



INTERIOR BOARD OF INDIAN APPEALS

Bluestem Oil and Gas, Inc. v. Acting Muskogee Area Director,  
Bureau of Indian Affairs

34 IBIA 147 (10/27/1999)



# United States Department of the Interior

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

BLUESTEM OIL AND GAS, INC.,	:	Order Docketing and Dismissing
Appellant	:	Appeal
	:	
	:	
v.	:	
	:	Docket No. IBIA 99-98-A
ACTING MUSKOGEE AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	October 27, 1999

This is an appeal from a July 26, 1999, decision of the Acting Muskogee Area Director, Bureau of Indian Affairs (Area Director; BIA), finding that Oil and Gas Lease 503-8306, Thlopthlocco Tribal Town, had expired for failure to produce oil and gas in paying quantities.

Appellant stated in its notice of appeal that its failure to produce gas since December 1997 was caused by a flood which washed out the gas line; that it has been working since that time to re-connect the line; and that it has been working with the Thlopthlocco Tribal Town in this regard.

Neither the Area Director's decision nor the administrative record showed that BIA took any of this information into consideration or that it was even aware of Appellant's attempts to re-connect the line. Therefore, all parties were given until October 18, 1999, to file recommendations as to whether this case should be remanded to the Area Director in order to allow him to take Appellant's statements into consideration.

Only the Area Director responded to the Board's invitation. He states that he has no objection to a remand of this matter.

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 docketed but is remanded to the Area Director for further consideration.

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Anita Vogt  
Administrative Judge

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//original signed  
Kathryn A. Lynn  
Chief Administrative Judge