pipe line runs.
- Column 4: By Closing Inventory is meant the gross total on hand, barrels or M.C.F., at the close of the month. This Closing Inventory, under Commissioner's Ruling, is granted a thirty day extension of time for Severance tax payment, and will become the opening Inventory of the succeeding month, the tax on same to be paid with succeeding month's production.
- Column 5: Fuel used or consumed on property should be stated in barrels or M.C.F. The producer shall remit tax on this item on the basis of unit value. The producer should report and pay on this item monthly without regard to any permissive tax withholding on the part of any purchaser.
- Column 6: Sales include, in barrels or M.C.F., pipeline runs and small lot sales.
- Column 7: Total value of all sales, and fuel consumed.
- Column 8: If the purchaser has elected to pay the tax, show in this column the total value of oil or gas. Leave blank when tax is paid by producer.
- Column 9: Show amount of Federal or State royalty when tax is to be paid by producer. Leave blank when tax is to be paid by purchaser. Use prefix "S" or "F" to indicate State or Federal Royalty.
- Column 10: When State tax is paid by producer show amount of Federal Production tax. Leave blank if State tax is to be paid by purchaser.
- Column 11: Allowable deductions under School Tax Act are gas and oil processed within the state (refiners certificate must accompany), and production from restricted Indian leases. This column is to be used if producer pays the tax. Leave blank if purchaser is to pay. There are no deductions for Severance and Conservation taxes. Use prefix "C" or "I" to indicate refinery certificate or Indian lease.
- Column 12: Give name and address of purchaser, if product sold. Give name and address of transportation company if oil is run or transported to storage within or without the state.

**NEW MEXICO BUREAU OF REVENUE**  
**SEVERANCE TAX DIVISION**  
 SANTA FE, NEW MEXICO  
**PRODUCER'S MONTHLY REPORT**

For Period Beginning _____ 19____, Ending _____ 19____	FOR CASHIER ONLY  <hr/> Check No. --- Amount  <hr/> M. O. No. --- Amount
<div style="border: 1px solid black; width: 80%; margin: auto; padding: 10px;"> <p align="center"><b>TAXPAYER'S COPY</b> (Retain for your files)</p> </div>	

**GOLD—SILVER—LEAD—ZINC—COPPER REPORT**

I. REPORT OF ORES SEVERED FROM THE SOIL						
Name of Mine	Mining District	Opening Inventory Tons of Ore	Production in Tons During Month	Tons Disposed Of	Closing Inventory	Disposition
Production Totals						

**II. The Gross Assay Value of Such Ores In Taxable Constituents:**

	MARKET QUOTATION (See Instructions)	DIFFERENTIAL (See Instructions)	TAXABLE VALUE
1. _____ oz. GOLD @ \$ _____	less	\$ _____	\$ _____
2. _____ oz. SILVER @ \$ _____	less	\$ _____	\$ _____
3. _____ lb. LEAD @ \$ _____	less	\$ _____	\$ _____
4. _____ lb. ZINC @ \$ _____	less	\$ _____	\$ _____
5. _____ lb. COPPER @ \$ _____	less	\$ _____	\$ _____
		<b>TOTAL VALUE</b>	\$ _____
DEDUCT: Federal or State Royalty Paid _____			\$ _____
		<b>NET TAXABLE VALUE</b>	\$ _____
		<b>SEVERANCE TAX</b> $\frac{1}{2}$ of 1% (.005) Payment	\$ _____
		Herewith \$ _____	

STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) ss. \_\_\_\_\_  
 being first duly sworn, on h \_\_\_\_\_ oath says that \_\_\_\_\_ he is the person who  
 prepared the foregoing return and attachments, if any, on behalf of \_\_\_\_\_  
 that \_\_\_\_\_ he knows the contents thereof, and the same are true and correct. (Name of Taxpayer)  
 Signed \_\_\_\_\_ (Official Title)  
 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_, A. D.  
 My commission expires \_\_\_\_\_, 19\_\_\_\_ Notary Public

DO NOT WRITE IN THIS SPACE

## INSTRUCTIONS

This form, properly acknowledged and reflecting the taxpayer's operations as indicated, is required to be filed with the Severance Tax Division, Bureau of Revenue, Santa Fe, New Mexico, on or before the 26th day of the month next following the month in which products are severed.

### PROPER REMITTANCE MUST ACCOMPANY THIS RETURN

- I. Column 1. Name of Mine or Company operation  
Column 2. Give name of mining district, New Mexico  
Column 3. State amount of ore on hand at beginning of period covered.  
Column 4. State gross ore production in tons for the month.  
Column 5. Disposition of ores in tons.  
Column 6. Closing inventory. This is the on hand ore at the close of the month, and becomes the opening inventory of the following period.  
Column 7. Give name of purchaser or smelter.
- II. 1. Market quotation: Is the average quotation for the month of severance as taken from the Engineering and Mining Journal.  
2. Differential is the cost of transporting the refined metal from smelter to nearest active market.  
3. Deductions: No deductions are permitted other than royalties due or paid to the United States, or to the State of New Mexico.

### MAKE ALL REMITTANCES TO:

Bureau of Revenue  
Severance Tax Division  
Santa Fe, New Mexico

STATE OF NEW MEXICO  
BUREAU OF REVENUE  
SANTA FE



## SEVERANCE TAX REPORT ON POTASH

MONTH OF \_\_\_\_\_

SV \_\_\_\_\_

NAME OF TAXPAYER \_\_\_\_\_

ADDRESS \_\_\_\_\_

1. Tons mined during month \_\_\_\_\_

2. Average percentage  $K_2O$  for month \_\_\_\_\_3. Value per unit  $K_2O$  after deducting contract discount \_\_\_\_\_4. Market value per ton of product mined  
(Item 2 times Item 3) \_\_\_\_\_

5. Deductions:

6. Value per ton of product at point of severance \$ \_\_\_\_\_  
\$ \_\_\_\_\_

		COMPUTATION OF TAX		
Item 1	Item 6	tons at	per ton	\$
_____	_____	_____	_____	_____

Deductions:

Federal royalty paid \$ \_\_\_\_\_

State royalty paid \$ \_\_\_\_\_ \$ \_\_\_\_\_

Taxable value of product severed \$ \_\_\_\_\_

Severance Tax based on 2.5% of value of  
product severed per check herewith \$ \_\_\_\_\_

I hereby certify that the information contained in this report,  
is, to the best of my knowledge and belief, true and correct.

\_\_\_\_\_  
Title

Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public



NEW MEXICO BUREAU OF REVENUE  
SEVERANCE TAX DIVISION  
Santa Fe, New Mexico

PRODUCER'S MONTHLY REPORT

For period beginning \_\_\_\_\_ Ending \_\_\_\_\_

Tons	GROSS VALUE Value	
_____	_____	\$ _____
<b>Differentials:</b>		
Loading _____	-----	\$ _____
Ore Delivery to Mill _____	-----	\$ _____
Milling _____	-----	\$ _____
Freight to Market _____	-----	\$ _____
<b>Total Differentials</b> _____	-----	<b>\$ _____</b>
<b>Deductions:</b>		
Federal Royalty _____	-----	\$ _____
State Royalty _____	-----	\$ _____
Taxable Value of Product Severed _____	-----	\$ _____
Severance Tax based on 1/8 of 1% (.00125) value of		
product severed per check herewith _____	-----	\$ _____

I hereby certify that the information contained in this report, is,  
to the best of my knowledge and belief, true and correct.

\_\_\_\_\_  
\_\_\_\_\_  
Title

Sworn and Subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_

My Commission Expires

\_\_\_\_\_  
\_\_\_\_\_  
Notary Public

**NEW MEXICO BUREAU OF REVENUE  
SEVERANCE TAX DIVISION**

SANTA FE, NEW MEXICO

For Period Beginning _____ 19____, Ending _____ 19____	<b>FOR CASHIER ONLY</b>  <hr/> Check No. — Amount  <hr/> M. O. No. — Amount
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**COAL — ASPHALT — STONE REPORT**

**I. Report of Products Severed From the Soil**

Name Of Mine Or Quarry	Location	Opening Inventory Tons Or Units	Month's Gross Production Tons Or Units	Tons Or Units Disposed Of	Closing Inventory	Name Of Purchaser Or Disposition
Production Totals						

**II. Gross Values;**

	Quotation Or Posted Price	Differential	TOTAL VALUE
_____ tons coal @ _____	_____	None	\$ _____
_____ tons asphalt @ _____	_____	None	\$ _____
_____ stone @ _____	_____		\$ _____
TOTAL VALUE \$ _____			
DEDUCT: Federal/State royalty, due or paid \$ _____			
NET PAYABLE \$ _____			
SEVERANCE TAX 1/2 of 1% (.00125) Payment Herewith \$ _____			

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

} ss.

\_\_\_\_\_ being duly sworn, on h\_\_\_\_\_ oath says that \_\_\_\_\_ he is the person who prepared the foregoing return and attachments, if any, on behalf of \_\_\_\_\_ (Name of Taxpayer) that \_\_\_\_\_ he knows the contents thereof, and that the same are true and correct.

Signed \_\_\_\_\_ (Official Title) \_\_\_\_\_  
Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, A.D.

