

THOMAS C. MORAN

IBLA 77-404

Decided September 13, 1977

Appeal from a decision of the Colorado State Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offer. C-25451.

Affirmed.

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

A simultaneous oil and gas lease offer is properly rejected where the drawing entry card is not dated.

APPEARANCES: Maurice T. Reidy, Esq., Reidy and Sweeney, Denver, Colorado, for appellants.

OPINION BY ADMINISTRATIVE JUDGE RITVO

Thomas C. Moran has appealed from a decision of the Colorado State Office, Bureau of Land Management, dated May 20, 1977, rejecting his oil and gas lease offer C-25451 filed on a drawing entry card for Parcel CO-462 of the April 1977 list of lands available for simultaneous oil and gas filings. The offer was drawn number one at the drawing held on May 5, 1977. The offer was rejected because Moran failed to date the entry card as required by 43 CFR 3112.2-1.

Appellant states that regulation 43 CFR 3112.2-1 does not require an offer to be dated, but merely signed and fully executed. Further, appellant asserts it is unnecessary for the date to be on the entry card as the date of filing controls as to whether an offer is to be included in the drawing and not the date on the entry card.

[1] The Board has ruled on numerous occasions that strict compliance with the regulation is necessary. Thomas V. Gullo,

29 IBLA 126 (1977); John Willard Dixon, 28 IBLA 275 (1976); and Robert J. Burkhill, 28 IBLA 76 (1976). Even minor deviations and omissions in the information required on a drawing entry card are sufficient to warrant the rejection of the offer. Raymond F. Kaiser, 27 IBLA 373 (1976). Thus the incomplete entry of the date has been held a proper reason for rejection of the offer, Gullo, *supra* (the first applicant, but not the second applicant, dated the entry card); Burkhill, *supra*; Helen E. Ferris, 26 IBLA 382 (1976) (day of the month omitted). In John R. Mimick, 25 IBLA 107 (1976), the Board stated that the date must be entered on the card in the space provided in order for the card to be fully executed as required by the regulation. The Board further observed that "[t]he date is important because it shows that as of a particular date, the offerors, by their signatures, certify all the statements made on the card," citing Roy Flamm, 24 IBLA 10 (1976). No date having appeared on the entry card and, therefore, there being no certification, the entry card was properly rejected.

Accordingly, 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.

Martin Ritvo
Administrative Judge

We concur:

Newton Frishberg
Chief Administrative Judge

Anne Poindexter Lewis
Administrative Judge

