



INTERIOR BOARD OF INDIAN APPEALS

Hawley Lake Homeowners' Ass'n v. Deputy Assistant Secretary -
Indian Affairs (Operations)

13 IBIA 335 (12/09/1985)

Denying reconsideration of:
13 IBIA 276

Judicial review of this case:
Appeal Filed, *Hawley Lake Homeowners' Ass'n v. Hodel*,
No. CIV 86-0125 PCT CLH (D. Ariz.)

Related Board case:
13 IBIA 134
On reconsideration, 13 IBIA 197



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

HAWLEY LAKE HOMEOWNERS'	:	Order Denying Reconsideration
ASSOCIATION,	:	
Appellant	:	
	:	
v.	:	Docket No. IBIA 84-55-A
	:	
DEPUTY ASSISTANT SECRETARY--	:	
INDIAN AFFAIRS (OPERATIONS),	:	
Appellee	:	December 9, 1985

The Board of Indian Appeals (Board) issued a decision in the above case on October 10, 1985. See 13 IBIA 276 (1985). On October 28, 1985, appellant Hawley Lake Homeowners' Association filed a petition seeking reconsideration of that decision. After being granted an extension of time, the White Mountain Apache Tribe filed its opposition to reconsideration on November 29, 1985.

Reconsideration of Board decisions is authorized by 43 CFR 4.315. Under 4.315(a), reconsideration will be granted only in extraordinary circumstances.

Appellant's arguments in its petition for reconsideration were considered in the Board's initial decision. Appellant's petition is, in essence, a statement of its disagreement with the Board's legal analyses and conclusions. Such disagreement does not constitute the type of extraordinary circumstances envisioned in the Board's regulations. Accordingly, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, appellant's petition for reconsideration is denied.

//original signed
Jerry Muskrat
Administrative Judge

//original signed
Bernard V. Parrette
Chief Administrative Judge