My Commission expires \_\_\_\_\_ 19\_\_\_\_ Notary Public

DO NOT WRITE IN THIS SPACE

**Classifications of Business, Trades and Professions**

Check Each Number Applicable To Your Business, Trade, Or Profession

Classification No.	Rate of Tax	Classification No.	Rate of Tax	Classification No.	Rate of Tax
<b>APPAREL GROUP (RETAIL)</b>		<b>103-Extrae Companies</b> ..... 2%		<b>FACTORS-AGENTS-BROKERS</b>	
(Sales made to consumers)		<b>104-Gas and Electricity Distributing</b> ..... 2%		(Taxable on commissions)	
101-Men's Clothing and Furnishing	2%	105-Pipe Lines	2%	1101-Auctioneers	2%
102-Women's Ready-to-Wear	2%	107-Railroads	2%	1102-Bonds-Vegetable Instruments	2%
103-Milliners, Tailors, Dressmakers	2%	107-Steaming and Parlor Cars	2%	1103-Real Estate Sales and Rentals	2%
104-Shoe Stores	2%	108-Storage and Terminals	2%	1104-Food-Food Sales Products	2%
105-Discontinued 7-15-41	2%	109-Telegraph and Telephone	2%	1105-Bonding Materials	2%
106-Children's Shops	2%	110-Trucking and Transfer	2%	1106-Furniture Fixtures	2%
107-Others Not Listed	2%	111-Taxicabs, Rentals and Tours	2%	1107-Machinery-Supplies	2%
<b>AUTOMOTIVE GROUP (RETAIL)</b>		112-Reclassified	2%	1108-Oil-Gas Products	2%
(Sales made to consumers)		112-Electricity and Gas for Irrigation and Manufacturing Purposes, NOT for Lights	2%	1109-Others Not Listed	2%
201-Accesories, Tires, etc.	2%	118-Others Not Listed	2%	<b>WHOLESALE-JOBGING GROUP</b>	
202-Car Dealers (New and Used)	1%	<b>CONTRACTING GROUP</b>		(Sales for purpose of resale)	
203-Trucks and Tractors	1%	(Original and Sub-Contractors)		1201-Apparel Group	2%
204-Garages and Repair Shops	2%	801-Buildings-Dwellings, etc.	2%	1202-Automotive Group	2%
205-Filling Stations	2%	802-Buildings, Canals, Pipework, Bridges, Railroads, Shafts Tunnels, etc.	2%	1203-Bear-Wines-Liquors	2%
206-Others Not Listed	2%	803-Drilling Wells, Rig Building, Oil Well Service	2%	1204-Coal in carload lots or truck loads from mine sold to retail coal dealers	2%
<b>SUBSTANCE GROUP (RETAIL)</b>		804-Pipe Lines	2%	1205-Drugs-Chemicals	2%
(Sales made to consumers)		805-Structural Work	2%	1206-Dry Goods-Notions	2%
301-Bakeries	2%	806-Painting and Paper Hanging	2%	1207-Electricity and Gas to Others for Resale	2%
302-Lairy Products	2%	807-Plumbing-Heating	2%	1208-Discontinued 7-15-41	2%
303-Confectionery, Soft Drinks	2%	808-Welding Contracting	2%	1209-Electrical Goods	2%
304-Groceries, Meats, Fruits, etc.	2%	809-Quarrying-Excavating	2%	1210-Past and Ice	2%
305-Hotels, Rooming Houses	2%	810-Shoot Metal Working	2%	1211-Discontinued 7-15-41	2%
306-Restaurants, other eating places	2%	811-Fabricating, etc.	2%	1212-Groceries, Meats, Fruits, etc.	2%
307-Tourist Camps, Guide Houses	2%	812-Roofing	2%	1213-Furniture, Furnishings and Fixtures	2%
308-Others Not Listed	2%	813-Masonry	2%	1214-Hardware-Leather Goods	2%
<b>FURNITURE GROUP (RETAIL)</b>		814-Reclassified	2%	1215-Jewelry-Optical Goods	2%
(Sales made to consumers)		815-Cutting Timber	2%	1216-Lumber-Building Materials	2%
401-Furniture and Furnishings	2%	816-Others Not Listed	2%	1217-Machinery-Mill Supplies	2%
402-Household Appliances	2%	<b>PROFESSIONAL AND PERSONAL SERVICE GROUP</b>		1218-Professional Equipment and Supplies	2%
403-Radins and Musical Instruments	2%	901-Abstractors	2%	1219-Oil and Gas Products	2%
404-Others Not Listed	2%	902-Accountants-Auditors	2%	1220-General Merchandise	2%
<b>LUMBER AND BUILDING MATERIAL GROUP (RETAIL)</b>		903-Architects	2%	1221-Flowers-Nursery Stock	2%
(Sales made to consumers including contractors)		904-Artists	2%	1222-Gifts, Curtas, etc.	2%
501-Building Materials	2%	905-Attorneys	2%	1223-Tobacco Products	2%
502-Construction Materials	2%	906-Battery Shops	2%	1224-Oil Well Equipment and Supplies	2%
503-Electrical Materials	2%	907-Beauty Parlors	2%	1225-Plumbing Supplies	2%
504-Hardware Stores	2%	908-Doctors	2%	1226-Paper Products	2%
505-Fans, Glass, etc.	2%	909-Geologists-Analyzers, Chemists, Scientific Advisors	2%	1227-Sporting Goods-Teats-Awnings	2%
506-Plumbing and Heating Materials	2%	910-Laundries-Cleaners-Dyers	2%	1228-Reclassified	2%
507-Sheet Metal Products	2%	911-Surveyors-Engineers	2%	1229-Second Hand Stores	2%
508-Others Not Listed	2%	912-Private Schools	2%	1230-Others Not Listed	2%
<b>OTHER RETAIL STORES</b>		913-Laboratories-Clinics	2%	<b>NATURAL RESOURCE GROUP</b>	
(Sales made to consumers)		914-Blacksmiths-Machine Shops, Wood, etc. Repair Shops of all Kinds	2%	(Extraction)	
601-Books, Stationery, etc.	2%	915-Photographers	2%	1301-Carbon Dioxide Gas	2%
602-Coxs Stores, Newsstands, etc.	2%	916-Newspaper Advertising	2%	1302-Discontinued 7-15-41	2%
603-Florists, Nurseries, etc.	2%	917-Landscapers and Horticulturists	2%	1303-Metal and Mineral Mines	2%
604-Fuel and Ice Dealers	2%	918-Shops Repair-Shine Parlors	2%	1304-Petash and Products	2%
605-Gifts, Curios, etc.	2%	919-Credit-Collection Agencies	2%	1305-Oil and Gas	2%
606-Department and Dry Goods Stores	2%	920-Ban Work of All Kinds	2%	1306-Stone, Clay, Sand, Gravel, etc.	2%
607-Drug Stores	2%	921-Rental of Equipment, etc.	2%	1307-Timber Products	2%
608-Discontinued 7-15-41	2%	922-Bath Houses-Measures	2%	<b>MANUFACTURING-PROCESSING REFINING</b>	
609-Machinery	2%	923-Grain Elevators	2%	(Sales for purpose of resale)	
610-Discontinued 7-15-41	2%	924-Kennels-Pet Shops	2%	1401-Bakeries	2%
611-Itinerant Peddlers	2%	925-Advertising (Agencies-Out Door, etc.)	2%	1402-Beverages-Liquors	2%
612-Jewelry Stores	2%	926-Taxidermists	2%	1403-Broom Factories	2%
613-Luggage and Leather Goods	2%	927-Morticians	2%	1404-Lumber and Wood Products	2%
614-Monuments, etc.	2%	928-Cotton Compress	2%	1405-Chemicals-Drugs, etc.	2%
615-Office, Hotel, Restaurant, Profes- sional Supplies and Equipment	2%	929-Reclassified	2%	1406-Creameries	2%
616-Oil and and Gas Products	2%	1001-Paras-Bathing Pools-Beams	2%	1407-Cheating Manufactures	2%
617-Sporting Goods, Amusing, etc.	2%	1002-Pool Halls-Bowling Alleys	2%	1408-Cotton Oils	2%
618-General Stores, Commissaries	2%	1003-Traveling Shows-Bands, etc.	2%	1409-Electricity-Ice	2%
619-Beer and Liquor Stores	2%	1004-Cuba Dance-Dance Halls	2%	1410-Food Products	2%
620-Variety, 5 & 10, Specialty Shops	2%	1005-Devices of Chance or Skill	2%	1411-Leather Products	2%
621-Oil Well Equipment and Machinery Parts and Supplies	2%	1006-Radio Broadcasting	2%	1412-Live Stock Products	2%
622-Discontinued 7-15-41	2%	1007-Blind Shows-Rentals	2%	1413-Brick, Tile, Clay Products	2%
623-Second Hand Stores	2%	1008-Theatrical Picture Shows	2%	1414-Brick, Tile, Clay Products	2%
624-Sales	2%	1009-Commissions	2%	1415-Non-Ferrous Refining	2%
625-Junk Shows	2%	1010-Others Not Listed	2%	1416-Cotton Ginning	2%
626-Vending Music Machines	2%	<b>AMUSEMENT GROUP</b>		1417-Non-Ferrous Refining	2%
627-Others Not Listed	2%	1001-Paras-Bathing Pools-Beams	2%	1418-Mills and Milling	2%
<b>PUBLIC UTILITY AND COMMON CARRIER</b>		1002-Pool Halls-Bowling Alleys	2%	1419-Oil and Gas Refining	2%
701-Air Lines	2%	1003-Traveling Shows-Bands, etc.	2%	1420-Commercial Printing	2%
702-Busses	2%	1004-Cuba Dance-Dance Halls	2%	1421-Brick, Tile, Clay Products	2%

**SCHOOL TAX DIVISION**  
**STATE BUREAU OF REVENUE**  
 SANTA FE, NEW MEXICO

THIS STATEMENT AND TAX PAYMENT MUST BE FILED WITH THE SCHOOL TAX DIVISION BY THE 15TH OF MONTH AFTER PERIOD FOR WHICH FILED

DO NOT USE THIS SPACE—FOR CASHIER ONLY

**REPORT OF GROSS INCOME FOR MONTH OF:**

FOR PERIOD BEGINNING 19\_\_ ENDING 19\_\_

FOR CASHIER ONLY

IF NAME AND ADDRESS ARE IN ERROR, PLEASE PRINT OR TYPE CORRECTION.

**PLEASE ANSWER THE FOLLOWING QUESTIONS:**

- Has type of ownership changed during month? \_\_\_\_\_  
 If so, give date of change and name of present owner. \_\_\_\_\_
- Was business discontinued? \_\_\_\_\_ When? \_\_\_\_\_

**IF REPORTING ON CASH BASIS, FILL IN THIS SECTION—SEE INSTRUCTIONS**

1—Total Cash and charge sales for month	
2—Less charge sales for month	
3—Cash Sales (Line 1 minus line 2)	
4—Plus received on account during month	
5—Gross Income (Line 3 plus line 4)—Show this amount in proper column below.	

