



INTERIOR BOARD OF INDIAN APPEALS

State of Utah and Board of Trustees of the Utah Navajo Trust Fund
v. Navajo Area Director, Bureau of Indian Affairs

33 IBIA 317 (05/24/1999)



United States Department of the Interior

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

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| STATE OF UTAH and BOARD OF | : | Order Dismissing Appeal |
| DIRECTORS OF THE UTAH | : | |
| NAVAJO TRUST FUND, | : | |
| Appellants | : | |
| | : | Docket No. IBIA 97-62-A |
| v. | : | |
| | : | |
| NAVAJO AREA DIRECTOR, | : | |
| BUREAU OF INDIAN AFFAIRS, | : | |
| Appellee | : | May 24, 1999 |

This is an appeal from a November 25, 1996, decision of the Navajo Area Director, Bureau of Indian Affairs, concerning royalty sharing under certain minerals agreements between the Navajo Nation and Chuska Energy Co. The Area Director's decision was issued following the decision of the United States Court of Appeals for the Tenth Circuit in Utah v. Babbitt, 53 F.3d 1145 (10th Cir. 1995).

Proceedings have been stayed since December 31, 1996, because of the pendency of related litigation in the Federal courts.

On April 26, 1999, the Board received notice from Appellants that this appeal is moot.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, this appeal is dismissed as moot.

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Anita Vogt
Administrative Judge

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Kathryn A. Lynn
Chief Administrative Judge