



INTERIOR BOARD OF INDIAN APPEALS

Helton Oil Co. v. Anadarko Area Director, Bureau of Indian Affairs

25 IBIA 225 (03/08/1994)



United States Department of the Interior

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

HELTON OIL COMPANY,	:	Order Accepting Settlement and
Appellant	:	Dismissing Appeal
	:	
v.	:	
	:	Docket No. IBIA 93-54-A
ANADARKO AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	March 8, 1994

Appellant Helton Oil Company sought review of a January 21, 1993, decision of the Anadarko Area Director, Bureau of Indian Affairs (Area Director; BIA), concerning appellant's use of an abandoned railroad bridge to gain access to approximately 35 acres in Pawnee Allotment 0610, which was leased to appellant under Oil and Gas Lease No. 14-20-0207-1818.

This matter has been stayed for settlement negotiations between the parties. On February 28, 1994, the Board received a joint motion from appellant and the Area Director, asking that the appeal be dismissed on the basis of the settlement reached. Because no copy of the settlement was included with the motion, the Board contacted counsel for the Area Director, and requested that a copy of the settlement be provided. Counsel stated that no formal settlement had been executed, but the parties agreed to settle the matter by the voluntary execution of a negotiated oil and gas lease between appellant and the owners of Pawnee Allotments 0610 and 0611. Counsel provided a copy of the lease, which shows that it was approved by the Pawnee Agency Superintendent, BIA, with the concurrence of the Acting Area Director. The materials submitted included copies of forms entitled "Acceptance of Lessor" signed by each of the individual owners known to the Board.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal from the Area Director's January 21, 1993, decision is dismissed on the basis of the settlement reached between the parties, including the beneficial owners.

//original signed
Kathryn A. Lynn
Chief Administrative Judge

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Anita Vogt
Administrative Judge