



INTERIOR BOARD OF INDIAN APPEALS

Forty-Two Navajo Landowners v. Navajo Regional Director, Bureau of Indian Affairs

58 IBIA 234 (04/02/2014)



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

FORTY-TWO NAVAJO)	Order Dismissing Appeals
LANDOWNERS,)	
Appellants,)	
)	
v.)	Docket Nos. IBIA 13-020
)	13-049
NAVAJO REGIONAL DIRECTOR,)	
BUREAU OF INDIAN AFFAIRS,)	
Appellee.)	April 2, 2014

Forty-two Navajo individuals (Appellants) jointly appealed to the Board of Indian Appeals (Board) from decisions by the Navajo Regional Director, Bureau of Indian Affairs, dated August 20, 2012 (Docket No. IBIA 13-020), and November 30, 2011, and December 23, 2011 (Docket No. 13-049).¹ The decisions renewed, until April 7, 2030, a right-of-way for Public Service Company of New Mexico to continue to operate and maintain an existing electric transmission line, referred to as the “115 kV – AY Transmission Line – Ambrosia Lake to Gallup NM.” Appellants claim an ownership interest in one or more Navajo allotments that are subject to the right-of-way.

On March 28, 2014, the Board received from Appellants a motion to dismiss the appeals with prejudice.

¹ Appellants are Delores T. Cadman, Lorraine J. Barboan, Christine G. Begay, Della M. Billie, Laura H. Chaco, Glen C. Charleston, Glenda G. Charleston, Vern Charleston, Jennifer Charley, Johnny W. Charley, Calvin Charley, Marie T. Charley, Maria L. Charley, Mary B. Charley, Melvin L. Charley, Shirley Y. Charley, Etta B. Cleveland, Jones Dehiya, Jimmie Gray, Bob Grey, Thompson Grey, Edmund J. Henry, Jr., Benjamin A. House, Dorothy W. House, Mary Rose House, Charley Johnson, Julia Y. Johnson, Fannie M. King, Larry J. King, Barbara J. Largo, Nelson Largo, Sr., Harrison Livingston, Sarah Livingston, Flora P. Martin, Ada D. Morgan, Annie H. Sorrell, Irene Willie, James Willie, Leonard Willie, Genevieve R. Yazzie, Janice Y. Yazzie, and Lola Yazzie.

Appellants originally included Edith Livingston, and the case initially was captioned “Forty-Three Navajo Landowners” to refer to Appellants. Counsel for Appellants subsequently informed the Board that Livingston did not assert ownership in any of the allotments subject to the right-of-way grants, and should not be included as an appellant.

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 these appeals.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

//original signed
Thomas A. Blaser
Administrative Judge