



INTERIOR BOARD OF INDIAN APPEALS

Three-H-Leasing Company v. Acting Muskogee Area Director,
Bureau of Indian Affairs

18 IBIA 298 (05/23/1990)



United States Department of the Interior

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

THREE-H-LEASING COMPANY,	:	Order Dismissing Appeal
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 90-26-A
ACTING MUSKOGEE AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	May 23, 1990

On November 13, 1989, the Board of Indian Appeals (Board) received a notice of appeal from the Three-H-Leasing Company (appellant). Appellant sought review of an October 13, 1989, decision of the Acting Muskogee Area Director, Bureau of Indian Affairs (appellee), concerning oil and/or gas Lease No. 69706, Contract No. 503-7760, Mary Walker Lasley, Creek 487. The lease covered the N 1/2 NE 1/4; SW 1/4 NE 1/4, sec. 14, T. 13 N., R. 15 E., Muskogee County, Oklahoma. Appellee's October 13, 1989, letter stated that the lease had expired by its own terms for lack of production in paying quantities.

After receipt of the administrative record, the case was docketed by order dated December 7, 1989. No briefs were filed. However, on February 12, 1990, the Board received an entry of appearance by counsel for Citizens National Bank & Trust Company of Muskogee (bank), which stated that the bank had not been informed of the pendency of the appeal, but was an interested party. The bank requested an extension of time for filing a brief. Furthermore, on February 13, 1990, the Board received a letter from appellant's president stating that he did not wish to continue this appeal.

By order dated February 13, 1990, the Board required the bank to show cause why the appeal should not be dismissed in accordance with appellant's request. The bank's response was due on or before March 20, 1990. No response has been received.

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 Acting Muskogee Area Director's October 13, 1989, decision is dismissed at the appellant's request.

//original signed
Kathryn A. Lynn
Chief Administrative Judge

//original signed
Anita Vogt
Administrative Judge