

Opinion No. 47-4989

February 24, 1947

BY: C. C. McCULLOH, Attorney General

TO: Mr. G. T. Watts District Attorney Fifth Judicial District Roswell, New Mexico

{*15} In your letter dated February 21, 1947, you request an opinion as to whether federal oil and gas leases are subject to be recorded for the recording fee of \$ 1.75, or whether some other fee may be charged.

Section 13-110 of the 1941 Compilation fixes the fees for recording certain instruments. The fee for a standard form oil and gas lease is \$ 1.50, and the fee for a non-standard form oil and gas lease is \$ 1.75. If the federal form is not a standard form, the fee should be \$ 1.75. However, your attention is called to the last sentence in this section in which it is provided that if the non-standard form uses more words than are contained in the standard form, a charge of 10 [cents] for each 100 words in excess of the standard form shall be made in addition to the fixed fee.