

INDIAN AFFAIRS DIRECTIVES TRANSMITTAL SHEET

(modified DI-416)

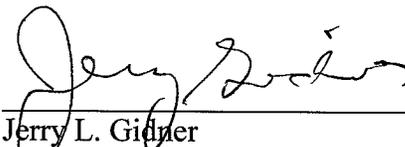
DOCUMENT IDENTIFICATION NUMBER 76 IAM 22	SUBJECT Using Appraised Values received from OME	RELEASE NUMBER #10-07
FOR FURTHER INFORMATION Indian Land Consolidation Center, BIA		DATE FEB 27 2010

EXPLANATION OF MATERIAL TRANSMITTED:

The purpose of this policy is to clarify that the Indian Land Consolidation Center will use a minerals evaluation report received from the Office of Minerals Evaluation (OME) to calculate the Fair Market Value of a fractionated ownership interest for a mineral tract until such time that OME provides a new or updated minerals evaluation for the tract. This policy shall be used for the purpose of purchasing fractionated land interest(s) in trust or restricted tracts by the Indian Land Consolation Program (ILCP).

This policy is effective immediately and remains effective until rescinded, superseded or rescinded.

Please direct any questions to the Indian Land Consolidation Center at (715) 682-0310.



Jerry L. Gidner
Director, Bureau of Indian Affairs

FILING INSTRUCTIONS:

Remove: None

Insert: 76 IAM 22 (New)

INDIAN AFFAIRS MANUAL

- 1.1 Purpose.** The purpose of this policy is to clarify that the Indian Land Consolidation Center will use a minerals evaluation report received from the Office of Minerals Evaluation (OME) to calculate the Fair Market Value of a fractionated ownership interest for a mineral tract until such time that OME provides a new or updated minerals evaluation for the tract. This policy shall be used for the purpose of purchasing fractionated land interest(s) in trust or restricted tracts by the Indian Land Consolidation Program (ILCP).
- 1.2 Scope.** This policy applies to all Bureau of Indian Affairs (BIA) offices in the regions where the ILCP will be acquiring or has acquired fractional land interests.
- 1.3 Policy.** This policy is intended to state the procedure used for maintaining a fair market value for fractionated trust and restricted mineral tracts. The ILCP intends to consult with OME on an annual basis relative to the validity of the minerals evaluation used by the ILCP in reaching a value for the fractionated interests on a mineral tract. If the OME Chief advises that the market has changed since the date of the last evaluation, the ILCP will request a new evaluation be performed, if however no discernible change is found in the minerals market, than the ILCP will request a memo from the Chief stating that market conditions have remained unchanged and the evaluation provided previously remains valid. It is the intention of the ILCP to use a mineral evaluation received from OME until such time that OME provides a new or updated evaluation or is notified by OME that an the area covered by an evaluation has changed significantly and the evaluation should no longer be used.
- 1.4 Authority.**

 - A. The American Indian Probate Reform Act** of October 27, 2004, P. L. 108-374 (118 Stat. 1773).
 - B. The Indian Land Consolidation Act** of November 7, 2000, as amended P.L. 106-462, (114 Stat. 1991).
- 1.5 Responsibilities.**

 - A. Director, Bureau of Indian Affairs (BIA)** is responsible for the development of National Policy affecting Indian lands.
 - B. Director, Indian Land Consolidation Center** is responsible for coordinating the Bureau's nationwide program to consolidate fractionated interests in Indian lands pursuant to statutory requirements.
 - C. Deputy Director, Field Operations, BIA** is responsible for overseeing the Regional Directors and disseminating policy to them.
 - D. Deputy Director, Trust Services, BIA** is responsible for assisting in the dissemination of trust resource policy and information to the Regional Directors.
 - E. Regional Directors, BIA** are responsible for carrying out policy as directed, and for overseeing the implementation of policy either directly or via Agency Superintendents.