ATTACHMENTS

for

Fog River

FINAL

INTERIM SUMMARY REPORT

Prepared by Rolfe G. Buzzell, Historian II
and Bryan Taylor, Historian I

BLM/State Assistance Agreement Program
Phase II-B Submission

Office of History and Archaeology
Department of Natural Resources
State of Alaska

August 27, 2013

Office of History and Archaeology Navigable Waters Research Report No. 26

OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

Fog River System
Interim Summary Report
Attachment 1

TO :Files

DATE: 12/17/75

FROM :Realty Specialist

In reply refer to:
2650.58 (932)
F-14949-A

SUBJECT:ETF navigable water determination on Tuluksak selection.

The ETF met on November 13, 1975, to consider easements and navigable waters for Tuluksak.

The following water bodies were considered navigable by reason of Travel, Trade and Commerce.

Kuskokwim River
Tuluksak River - Upstream from its confluence with the Kuskokwim to the barge landing site in sec. 32, T.12N., R.64W., S.M.

The following water bodies are subject to tidal influence.

Mishevik Slough

The following water bodies were considered and found to be <u>not</u> navigable by reason of Travel, Trade and Commerce.

Gweek River - Also not tidal

Patrick O'Berkley

5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ADP2
3/12/76

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

IN REPLY REFER TO

F-14949-A (2651)
F-14949-EE (75.4)
(963)

Fog River System
Interim Summary Report
Attachment 2

JUN 09 1981

Memorandum

To: Chief, Division of ANCSA Operations (960)

From: SD

Subject: Final Easements for the Village of Tuluksak

Following are the final easement, major waterway, and navigability recommendations for lands selected by Tuluksak, Incorporated (village of Tuluksak). Of those recommendations my decision is as follows:

MAJOR WATERWAYS:

The Kuskokwim, Gweek and Tuluksak Rivers were determined to be major.

The Kuskokwim, Gweek, and Tuluksak Rivers provide access to public lands; the Kuskokwim also provides access between communities.

NAVIGABILITY:

The following waters are determined to be navigable due to present and historic uses in connection with travel in trade and commerce:

Kuskokwim River through the selection;

Gweek River from where it flows from and back into the Kuskokwim River;

Tuluksak River from its confluence with the Kuskokwim River upstream to the barge landing in Sec. 32, T. 12 N., R. 64 W., Seward Meridan;

Mishevik Slough in its entirety;

An unnamed slough and lake system from where it flows from the Tuluksak River in Sec. 36, T. 12 N., R. 65 W., downstream to its confluence with Mishevik Slough in Sec. 32, T. 12 N., R. 65 W., Seward Meridian;

An unnamed slough from its confluence with Mishevik Slough in Sec. 22, upstream and including an unnamed lake in Sec. 26, T. 11 N., R. 66 W., Seward Meridian;

An unnamed slough which joins the Kuskokwim River in Sec. 20 and also joins the Mishevik Slough in Sec. 21, T. 11 N., R. 66 W., Seward Meridian.

Little Bogus Creek from its confluence with the Tuluksak River upstream, including Yukaniluk Creek, and into the SW¼NW¼, Sec. 35, T. 13 N., R. 64 W., Seward Meridian;

Bogus Creek through the selection; and

An unnamed slough from its confluence with an unnamed slough of the Kuskokwim River in Sec. 15 upstream and including an unnamed lake in Secs. 5, 6, 7, and 8, T. 12 N., R. 66 W., Seward Meridian.

All other named and unnamed water bodies within the lands to be conveyed were reviewed. Based on existing evidence they were determined to be nonnavigable.

ALLOWABLE USES:

All easements are subject to applicable Federal, State or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

26 Foot Road - The uses allowed on a twenty-six (26) foot wide road easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, small and large all-terrain vehicles, track vehicles, four-wheel drive vehicles, automobiles, and trucks.

