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**U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT**

**PAPERWORK REDUCTION ACT REQUEST  
SUPPORTING STATEMENT A**

**ONSHORE OIL AND GAS LEASING AND DRAINAGE PROTECTION  
(43 CFR 3100, 3120, 3150, AND 3162)**

**OMB CONTROL NUMBER 1004-0185**

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**Terms of Clearance:** Not applicable. The Office of Management and Budget (OMB) provided no Terms of Clearance when it last approved the collections of information under this OMB control number (see OMB Notice of Action dated July 26, 2022).

**Abstract:** The Bureau of Land Management (BLM) collects information to monitor and enforce compliance with drainage protection and other requirements pertaining to Federal and Indian oil and gas leasing and operations (except on the Osage Reservation). This request is being submitted to OMB in association with the BLM's proposed rule pertaining to fluid mineral leasing requirements (RIN 1004-AE80).

**Justification**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

In accordance with the following statutes and regulations, the BLM collects information to monitor and enforce compliance with drainage protection and other requirements pertaining to Federal and Indian oil and gas leasing and operations (except on the Osage Reservation).

- (a) Mineral Leasing Act of 1920, as amended (30 U.S.C. 181 et seq.);
- (b) Mineral Leasing Act for Acquired Lands of 1947, as amended (30 U.S.C. 351-359);
- (c) Section 1008 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3148);
- (d) National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.);
- (e) Federal Oil and Gas Royalty Management Act (30 U.S.C. 1701-1758); and
- (f) Regulations under 43 CFR 3100, 3120, 3150, and 3162

The statutes of primary importance to this request are the Mineral Leasing Act (MLA) (30 U.S.C. 181 et seq.) and the Federal Oil and Gas Royalty Management Act (FOGRMA) (30 U.S.C. 1701 et seq.). The MLA gives the Secretary of the Interior responsibility for oil and gas leasing on approximately 700 million acres of Federal mineral estate, including lands where the surface may be managed by other Federal agencies and private lands where the mineral rights are

reserved by the United States. In order to fulfill the Secretary's responsibilities under the MLA, the BLM collects certain information from onshore Federal and Indian oil and gas lessees (except on the Osage Reservation), operators, and operating rights owners. The information covered by this request enables the BLM to monitor and enforce compliance with requirements pertaining to various aspects of Federal and Indian oil and gas leasing and operations (except on the Osage Reservation).

The FOGRMA requires the Secretary to implement and maintain a royalty management system for oil and gas leases on Federal lands, Indian lands, and the Outer Continental Shelf. Information collections covered in this request enable the BLM to prevent drainage that could result in reduced Federal royalties from onshore Federal and Indian oil and gas lessees (except on the Osage Reservation). To the extent provided by law, regulation, Secretarial Order, and written agreement with the Bureau of Indian Affairs (BIA), the BLM will apply the above principles to the management of mineral resources and operations on Indian Trust lands in order to comply with its Federal Indian Trust Responsibility. The BLM is responsible for leasing and oil and gas operations on Federal lands and the BIA is responsible for leasing on Indian lands; however, the BLM performs the inspection and enforcement on Indian lands, including the review and approval of Applications for Permit to Drill.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.**

The BLM uses the information in this request to monitor and enforce compliance with requirements pertaining to the following aspects of Federal leases:

- Statutory acreage limitations;
- Acreage chargeability;
- Relinquishments and terminations of a lease; and
- Drainage protection

The BLM also uses the information in this request to decide whether to approve proposals to:

- Waive, suspend, or reduce rental or royalty payments;
- Enter into various types of agreements, contracts, consolidations, and combinations;
- Store oil and gas underground on Federal lands;
- Transfer a lease interest to an heir or devisee;
- Reinstate a lease;
- Obtain an oil and gas lease under railroads and certain other rights-of-way (ROW);
- Make lands available for competitive leasing; and
- Protest a BLM decision to offer lands for competitive leasing

The information-collection activities in this request are as follows:

**43 CFR 3100 — Oil and Gas Leasing: General**

With some exceptions, the MLA, at 30 U.S.C. 184(d), limits the aggregate number of acres of Federal oil or gas leases any person, association, or corporation may take, hold, own, or control in any one state. This provision imposes similar limits on options to acquire interests in Federal oil or gas leases. The MLA provides for two collection activities that enable the BLM to enforce the acreage limitations with respect to options. The BLM regulations add detail to these two collections at 43 CFR 3100, in accordance with the MLA.

A. 43 CFR 3100.31(b) — Option Enforceability

In accordance with the MLA (at 30 U.S.C. 184(d)(2)), options to acquire any interest in a Federal oil and gas lease are not enforceable until a signed copy or notice of option has been filed in the proper BLM office. Each such signed copy or notice must include:

- The names and addresses of the parties to the option;
- The serial number of the lease or application for a lease to which the option is applicable; and
- A statement of the number of acres covered and type and percentage of interests to be conveyed and retained by the parties

The information submitted to the BLM must be signed by all parties to the option or their duly authorized agents. The signed notice shall contain, or be accompanied by a signed statement by the holder of the option, that he/she is the sole party in interest in the option; if not, he/she shall set forth the names and provide a description of the interest of the other parties, and provide a description of the agreement between them, if oral, and a copy of such agreement, if written.

B. 43 CFR 3100.33 — Option Statement

When a suspect situation arises, to assure that the statutory acreage limitations are not violated, the BLM will request information to show evidence of compliance:

- Any changes to the statement submitted under 43 CFR 3100.3-1(b);
- The number of acres covered by each such option; and
- The total acreage in each state to which such options are applicable

Each option holder shall file in the proper BLM office within 90 days after June 30 and December 31 of each year.

**43 CFR Subpart 3101 — Issuance of Leases**

A. 43 CFR 3101.24(a) — Proof of Acreage Reduction

This collection is associated with situations in which a party holds excess accountable acreage as a result of:

1. The termination or contraction of an oil and gas agreement;
2. The elimination of a lease from an operating, drilling, or development plan; or

### 3. A merger or the purchase of the controlling interest in a corporation

Within 90 days of acquiring excess accountable acreage under the first or second scenario, the acquiring party must reduce the holdings to the prescribed limitation and must file proof of the reduction with the BLM. The deadline for reducing excess acreage and filing proof is 180 days under the third scenario.

