

CHARLENE DICKMAN
R. J. HOLLBERG, JR.
VERNON W. DICKMAN

IBLA 75-656, 75-660, 75-661

Decided August 28, 1975

Appeals from decisions of Utah State Office, Bureau of Land Management, rejecting coal prospecting permit applications U 30033-U 30052.

Affirmed.

1. Coal Leases and Permits: Applications

Decisions rejecting coal prospecting permit applications will be affirmed where the decision was made pursuant to and in accordance with Secretarial Order 2952 of February 13, 1973.

APPEARANCES: Charlene Dickman, R. J. Hollberg, Jr., and Vernon W. Dickman, each pro se.

OPINION BY ADMINISTRATIVE JUDGE FISHMAN

Appellants severally appealed from decisions of the Utah State Office, Bureau of Land Management, rejecting their coal prospecting permit applications. The decisions recited that Secretarial Order 2952 of February 13, 1973, mandated the rejection of the applications.

Appellants recognize the validity of Order 2952. They contend, inter alia, that the Department should be encouraging coal exploration and their applications and appeals are in protest against the moratorium.

[1] In Marvin E. Weaster, 10 IBLA 277 (1973), Woods Petroleum Corp., 12 IBLA 27 (1973), and other cases, the Board held that Order 2952 precludes the issuance of any new coal prospecting permits pending further instructions from the Secretary. The Secretary has not yet issued new instructions or relaxed the mandate of Order 2952 requiring rejection of all prospecting permit applications. Until he does, this Board and all other Departmental officials are required to carry out his directive.

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

Frederick Fishman
Administrative Judge

We concur:

Martin Ritvo
Administrative Judge

Douglas E. Henriques
Administrative Judge

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