**COMPUTATION OF TAX—PLEASE READ INSTRUCTIONS ON COVER**

CHECK GROUP UNDER WHICH YOU ARE CLASSIFIED—SEE COVER OF BOOK	GROSS INCOME	ALLOWABLE DEDUCTIONS	NET TAXABLE INCOME	RATE	TAX PAYABLE
<input type="checkbox"/> Apparel Group				2 %	
<input type="checkbox"/> Automotive Accessories and Service					
<input type="checkbox"/> Bookstore Group					
<input type="checkbox"/> Furniture Group					
<input type="checkbox"/> Lumber—Building Material Group					
<input type="checkbox"/> Other Retail Stores Group (See classification on cover)					
<input type="checkbox"/> Public Utility and Common Carrier Group					
<input type="checkbox"/> Professional and Personal Service Group					
<input type="checkbox"/> Amusement Group					
<input type="checkbox"/> Factor-Agent-Broker Group					
<input type="checkbox"/> Natural Resource Extraction Group				1%	
<input type="checkbox"/> Contracting Group				1%	
<input type="checkbox"/> Automotive Group—Cars, Trucks and Tractors				1/4 %	
<input type="checkbox"/> Manufacturing, Processing, Refining, Smelting, Milling of Oil, Potash, Gas and Mineral Products				1/4 %	
<input type="checkbox"/> Natural Resource Extraction Group				1/4 %	
<input type="checkbox"/> Manufacturing and Processing of Material Products (not including oil, gas, potash, and mineral products)				1/4 %	
<input type="checkbox"/> Wholesale—Jobbing Group (See classification on cover)				1/8 %	
<b>TOTALS</b>					

**ALLOWABLE DEDUCTIONS**

CHECK NUMBERS AT LEFT TO IDENTIFY DEDUCTIONS TAKEN

- Contractor's cost of materials becoming part of structure and on which the 1% tax has been paid
- Sales of motor fuel subject to tax under Gasoline Excise Tax Act, but not sales of refund gasoline and Diesel Fuel
- Sales in Interstate or Foreign Commerce
- Sales to U. S. Government, its Departments or Agencies
- Sales to State of New Mexico, its Departments, Agencies, or Political Subdivisions
- Actual freight charges prepaid by taxpayer on products of business if reporting under Sec. 201 A-1(a)(1) or F
- Sales of newspapers and magazines
- Royalty payments to U. S. or State
- Agricultural Implements (Not Tractors), Seeds, Fertilizer, Livestock Feed and Fertilizer
- Any other deductions authorized by law—state in separate sheet or reverse side.

TOTAL DEDUCTIONS—SHOW IN COLUMN ABOVE

Plus: Penalty . . . . \$

Plus: Interest . . . . \$

Total Tax, Pen. & Int. \$

**CERTIFICATE**

I hereby certify that I have examined this report, and the statements made, and the figures shown herein, and in any accompanying schedules, are to the best of my knowledge and belief a true and complete return for the period stated, pursuant to the Emergency School Tax Act of 1935, as amended.

Name of Business or Taxpayer.

Agent

Title

NEW MEXICO BUREAU OF REVENUE SANTA FE, NEW MEXICO	
PURCHASER'S MONTHLY REPORT	
OIL AND GAS FORM NO. 2	
(DO NOT USE THIS SPACE—FOR CASHIER ONLY)	
For Period Beginning: _____, 194__ Ending: _____, 194__	<b>FOR CASHIER ONLY</b>
[ _____ ]	
[ _____ ]	Check No.    Amount
(If above name and address is in error, please print or type correction)	M. O. No.    Amount
RECAPITULATION OF INSIDE PAGES	
SEVERANCE TAX COMPUTATION	
(Fill out this section of Green Copy — leave blank when reporting Emergency School Tax)	
1. Total Value of Purchases, (Col. 5)	\$ _____
2. Less Value to be reported by Producer, (Col. 6)	_____
3. Value to be Accounted for by Purchaser, (Item 1 minus 2)	_____
4. Less non-taxable royalty, (Col. 7)	_____
5. Purchaser's Taxable Value, (Item 3 minus 4)	_____
6. Severance Tax, (2% of Item 5) Separate Check Attached	\$ _____
EMERGENCY SCHOOL TAX AND CONSERVATION TAX COMPUTATION	
(Fill out this section of White Copy — leave blank when reporting Severance Tax)	
1. Total Value of Purchases, (Col. 5)	\$ _____
2. Less Value to be reported by Producer, (Col. 6)	_____
3. Value to be Accounted for by Purchaser, (Item 1 minus 2)	_____
4. Less Non-Taxable Royalty (Col. 7)	_____
5. Less Federal Production Tax (Col. 8)	_____
6. Total Taxable Value, (Item 3 minus 4 and 5)	_____
7. Allowable Deductions, (Col. 9)	_____
8. Net Taxable Value, (Item 6 minus 7)	_____
9. Emergency School Tax, (2% of Item 8)	_____
10. Conservation Tax, (1% of 1% of Item 6)	_____
11. Total Tax Paid, Separate Check attached	\$ _____
AFFIDAVIT	
STATE OF _____	} ss.
COUNTY OF _____	
_____, being first duly sworn, says that he is the person who prepared the foregoing report and attached sheets thereto on behalf of _____; that he knows the contents thereof, and that the same are true and correct.	
Signed _____	Official Title _____
Sworn and subscribed to before me this _____ day of _____, 194__	
My Commission Expires _____	Notary Public
Do not use this space for cashier only	

Name of Purchaser \_\_\_\_\_ Address \_\_\_\_\_  
2 3 4

NAME AND ADDRESS OF PRODUCER	LEASE (List Alphabetically by Counties) NAME COUNTY	DESCRIPTION			PURCH	
		S.	T.	IL	Title: " "	or li. W. "

Reports must be filed on or before the 26th of the month succeeding the month for which filed. UM separate apnea for oil and gas. FAX DIVISION, Bureau of Revenue. Santa Fe, New Mexico. Mail with "copy" with proper assn. on recapitulation pap filled be duplicated for the two Divisions. Separate checks must be sent to each division.

Month of \_\_\_\_\_, 19\_\_\_\_

	5	6	7	8	9	
ASES	TO BE REPORTED BY PRODUCER (Gross Value)		NON-TAXABLE ROYALTY (S) State (F) Federal	FEDERAL PRODUCTION TAX	OTHER DEDUCTIONS (C) Certificate (I) Indian Reservation	REMARKS
Total Value	\$	\$	\$	\$	\$	

and or plainly segregate. Mail green copy, with proper section on recapitulation page filled in, to SEVERANCE in, to EMERGENCY SCHOOL TAX DIVISION, Bureau of Revenue, Santa Fe, New Mexico. Inside page: mat

## INSTRUCTIONS

For the convenience of taxpayers, the oil and gas forms for reporting Severance tax and Emergency School tax have been consolidated. The green copy is to be used for reporting Severance tax, the white copy is for the Emergency School tax. The detailed information on the inside pages may be duplicated for both taxes, but the recapitulation pages are to be filled in for each tax separately. Affidavit should be executed for each form.

Column 1—Give name and address of producer.

Columns 2 and 3—Give name of lease, county, section, township and range.

Column 4—Total barrels or M. C. F. purchased.

Column 5—Show total value of oil or gas purchased.

Column 6—When tax is to be paid by producer, show total value of oil or gas. If paid by purchaser, leave blank.

Column 7—Show amount of State or Federal royalty when tax is to be paid by purchaser. Leave blank if paid by producer. Use prefix "S" or "F" to indicate State or Federal royalty.

Column 8—When state tax is paid by purchaser, show amount of Federal tax. Leave blank if paid by producer.

Column 9—Allowable deductions under Emergency School Tax Act are gas and oil processed within the state, and production from restricted Indian leases. This column is to be used if purchaser pays the tax. Leave blank if producer is to pay. There are no deductions for Severance and Conservation taxes. Use prefix "C" or "I" to indicate refinery certificate or Indian lease.