#### B. 43 CFR 3101.24(a) — Excess Acreage Petition

A party faced with the third scenario listed above may file a petition with the BLM for extra time to comply with the 180 calendar-day deadline. The BLM uses the information to determine whether to grant the party additional time to come into compliance with statutory acreage limitations.

#### C. 43 CFR 3101.30 — Joinder Evidence Required

When a lease or a portion of a lease cannot be independently developed and operated in conformity with an established well-spacing or well-development program, the BLM may approve a communitization or drilling agreement for such lands with other lands, whether or not owned by the United States, upon a determination that such an agreement is in the public interest. Before issuance of a lease for land within an approved unit, the BLM requires a statement as to whether a prospective oil and gas lease offeror has joined in a unit agreement and unit operating agreement or a statement giving satisfactory reasons for the failure to enter into such agreement.

Note: As discussed below, the BLM collects communitization and drilling agreements under 43 CFR 3105.

### **43 CFR 3103 — Fees, Rentals, and Royalty**

#### A. 43 CFR 3103.1 — Waiver, Suspension, or Reduction of Rental or Royalty

The BLM may waive, suspend, or reduce the rental or minimum royalty, or reduce the royalty, on a leasehold or portion thereof if an operator/payor files an application that enables the BLM to determine that: (1) such action is necessary to promote development of oil or gas resources, or (2) the relevant lease or leases cannot be economically operated under the terms provided therein.

Each application must include:

- The serial number of the leases;
- The names of the record title holders, operating rights owners (sublessees), and operators;
- The description of lands by legal subdivision;
- A description of the relief requested;
- The number, location, and status of each well drilled;

- A tabulated statement for each month, covering a period of not less than six months prior to the date of filing the application, showing the aggregate amount of oil or gas subject to royalty, the number of wells counted as producing each month, and the average production per well per day; and
- A detailed statement of expenses and costs of operating the entire lease, the income from the sale of any production, and all facts tending to show whether the wells can be successfully operated upon the fixed royalty or rental

Where the application is for a reduction in royalty, the applicant must also furnish:

- Full information as to whether overriding royalty payments out of production, or similar interests, are paid to payees other than the United States; the amounts paid; and efforts that have been made to reduce them; and
- Agreements of the holders to a reduction of all non-Federal royalties or similar payments from the leasehold to an aggregate not in excess of one-half the royalties due to the United States

### **43 CFR 3105 — Cooperative Conservation**

The information-collection activities in this subpart enable the BLM to manage situations in which owners of any right, title, or interest in a Federal oil and gas lease wish to adopt and operate under a joint plan for the development of oil and gas resources.

#### **A. 43 CFR 3105.20 — Communitization Agreements (CAs)**

These types of agreements must be submitted to and approved by the BLM before they may be effective as to Federal leases. The BLM uses the information to determine whether the lease may be subject to drainage by an off-lease well, and whether it is in the public interest to combine operation efforts.

An application for a CA must include:

- (1) A statement as to whether the proposed CA deviates from the BLM's current model CA form, and a certification that the applicant received the required signatures;
- (2) An Exhibit A displaying a map of the agreement and the separate agreement tracts; and
- (3) An Exhibit B displaying the separate tracts and ownership

To ensure correct reporting to the ONRR, an application should be submitted at least 90 calendar days prior to first production, and an application to form a unit agreement, a unit expansion, or a designation of a successor operator must include the processing fee found in the fee schedule in 43 CFR 3000.12.

#### **B. 43 CFR 3105.30 — Operating, Drilling, or Development Contracts**

The BLM requires a statement showing any interest held by a contractor, and a copy of the contract. A contract submitted for approval under this section shall be filed with the proper BLM office.

The BLM uses the information to determine whether the contracts involve a number of lessees sufficient to justify operations on a scale large enough to merit the discovery, development, production, or transportation of oil or gas and to finance the same.

C. 43 CFR 3105.40 — Subsurface Storage of Oil and Gas

Any interested party who wants to obtain authorization to store oil and gas underground on Federal lands must file an application for a gas storage agreement. Applications for subsurface storage or designations of successor operator shall be filed in the proper BLM office. The final agreement signed by all the parties in interest must be submitted to the BLM. Applications for subsurface storage agreements or designations of successor operator must include the processing fee found in the fee schedule in 43 CFR 3000.120. The BLM uses the information to authorize subsurface storage that will avoid waste and promote conservation of the natural resources.

D. 43 CFR 3105.50 — Consolidation of Leases

Leases may be consolidated upon written request of the lessee filed with the proper BLM office. The request shall identify each lease involved by serial number and shall explain the factors that justify the consolidation. Include with each request for a consolidation of leases the processing fee found in the fee schedule in 43 CFR 3000.120.

**43 CFR 3106 — Transfers by Assignment, Sublease, or Otherwise**

A. 43 CFR 3106.41 — Transfers of Record Title and of Operating Rights (Subleases) and 43 CFR 3106.42 — Transfers of Other Interests, Including Royalty Interests and Production Payments

The BLM uses the requested information (name, address, lease serial number, percentage of interest, and land description) to communicate with the assignee/transferee; to determine whether the assignee/transferee is qualified to hold a lease in accordance with pertinent legal and regulatory authorities; to record ownership of interests in Federal leases; to enable accurate rental billing of leaseholders; and to verify location of the lands. The assignor/transferor is not required to complete the boxes for “lease effective date” or “new serial number.” The BLM supplies this information so that the assignee/transferee is aware of a new lease serial number when the lease is segregated as a result of a partial assignment, and is aware of the anniversary date of the lease for rental payment purposes. Respondents check boxes to indicate whether the interest conveyed is for an oil and gas or geothermal assignment of record title, operating rights, or overriding royalty transfers. Under the regulations at 43 CFR 3106.42, the BLM requires use of these forms for transfers of royalty interests or payments out of production, if such transfers are created or reserved independently of a transfer of record title or of operating rights.

When a lessee submits an assignment or transfer, the BLM records this information in order to prevent unlawful extraction of mineral resources and to ensure prompt payment of rentals and royalties for the rights obtained under a Federal lease. This information also ensures that leases are not encumbered with agreements that cause the minerals to be uneconomical to produce, resulting in lost revenues to the Federal Government. In addition, this information enables the BLM to ensure the assignee or transferee is in compliance with bonding requirements, when necessary, before approval of the transfer or assignment.