One Acre Site - The uses allowed on a site easement are: vehicle parking (e.g., aircraft, boats, ATV's, snow-mobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

EASEMENTS TO BE RESERVED:

a. (EIN 4 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 12 N., R. 66 W., Seward Meridian, on the right bank of the Kuskokwim River. The uses allowed are those listed above for a one (1) acre site easement.

Discussion:
Reservation of this easement is necessary to accomodate public use of the Kuskokwim River. At the site, space will be provided for overnight camping, boat moorage, and floatplane tie-up.

b. (EIN 5 C4, D1) An easement for a proposed access trail twenty-five (25) feet in width from the Tuluksak Airport in Sec. 27., T. 12 N., R. 66 W., Seward Meridian easterly to the Tuluksak River barge landing, and public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.

Discussion:
This proposed trail runs from the Tuluksak Airport to the public lands and resources via the Tuluksak barge landing. The river has been used for many years for transportation and barge traffic. This trail is needed to provide a land route for travel for commerce and access to the public lands.

c. (EIN 13 C4) An easement for an existing access road twenty-six (26) feet in width in Sec. 27, T. 12 N., R. 66 W., Seward Meridian from the easterly boundary of U.S. Survey 875 southeasterly to the westerly boundary of lot 2 of proposed U.S. Survey 4435, a distance of approximately three hundred (300) feet. The uses allowed are those listed above for a twenty-six (26) foot road.

Discussion:
Reservation of this easement is necessary to provide access from the Tuluksak Airport to the National Guard Armory. When the easement becomes unnecessary, after the townsite boundary is established and public roads and streets are dedicated, the easement will be relinquished.

The following easements were considered but were not recommended:

a. (EIN 4a C4) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 4 C4, D9 in Sec. 2, T. 12 N., R. 66 W., Seward Meridian, northwesterly to isolated public lands.

Discussion:
Reservation of this easement is not necessary because adequate access to public land is available via the Gweek River.

b. (EIN 7 K) A streamside easement twenty-five (25) feet in width on both banks of the navigable Tuluksak River from the confluence of the Tuluksak and Kuskokwim Rivers to the barge landing.

Discussion:
This easement does not meet the requirements of the easement regulations published November 27, 1978.

c. (EIN 9 C4) A streamside easement twenty-five (25) feet in width on both banks of the navigable Kuskokwim River within the village selection boundary.

Discussion:
This easement does not meet the requirements of the easement regulations published November 27, 1978.

d. (EIN 10 C) An easement for the transportation of energy, fuel, and natural resources which are the property of the United States or which are intended for delivery to the United States.

Discussion:
This easement does not meet the requirements of the easement regulations published November 27, 1978.

e. (EIN 11 C) The right of the United States to enter upon lands herein granted for cadastral, geodetic, or other survey purposes is reserved together with the right to do all things necessary in connection therewith.

Discussion:
This easement does not meet the requirements of the easement regulations published November 27, 1978.

f. (EIN 12a E) A one (1) acre site easement in Sec. 32, T. 12 N., R. 66 W., Seward Meridian, on the right bank of the Kuskokwim River.

Discussion:
This site was determined unnecessary. Public needs can be met by site EIN 4 D9 C4 located in Sec. 2, T. 12 N., R. 66 W., Seward Meridian.

g. (EIN 12b E) An easement for a proposed access trail twenty-five (25) feet in width from the site easement in Sec. 32, T. 12 N., R. 66 W., Seward Meridian, northwesterly to Sec. 14, T. 12 N., R. 67 W., Seward Meridian.

Discussion:
Reservation of this easement is not necessary because adequate access to public land is available via the Gweek River.

