

AMERICAN MINERAL PETROLEUM CORPORATION

IBLA 73-143

Decided April 2, 1973

Appeal from a decision by the Wyoming State Office, Bureau of Land Management, rejecting oil and gas lease offer W 36708.

Affirmed.

Oil and Gas Leases: Applications: Generally

An oil and gas lease offer filed in the name of a corporation is properly rejected where the offer is neither accompanied by a statement of corporate qualifications nor makes reference to a serial number of a record in which such statement had previously been filed.

APPEARANCES: William H. Botzer, Esq., of Cartano, Botzer and Chapman, Seattle, Washington, for the appellants.

OPINION BY MR. RITVO

American Mineral Petroleum Corporation (AMPCO) has appealed to the Secretary of the Interior from a decision dated September 29, 1972, by the Wyoming State Office, Bureau of Land Management, rejecting its noncompetitive oil and gas lease offer W 36708.

In compliance with the regulation governing simultaneous offers, 43 CFR 3112.2, on August 23, 1972, AMPCO filed an oil and gas lease offer by submitting a simultaneous drawing entry card. The offer was rejected by the State Office on the grounds that AMPCO failed to comply with 43 CFR 3102.4-1. That regulation requires that if the offeror is a corporation, it must file with its offer a statement of corporate qualifications or make reference to a serial number of a record in which such statement previously has been filed. While AMPCO's incorporation papers are on file in the State Office, it neglected to include on its entry card the required serial number to the record on file.

Appellant urges the Board to reverse the State Office on the grounds that failure to give a reference number is a mere technicality not warranting a total denial of the lease offer. The provisions of the regulations which the appellant wishes us to negate, however, are mandatory and require strict compliance. As the Board

has repeatedly held in identical circumstances, an offer which does not comply with the mandatory requirement of the regulation must be rejected. Read & Stevens, Inc., 9 IBLA 67 (1973); The Polombus Corp., 8 IBLA 84 (1972).

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

Martin Ritvo, Member

We concur:

Edward W. Stuebing, Member

Newton Frishberg, Chairman.