The BLM requires the applicant to submit the following information on Form 3000-3, Assignment of Record Title Interest / Oil and Gas Leases, and Form 3000-3a, Transfer of Operating Rights / Oil and Gas Leases:

- Lease Serial Number—needed to determine the lease upon which an assignment/transfer for all or part of a record title interest, operating rights, or overriding royalty, or similar interest in a lease to another party, will be made.
- Lease Effective Date—needed to determine if the lease is still in effect.
- New Serial Number—the BLM provides a new serial number and segregates into two separate leases if the assignee conveys 100 percent record title interest of a portion of the lease to another party.
- Assignee/Transferee Name and Address—needed to identify ownership of the interest assigned/transferred and the qualifications of the transferee/assignee to take interest; and to ensure that the assignee/transferee is qualified to obtain interest in an oil and gas or geothermal lease and that the transfer will not result in holdings in violation of statutory acreage limits.

This assignment/transfer conveys the following interest: the BLM needs the legal land description and the percentage of interest owned, conveyed, and retained to determine the record title interest, operating rights, or overriding royalty, or similar interest in a lease transferred or assigned to another party.

Forms 3000-3 and 3000-3a are approved under OMB Control Number 1004-0034 (expiration date September 30, 2024). The underlying proposed rule would not change these forms.

Each transfer of record title or of operating rights (sublease) for each lease must include payment of the processing fee for assignments and transfers found in the fee schedule in 43 CFR 3000.120.

B. 43 CFR 3106.43 — Mass Transfers

A mass transfer may be utilized in lieu of the provisions of 43 CFR 3106.41 and 3106.42 when an assignor or transferor transfers interests of any type in a large number of Federal leases to the same assignee or transferee. The mass transfer shall be filed, in duplicate, with each proper BLM office administering any lease affected by the mass transfer. Where the BLM has authorized electronic submission, a duplicate copy of the mass transfer is not required. The transfer shall be

on the current Forms 3000-3 and 3000-3a, with an exhibit attached to each copy listing the following for each lease:

- The serial number;
- The type and percentage of interest being conveyed; and
- A description of the lands affected by the transfer, in accordance with 43 CFR 3106.50 of this title

One reproduced copy of the form required by paragraph (b) of this section shall be filed with the proper office for each lease involved in the mass transfer. Where the BLM has authorized electronic submission, a reproduced copy of the form per lease is not required.

The mass transfer must include the processing fee for assignments and transfers found in the fee schedule in 43 CFR 3000.120.

C. 43 CFR 3106.81 — Heirs and Devisees Statement

In case of the death of an offeror, applicant, lessee, or transferee, the BLM requires a court order, death certificate, or other legal document demonstrating that the transferee is to be recognized as the successor of the deceased. The filing must include a qualification statement demonstrating qualification to hold interest in a lease, in accordance with 43 CFR 3102. The filing must include the processing fee for transfers to heir/devisee, found in the fee schedule in 43 CFR 3000.120.

D. 43 CFR 3106.82 — Change of Name

A legally recognized change of name of the lessee or sublessee must be reported to the BLM. The notice of name change shall be submitted in writing with adequate information concerning the name change. For a corporate name change, the request must include the Secretary of State's Certificate of Name Change, along with the Articles of Incorporation or Amendment, if available. A notice of name change shall include the processing fee for name change, found in the fee schedule in 43 CFR 3000.120. This information is necessary to update the appropriate lease(s) and agreement(s).

E. 43 CFR 3106.83 — Corporate Merger Notice and Dissolution of Corporations, Partnerships, and Trust Notice

Where a corporate merger affects leases where the transfer of property of the dissolving corporation to the surviving corporation is accomplished by operation of law, a transfer of any affected lease interest is not required. However, the BLM requires a notification of such merger. The required information includes:

- The Secretary of State's Certificate of Merger, along with the Articles of Incorporation or Amendment, if available;
- A Certificate of Dissolution of an incorporated entity certified as having been accepted by the state where the entity was incorporated;



- Dissolution of a partnership or trust through an order or decree that authorizes settlement, discharge, and distribution of the lease holdings and/or interests; and
- The processing fee for corporate merger, found in the fee schedule in 43 CFR 3000.120

This information is necessary to update the appropriate lease(s) and agreement(s).

F. 43 CFR 3106.84 — Sheriff’s Sale/Deed

Where a notice of sale of the leasehold interest is published pursuant to state law applicable to the execution of sales of real property, the purchaser must submit to the proper BLM office a copy of the Sheriff’s Certificate of Sale after any redemption period has passed. The purchaser(s) must file a qualification statement to hold interest in a lease, in accordance with 43 CFR 3102 of this title. Any ownership or interest otherwise forbidden by the regulations, which may be acquired by a sheriff’s deed, may be held for a period not to exceed two years after its acquisition. Such notice shall include the processing fee for the sheriff’s deed, found in the fee schedule in 43 CFR 3000.120.

**43 CFR Subpart 3108 — Relinquishment, Termination, or Cancellation**

There are four collections in this subpart:

A. 43 CFR 3108.10 — Relinquishment

A lessee may relinquish a lease only after filing a written relinquishment. All lessees holding record title interests in the lease must sign the relinquishment.

B. 43 CFR 3108.22 — Class I Reinstatement Petition

In accordance with the MLA, at 30 U.S.C. 188 and 43 CFR 3108.22, the BLM may reinstate a lease at existing rental and royalty rates (i.e., grant a Class I Reinstatement), provided that the lessee:

- Has paid the full amount of rental due within 20 days after the anniversary date;
- Shows to the BLM’s satisfaction that the failure to timely submit the full amount of the rental due was either justified or not due to a lack of reasonable diligence on the part of the lessee (e.g., paid to the ONRR through its online rental payment system); and
- Submits to the BLM a petition for reinstatement, together with a nonrefundable filing fee (specified in 43 CFR 3000.120) within 60 days after receipt of Notice of Termination of lease due to late payment of rental

The BLM uses the information in the petition to determine whether to grant a Class I Reinstatement.

