

WILLIAM K. DuKATE

IBLA 78-316

Decided May 9, 1978

Appeal from decision of Utah State Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offer U-39614.

Affirmed.

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

Offeror's failure to enter postal zip code of his address on entry card for simultaneous oil and gas lease drawing properly results in BLM's rejecting his offer. Such omission contradicts requirement in 43 CFR 3112.2-1(a) that entry card be "fully executed."

APPEARANCES: William K. DuKate, Baltimore, Maryland, pro se.

OPINION BY ADMINISTRATIVE JUDGE FISHMAN

William DuKate has appealed from a February 14, 1978, decision of the Utah State Office, Bureau of Land Management (BLM), rejecting his offer U-39614 for a noncompetitive oil and gas lease. His entry card had been drawn first for Parcel UT-7 in a simultaneous drawing for which public notice was given January 13, 1977.

The State Office rejected DuKate's offer because: "The drawing entry card was not fully executed. The zip code was omitted. Failure to complete properly any information required on a simultaneous oil and gas lease drawing entry card renders the card defective and requires rejection of the offer \* \* \*."

On appeal, DuKate says: "I contend that Zip Code is a Postal Regulation and not a regulation that BLM should abide by."

[1] We have decided the identical issue in earlier cases. An offeror's failure to enter the postal zip code with his address on his entry card for a simultaneous oil and gas lease drawing will

properly result in the BLM's rejecting his offer. Such an omission contradicts the requirement in 43 CFR 3112.2-1(a) that an entry card be "fully executed." <sup>1/</sup> Raymond F. Kaiser, 27 IBLA 373 (1976); Beverly J. Steinbeck, <sup>2/</sup> 27 IBLA 249 (1976); Amy H. Hanthorn, 27 IBLA 369 (1976).

The rationale for demanding preciseness of completion by offerors in simultaneous oil and gas drawings is sound. Faced with a great number of filings, the various BLM State Offices have a substantial administrative burden in processing not only the entry cards for oil and gas drawings, but also applications in other matters. Thus, it is necessary for each oil and gas offeror to perform the simple task of carefully filling out the boxes on his entry card if the Department is efficiently and accurately to fulfill its responsibility for administering the oil and gas leasing program. An offeror who fails to satisfy the Department's unburdensome filing demands cannot fairly expect that his offer will be accepted ahead of those later-drawn offers which have been filed with the requisite care.

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.

---

Frederick Fishman  
Administrative Judge

We concur:

---

Martin Ritvo  
Administrative Judge

---

Joan B. Thompson  
Administrative Judge

---

<sup>1/</sup> 43 CFR 3112.2-1(a) provides in part:

"Offers to lease such designated leasing units by parcel numbers must be submitted on a form approved by the Director, 'Simultaneous Oil and Gas Entry Card' signed and fully executed by the applicant or his duly authorized agent in his behalf."

<sup>2/</sup> Although Steinbeck adverts to a BLM order to the contrary, nothing in Steinbeck can be construed as finding the BLM order to be an accurate statement of the law.

