



INTERIOR BOARD OF INDIAN APPEALS

Needles Lodge v. Acting Phoenix Area Director, Bureau of Indian Affairs

31 IBIA 123 (09/04/1997)

Denying reconsideration of:

31 IBIA 108



# United States Department of the Interior

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

NEEDLES LODGE,  
Appellant

v.

ACTING PHOENIX AREA DIRECTOR,  
BUREAU OF INDIAN AFFAIRS,  
Appellee

: Order Denying Petition for  
: Reconsideration  
:  
:  
: Docket No. IBIA 97-140-A  
:  
:  
: September 4, 1997

Appellant Needles Lodge has petitioned for reconsideration of a decision issued by the Board of Indian Appeals on August 7, 1997. 31 IBIA 108. The case involves Appellant's right to occupy Lot 100 located at the Colony area of Lake Havasu, and charges of trespass against Appellant's members based on their presence on Lot 100.

Reconsideration of Board decisions is governed by 43 C.F.R. § 4.315(a) which states in pertinent part: "Reconsideration of a decision of the Board will be granted only in extraordinary circumstances."

Appellant alleges that the Board misconstrued its position and therefore failed to consider the issues actually raised. The Board understood Appellant's position, both as presented in the initial filings and in the Petition for Reconsideration, and considered its arguments in holding that the Acting Phoenix Area Director, Bureau of Indian Affairs, had not issued an appealable decision.

Disagreement with a Board decision does not constitute "extraordinary circumstances" justifying reconsideration.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, Appellant's Petition for Reconsideration is denied.

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//original signed  
Kathryn A. Lynn  
Chief Administrative Judge

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//original signed  
Anita Vogt  
Administrative Judge