C. 43 CFR 3108.23 — Class II Reinstatement Petition

In accordance with the MLA, at 30 U.S.C. 188 and 43 CFR 3108.23, the BLM may reinstate a lease at higher rental and royalty rates (i.e., grant a Class II Reinstatement) for competitive leases when the holder of a terminated lease:

- Has not paid or tendered back rental within 20 days of the anniversary date; and
- Has shown to the BLM's satisfaction that such failure was justified, was not due to a lack of reasonable diligence, or was inadvertent

Competitive leases terminated may be reinstated if the required back rental and royalty at the increased rates accruing from the date of termination, together with a petition for reinstatement, are submitted on or before 60 days after the last date that any lessee of record received the Notice of Termination by certified mail, or 24 months after termination. There is a nonrefundable administrative fee of \$500.

### **43 CFR Subpart 3109 — Leasing under Rights-of-Way**

#### **A. 43 CFR 3109.1-2 — Application for Lease under Rights-of-Way**

The BLM requires an application, but no specific form, to lease certain lands within a ROW for the underlying oil and gas. The BLM needs the information under the Act of May 21, 1930, which authorizes the leasing of, or the entering into a compensatory royalty agreement for, oil and gas deposits under railroads and certain other types of ROW.

The ROW owner or his/her transferee must file the application in the proper BLM office and include the processing fee for leasing under ROW, found in the fee schedule in 43 CFR 3000.120. If the transferee files an application, it must also include:

- Facts as to the ownership of the ROW and of the transfer, if the application is filed by a transferee;
- An executed transfer of the right to obtain a lease, if necessary;
- A description of the development of oil or gas in adjacent or nearby lands, the location and depth of the wells, the production, and the probability of drainage of the deposits in the ROW;
- A description of each legal subdivision through which a portion of the ROW is desired to be leased; however, a description by metes and bounds of the ROW is not required;
- A map of the applicable lands; and
- The processing fee for leasing under ROW, found in the fee schedule in 43 CFR 3000.120

### **43 CFR Subpart 3120 — Competitive Leases**

#### **A. 43 CFR 3120.11(e) — Lands Available for Competitive Leasing**

We collect information from parties that ask the BLM to offer specific lands for competitive oil and gas lease sale. Such a request must describe the lands with enough specificity so that the BLM can determine what the entity is requesting. This is further described under 43 CFR

3120.40 below, Expressions of Interest. Since this activity is a part of the burden associated with the Expression of Interest, the burden is included under that activity in Table 12-2.

B. 43 CFR 3120.13 — Protests

Before the BLM holds a competitive lease sale, it identifies eligible parcels in a Notice of Competitive Oil and Gas Lease Sale. The notice provides for a public protest period and instructions for challenging any BLM notice to offer certain lands.

A lease sale notice requires protests to be filed at least 30 days before the proposed lease sale, and requires each protest to include a statement of reasons to support the protest. It also requires that the protest state the interest of the protesting party, be signed, and reference the parcel number identified in the sale notice. Protests may be filed by mail in hard copy form or by fax, but not by email.

C. 43 CFR 3120.40 — Expressions of Interest (EOI)

Lands must be identified for competitive leasing by submitting an EOI, including the applicant's name and address, to the BLM's online leasing system.

An EOI is a description of lands that an applicant seeks to include in a competitive auction. The expression must provide a description of the lands identified by legal land description, as follows:

- For lands surveyed under the public land rectangular survey system, describe the lands to the nearest aliquot part within the legal subdivision, section, township, range, and meridian;
- For unsurveyed lands, describe the lands by metes and bounds, giving courses and distances, and tying this information to an official corner of the public land surveys or to a prominent topographic feature;
- For approved protracted surveys, include an entire section, township, range, and meridian—do not divide protracted sections into aliquot parts;
- For lands that have water boundaries, include the base acreage on the initial survey or deed acquiring ownership;
- For fractional interest lands, identify the United States mineral ownership by percentage;
- For split estate lands where the surface rights are in private ownership and the rights to development of the mineral resources are publicly held and managed by the Federal Government, submit the private surface owner's name and address;
- Include a filing fee for each expression, as found in the fee schedule in 43 CFR 3000.120

**43 CFR Subpart 3162 — Drainage**

A. 43 CFR 3162.2-9 — Drainage Protection Reports: Preliminary, Detailed, and Additional

Drainage occurs when a well is drilled close enough to the boundary of an adjacent parcel that oil or gas migrates from that parcel to the well. The information collected from this section

enables the BLM to meet its responsibility for preventing drainage that could result in reduced royalties for their oil and gas resources.

While the lessee has the primary responsibility to protect the lease from drainage, the BLM routinely monitors drilling activities to determine whether appropriate steps are ensuring that Federal and Indian leases are not being drained. The BLM conducts an administrative review of leases each year to identify drainage situations and then sends the affected lessees/operating rights owners an initial contact letter. In response, the lessee(s) are required to submit a detailed drainage protection report. The content of the report varies, depending on the circumstances. The usual response indicates that a review of each drainage situation has been completed, and action is underway to sufficiently protect the BLM-administered lease from drainage.

The BLM may send a demand letter that requires an additional drainage protection report from lessees/operating rights owners. Demand letters are sent when the BLM believes that lessees and operating rights owners did not gather sufficient data to determine whether drainage is occurring or has not occurred, or did not analyze the data properly to determine that a protective well would be uneconomical. In the response, the lessee or operating rights owner notifies the BLM of plans for drainage protection and analysis and, if requested by the BLM, discloses the drainage area of the ultimate recovery of the offending well, the amount of oil and gas resources drained from the lease, and whether a protective well would be economical to drill.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden and specifically how this collection meets GPEA requirements.**

Forms 3000-3 and 3000-3a, which are approved by the OMB under Control Number 1004-0034, are electronically available to the public in fillable and printable format at: <https://www.blm.gov/services/electronic-forms>. Regarding information that does not require a specific form, respondents may compile the required nonform data and may choose to submit the information by emailing it to the appropriate BLM office, unless filing fees are associated with the collection of information. However, virtually all respondents prepare petitions, requests, applications, etc., in letter form on official company letterhead, and submit them by regular mail. This facilitates the BLM's review and collection of fees and publication costs. Also, drainage determination information correspondence has no official or legal standing unless it is transmitted by mail or certified mail.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

