

at the origin and authority of this rule, a moment would be well spent to briefly discuss the related principle of finality.

The "doctrine of administrative finality," as it is more correctly called, even if there were not a more substantial rule, would nonetheless make it difficult to reposition or "correct" an erroneously located corner which has gone unchallenged for some length of time. Though different from other limiting statutes in some respects, the doctrine of administrative finality nevertheless precludes consideration of objections based on the passage of time. Title 43 of the Code of Federal Regulations, at 4.411(a), for example, states that a person who wishes to raise an objection to an administrative decision must file such objection within 30 days of becoming aware of the decision objected to. In the case of an erroneously located corner, under 4.411(a) the objection taken would be against the decision to approve the survey which monumented the erroneous corner, and the objection would have to be filed within 30 days of becoming aware of the corner's position.

It is true, of course, that the doctrine of finality is not an absolute defence. Yet still, to allow an objection to be raised many years after the approval of a survey which, allegedly, has mistakenly located a corner would be in derogation of the regulation at 4.411(a), which, as noted, provides a specific expiration date for administrative review of all such objections. Such expiration dates are not arbitrary, they serve a specific purpose. It rests on the concept of judicial economy and is a concession to the shortness of life, a recognition that some things must at some point in time come to an end. See: United States of America v. Gus Bremer, et ux., et al., Eastern District of Washington, C-86-69 1987. Perhaps the concept was best expressed by our own internal review board in State of California, 121 IBLA 73 (1991). In this case Administrative Judge Burski pointed out with great clarity, at page 129:

...reexamination of questions once decided requires a close weighing of jurisprudential considerations relating to the desirability of accurate and correct decisionmaking and the often conflicting need to determine matters with finality so as to avoid endless litigation and the uncertainties which that engenders.

The point being this, that the approval of a survey constitutes a decision by this office that the approved survey is correct and properly executed. In the absence of a timely objection the approval of such a survey constitutes a final administrative decision. See, for example: United States v. State of Louisiana, 229 F.Supp. 14, at 18 (1964), where Judge Putnam held that the filing of a plat constituted a final administrative determination regarding the boundaries reflected on such plat. The decision, then, that an approved survey correctly identifies the lines and corners which it describes, being thus made final, and a matter of public record, if unchallenged for many years, is entitled to repose in the absence of compelling legal or equitable reasons for reconsideration. Stated in brief, if chaos and confusion regarding the public lands are to be avoided the public must be able to rely on the actions and decisions of the government which relate to public lands and the adjoining private lands. If the government therefore represents a monument as properly marking a particular corner, unless rare and exceptional circumstances are present, that corner must be held as the true and correct position thereof regardless of whether it was placed with great care or with no care at all. In Union Oil Company of California, 71 ID 169 (1964). Departmental Solicitor, Mr. Frank J. Barry, wrote at: 177: