



INTERIOR BOARD OF INDIAN APPEALS

San Carlos Apache Tribe v. Western Regional Director, Bureau of Indian Affairs

50 IBIA 97 (07/30/2009)



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
801 NORTH QUINCY STREET  
SUITE 300  
ARLINGTON, VA 22203

SAN CARLOS APACHE TRIBE,	)	Order Dismissing Appeal
Appellant,	)	
	)	
v.	)	
	)	Docket No. IBIA 08-65-A
WESTERN REGIONAL DIRECTOR,	)	
BUREAU OF INDIAN AFFAIRS,	)	
Appellee.	)	July 30, 2009

The San Carlos Apache Tribe (Tribe) appealed to the Board of Indian Appeals (Board) from a February 19, 2008, decision of the Western Regional Director, Bureau of Indian Affairs (Regional Director), in which he disapproved the Tribe’s request for \$383,759 in administration costs for the Tribe’s long-term Economic Development Project proposal titled “Mescal Mountain Materials Expansion Project.” The Regional Director determined that the Tribe’s request did not meet certain legal requirements set forth in the San Carlos Apache Water Rights Settlement Act, Pub. L. No. 102-575, and the associated regulations at 25 C.F.R. Part 183.

On July 23, 2009, the Board received a notice from the Tribe, through counsel, that the matter has been settled and the parties jointly request dismissal with prejudice.

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