



INTERIOR BOARD OF INDIAN APPEALS

BASF Catalysts, LLC v. Navajo Regional Director, Bureau of Indian Affairs

47 IBIA 121 (07/03/2008)



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
801 NORTH QUINCY STREET  
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ARLINGTON, VA 22203

BASF CATALYSTS, LLC,	)	Order Dismissing Appeal
Appellant,	)	
	)	
v.	)	Docket No. IBIA 08-34-A
	)	
NAVAJO REGIONAL DIRECTOR,	)	
BUREAU OF INDIAN AFFAIRS,	)	
Appellee.	)	July 3, 2008

Appellant BASF Catalysts, LLC, appealed to the Board of Indian Appeals (Board) from a cease and desist order (Order) issued on November 16, 2007, by the Navajo Regional Director (Regional Director), Bureau of Indian Affairs. The Order, which reiterated an earlier cease and desist order, addressed the use of a road between Sanders and Allentown, Arizona. This road crosses 18 Indian trust allotments as well as trust lands held by the United States on behalf of the Navajo Nation.

After the Board received the administrative record and established a briefing schedule, the parties requested a stay of proceedings to explore the possible settlement of this dispute. On March 4, 2008, the Board of Indian Appeals (Board) vacated the briefing schedule and stayed these appeal proceedings. On June 27, 2008, the Board received from Appellant a petition for dismissal of appeal to which a settlement agreement between Appellant and the Regional Director is attached. Appellant requests that its appeal be dismissed.

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

I concur:

          // original signed            
Debora G. Luther  
Administrative Judge

          // original signed            
Steven K. Linscheid  
Chief Administrative Judge