Fog River System
Interim Summary Report
Attachment 3

F-14949-A (Anch.) (2651)
F-14949-A2 (Anch.) (2651)
F-14949-EE (Anch.) (75.4)
AA-12890 (2620)
(961)

MAR 03 1982

pkc 2/24/82
2/24/82 ft

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

State of Alaska Department of Natural Resources Division of Research and Development Pouch 7-005 Anchorage, Alaska 99510	:	AA-12890 State Selection
Tulkisarmute Incorporated Tuluksak, Alaska 99679	:	F-14949-A and F-14949-A2 Village Selections
Calista Corporation 516 Denali Street Anchorage, Alaska 99501	:	

Section 12(b) Application Rejected in Part
State Selection Application Rejected in Part
Lands Proper for Village Selection
Approved for Interim Conveyance

On November 20, 1974, Tulkisarmute Incorporated, for the Native village of Tuluksak, filed selection application F-14949-A under the provisions of Sec. 12 of the Alaska Native Claims Settlement Act (ANCSA) of December 18,1971 (43 U.S.C. 1601, 1611 (1976)), as amended, for the surface estate of certain lands in the vicinity of Tuluksak.

On December 11, 1975, Tulkisarmute Incorporated, filed selection application F-14949-A2 pursuant to Sec. 12(b) of ANCSA, for certain lands previously selected pursuant to Sec. 12(a) with the statement that its Sec. 12(a) selections override the Sec. 12(b) selections. Therefore, application F-14949-A2 is hereby rejected as to the lands herein approved for conveyance.

On April 1, 1977, the State of Alaska filed general purposes grant selection application AA-12890, as amended, pursuant to Sec. 6(b) of the Alaska Statehood Act of July 7, 1958 (48 U.S.C. Ch. 2, Sec. 6(b)), for certain lands in the Tuluksak area.

Section 6(b) of the Alaska Statehood Act of July 7, 1958, provides that the State may select vacant, unappropriated and unreserved public lands in Alaska. Lands described in the above-referenced State selection were properly selected by Tulkisarmute Incorporated. Therefore, as the lands were not available to the State of Alaska, State selection application AA-12890 is hereby rejected as to the lands approved for conveyance in this decision.

Further action will be taken on the State selection as to the remaining lands at a later date.

As to the lands described below, the application, as amended, is properly filed and meets the requirements of the Alaska Native Claims Settlement Act and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface estate of the following described lands, selected pursuant to Sec. 12(a) of ANCSA, aggregating approximately 79,388 acres, is considered proper for acquisition by Tulkisarmute Incorporated, and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA:

Seward Meridian, Alaska (Unsurveyed)

T. 13 N., R. 64 W.
Secs. 2 and 3;
Sec. 4, excluding Native allotment F-13075;
Sec. 5;
Sec. 8;
Sec. 9, excluding Native allotment F-13075;
Secs. 10 and 11;
Sec. 14;
Sec. 15, excluding Native allotment F-18420 Parcel B;
Secs. 16 and 17;
Secs. 18 and 19, excluding Native allotment F-17036;
Sec. 20;
Secs. 21 and 22, excluding Native allotment F-031214;
Sec. 23;
Sec. 27, excluding Native allotment F-031214;
Sec. 28, excluding Native allotments F-031214 and F-033646;
Secs. 29 to 33, inclusive.

Containing approximately 11,943 acres.

T. 14 N., R. 64 W.
Secs. 20 to 24, inclusive;
Secs. 26, 27, and 28;
Sec. 29, excluding Native allotments F-17371 and F-17365;
Sec. 32, excluding Native allotments F-17365, F-17545, and F-17371;
Secs. 33, 34, and 35.

Containing approximately 5,680 acres.

T. 11 N., R. 65 W.
Sec. 2, excluding Native allotment F-17037;
Secs. 3 to 8, inclusive.

Containing approximately 3,796 acres.

T. 12 N., R. 65 W.
Secs. 4 to 9, inclusive;
Secs. 15 to 19, inclusive;
Sec. 20, excluding Native allotments F-033629 and F-15041;
Sec. 21, excluding Native allotment F-15041;
Sec. 22;
Sec. 27;
Sec. 28, excluding Native allotment F-15041;
Sec. 29, excluding Native allotments F-15041 and F-17042;
Secs. 30 and 31;
Sec. 32, excluding Native allotment F-17042;
Secs. 33 and 34.

