JAMES BRUCE

ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

3304 CAMINO LISA SANTA FE, NEW MEXICO 87501

(505) 982-2043 (505) 982-2151 (FAX)

February 17, 2000

Via Fax and U.S. Mail

Michael E. Stogner Oil Conservation Division 2040 South Pacheco Street Santa Fe, New Mexico 87505

Re: Case No. 12324; Application of Harvey E. Yates Company for compulsory pooling, Lea County, New Mexico

Dear Mr. Stogner:

As you requested, enclosed (by mail) is the most recent Ernst & Young overhead survey. (It did not copy well, so I am not faxing it.) A legible copy can be found as Exhibit 5 in Case No. 12319 (one of Mr. Catanach's cases currently under consideration).

The survey, for oil wells in southeast New Mexico, gives average overhead rates for oil wells of 10,001-15,000 feet depth of \$5000 for a drilling well and \$607 for a producing well.

HEYCO proposed rates of \$6600/\$660. These rates are for an existing JOA covering the working interest owners in the subject property, which actually have been reduced from the authorized \$7138/\$7310.

Very truly yours,

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ttorney for Harvey E. Yates Company

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