

EXTENSION OF TIME TO FILE FOR OIL AND GAS TAXES

(FORM RPD-41138)

PLEASE TYPE OR PRINT		INSTRUCTIONS ON REVERSE SIDE	
Name of Individual, Firm or Organization		OGRID Number	
Mailing Address			
City	State	Zip Code	

An extension of time to file is hereby requested for the following New Mexico tax return (check one):

Oil and Gas Production Taxes

Natural Gas Processors Tax

For sales/processing month(s) _____

Extension is requested for _____ month(s).

State in detail the reason the extension is needed. _____

I declare that the information stated above is true and correct in every material matter.

_____	_____
Printed Name	Date
_____	_____
Phone Number	Fax Number
_____	_____
Authorized Signature	Title

DEPARTMENT USE ONLY

EXTENSION OF TIME		
Postmark Date _____	Due _____	Extended for _____ days
Date Received _____	Until _____	Extension Number _____

Under the Provisions of Section 7-1-13 NMSA 1978, you are hereby granted an extension for filing your tax return. Interest accrues even if the taxpayer obtains an extension of time to file and pay the return. Interest is assessed daily at the quarterly rate established for individuals by the U.S. Internal Revenue Code on the amount of tax due. Annual and daily interest rates for each quarter are posted on the Department web site.

Approved Disapproved Date _____ By _____

PLEASE ATTACH A COPY OF THIS EXTENSION WHEN FILING YOUR RETURN

EXTENSION OF TIME TO FILE FOR OIL AND GAS TAXES
INSTRUCTIONS FOR RPD - 41138

The secretary or delegate may, for good cause, extend in favor of an individual taxpayer or a class of taxpayers, for no more than a total of twelve (12) months, the date on which payment of any tax is required or on which any return required by provision of the Tax Administration Act, Sections 7-1-1 to 7-1-82 NMSA 1978, must be filed, but no extension shall prevent the accrual of interest as otherwise provided by law. If the secretary believes it necessary to assure the collection of the tax, the secretary may require, as a condition of granting any extension, that the taxpayer furnish security in accordance with the provisions of Section 7-1-54 NMSA 1978.

1. **WHEN TO FILE:** An application for extension of time to file must be postmarked on or before the due date for filing the return. Taxpayers who submit an estimated payment should attach a request for an extension of time to file with the applicable tax summary report (i.e. Form(s) RPD-41131, Oil & Gas Taxes Summary Report or RPD-41123, Natural Gas Processors Tax Remittance). The request for an extension of time to file must be submitted to the Department for approval of a specific sales/processing month in which an estimated payment is being made. Separate applications must be made for each type of return for which an extension of time is requested.
2. **HOW AND WHERE TO FILE:** Mail or deliver the completed form to:

New Mexico Taxation and Revenue Department Oil and Gas Bureau 1200 South St. Francis Drive P. O. Box 2308 Santa Fe, NM 87504-2308 Telephone: (505) 827-0805
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3. **REASONS FOR EXTENSIONS:** The Taxation and Revenue Department will grant a reasonable extension of time for filing a return if the taxpayer files a timely application which establishes that he is unable to file the return by the due date because of circumstances beyond his control. Inability to pay the tax due is not sufficient reason for issuance of an extension of time to file. The taxpayer must provide a clear statement of the reasons for the requested extension.
4. **PERIOD FOR EXTENSIONS:** Generally, extensions of time on an initial application will be granted for a period of one (1) month. A request for longer extensions must state the reason why the one (1) month is insufficient. Additional one (1) month extensions or a longer extension may be granted by the secretary or secretary's delegate for up to a maximum aggregate extension of 12 months.

An extension is granted for a specific time period for the filing of an original return and does not apply to amendments. These extensions shall not extend the time for payment of any tax due. A timely estimated payment will prevent the imposition of penalty or interest for the tax due up to the amount submitted.

SIGNATURE: The application must be signed by the taxpayer or a duly authorized agent. If the taxpayer is unable to sign the application because of illness, absence, or other good cause, any person standing in close personal or business relationship to him may sign the application. However, the signer must state the reasons for his signature and his relationship to the taxpayer.

5. **ADDITIONAL EXTENSIONS:** This form may be used to make application for an additional extension of time. When used for that purpose, a copy of the previous approved state extension should be attached to the application for additional time.

6. **NOTIFICATION:** The Department will return a copy of the submitted extension of time to file" form indicating approval or disapproval of the request.

If a request for an extension of time to file is disapproved and an original return and estimated payment are not filed and remitted timely, New Mexico's penalty and interest statutes will apply. Please refer to Sections 7-1-69 and 7-1-67 NMSA 1978 for further reference.

FOR FURTHER DETAILS PERTAINING TO EXTENSIONS, REFER TO SECTION 7-1-13 NMSA 1978.