

MARCIA P. LANE

IBLA 77-465

Decided December 5, 1977

Appeal from a decision of the Eastern States Office, Bureau of Land Management, rejecting oil and gas lease offer ES 16722.

Affirmed.

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

Where an applicant incorrectly uses the wrong abbreviation for the state prefix of the parcel number on an oil and gas drawing entry card, she has not complied with 43 CFR 3112.2-1(a) which requires that the card be "fully executed" and her offer is properly rejected.

APPEARANCES: Marcia P. Lane, pro se.

OPINION BY ADMINISTRATIVE JUDGE RITVO

Marcia P. Lane has appealed from a decision of the Eastern States Office, Bureau of Land Management (BLM), dated June 22, 1977, which rejected her lease offer ES 16722 for failure to fully execute the oil and gas drawing entry card as required by 43 CFR 3112.2-1(a).

The record shows that in a drawing of simultaneously filed oil and gas lease offers filed for lands available for oil and gas leasing on List No. 76-12, dated December 20, 1976, held in the Eastern States Office, BLM, the appellant's lease offer was drawn first for parcel ES 45. After a review of appellant's entry card, the Eastern States Office informed appellant that her offer was refused because she had used the wrong state prefix "YF" rather than the proper prefix "ES" before the parcel number.

Appellant takes exception to that decision contending that in April of 1976 the proper prefix for the Eastern States was "YF" and that neither she nor her staff were given notification that the "Alpha Code" for Eastern States was changed to "ES." She argues that she fully executed her entry card for ES 45, and that although she used an incorrect prefix, still it was not the prefix for any other state.

We find no merit in these contentions. List No. 76-12 which gave notice of the various parcels of land available for oil and gas leasing from the Eastern States Office for the month of December 1976, did not include any parcel designated "YF-45." The notice specified among other things:

"The following parcels of land will be subject to the simultaneous filings of oil and gas lease offers in accordance with 43 CFR 3112.

* * * * *

Entries for the listed parcels must be submitted on the white simultaneous oil and gas drawing entry card, Form 3112-1 provided by the Bureau of Land Management. * * * Duplicate offers, incomplete entry cards, entries filed in the wrong office, entries lacking evidence of qualifications or reference to qualifications previously filed, and entries submitted with uncollectible remittance as filing fee will also be rejected with right of appeal.

Only one complete leasing unit identified by parcel number may be included on each card." [Emphasis added.]

Appellant clearly did not comply with requirements of the regulation and the notice i.e., to identify the leasing unit on the drawing card by the correct parcel number. It is the Appellant's responsibility to be aware of all of the technical requirements for a proper filing of an oil and gas lease offer. Complete accuracy is required because of the large number of filing in the simultaneous drawing system and as a matter of administrative convenience. Albert H. Mitchell III, 20 IBLA 320 (1975).

[1] 43 CFR 3112.2-1(a) requires the simultaneous oil and gas drawing entry card to be signed and fully executed. Strict compliance with this regulation is mandatory. This Board has rejected lease offers where the drawing card omitted the date of execution of the card, John R. Mimick, 25 IBLA 107 (1976); the name of the state in which the parcel of land is located, Hartley L. Gordon, 32 IBLA 139 (1977), Eleanor R. Neuberger, 29 IBLA 168 (1977); Ray Granat, 25 IBLA

115 (1976); Gerald R. Calhoun, 27 IBLA 362 (1976); Hartley L. Gordon, 27 IBLA 315 (1976); James W. O'Connor, 27 IBLA 247 (1976); the omission of a zip code, Beverly J. Steinbeck, 27 IBLA 249 (1976); and most recently a similar deficiency of the omission of the state prefix before the parcel number Etta D. Harris, 29 IBLA 259 (1977).

In this instance where appellant inserted the wrong state prefix which forms part of the parcel number her lease offer is equally inadequate and must also be rejected for the reason that the drawing entry card is not fully executed.

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
Administrative Judge

We concur:

Douglas E. Henriques
Administrative Judge

Frederick Fishman
Administrative Judge

