

C. H. COSTER GERARD

IBLA 80-866

Decided June 30, 1981

Appeal from a decision of the Eastern States Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offer ES 19024.

Affirmed.

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

Strict compliance with 43 CFR 3112.2-1 (1979) which provided that simultaneous oil and gas drawing entry cards be signed and fully executed by an applicant or his agent is required. A simultaneous oil and gas lease offer on an Eastern States parcel is properly rejected where the "ES" prefix to the parcel number on the oil and gas drawing entry card is omitted even though the state name is spelled out.

APPEARANCES: C. H. Coster Gerard, pro se.

OPINION BY ADMINISTRATIVE JUDGE BURSKI

C. H. Coster Gerard has appealed the decision of the Eastern States Office, Bureau of Land Management (BLM), dated July 14, 1980, rejecting his simultaneous oil and gas lease offer ES 19024 for parcel No. ES-495 in the May 1979 simultaneous drawing. The decision indicates that appellant omitted the "ES" prefix to the parcel number on his drawing entry card (DEC) and thus failed to fully execute the DEC as required by departmental regulation, 43 CFR 3112.2-1(a).

In his statement of reasons, appellant notes that the DEC did not have enough blanks for the letters "ES" to precede the parcel number and that he had inserted the state name which represents that the bid was in the Eastern States.

[1] The pertinent regulation on simultaneous offers, 43 CFR 3112.2-1(a) (1979), required that a drawing entry card be "signed and fully executed" by the applicant. On numerous occasions, the Board has held that a DEC is not fully executed where the state prefix which is part of the parcel number is omitted and, therefore, is properly rejected. C. H. Coster Gerard, 41 IBLA 74 (1979); Richard Wheeler, Jr., 34 IBLA 359 (1978); Gerald L. Christensen, 30 IBLA 303 (1977); Ernest T. Squires, 30 IBLA 288 (1977); John P. Levycky, 30 IBLA 127 (1977); and Etta D. Harris, 29 IBLA 259 (1977).

In C. H. Coster Gerard, *supra*, this Board affirmed the rejection of another offer by appellant in exactly the same circumstances as the case now before us. Then we said:

In February, 1976, BLM adopted a new method of numbering parcels of land subject to simultaneous oil and gas leasing. Each parcel is designated by a State Office prefix and a number. This method was designed to avoid confusion with the former system of using only numbers followed by a space for insertion of the name of the State in which the land was located. In submitting his offer, appellant used a drawing entry card designed for the former system. The fact that he used an old card does not relieve him of the responsibility of inserting the complete parcel number as listed in the notice announcing the lands available for leasing. The Notice of Lands Available clearly indicated that ES-209 was the parcel number.

41 IBLA at 75. In addition, we must distinguish the omission of the "ES" prefix and the insertion of a full state name from the case where the DEC bears a complete state name rather than the corresponding state office code prefix, on the basis that the words "Eastern States" were not used here instead of the prefix "ES." See Joe L. Frazier, 44 IBLA 233, 234 (1979).

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.

\_\_\_\_\_  
James L. Burski  
Administrative Judge

We concur:

\_\_\_\_\_  
Bernard V. Parrette  
Chief Administrative Judge

\_\_\_\_\_  
Edward W. Stuebing  
Administrative Judge