No duplication of information occurs on the information the BLM collects. The requested

information is nonrecurring, occasional, and unique to each applicant/operator and to each specific oil and gas activity, and it is not available from any other data source. No similar information is available or able to be modified. The information is supplied by the respondents, which are entities conducting oil and gas exploration and leasing activities. The information is required to receive a benefit. Each BLM state office has jurisdiction over specific lands, so no duplication occurs with respect to processing a respondent's application or information.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

There is no significant impact on small businesses or other small entities from the information the BLM requests. The required information is the minimum necessary to allow the BLM to process an application or statement about oil and gas activities and drainage protection, and to comply with provisions of the applicable laws and regulations.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

A respondent uses applications and statements to submit information regarding oil and gas offers and leases on public domain and acquired lands. When the required information is not provided, lands cannot be leased, explored or developed, which would prevent the individual or entity from obtaining or retaining the benefit of an oil and gas lease.

Failure to collect the requested information would mean that the BLM would lack the information necessary to:

- Approve proposed oil and gas leasing, exploration, or operations;
- Monitor compliance with the terms and conditions of Federal oil and gas leases and with applicable laws; and
- Determine whether lessees/operating rights owners are fulfilling their obligation to protect their Federal oil and gas leases from drainage

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- \* **requiring respondents to report information to the agency more often than quarterly;**
- \* **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- \* **requiring respondents to submit more than an original and two copies of any document;**
- \* **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;**
- \* **in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study;**

- \* **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- \* **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- \* **requiring respondents to submit proprietary trade secrets, or other confidential information, unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

The collections of information under this OMB control number are consistent with requirements outlined in 5 CFR 1320.5(d).

**8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

On July 24, 2023, the BLM published a notice of proposed rulemaking, providing the general public and interested parties the opportunity to submit comments on the proposed regulatory changes.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

The BLM does not provide payments or gifts to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

There is no explicit pledge of confidentiality. This information collection is subject to a System of Records Notice, BLM-32, Minerals Authorization Tracking System.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

The BLM does not ask respondents questions of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- \* **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- \* **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- \* **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here.**

Table 12-1, below, shows the BLM’s estimate of the hourly cost burdens for respondents. The mean hourly wages for Table 12-1 were determined using national Bureau of Labor Statistics data at: [http://www.bls.gov/oes/current/oes\\_nat.htm](http://www.bls.gov/oes/current/oes_nat.htm). The benefits multiplier of 1.4 is supported by information at <http://www.bls.gov/news.release/ecec.nr0.htm>.

**Table 12-1: Hourly Cost Calculation**

Occupational Category	Mean Hourly Wage	Benefits Multiplier	Total Mean Hourly Wage
Mining and Geological Engineers, Including Mining Safety Engineers—17-2151	\$48.29	1.4	\$67.61

The estimated annual reporting burdens for this collection are shown below in Table 12-2. The estimated hourly wage is shown at Table 12-1, above.

**Table 12-2: Estimates of Hour and Hour-Related Cost Burdens**

Collection of Information	Number of Respondents	Frequency of Response	Number of Annual Responses	Hours Per Response	Annual Burden Hours	Mean Hourly Wage	Hourly Cost Burden
Notice of option holdings 43 CFR 3100.31(b)	1	On occasion	1	1	1	\$67.61	\$67.61
Option statement 43 CFR 3100.33	1	Biannual	2	1	2	\$67.61	\$135.22
Proof of acreage reduction 43 CFR 3101.24(a)	1	On occasion	1	1	1	\$67.61	\$67.61
Excess acreage petition 43 CFR 3101.24(a)	1	On occasion	1	1	1	\$67.61	\$67.61
Joinder evidence statement 43 CFR 3101.30	40	On occasion	40	1	40	\$67.61	\$2,704.04
Waiver, suspension, or reduction of rental or royalty 43 CFR 3103.1	820	On occasion	820	2	1,640	\$67.61	\$110,880.40
Communitization agreements 43 CFR 3105.20	281	On occasion	281	2	562	\$67.61	\$37,996.82
Operating, drilling, or development contracts 43 CFR 3105.30	1	On occasion	1	1	1	\$67.61	\$67.61
Subsurface storage application 43 CFR 3105.40	1	On occasion	1	1	1	\$67.61	\$67.61
Consolidation of leases 43 CFR 3105.50	50	On occasion	50	1	50	\$67.61	\$3,380.50



Collection of Information	Number of Respondents	Frequency of Response	Number of Annual Responses	Hours Per Response	Annual Burden Hours	Mean Hourly Wage	Hourly Cost Burden
Assignment of Record Title Interest / Oil and Gas Leases 43 CFR 3106.41, 3106.42, and 3106.43 Form 3000-3	3,852	On occasion	3,852	.5	1,926	\$67.61	\$130,216.86
Transfer of Operating Rights / Oil and Gas Leases 43 CFR 3106.41, 3106.42, and 3106.43 Form 3000-3a	4,944	On occasion	4,944	.5	2,472	\$67.61	\$167,131.92
Heirs and devisees 43 CFR 3106.81	46	On occasion	46	1	46	\$67.61	\$3,110.06
Change of name 43 CFR 3106.82	2,432	On occasion	2,432	1	2,432	\$67.61	\$164,427.52
Corporate merger notice & Dissolution of corporations, partnerships and trust Notice 43 CFR 3106.83	561	On occasion	561	1	561	\$67.61	\$37,929.21
Sheriff's Sale/Deed 43 CFR 3106.84	1	On occasion	1	1	1	\$67.61	\$67.61
Relinquishment 43 CFR 3108.10	300	On occasion	300	1	300	\$67.61	\$20,283.00
Class I reinstatement petition 43 CFR 3108.22	45	On occasion	45	3	135	\$67.61	\$9,127.35
Class II reinstatement petition 43 CFR 3108.23	34	On occasion	34	3	102	\$67.61	\$6,896.22