**APPLICATION FOR CERTIFICATE OF  
REGISTRATION  
BUREAU OF REVENUE**

COMPENSATING TAX DIVISION

STATE OF NEW MEXICO

Do not write here

Do not write here

THE UNDERSIGNED HEREBY APPLIES FOR A CERTIFICATE OF REGISTRATION IN CONFORMITY WITH PROVISIONS OF THE NEW MEXICO COMPENSATING TAX ACT OF 1939 (CH 95 SESSION LAWS OF 1939) REGISTRATION CERTIFICATE SHOULD BE ISSUED IN THE NAME OF.....

APPLICANT IS .....

Individual -- Partnership -- Corporation

Name of Owners.....

Name of Individual--Names of Partners--Corporation Officers

Principal place of business.....

Home Office

Principal place of business  
in New Mexico .....

How many places do you operate in N. M.....

Nature of business .....

If more than one kind of business or profession specify each

WE WILL SELL TANGIBLE PERSONAL PROPERTY TO OTHERS FOR STORAGE, USE OR CONSUMPTION ( ) ; WE WILL BUY TANGIBLE PERSONAL PROPERTY FOR STORAGE, USE OR CONSUMPTION ( ) WE WILL BOTH BUY FOR STORAGE, USE AND CONSUMPTION AND SELL TO OTHERS FOR STORAGE, USE AND CONSUMPTION ( ) check which.

Date business began operation.....

Give name of previous owner, if any.....

Give school tax license number, if any.....

IF YOU OPERATE MORE THAN ONE PLACE OF BUSINESS DO YOU WISH TO FILE A CONSOLIDATED MONTHLY RETURN ( ) MONTHLY RETURN FOR EACH ( )

Location of all distribution or sales houses, offices or other places of business operated in this state

NAME OF BUSINESS

ADDRESS

CITY

If additional space is required, use separate sheets

NAMES and ADDRESSES OF ALL REPRESENTATIVES, AGENTS OR SALESMEN OPERATING IN NEW MEXICO

Name

Address

City

The books and records of this business, trade or profession are kept and may be inspected at.....

Street Address

City or Town

State

I hereby certify that the statements herein contained are true and correct, and that the Certificate of Registration application is accepted on condition that all taxes due the State of New Mexico under the provisions of the Compensating Tax Act shall be paid.

This return shall be signed by the Owner if a natural person; in the case of an Association or Partnership, by a member or partner thereof; in the case of a Corporation, by an executive officer thereof.

Trade name, style of Corporation, Firm or individual

BUSINESS (Signature) of Agent

BY

(Title) of Agent

**IMPORTANT:** The classification of the business must be checked on the reverse of this sheet and the item number of each if more than one, given above.

19

(Date this application executed)

CLASSIFICATIONS OF BUSINESS AND TRADES

Check each number applicable to your Business or Trade.

Classification No.	Classification No.	Classification No.
<b>APPAREL GROUP (RETAIL)</b> (Sales made to consumers)	705—Pipe Lines 706—Railroads 707—Sweeping and Parlor Cars 708—Storage and Terminals 709—Telegraph and Telephone 710—Trucking and Transfer 711—Taxicabs, Bostals and Tours 712—Others Not Listed	<b>WHOLESALE—JOBBER GROUP</b> (Sales for purpose of resale)
101—Men's Clothing & Furnishings 102—Women's Ready-to-Wear 103—Milliners, Tailors, Dressmakers 104—Shoe Stores 105—Others Not Listed	<b>CONTRACTING GROUP</b> (Original and Sub-contractors)	1201—Apparel Group 1202—Automotive Group 1203—Beer—Wine—Liquors 1204—Coal in carload lots; or truck loads from mine sold to retail coal dealers 1205—Drugs—Chemicals 1206—Dry Goods—Notions 1207—Electricity and Gas to Others for Resale 1208—Electricity and Gas for Irrigation and Manufacturing Purposes; Not for Lights 1209—Electrical Goods 1210—Fuel and Ice 1211—Feed—Seed, etc. 1212—Groceries, Meats, Fruits, etc. 1213—Furniture, Furnishings and Fixtures 1214—Hardware—Leather Goods 1215—Jewelry—Optical Goods 1216—Lumber—Building Materials 1217—Machinery—Mill Supplies 1218—Professional Equipment and Supplies 1219—Oil and Gas Products 1220—General Merchandise 1221—Flowers—Nursery Stock 1222—Gifts, Curios, etc. 1223—House Products 1224—Oil Well Equipment and Supplies 1225—Plumbing Supplies 1226—Paper Products 1227—Sawing Goods—Tents—Awning 1228—Others Not Listed
<b>AUTOMOTIVE GROUP (RETAIL)</b> (Sales made to consumers)	801—Buildings—Dwellings, etc. 802—Dams, Canals, Highways, Bridges, Railroads, Shales, Tunnels, etc. 803—Drilling Wells, Rig Building, Oil Well Services 804—Pipe Lines 805—Electrical Work 806—Painting and Paper Hanging 807—Plumbing—Heating 808—Welding Contracting 809—Quarrying—Excavating 810—Sheet Metal Work 811—Plastering, etc. 812—Roofing 813—Masonry 814—Others Not Listed	1209—Oil and Gas Products 1210—General Merchandise 1211—Flowers—Nursery Stock 1212—Gifts, Curios, etc. 1213—House Products 1214—Oil Well Equipment and Supplies 1215—Plumbing Supplies 1216—Paper Products 1217—Sawing Goods—Tents—Awning 1218—Others Not Listed
201—Accessories, Tires, etc. 202—Car Dealers (New & Used) 203—Trucks and Tractors 204—Garages & Repair Shops 205—Filling Stations 206—Others Not Listed	<b>PROFESSIONAL AND PERSONAL SERVICE GROUP</b>	<b>NATURAL RESOURCE GROUP</b> (Extraction)
<b>SUBSISTENCE GROUP (RETAIL)</b> (Sales made to consumers)	901—Abstractors 902—Accountants—Auditors 903—Architects 904—Artists 905—Attorneys 906—Barber Shops 907—Beauty Shops 908—Doctors 909—Geologists—Assayers—Chemists—Scientific Advisers 910—Laundries—Cleaners—Dyers 911—Surveyors—Engineers 912—Private Schools 913—Laboratories—Clinics 914—Blacksmiths—Machine Shops, Welder, Repair Shops of All Kinds 915—Photographers 916—Newspaper Advertising 917—Landscapers and Horticulturists 918—Shoe Repairs—Shine Parlors 919—Credit—Collection Agencies 920—Sign Work of All Kinds 921—Rental of Equipment, etc. 922—Roth Houses—Massera 923—Grain Elevators 924—Kennels—Pet Shops 925—Advertising (Agencies—Out Door, etc.) 926—Taxidermists 927—Morticians 928—Cotton Compress 929—Banks 930—Others Not Listed	1301—Carbon Dioxide Gas 1302—Coal Mining 1303—Metal and Mineral Mines 1304—Potash and Products 1305—Oil and Gas 1306—Stone, Clav, Sand, Gravel, etc. 1307—Timber Products 1308—Others Not Listed
301—Bakeries 302—Liquor Products 303—Confectionery, Soft Drinks 304—Groceries, Meats, Fruits, etc. 305—Hotels, Rooming Houses 306—Restaurants, Beer eating places 307—Tourist Camps, Dude Ranches 308—Others Not Listed	<b>AMUSEMENT GROUP</b>	<b>MANUFACTURING—PROCESSING—REFINING</b> (Sales for purpose of resale)
<b>FURNITURE GROUP (RETAIL)</b> (Sales made to consumers)	1001—Parks—Bathing Pools—Races 1002—Pool Halls—Bowling Alleys 1003—Traveling Shows—Bands, etc. 1004—Clubs—Dances—Dance Halls 1005—Devices of Chance or Skill 1006—Radio Broadcasting 1007—Rolls—Rentals 1008—Theatres—Picture Shows 1009—Concessions 1010—Others Not Listed	1401—Bakeries 1402—Beverages—Liquors 1403—Broom Factories 1404—Lumber and Wood Products 1405—Chemicals—Drugs, etc. 1406—Creameries 1407—Clothing Manufacturers 1408—Cotton Gins 1409—Electricity—Ice 1410—Food Products 1411—Leather Products 1412—Live Stock Products 1413—Machinery—Tools, etc. 1414—Mineral Products 1415—Metal Products 1416—Mills and Milling 1417—Neon—Electric Signs 1418—Oil and Gas Refining 1419—Potash Refining 1420—Commercial Printing 1421—Brick, Tile, Clay Products 1422—Textiles 1423—Threshing, Cleaning Grains 1424—Mattress Factories 1425—Indian Arts and Crafts 1426—Commercial Fertiliser 1427—Taxidermist—Furriers 1428—Others Not Listed
401—Furniture and Furnishings 402—Household Appliances 403—Radium and Musical Instruments 404—Others Not Listed	<b>FACTORS—AGENTS—BROKERS</b> (Taxable on Commission)	
<b>LUMBER AND BUILDING MATERIAL GROUP (RETAIL)</b> (Sales made to consumers including Contractors)	1101—Auctioneers 1102—Bonds—Negotiable Instruments 1103—Real Estate Sales and Rentals 1104—Foods—Food Products 1105—Building Materials 1106—Furniture—Fixtures 1107—Machinery—Supplies 1108—Oil—Gas Products 1109—Insurance 1110—Others Not Listed	
501—Building Materials 502—Construction Materials 503—Electrical Materials 504—Hardware Stores 505—Paint, Glass, etc. 506—Plumbing & Heating Materials 507—Sheet Metal Products 508—Others Not Listed	<b>PUBLIC UTILITY &amp; COMMON CARRIER</b>	
<b>OTHER RETAIL STORES</b> (Sales made to consumers)	701—Air Lines 702—Buses 703—Express Companies 704—Gas and Electricity Distributing Companies	
601—Books, Stationery, etc. 602—Cigar Stores, Newsstands, etc. 603—Flourish, Nurseries, etc. 604—Fuel and Ice Dealers 605—Gift, Curios, etc. 606—Department and Dry Goods Stores 607—Drug Stores 608—Hay, Feed, Seed, etc. 609—Machinery (not farm) 610—Farm Implements 611—Itinerant Peddlers 612—Jewelry Stores 613—Luggage and Leather Goods 614—Monuments, etc. 615—Office, Hotel, Restaurant, Professional Supplies and Equipment 616—Oil and Gas Products 617—Sporting Goods, Awning, etc. 618—General Stores, Commissaries 619—Beer and Liquor Stores 620—Variety, 5 & 10, & Specialty Stores 621—Oil Well Equipment and Machinery Parts and Supplies 622—Others Not Listed		

