



INTERIOR BOARD OF INDIAN APPEALS

Rosa Murl Mitchell v. Acting Eastern Oklahoma Regional Director,
Bureau of Indian Affairs

60 IBIA 15 (02/04/2015)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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ROSA MURL MITCHELL,)	Order Vacating Decision and
Appellant,)	Remanding
)	
v.)	
)	Docket No. IBIA 15-026
ACTING EASTERN OKLAHOMA)	
REGIONAL DIRECTOR, BUREAU)	
OF INDIAN AFFAIRS,)	
Appellee.)	February 4, 2015

Rosa Murl Mitchell (Appellant) appealed to the Board of Indian Appeals (Board) from a September 17, 2014, decision (Decision) by the Acting Eastern Oklahoma Regional Director (Regional Director), Bureau of Indian Affairs (BIA). The Regional Director affirmed a June 23, 2014, decision by the Acting Superintendent of BIA’s Osage Agency (Superintendent), designating the route of ingress and egress for the proposed #8-32B well on Lease Contract No. 14-20 G06-22503 between the Osage Nation and Chaparral Energy, L.L.C. (Chaparral), in Osage County, Oklahoma.

On February 2, 2015, the Board received from the Regional Director a motion to remand the matter for additional consideration and issuance of a new decision. Also on February 2, 2015, the Board received from Appellant and Chaparral a Joint Stipulation of Dismissal, in which the two agree, among other things, that the Superintendent’s decision shall be deemed vacated.

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 vacates the Decision and the underlying Superintendent’s decision, consistent with the Regional Director’s motion and the Joint Stipulation, and remands the matter to the Regional Director for further proceedings, as appropriate.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

//original signed
Thomas A. Blaser
Administrative Judge