Collection of Information	Number of Respondents	Frequency of Response	Number of Annual Responses	Hours Per Response	Annual Burden Hours	Mean Hourly Wage	Hourly Cost Burden
Application for lease under ROW 43 CFR 3109.1-2	2	On occasion	2	8	16	\$67.61	\$1,081.76
Protests 43 CFR 3120.13	1,420	On occasion	1,420	8	11,360	\$67.61	\$768,049.60
Expressions of Interest 43 CFR 3120.40 and 3120.11(e)	395	On occasion	395	8	3,160	\$67.61	\$213,647.60
Preliminary drainage protection report 43 CFR 3162.2-9	1,000	On occasion	1,000	2	2,000	\$67.61	\$135,220.00
Detailed drainage protection report 43 CFR 3162.2-9	100	On occasion	100	24	2,400	\$67.61	\$162,264.00
Additional drainage protection report 43 CFR 3162.2-9	10	On occasion	10	20	200	\$67.61	\$13,522.00
<b>Totals:</b>	<b>16,339</b>	—	<b>16,340</b>	—	<b>29,410</b>	—	<b>\$1,988,410</b>

Responses are necessary to obtain or retain a benefit (i.e., a Federal oil and gas lease). Hour and cost burdens to respondents include time spent for researching, preparing, and submitting information.

**13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)**

- \* The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up

costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- \* If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- \* Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

The estimated annual non-hour costs are \$1,793,159, which includes processing fees and publication costs that are itemized in Table 13-1, below.

There are no capital or startup costs involved because the information requested is either available in the BLM public reading rooms or maintained by the lessees, applicants, and operators for their own use (for example, maps, reports, and lease files). Respondents are businesses that are familiar with oil and gas regulatory requirements.

Various fees are associated with this collection. Except for Class II petitions for reinstatement, the fees are listed at 43 CFR 3000.120 and are updated annually, in accordance with a method explained at 70 FR 58853 (October 7, 2005). The most recent update is at 87 FR 57637 (September 21, 2022).

Class II petitions for reinstatement are subject to an administrative fee of \$500 per response. This fee is in accordance with 43 CFR 3108.23(b)(2)(vi).

In addition, petitioners for Class II reinstatements are required to reimburse the BLM for the cost of publishing a notice of reinstatement in the Federal Register, 43 CFR 3108.2(b)(2)(v). At present, the Office of the Federal Register charges \$151 per column, which is the length of almost all reinstatement notices. The annual publication cost burdens are shown in Table 13-2.

**Table 13-1: Estimated Annual Non-Hour Costs: Fixed Processing Fees**

Collection of Information	Number of Responses	Fixed Processing Fee per Response	Annual Cost Burden of Fixed Processing Fees
Subsurface storage application 43 CFR 3105.40	1	\$1,200	\$1,200

Collection of Information	Number of Responses	Fixed Processing Fee per Response	Annual Cost Burden of Fixed Processing Fees
Consolidation of leases 43 CFR 3105.50	50	\$525	\$26,250
Assignment of Record Title Interest / Oil and Gas Leases 43 CFR 3106.4-1 and 3106.4-2 Form 3000-3	3,852	\$105	\$404,460
Transfer of Operating Rights / Oil and Gas Leases 43 CFR 3106.4-1 and 3106.4-2 Form 3000-3a	4,944	\$105	\$519,120
Heirs and devisees 43 CFR 3106.81	46	\$250	\$11,500
Change of name 43 CFR 3106.82	2,432	\$250	\$608,000
Corporate merger notice & Dissolution of corporations, partnerships and trust Notice 43 CFR 3106.83	561	\$250	\$140,250
Sheriff's Sale/Deed 43 CFR 3106.84	1	\$250	\$250
Class I reinstatement petition 43 CFR 3108.22	45	\$1,260	\$56,700
Class II reinstatement petition - 43 CFR 3108.23 (34 x \$500 = \$17,000) and Class II reinstatement petition 43 CFR 3108.23(34 x 151 = \$5,134)	34	\$651	\$22,134
Application for lease under ROW 43 CFR 3109.10	2	\$660	\$1,320
Expressions of Interest 43 CFR 3120.40 (Average of 1,000 acres per response)	395	\$5	\$1,975
<b>Total:</b>		—	<b>\$1,793,159</b>

**14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.**

The hourly cost to the Federal Government is based on data at <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2022/general-schedule/>. The benefits multiplier of 1.6 is implied by information at <http://www.bls.gov/news.release/ecec.nr0.htm>.

**Table 14 -1: Hourly Cost Calculation**

Position	Pay Grade	Hourly Pay Rate (\$/hour)	Benefits Multiplier	Hourly Rate with Benefits	Percent of the Information Collection Completed by Each Occupation	Weighted Avg. (\$/hour)
Supervisor, Petroleum Engineer, Geologist and/or Natural Resource Specialist	GS-13, Step 1	\$44.15	1.6	\$70.64	50%	\$35.32
Land Law Examiner and/or Legal Instruments Examiner	GS-9, Step 1	\$25.60	1.6	\$40.96	50%	\$20.48
<b>Total Weighted Average: \$55.80</b>						

The table below shows the estimated annual Federal costs for each aspect of the collection. The weighted average hourly wage is shown in Table 14-1, above.

**Table 14-2: Estimated Annual Cost to the Government**

Collection of Information	Number of Responses	Hours Per Response	Total Staff Hours	Hourly Rate	Hourly Cost
Notice of option holdings 43 CFR 3100.31(b)	1	1	1	\$55.80	\$55.80
Option statement 43 CFR 3100.33	2	2	2	\$55.80	\$111.60
Proof of acreage reduction 43 CFR 3101.24(a)	1	1	1	\$55.80	\$55.80
Excess acreage petition 43 CFR 3101.24(a)	1	1	1	\$55.80	\$55.80
Joinder evidence statement 43 CFR 3101.31	40	1	40	\$55.80	\$2,232.00
Waiver, suspension, or reduction of rental or royalty 43 CFR 3103.41	820	4	3,280	\$55.80	\$183,024.00
Communitization agreement 43 CFR 3105.20	281	4	1,124	\$55.80	\$62,719.20
Operating, drilling, or development contracts 43 CFR 3105.30	1	1	1	\$55.80	\$55.80
Subsurface storage application 43 CFR 3105.40	1	1	1	\$55.80	\$55.80
Consolidation of leases 43 CFR 3105.50	50	3	150	\$55.80	\$8,370.00
Assignment of Record Title Interest / Oil and Gas Leases 43 CFR 3106.41, 3106.42 and 3106.43 Form 3000-3	3,852	.5	1,926	\$55.80	\$107,470.80