This form is required for the purpose of additional information and correction only.

Do Not Write Outside of This Double Line  
**INFORMATION RETURN**  
 COMPENSATING TAX DIVISION

STATE OF NEW MEXICO

BUREAU OF REVENUE

I hereby make application for continuance or correction of registration certificate issued under the provisions of Chapter 95, Session Laws of 1939.

Registration Certificate should be issued in the name of \_\_\_\_\_

Applicant is \_\_\_\_\_ Individual — Partnership — Corporation

Name of Owners \_\_\_\_\_ Name of Individual—Names of Partners—Corporation Officers

Principal place of business \_\_\_\_\_ Home office

Principal place of business in New Mexico \_\_\_\_\_ How many places do you operate in N. M? \_\_\_\_\_

Nature of business \_\_\_\_\_ If more than one kind of business or profession specify each

**WE WILL SELL TANGIBLE PERSONAL PROPERTY TO OTHERS FOR STORAGE, USE OR CONSUMPTION ( ); WE WILL BUY TANGIBLE PERSONAL PROPERTY FOR STORAGE, USE OR CONSUMPTION ( ); WE WILL BOTH BUY FOR STORAGE, USE AND CONSUMPTION AND SELL TO OTHERS FOR STORAGE, USE AND CONSUMPTION ( ). Check which.**

State type of correction to be made \_\_\_\_\_ Change in firm name \_\_\_\_\_ Change in address \_\_\_\_\_

Change in Classification \_\_\_\_\_ Re-entering Business \_\_\_\_\_

If you operate more than one place of business do you wish to file a consolidated monthly return (.....) Monthly return for each (.....)

Location of all distributors or sales houses, offices or other places of business operated in this State. \_\_\_\_\_  
 Name of Business \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_

If additional space required, use separate sheet.

Date that this business began operation \_\_\_\_\_  
 What business formerly occupied this location? \_\_\_\_\_

Name \_\_\_\_\_ Registration No. \_\_\_\_\_  
 Present address of that business \_\_\_\_\_

The books and records of this business, trade or profession are kept and may be inspected at \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
 I hereby certify that the statements herein contained are true and correct, and that the Certificate of Registration application is accepted on condition that all taxes due the State of New Mexico under the provisions of the Compensating Tax Act shall be paid.

This return shall be signed by the Owner if a natural person; in the case of an Association or Partnership, by a member or partner thereof; in the case of a Corporation, by an executive officer thereof.

**IMPORTANT:** The classification of the business must be checked on the reverse of this sheet and the Item number of each if more than one, given above.

Trade name, style of Corp., Firm or Ind.

BUSINESS (Signature) of Agent

By \_\_\_\_\_ (Title) of Agent

(Date this application executed)

CLASSIFICATIONS OF BUSINESS AND TRADES

Check each number applicable to your Business or Trade.

