

HARTLEY L. GORDON
AND
JAMES A. LINT

IBLA 76-685

Decided September 12, 1977

Appeal from decision of New Mexico State Office rejecting simultaneous oil and gas lease offers NM 27920 and 27957.

Affirmed.

1. Oil and Gas Leases: Applications: Generally--Oil and Gas Leases:
Applications: Drawings

A simultaneous oil and gas drawing entry card must be fully executed by the applicants and when they omit their address or the state in which the parcel of land to be leased is located, the lease offer is properly rejected.

APPEARANCES: Hartley L. Gordon and James A. Lint, pro se.

OPINION BY ADMINISTRATIVE JUDGE RITVO

Hartley L. Gordon and James A. Lint have appealed from a decision of the New Mexico State Office, Bureau of Land Management (BLM), dated June 24, 1976, rejecting their oil and gas lease offers, New Mexico 27940 and 27957, filed as drawing entry cards for parcels 548 and 585 in the April 1976 simultaneous drawing. Appellants' offers were drawn number one, but were rejected because the entry cards failed to include the name of the state in which the parcel to be leased is located and the addresses of the offerors.

[1] The pertinent regulation requires that drawing entry cards be fully executed. 43 CFR 3112.2-1(a). The card submitted by appellants required both that the address of the offeror and the state in which the parcel is located be provided. As the Board has recently

held, an offer defective in either of these particulars, must be rejected. Eleanor R. Neuberger, 29 IBLA 168 (1977); Denna R. Van De Walker, 28 IBLA 60 (1976); Gerald C. Calhoun, 27 IBLA 362 (1976); Hartley Gordon, 27 IBLA 315 (1976); Ray Granat, 25 IBLA 115 (1976); 1/ Albert E. Mitchell III, 20 IBLA 302 (1975), failure to supply name of state; Grace W. Williams, 26 IBLA 232 (1976), failure to supply address. See also John R. Mimick, 25 IBLA 107 (1976), omission of date of execution on the card.

Accordingly, the offer was properly rejected.

In their statement of reasons for appeal, appellants say that their failure to complete the card properly was due to the practice they had followed when they had filed through a leasing service. As we pointed out in Williams, supra, the leasing service has no official connection with the BLM and reliance on their instructions cannot excuse failure to comply with the requirements of the regulation.

Appellants also point out that they believe their addresses were on file with the State office. However, even if this were so, it does not relieve them of the obligation to fully execute each entry card.

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

Martin Ritvo
Administrative Judge

I concur:

Newton Frishberg
Chief Administrative Judge

1/ Judicial review pending sub nom. Granat v. Kleppe, Civil No. 76-274 (D. Utah).

ADMINISTRATIVE JUDGE GOSS CONCURRING:

I concur that appellants' offers must be rejected because appellants failed to include their names and addresses on their drawing entry cards.

Joseph W. Goss
Administrative Judge

