

GEORGE E. MATTISON

IBLA 78-552

Decided October 11, 1978

Appeal from decision of the Montana State Office, Bureau of Land Management, rejecting simultaneously filed oil and gas lease offer M 40991.

Affirmed.

1. Oil and Gas Leases: Applications: Drawings

A simultaneously filed oil and gas lease offer listing the name of an individual and a corporation as applicants, on the front of the card and also on reverse signature side, is properly rejected where no statement of qualifications or corporate reference number accompanies the card as required by 43 CFR 3102.4-1. This defect cannot be cured after the drawing by the individual's subsequently filing a statement that the corporation has no interest in the offer, and was merely designated for address purposes only.

APPEARANCES: George E. Mattison, pro se.

OPINION BY ADMINISTRATIVE JUDGE THOMPSON

George E. Mattison has appealed from the July 14, 1978, decision of the Montana State Office, Bureau of Land Management, rejecting his drawing entry card oil and gas lease offer M 40991, because the offer indicated that Plus Results Inc., was also a party and did not furnish evidence of its qualifications as required by 43 CFR 3102.4-1.

On appeal, Mr. Mattison contends that the corporation was not intended to be a party to the offer but the name was only listed as part of his mailing address. Although this might explain why the company's name was included on the side of the card where the applicant's address is to be indicated, it does not explain why the company's name appears on the other side of the card in one of the two

spaces marked "Signature of Applicant." There is no reason to include the name of the company for address purposes in the signature place because no address is required to be placed there and we note that appellant himself provided no further address after listing the company's name in this space. The fact that the word "NONE" appears in the space marked "other parties in interest" can be most readily interpreted as meaning that there are no other parties besides the appellant and the company. The drawing entry card can most reasonably be construed as a joint offer by appellant and the company or as an offer by appellant on behalf of the company.

[1] Because the card itself thus indicated on its face that the corporation was an applicant and because no corporate statement of qualifications accompanied the card as required by 43 CFR 3102.4-1, the State Office properly rejected the offer. Ballard E. Spencer Trust, Inc. v. Morton, 544 F.2d 1067 (10th Cir. 1976). The failure to submit the required information with the card cannot be cured by a subsequent submission of information after the drawing. Id.; Christiansen Oil, Inc., 37 IBLA 52 (1978); Anchors and Holes, Inc., 33 IBLA 339 (1978). This precludes consideration of appellant's disclaimer of corporate interest where the card lists the corporation as a party to the offer.

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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Joan B. Thompson  
Administrative Judge

We concur.

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Joseph W. Goss  
Administrative Judge

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James L. Burski  
Administrative Judge

