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## **Title 43 – Public Lands: Interior**

### **Subtitle B – Regulations Relating to Public Lands**

#### **Chapter II – Bureau of Land Management, Department of the Interior**

##### **Subchapter C – Minerals Management (3000)**

###### **Part 3200 – Geothermal Resource Leasing**

**Authority:** 30 U.S.C. 1001-1028; 43 U.S.C. 1701 *et seq.*; and Pub. L. 109-58.

**Source:** 72 FR 24400, May 2, 2007, unless otherwise noted.

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###### **Subpart 3216—Transfers**

###### **§ 3216.10 What types of lease interests may I transfer?**

You may transfer record title or operating rights, but you need BLM approval before your transfer is effective (see § 3216.21).

###### **§ 3216.11 Where must I file a transfer request?**

File your transfer in the BLM State Office that handles your lease.

###### **§ 3216.12 When does a transferee take responsibility for lease obligations?**

After BLM approves your transfer, the transferee is responsible for performing all lease obligations accruing after the date of the transfer, and for plugging and abandoning wells which exist and are not plugged and abandoned at the time of the transfer.

### § 3216.13 What are my responsibilities after I transfer my interest?

After you transfer an interest in a lease you are still responsible for rents, royalties, compensatory royalties, and other obligations that accrued before your transfer became effective. You also remain responsible for plugging and abandoning any wells that were drilled or existing on the lease while you held your interest. You must carry out this responsibility upon the BLM's determination at any future time that the wells must be plugged and abandoned.

### § 3216.14 What filing fees and forms does a transfer require?

With each transfer request you must send BLM the correct form and pay the transfer fee required by this section. When you calculate your fee, make sure it covers the full amount. For example, if you are transferring record title for three leases, submit three times the fee for "Assignment and transfer of record title or operating rights" in the fee schedule in § 3000.12 of this chapter.

Use the following chart to determine the number and types of forms required. The applicable transfer fees are in the fee schedule in § 3000.12 of this chapter.

Type of transfer	Form required?	Form No.	Number of copies
(a) Record Title	Yes	3000-3	2 executed copies.
(b) Operating Rights	Yes	3000-3(a)	2 executed copies.
(c) Estate Transfers	No	N/A	1 List of Leases.
(d) Corporate Mergers	No	N/A	1 List of Leases.
(e) Name Changes	No	N/A	1 List of Leases.

[72 FR 24400, May 2, 2007, as amended at 74 FR 49335, Sept. 28, 2009]

### § 3216.15 When must I file my transfer request?

- (a) File a request to transfer record title or operating rights within 90 days after you sign an agreement with the transferee. If BLM receives your request more than 90 days after signing, we may require you to re-certify that you still intend to complete the transfer.
- (b) There is no specific time deadline for filing estate transfers, corporate mergers, and name changes. File them within a reasonable time.

### § 3216.16 Must I file separate transfer requests for each lease?

File two copies of a separate request for each lease for which you are transferring record title or operating rights. The only exception is if you are transferring more than one lease to the same transferee, in which case you file two copies of one transfer request.

### § 3216.17 Where must I file estate transfers, corporate mergers, and name changes?

- (a) If you have posted a bond for any Federal lease, you must file estate transfers, corporate mergers, and name changes in the BLM State Office that maintains your bond.
- (b) If you have not posted a bond, you must file estate transfers, corporate mergers, and name changes in the State Office having jurisdiction over the lease.

### § 3216.18 How do I describe the lands in my lease transfer?

- (a) If you are transferring an interest in your entire lease, you do not need to give BLM a legal description of the land.
- (b) If you are transferring an interest in a portion of your lease, describe the lands that are transferred in the same way they are described in the lease.

### § 3216.19 May I transfer record title interest for less than 640 acres?

Except for direct use leases, you may transfer record title interest for less than 640 acres only if your transfer includes an irregular subdivision or all of the lands in your lease are in a section. We may make an exception to the minimum acreage requirements if it is necessary to conserve the resource.

### § 3216.20 When does a transfer segregate a lease?

If you transfer 100 percent of the record title interest in a portion of your lease, BLM will segregate the transferred portion from the original lease and give it a new serial number with the same terms and conditions as those in the original lease.

### § 3216.21 When is my transfer effective?

Your transfer is effective the first day of the month after we approve it.

### § 3216.22 Does BLM approve all transfer requests?

BLM will not approve a transfer if:

- (a) The lease account is not in good standing;
- (b) The transferee does not qualify to hold a lease under this part; or
- (c) An adequate bond has not been provided.