Collection of Information	Number of Responses	Hours Per Response	Total Staff Hours	Hourly Rate	Hourly Cost
Transfer of Operating Rights / Oil and Gas Leases 43 CFR 3106.41, 3106.4-2, and 3106.43 Form 3000-3a	4,944	.5	2,472	\$55.80	\$137,937.60
Heirs and devisees 43 CFR 3106.81	46	1	46	\$55.80	\$2,566.80
Change of name 43 CFR 3106.82	2,432	1	2,432	\$55.80	\$135,705.60
Corporate merger notice & Dissolution of corporations, partnerships and trust Notice 43 CFR 3106.83	561	1	561	\$55.80	\$31,303.80
Sheriff's Sale/Deed 43 CFR 3106.84	1	1	1	\$55.80	\$55.80
Relinquishment 43 CFR 3108.10	300	1	300	\$55.80	\$16,740.00
Class I reinstatement petition 43 CFR 3108.22	45	40	1,800	\$55.80	\$100,440.00
Class II reinstatement petition 43 CFR 3108.23	34	40	1,260	\$55.80	\$70,308.00
Application for lease under ROW 43 CFR 3109.10	2	40	80	\$55.80	\$4,464.00
Protests 43 CFR 3120.13	1,420	40	56,800	\$55.80	\$3,169,440.00
Expressions of Interest 43 CFR 3120.40	395	8	3,160	\$55.80	\$176,328.00
Preliminary drainage protection report 43 CFR 3162.2-9	1,000	2	2,000	\$55.80	\$111,600.00
Detailed drainage protection report 43 CFR 3162.2-9	100	8	800	\$55.80	\$44,640.00
Additional drainage protection report 43 CFR 3162.2-9	10	8	80	\$55.80	\$4,464.00
<b>Totals:</b>	<b>16,340</b>	<b>----</b>	<b>78,319</b>	<b>----</b>	<b>\$4,370,200</b>

### 15. Explain the reasons for any program changes or adjustments in hour or cost burden.

Currently, there are 9,132 annual responses, 37,695 annual burden hours, and \$751,415 annual non-hour cost burdens inventoried under OMB Control Number 1004-0185. This proposed rule is estimated to result in 16,340 annual responses, 29,410 annual burden hours, and \$1,793,159 non-hour cost burdens under this OMB control number.

#### Revised Information Collection Requirements.

##### A. 43 CFR 3100.31(b) — Option Enforceability

The proposed rule revises this requirement to clarify that a statement of the number of acres and the type and percentage of interest be conveyed and retained by the parties to the option. This does not change the burden requirement. The existing regulation already states the interest to be conveyed and retained in exercise of the option. The BLM needs to understand if the type of

interest is referring to record title or operating rights and the percentage to be conveyed and retained by the option holder.

B. 43 CFR 3105.21 — Where to File Communitization Agreements.

The proposed rule removes the triplicate filing requirement. The proposed rule adds a new paragraph (b) to this section to require that all applications to form a CA be filed with a statement as to whether the proposed CA deviates from the BLM's current model CA form, and a certification that the applicant received the required signatures. Further, all applications to form a CA shall include an Exhibit A displaying a map of the agreement and the separate agreement tracts. All applications to form a CA shall also include an Exhibit B displaying the separate tracts and ownership. The new paragraph (c) states that all applications to form a CA should be submitted at least 90 calendar days prior to first production to ensure correct reporting to the ONRR. These requirements codify existing policy requirements and do not change the existing burden for what applicants submit to the BLM. The information is needed to understand all the parties that share in the production of a well due to state spacing orders.

C. 43 CFR 3105.31 — Where to File Operating, Drilling, or Development Contracts

The proposed rule would remove the requirement that five copies of an operating, drilling, or development contract be submitted to the BLM for approval, reducing the burden to respondents.

D. 43 CFR 3105.40 — Subsurface Storage Application (previously, 3105.5)

The proposed rule renumbers the existing 43 CFR 3105.5 for gas storage agreements to the proposed numbering 43 CFR 3105.40. This renumbering is due to the elimination of the section on the combination for joint operations or for transportation of oil. The proposed rule updates paragraph (a) to include designation of successor operators for gas storage agreements among the applications to be filed in the proper BLM office. The proposed rule updates paragraph (b) to remove the requirement that five copies of a gas storage agreement be submitted to the BLM. A new paragraph (c) would require that all applications for a gas storage agreement or a designation of a successor operator must include the new processing fee, found in the fee schedule in 43 CFR 3000.120. The new processing fee is intended to reimburse the BLM for processing the applications.

E. 43 CFR 3105.50 — Consolidation of Leases (formerly 43 CFR 3105.6)

Leases may be consolidated upon written request of the lessee. The lessee must file the request with the proper BLM, identify each lease involved by serial number, and shall explain the factors that justify the consolidation and requires that each request for a consolidation of leases the processing fee, found in the fee schedule in 43 CFR 3000.120. The proposed rule splits the single paragraph under this section into several paragraphs so that the regulation is easier to read, however, these are not new requirements and this does not change the existing burden.

F. 43 CFR 3106.81 — Heirs and Devisees

The proposed updates this information-collection requirement to state that the lease interest will be transferred to the heirs, devisees, executor, or administrator of the estate, as appropriate, upon the filing of a court order, death certificate, or other legal document demonstrating that the transferee is to be recognized as the successor of the deceased. These requirements codify existing policy requirements and do not change the existing burden for what applicants currently submit to the BLM to show proof of how the lease interest transferred to another party.

G. 43 CFR 3106.82 — Change of Name

The current regulation requires a notice of name change to be accompanied by a list of the serial numbers of the leases affected by the name change. This requirement is removed, as it is outdated and unenforceable. This lessens the burden to respondents. In practice, the BLM generates a report of the leases affected by the name change and returns that list to the lessee with a notice that recognizes the name change that occurred through operation of law. This section is updated to require that for a corporate name change, the request should include the Secretary of State's Certificate of Name Change, along with the Articles of Incorporation or Amendment, if available. This is consistent with the BLM's current approach for processing these types of documents. These requirements codify existing policy requirements and do not change the existing burden for what applicants currently submit to the BLM to show proof of how the lease interest transferred to another party.

