

RITA D. VICK

IBLA 78-354

Decided August 21, 1978

Appeal from the decision of the Wyoming State Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offer W 62434.

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 an applicant, and where the applicant omits from her address, the state and zip code, the lease offer is properly rejected.

APPEARANCES: Rita D. Vick, pro se.

OPINION BY ADMINISTRATIVE JUDGE THOMPSON

Rita D. Vick has appealed from a decision of the Wyoming State Office, Bureau of Land Management (BLM), dated March 28, 1978, rejecting oil and gas lease offer W 62434. The offer was rejected because appellant failed to include her state and zip code in her address on the drawing entry card. Appellant contends that: "This was not a substantial or misleading omission, as the notice of rejection was properly returned to this applicant by mail, in which the state and zip code were properly included." She asserts there is only one city named "Casper" to her knowledge.

[1] A simultaneous oil and gas lease must be issued to the first-qualified applicant. 30 U.S.C. § 226 (1970). A notice published in the Federal Register, 39 FR 24523 (1974), stated that: "Failure to complete any part of the card will disqualify the applicant for participation in the drawing." The regulations require the

card to be fully executed. 43 CFR 3112.2-1(a). It is well settled that failure to include the applicant's address compels the rejection of the lease offer. Hartley L. Gordon and James A. Lint, 32 IBLA 139 (1977); Grace M. Williams, 26 IBLA 232 (1976). The address certainly includes the state and zip code.

In Albert E. Mitchell III, 20 IBLA 302 (1975), the Board explained the reason for its stringent application of the regulation: "In order to process the increasingly large number of simultaneous offers certain procedures must be followed which for their successful operation require complete cooperation and accuracy on the part of applicants." If an offer is not filed in accordance with the regulations, it must be rejected. 43 CFR 3111.1-1(d).

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.

Joan B. Thompson
Administrative Judge

We concur:

Douglas E. Henriques
Administrative Judge

Joseph W. Goss
Administrative Judge

