

§ 226.43

Tribal Council, subject to the approval of the Superintendent, may waive the late charge.

[39 FR 22254, June 21, 1974. Redesignated at 47 FR 13327, Mar. 30, 1982, as amended at 55 FR 33116, Aug. 14, 1990]

§ 226.43 Penalties for violation of certain operating regulations.

In lieu of the penalties provided under § 226.42, penalties may be imposed by the Superintendent for violation of certain sections of the regulations of this part as follows:

(a) For failure to obtain permission to start operations required by § 226.16(b), \$50 per day until permission is obtained.

(b) For failure to file records required by § 226.32, \$50 per day until compliance is met.

(c) For failure to mark wells and tank batteries as required by § 226.34, \$50 for each well and tank battery.

(d) For failure to construct and maintain pits as required by § 226.22, \$50 for each day after operations are commenced on any well until compliance is met.

(e) For failure to comply with § 226.36 regarding valve or other approved controlling device, \$100.

(f) For failure to notify Superintendent before drilling, redrilling, deepening, plugging, or abandoning any well, as required by §§ 226.16(c) and 226.25, \$200.

(g) For failure to properly care for and dispose of deleterious fluids as provided in § 226.22, \$500 per day until compliance is met.

(h) For failure to file plugging reports as required by § 226.29 and for failure to file reports as required by § 226.13, \$50 per day for each violation until compliance is met.

(i) For failure to perform or start an operation within 5 days after ordered by the Superintendent in writing under authority provided in this part, if said operation is thereafter performed by or through the Superintendent, the actual cost of performance thereof, plus 25 percent.

(j) Lessee or his/her authorized representative is hereby notified that criminal procedures are provided by 18

25 CFR Ch. I (4-1-04 Edition)

U.S.C. 1001 for knowingly filing fraudulent reports and information.

[39 FR 22254, June 21, 1974. Redesignated at 47 FR 13327, Mar. 30, 1982, as amended at 55 FR 33116, Aug. 14, 1990]

APPEALS AND NOTICES

§ 226.44 Appeals.

Any person, firm or corporation aggrieved by any decision or order issued by or under the authority of the Superintendent, by virtue of the regulations in this part, may appeal pursuant to 25 CFR part 2.

[55 FR 33116, Aug. 14, 1990]

§ 226.45 Notices.

Notices and orders issued by the Superintendent to the representative and/or operator shall be binding on the lessee. The Superintendent may in his/her discretion increase the time allowed in his/her orders and notices.

[55 FR 33116, Aug. 14, 1990]

§ 226.46 Information collection.

The Office of Management and Budget has determined that the information collection requirements contained in this part need not be submitted for clearance pursuant to 44 U.S.C. 3501 *et seq.*

[55 FR 33116, Aug. 14, 1990]

PART 227—LEASING OF CERTAIN LANDS IN WIND RIVER INDIAN RESERVATION, WYOMING, FOR OIL AND GAS MINING

Sec.

227.1 Definitions.

HOW TO ACQUIRE LEASES

227.2 Applications for leases.

227.3 Leases to citizens of the United States except Government employees.

227.4 Sale of oil and gas leases.

227.5 Terms of leases, procedure for renewal and execution.

227.6 Corporations and corporate information.

227.7 Additional information from applicant.

227.8 Bonds.

227.9 Acreage limitation: Leases on non-contiguous tracts.

227.10 Minerals other than oil and gas.

Bureau of Indian Affairs, Interior

§ 227.4

- 227.11 Bureau of Land Management to be furnished copy of lease.
- 227.12 Mineral reserves in nonmineral entries.
- 227.13 Vested rights to be respected.
- 227.14 Government reserves right to purchase oil and gas.

RENTS AND ROYALTIES

- 227.15 Manner of payment.
- 227.16 Crediting advance annual payments.
- 227.17 Rates of rents and royalties.
- 227.18 Free use of gas by lessor.
- 227.19 Division orders.

OPERATIONS

- 227.20 Permission to start operations.
- 227.21 Restrictions on operations.
- 227.22 Diligence and prevention of waste.
- 227.23 Wells.
- 227.24 Penalties.
- 227.25 Inspection of premises, books and accounts.
- 227.26 Assignments and overriding royalties.
- 227.27 Stipulations.
- 227.28 Cancellations.
- 227.29 Fees.
- 227.30 Forms.

AUTHORITY: Sec. 1, 39 Stat. 519, unless otherwise noted.

SOURCE: 22 FR 10622, Dec. 24, 1957, unless otherwise noted. Redesignated at 47 FR 13327, Mar. 30, 1982.

§ 227.1 Definitions.

(a) The term "superintendent" in this part refers to the superintendent or other officers of the Bureau of Indian Affairs or of the Government who may have jurisdiction over the Shoshone or Wind River Reservation.

(b) The term "supervisor" in this part refers to a representative of the Secretary of the Interior, under direction of the Director of the U.S. Geological Survey, authorized and empowered to supervise and direct operations under oil and gas mining leases, to furnish scientific and technical information and advice, to ascertain and record the amount and value of production, and to determine and record rentals and royalties due and paid.

CROSS REFERENCE: For rules and regulations of the Geological Survey, see 30 CFR chapter II.

HOW TO ACQUIRE LEASES

§ 227.2 Applications for leases.

Applications for leases should be made to the superintendent.

§ 227.3 Leases to citizens of the United States except Government employees.

Leases will be made only to persons who are citizens of the United States or have declared their intention to become so, or corporations which are organized under the laws of the United States or one of the States or Territories: *Provided*, That no lease, assignment thereof, or interest therein will be approved to any employee or employees of the United States Government, whether connected with the Bureau or otherwise, and no employee of the Interior Department shall be permitted to acquire any interest in such leases by ownership of stock in corporations having leases or in any other manner.

(R.S. 2078; 25 U.S.C. 68)

§ 227.4 Sale of oil and gas leases.

(a) At such times and in such manner as he may deem appropriate, after being authorized by the Joint Business Council of the Shoshone and Arapahoe Tribes or its authorized representative, the superintendent shall publish notices at least thirty days prior to the sale, unless a shorter period is authorized by the Secretary of the Interior or his authorized representative, that oil and gas leases on specific tracts, each of which shall be in a reasonably compact body, will be offered to the highest responsible bidder for a bonus consideration, in addition to stipulated rentals and royalties. Each bid must be accompanied by a cashier's check, certified check, or postal money order, payable to the payee designated in the invitation to bid, in an amount not less than 25 percent of the bonus bid. Within 30 days after notification of being the successful bidder, said bidder must remit the balance of the bonus, the first year's rental, and his share of the advertising costs, and shall file with the superintendent the lease in completed form. The superintendent may for good and sufficient reasons, extend