H. 43 CFR 3106.83 — Corporate Mergers and Dissolution of Corporations, Partnerships, and Trust

The proposed rule updates the title of this section from "Corporate Merger" to "Corporate Mergers and Dissolution of Corporations, Partnerships, and Trust." The goal of the renaming of this section is to incorporate other types of transfers that have the same process. The current regulation requires that a notification of merger be accompanied by a list of the serial numbers of the leases affected by the merger. This requirement is rescinded, as it is outdated and unenforceable. This lessens the burden to respondents. In practice, the BLM does not rely on a list of leases provided by a lessee and, instead, generates its own report of the leases affected by the merger. The BLM returns that list to the lessee with a notice that recognizes the merger that occurred through operation of state law. This section is updated to require that for a merger, the request should include the Secretary of State's Certificate of Merger, along with the Articles of Incorporation or Amendment, if available. This is consistent with the BLM's current approach for processing these types of documents. These requirements codify existing policy requirements and do not change the existing burden for what applicants currently submit to the BLM to show proof of how the lease interest transferred to another party.

I. 43 CFR 3108.23 — Reinstatement at Higher Rental and Royalty Rates: Class II Reinstatements

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The proposed rule would rescind the existing paragraph (b)(1) in its entirety. This provision addresses the timeliness of Class II reinstatement petitions for leases that terminated on or before August 8, 2005, and is no longer applicable. This does not change an existing burden since a petition to reinstate a lease that terminated on or before August 8, 2005, would have already been received by an applicant.

J. 43 CFR 3109.12 — Application

The proposed rule also adds a new requirement that the applicant must include a map of the applicable lands which will support the bidding process related to the lease or compensatory royalty agreement. These requirements codify existing policy requirements and do not change the existing burden for what applicants submit to the BLM.

### **New Information-Collection Requirements**

A. 43 CFR 3106.84 — Sheriff's Sale/Deed

The proposed rule adds a new section under other types of transfers to include sheriff's sales. The BLM accepts these types of transfers to recognize lease interests transferred to other parties through foreclosure actions. The proposed rule states that where a notice of sale of the leasehold interest is published pursuant to state law applicable to the execution of sales of real property, the purchaser shall submit to the proper BLM office a copy of the Sheriff's Certificate of Sale after any redemption period has passed. Additional paragraphs under this new section include a filing fee requirement, a qualification statement, and bonding requirements. These requirements are consistent requirements with the BLM's current approach for processing these types of documents. These documents are already submitted and recognized by the BLM when changes in ownership of interests in Federal oil and gas leases occur without any intention by the holder of interest to assign or transfer interest. The addition of this information collection would result one more annual response, one more annual burden hour, and \$55.80 annual non-hour cost burdens.

B. 43 CFR 3120.43 — Expression of Interest (EOI)

The proposed rule adds a new section, "Expression of Interest," to codify the current process of receiving an EOI for competitive leasing to the BLM's online leasing system. An EOI is a description of lands that an applicant seeks to include in a competitive auction. The expression must provide a description of the lands identified by legal land description and identify the U.S. mineral ownership percentage. This information collection would result in an addition of 395 annual responses, 3,160 annual burden hours, and \$1,975,000 annual non-hour cost burdens (calculated by average acreage per response).

### **Removed Information Collection Requirements.**

A. 43 CFR 3101.2-6 — Ad Hoc Acreage Statement

At any time, the BLM may require a lessee or operator to file a statement showing, as of the specified date, the serial number and the date of each lease in which he/she has any interest in the particular state, setting forth the acreage covered thereby. The BLM uses the information to determine whether a lessee is in compliance with the law with respect to statutory acreage limitations. This revision results in the reduction of one response and one burden hour, annually.

B. 43 CFR 3105.4 — Combination for Joint Operations or for Transportation of Oil

The proposed rule eliminates the section on the Combination for Joint Operations or for Transportation of Oil. These provisions are not used by the BLM or operators and are outdated. This revision results in the reduction of one response and one burden hour, annually.

C. 43 CFR 3107.8 — Renewal Leases

The proposed rule rescinds the provisions on renewal leases in their entirety because they are outdated. Renewal leases that had an expiration date after November 15, 1990, were eligible for one last renewal under the provisions of the November 15, 1990, Act (i.e., for 10 years, and for so long thereafter as oil and gas is produced in paying quantities). If a lease was renewed after the 1990 amendment and was not producing oil or gas at the end of its 10-year renewal term, the lease expired with no further option for renewal. The removal of this information collection would result in a reduction of one annual response, one annual burden hour, and \$475 annual non-hour cost burdens.

D. Class III reinstatement petition (43 CFR 3108.2-4)

The requirement would be removed from the proposed rule resulting in a reduction of one annual response and one burden hour as well as \$651 in non-hour cost burden.

### **Information Collection Requirements Transferred from OMB Control Number 1004-0034**

The following two information collections will be moved into OMB Control Number 1004-0185 to keep information-collection requirements in Subpart 3106 under the same OMB number:

- 43 CFR 3106.41 — Transfers of Record Title and of Operating Rights (Subleases) and 43 CFR 3106.42 — Transfers of Other Interests, Including Royalty Interests and Production Payments  
This transfer would add to this OMB control number 3,852 annual responses, 1,926 annual burden hours, and \$404,460 non-hours cost burdens.
- 43 CFR 3106.43 — Mass Transfers  
This transfer would add to this OMB control number 4,944 annual responses, 2,472 annual burden hours, and \$519,120 non-hours cost burdens.

### **Burden Adjustments**

In previous submission under this OMB Control Number, burden was taken separately for requirements under 43 CFR 3120.11(e), Lands Available for Sale and 3120.40, Expression of Interest. The BLM believes that that resulted in duplicative burden calculations as these activities would generally occur as a part of the same filing.

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

The BLM will not publish results of this information collection.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

The expiration date will not be displayed because this information collection does not include any forms.

**18. Explain each exception to the topics of the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”**

There are no exceptions to the certification requirements of 5 CFR 1320.9.

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