

FRANK DE JONG

IBLA 76-649

Decided October 29, 1976

Appeal from decision of Utah State Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offers U 33361 and U 33364.

Affirmed.

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

An unsigned and undated drawing entry card filed in the simultaneous oil and gas leasing procedures must be rejected.

APPEARANCES: Frank de Jong, pro se.

OPINION BY ADMINISTRATIVE JUDGE HENRIQUES

Frank de Jong appeals from a decision dated May 7, 1976, wherein the Utah State Office, Bureau of Land Management, rejected his drawing entry card offers U 33361 and U 33364, each of which had been drawn with first priority for a separate parcel in the April 1976 simultaneous filing procedures. 43 CFR Subpart 3112. Each card was rejected for the reason that it was neither signed nor dated. 1/

The pertinent regulation requires that each drawing entry card must be signed and fully executed by the applicant. 43 CFR 3112.2-1(a).

The appellant concedes that he omitted his signature and date on the drawing entry cards through oversight, but argues that his signature was on the accompanying check for payment of the filing fees and that this should indicate the sincerity of his offers.

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1/ A further reason for rejection need not be discussed.

[1] It is well settled that failure to sign the drawing entry card compels the rejection of the lease offer. The Board has consistently held that a drawing entry card which does not satisfy the mandatory requirements of the regulations must be rejected. The mere fact that the desired information may have been able to be deduced from the check does not satisfy the mandatory requirement of the regulation. Herbert W. Schollmeyer, 25 IBLA 393 (1976); Thomas Buckmann, 23 IBLA 21 (1975). Accordingly, rejection of the subject cards was proper.

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.

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Douglas E. Henriques  
Administrative Judge

We concur:

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Edward W. Stuebing  
Administrative Judge

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Joan B. Thompson  
Administrative Judge