Classifi- cation No.	Classifi- cation No.	Classifi- cation No.
<b>APPAREL GROUP (RETAIL)</b> (Sales made to consumers)		
101—Men's Clothing & Furnishings		
102—Women's Ready-to-Wear		
103—Milliners, Tailors, Dressmakers		
104—Shoe Stores		
105—Others Not Listed		
<b>AUTOMOTIVE GROUP (RETAIL)</b> (Sales made to consumers)		
201—Accessories, Tires, etc.		
202—Car Dealers (New & Used)		
203—Trucks and Tractors		
204—Garages & Repair Shops		
205—Fitting Stations		
206—Others Not Listed		
<b>SUBSISTENCE GROUP (RETAIL)</b> (Sales made to consumers)		
301—Bakeries		
302—Dairy Products		
303—Confectionery, Soft Drinks		
304—Groceries, Meats, Fruits, etc.		
305—Hotels, Rooming Houses		
306—Restaurants, other eating places		
307—Tourists Camps, Dude Ranches		
308—Others Not Listed		
<b>FURNITURE GROUP (RETAIL)</b> (Sales made to consumers)		
401—Furniture and Furnishings		
402—Household Appliances		
403—Radios and Musical Instruments		
404—Others Not Listed		
<b>LUMBER AND BUILDING MATERIAL GROUP (RETAIL)</b> (Sales made to consumers including Contractors)		
501—Building Materials		
502—Construction Materials		
503—Electrical Materials		
504—Hardware Stores		
505—Paint, Glass, etc.		
506—Plumbing & Heating Materials		
507—Sheet Metal Products		
508—Others Not Listed		
<b>OTHER RETAIL STORES</b> (Sales made to consumers)		
601—Books, Stationery, etc.		
602—Cigar Stores, Newsstands, etc.		
603—Florists, Nurseries, etc.		
604—Fuel and Ice Dealers		
605—Gift, Curio, etc.		
606—Department and Dry Goods Stores		
607—Drug Stores		
608—Hay, Feed, Seed, etc.		
609—Machinery (not farm)		
610—Farm Implements		
611—Hinge and Peddlers		
612—Jewelry Stores		
613—Luggage and Leather Goods		
614—Monuments, etc.		
615—Office, Hotel, Restaurant, Professional Supplies and Equipment		
616—Oil and Gas Products		
617—Sporting Goods, Amnings, etc.		
618—General Stores, Commissaries		
619—Beer and Liquor Stores		
620—Variety, S & B, & Specialty Stores		
621—Oil Well Equipment and Machinery, Parts and Supplies		
622—Others Not Listed		
<b>PUBLIC UTILITY &amp; COMMON CARRIER</b>		
701—Air Lines		
702—Busses		
703—Express Companies		
704—Gas and Electricity Distributing Companies (sales to consumers)		
705—Plea Lines		
706—Railroads		
707—Sleeping and Parlor Cars		
708—Storage and Terminals		
709—Telegraph and Telephone		
710—Trucking and Transfer		
711—Taxicab, Rentals and Tours		
712—Others Not Listed		
<b>CONTRACTING GROUP</b> (Original and Sub-contractors)		
801—Buildings—Dwellings, etc.		
802—Dams, Canals, Highways, Bridges, Railroad, Sheds, Tunnels, etc.		
803—Drilling Wells, Rig Building, Oil Well Service		
804—Pipe Lines		
805—Electrical Work		
806—Painting and Paper Hanging		
807—Plumbing—Heating		
808—Welding Contracting		
809—Quarrying—Excavating		
810—Sheet Metal Work		
811—Plastering, etc.		
812—Roofing		
813—Masonry		
814—Others Not Listed		
<b>PROFESSIONAL AND PERSONAL SERVICE GROUP</b>		
901—Abstractors		
902—Accountants—Auditors		
903—Architects		
904—Artists		
905—Attorneys		
906—Barber Shops		
907—Beauty Parlors		
908—Doctors		
909—Geologists—Assayers—Chemists—Scientific Advisers		
910—Laundries—Cleaners—Dyers		
911—Surveyors—Engineers		
912—Private Schools		
913—Laboratories—Clinics		
914—Printings—Machine Shops, Welders—Repair Shops of All Kinds		
915—Photographers		
916—Newspaper Advertising		
917—Landscape and Horticulturists		
918—Shoe Repair—Shine Parlors		
919—Credit—Collection Agencies		
920—Sign Work of All Kinds		
921—Rental of Equipment, etc.		
922—Bath Houses—Massours		
923—Grain Elevators		
924—Kennels—Pet Shops		
925—Advertising (Agencies—Out Door, etc.)		
926—Toxidermists		
927—Morticians		
928—Cotton Compress		
929—Baths		
930—Others Not Listed		
<b>AMUSEMENT GROUP</b>		
1001—Parks—Bathing Pools—Races		
1002—Pool Halls—Bowling Alleys		
1003—Traveling Shows—Bands, etc.		
1004—Clubs—Dances—Dance Halls		
1005—Devices of Chance or Skill		
1006—Radio Broadcasting		
1007—Stables—Rentals		
1008—Theaters—Picture Shows		
1009—Circuses		
1010—Others Not Listed		
<b>FACTORS—AGENTS—BROKERS</b> (Taxable on commission)		
1101—Auctioneers		
1102—Bonds—Negotiable Instruments		
1103—Real Estate Sales and Rentals		
1104—Food—Food Products		
1105—Building Materials		
1106—Furniture—Furnaces		
1107—Machinery—Supplies		
1108—Oil—Gas Products		
1109—Insurance		
1110—Others Not Listed		
<b>WHOLESALE—JOBBER GROUP</b> (Sales for purpose of resale)		
1201—Apparel Group		
1202—Automotive Group		
1203—Beer—Wines—Liquors		
1204—Coal in carload lots or truck loads from mine sold in retail coal dealers		
1205—Drugs—Chemicals		
1206—Dry Goods—Notions		
1207—Electricity and Gas to Others for Resale		
1208—Electricity and Gas for Irrigation and Manufacturing Purposes; Not for Lights		
1209—Electrical Goods		
1210—Fuel and Ice		
1211—Feed—Seed, etc.		
1212—Groceries, Meats, Fruits, etc.		
1213—Furniture, Furnishings and Fixtures		
1214—Hardware—Lather Goods		
1215—Jewelry—Optical Goods		
1216—Lumber—Building Materials		
1217—Machinery—Mill Supplies		
1218—Professional Equipment and Supplies		
1219—Oil and Gas Products		
1220—General Merchandise		
1221—Flowers—Nursery Stock		
1222—Gifts, Curio, etc.		
1223—Tobacco Products		
1224—Oil Well Equipment and Supplies		
1225—Pumbling Supplies		
1226—Paper Products		
1227—Sporting Goods—Tents—Awnings		
1228—Others Not Listed		
<b>NATURAL RESOURCE GROUP</b> (Extractions)		
1301—Carbon Dioxide Gas		
1302—Coal Mining		
1303—Metal and Mineral Mines		
1304—Potash and Products		
1305—Oil and Gas		
1306—Stone, Clay Sand, Gravel, etc.		
1307—Timber Products		
1308—Others Not Listed		
<b>MANUFACTURING—PROCESSING—REFINING</b> (Sales for purpose of resale)		
1401—Bakeries		
1402—Beverages—Liquors		
1403—Broom Factories		
1404—Lumber and Wood Products		
1405—Chemicals—Drugs, etc.		
1406—Creameries		
1407—Clothing Manufacturers		
1408—Cotton Gins		
1409—Electricity—Ice		
1410—Food Products		
1411—Leather Products		
1412—Live Stock Products		
1413—Machinery—Tools, etc.		
1414—Mineral Products		
1415—Metal Products		
1416—Mills and Milling		
1417—Neon—Electric Signs		
1418—Oil and Gas Refining		
1419—Potash Refining		
1420—Commercial Printing		
1421—Brick, Tile, Clay Products		
1422—Textiles		
1423—Threshing, Cleaning Grains		
1424—Mattress Factories		
1425—Indian Arts and Crafts		
1426—Commercial Fertilizer		
1427—Taxidermist—Furriers		
1428—Others Not Listed		

