

Appeal from decision of the Alaska State Office, Bureau of Land Management, rejecting noncompetitive oil and gas lease offer AA 48007.

Affirmed.

1. Oil and Gas Leases: Generally -- Oil and Gas Leases: Applications: Generally -- Oil and Gas Leases: Applications: Six-mile Square Rule

An oil and gas offer describing land which cannot be encompassed within a 6-mile square or within an area not exceeding six surveyed sections in length or width is defective and must be rejected.

2. Notice: Generally -- Regulations: Generally -- Statutes

All persons dealing with the Government are presumed to have knowledge of relevant statutes and duly promulgated regulations.

APPEARANCES: Richard W. Rowe, pro se.

OPINION BY ADMINISTRATIVE JUDGE GRANT

Richard W. Rowe has appealed from a decision of the Alaska State Office, Bureau of Land Management (BLM), dated April 30, 1982, rejecting noncompetitive oil and gas lease offer, AA 48007.

Appellant's application to lease the following described lands in Alaska was filed on February 26, 1982,

Township 7 South, Range 23 West, Fairbanks meridian section 22,
all;
section 27, all.

Township 18, South, Range 24 East, Kateel River meridian
sections 13 and 14, all.

Township 18 South, Range 25 East, Kateel River meridian
section 18, all.

Township 19 South, Range 24 East, Kateel River meridian
sections 10 and 11, all.

covering approximately 4,480 acres. Appellant's application was made pursuant to section 17 of the Mineral Leasing Act, as amended, 30 U.S.C. § 226 (1976). In its April 1982 decision BLM rejected appellant's offer stating that where an offer describes lands not entirely within an area of six miles square or within an area exceeding six surveyed sections in length or width, the offer is unacceptable, as required by 43 CFR 3110.1-3(a).

In his statement of reasons for appeal appellant acknowledges that his lease offer violates the applicable regulation. However, he asserts that the average oil and gas lease applicant is not aware of all departmental regulations and must depend on information supplied by BLM and that the information provided oil and gas lease applicants by BLM is incomplete, erroneous and confusing, thereby leading to his faulty offer.

[1] The regulation, 43 CFR 3110.1-3 provides in part: "(a) Public domain. An offer may not include more than 10,240 acres. The lands in the offer shall be entirely within an area of 6 miles square or within an area not exceeding 6 surveyed sections in length or width measured in cardinal directions."

As may be readily seen from the descriptions of the land involved, the sections are widely scattered, and the offer is clearly in violation of the aforementioned regulation. Therefore, the offer was properly rejected for this reason. See Robert W. David, 35 IBLA 205 (1978).

[2] Appellant's contention that leasing information provided him by BLM is incomplete, is without merit. Appellant, as a person dealing with the Government, is presumed to have knowledge of relevant statutes and duly promulgated regulations. Federal Crop Insurance Corp. v. Merrill, 332 U.S. 380 (1947); 44 U.S.C. §§ 1507, 1510 (1976).

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 Alaska State Office is affirmed.

C. Randall Grant, Jr.
Administrative Judge

We concur:

Will A. Irwin
Administrative Judge

Douglas E. Henriques
Administrative Judge.