*Compensating Tax Division*

Bureau of Revenue  
SANTA FE, NEW MEXICO

DO NOT USE THIS SPACE ... FOR CASHIER ONLY

**OPERATING CONSUMERS COMPENSATING TAX REPORT**

Cashier

(Petroleum and Allied Industry Form)

Period beginning 19 \_\_\_\_\_ Ending 19 \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ ]

This form may be executed in accordance with your existing accounting practice

1. Total purchase price of tangible personal property, other than motor vehicle purchased for use or consumption in New Mexico		\$ _____
2. Deductions:		
a. Total purchase price of tangible personal property purchased upon which the 2% tax has been paid to authorized retailers	\$ _____	
b. Purchases of tangible personal property exempt from the provisions of this Act	\$ _____	
c. Purchases of tangible personal property upon which a retail sales or use tax equal to or in excess of 2% has been paid upon the sale or use under the laws of another state	\$ _____	
d. Other legal exemptions:	\$ _____	\$ _____
3. Net purchases, item 1 minus item 2		\$ _____
4. Purchase price of Automobiles, Trucks and Tractors purchased for use, storage or consumption in this state, receipts from the sale of which were exempt from the New Mexico School Tax		\$ _____
5. Describe deductions from motor vehicle purchases	\$ _____	\$ _____
6. Net purchases of motor vehicle, item 4 minus item 5		\$ _____
7. Tax payable 2%, item 3		\$ _____
8. Tax payable 1%, item 6		\$ _____
<b>TOTALS</b>	\$ _____	\$ _____
Penalty, if Delinquent, 10%		\$ _____
Interest, 1/2 of 1% per Month		\$ _____
<b>Total Tax, Penalty &amp; Interest</b>		\$ _____

**RATE OF TAX:** Compensating tax rate of 2% applies to all tangible personal property other than Automobiles, Trucks and Tractors, the value of which is taxable at 1% if purchased after July 15, 1941 prior to which time 2% applies.

The New Mexico Compensating Tax Act, as amended July 15, 1941, imposes 2% on all tangible personal property purchased for use, storage or consumption in New Mexico, receipts from the sale of which are exempt from the tax imposed by the School Tax Law, provided that the use, storage or other consumption in this State of new or second-hand Automobiles, Trucks or Tractors shall be at the rate of 1% and provided further that allowances for trade-in on the purchase price of such tangible personal property shall be deductible before computing the Tax.

**CERTIFICATE**

I hereby certify that I have examined this report, and the statements made, and the figures shown herein, and in any accompanying schedules, are to the best of my knowledge and belief, a true and complete return for the period stated pursuant to the Compensating Tax Act of 1929, as amended.

Name of Taxpayer \_\_\_\_\_

Agent \_\_\_\_\_

Title \_\_\_\_\_

**COMPENSATING TAX DIVISION**  
 Bureau of Revenue  
 SANTA FE, NEW MEXICO

DO NOT USE THIS SPACE—FOR CASHIER ONLY

**VENDOR'S COMPENSATING TAX REPORT**

Cashier

(Petroleum and Allied Industry Form)

Period beginning 19... Ending 19...

IF NAME AND ADDRESS ARE IN ERROR, PLEASE PRINT OR TYPE CORRECTION

1. Total sales price of tangible personal property or taxable service sold for storage, use or consumption in New Mexico	\$	
2. Deductions:		
a. Sales made for the purpose of resale	\$	
b. Sales to Government or charitable institutions	\$	
c. Gasoline or motor fuel otherwise taxed	\$	
d. Sales of tangible personal property for use as an ingredient or component part of a manufactured article	\$	
e. Sales of "Fuel" for use directly in manufacturing	\$	
f. Sales of chemicals and reagents for use in processing oil/natural gas in a refinery	\$	
g. Trade-ins accepted on purchase price of articles sold	\$	
h. Other legal deductions	\$	
3. Total Deductions	\$	
4. Balance subject to tax	\$	
5. Tax computed on Item No. 4 (Automobiles, trucks and tractors-1%) (All other purchases 2%)	\$	
6. Penalty	\$	
7. Interest	\$	
8. Total Payment	\$	

**RATE OF TAX:** Compensating tax rate of 2% applies to all tangible personal property other than Automobiles Trucks and Tractors, the value of which is taxable at 1% if purchased after July 15, 1941 prior to which time 2% applies.

The New Mexico Compensating Tax Act, as amended July 15, 1941, imposes 2% on all tangible personal property purchased for use, storage or consumption in New Mexico, receipts from the sale of which are exempt from the tax imposed by the School Tax Law, provided that the use, Storage or other consumption in this state of new or second-hand Automobiles, Trucks or Tractors shall be at the rate of 1% and provided further that allowances for trade-ins on the purchase price of such tangible personal property shall be deductible before computing the Tax.

**CERTIFICATE**

I hereby certify that I have examined this report, and the statements made, and the figures shown herein and in any accompanying schedules, are, to the best of my knowledge and belief, a true and complete return for the period stated pursuant to the Compensating Tax Act of 1938, as amended.

Name of Taxpayer \_\_\_\_\_  
 Agent \_\_\_\_\_ Title \_\_\_\_\_

**COMPENSATING TAX DIVISION**  
 State Bureau of Revenue  
 SANTA FE, NEW MEXICO

DO NOT USE THIS SPACE—FOR CASHIER ONLY

**COMPENSATING TAX REPORT (INDIVIDUAL FORM)**

Name Please Print

Address

Date of Purchase	Name and Address of Person From Whom Purchased	Article	Value After Deducting Trade-in Allowance
			\$
<b>TOTAL VALUE</b>			\$

All purchases of tangible personal property for use, storage or consumption in New Mexico which were made during the period covered by this return, upon which the retail School Tax or Use Tax has not been paid, or upon which a tax equal to or more than the New Mexico Compensating Tax rate, has not been paid to another state, must be itemized in the spaces above. (Business concerns making purchases subject to Use Tax need not itemize their purchases above, since their books and records must be kept available to auditors of the School and Compensating Tax Divisions of the Bureau of Revenue).

1—Value of Automobiles, Trucks and Tractors in above total	
2—Amount subject to 2% Tax	
3—Amount of Tax due at 1%, line 1	\$
4—Amount of Tax due at 2%, line 2	\$
5—Total Tax Due	\$
Penalty 10% if delinquent	
Interest 1/2 of 1% per month	
Total Tax, penalty and Interest	\$

**CERTIFICATE**

I certify that this report is to the best of my knowledge and belief, a true report and is made in good faith pursuant to the provisions of the New Mexico Compensating Tax Act. (Chapter 96, Session Laws of 1929, as amended).

Signature