Containing approximately 11,988 acres.

T. 13 N., R. 65 W.
Sec. 13, excluding Native allotment F-17036;
Sec. 19;
Sec. 24, excluding Native allotment F-17036;
Secs. 25 to 36, inclusive.

Containing approximately 8,277 acres.

T. 11 N., R. 66 W.
Secs. 1 and 2;
Sec. 3, excluding Native allotments F-17373, F-17034, and F-17370;
Sec. 4, excluding Native allotments F-17034, F-17370, F-033643, F-17368, and F-025285;
Sec. 5, excluding Native allotments F-033643, F-17368, and F-025285;
Secs. 6 and 7, excluding Native allotment F-17035;

Sec. 8, excluding Native allotments F-17368 and F-033642;
Sec. 9, excluding Native allotment F-17368;
Secs. 10 to 14, inclusive;
Sec. 15, excluding Native allotments F-033630 and F-033631;
Secs. 16 to 19, inclusive;
Sec. 20, excluding Native allotment F-033634;
Sec. 21;
Sec. 22, excluding Native allotments F-033630, F-033631, and F-17367;
Secs. 23 and 26, excluding Native allotment F-17369;
Secs. 27 to 34, inclusive.

Containing approximately 14,918 acres.

6 T. 12 N., R. 66 W.
Secs. 1, 2, and 3;
Sec. 4, excluding Native allotment F-17363 Parcel A;
Sec. 5;
Sec. 6, excluding Native allotment F-17362;
Sec. 7;
Sec. 8, excluding Native allotment F-17364 Parcel B;
Sec. 9, excluding Native allotment F-17363 Parcel A;
Secs. 10 to 25, inclusive;
Sec. 26, excluding Native allotments F-11981 Parcel A, F-17039, Alaska Native Claims Settlement Act Sec. 3(e) application AA-40710 (F-033652 - PLO 4091);
Sec. 27, excluding U.S. Survey No. 875, lots 1 and 4 of U.S. Survey No. 3797, PLO 2020, Alaska Native Claims Settlement Act Sec. 3(e) application AA-40710 (F-033652 - PLO 4091), and Native allotment F-17039;
Sec. 28, excluding Native allotment F-17366;
Secs. 29 and 30;
Sec. 31, excluding Native allotment F-033626;
Sec. 32, excluding U.S. Survey No. 4205 and Native allotment F-025285;
Sec. 33, excluding lots 1 and 2 of U.S. Survey No. 3797, Native allotments F-17363 Parcel B, F-17373, F-17034, F-17370, F-033643, F-11981 Parcel B, and F-025285;
Sec. 34, excluding lots 1 and 3 of U.S. Survey No. 3797, Native allotments F-17363 Parcel B, F-17373, and F-17034;
Sec. 35, excluding Native allotment F-11981 Parcel A;
Sec. 36.

Containing approximately 16,106 acres.

6 T. 11 N., R. 67 W.
Sec. 1, excluding Native allotments F-17040 and F-17035;
Sec. 12, excluding Native allotment F-17035;
Sec. 13;
Secs. 24 and 25;
Sec. 36.

Containing approximately 2,880 acres.

T. 12 N., R. 67 W.
Sec. 1, excluding Native allotment F-17362;
Secs. 12 and 13;
Secs. 24 and 25;
Sec. 36.

Containing approximately 3,800 acres.

Aggregating approximately 79,388 acres.

Excluded from the above-described lands herein conveyed are the submerged lands, up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection with travel, trade and commerce. Those water bodies are identified on the attached navigability maps, the original of which will be found in easement case file F-14949-EE.

All other water bodies not depicted as navigable on the attached maps within the lands to be conveyed were reviewed. Based on existing evidence, they were determined to be nonnavigable.

The lands excluded in the above description are not being approved for conveyance at this time and have been excluded for one or more of the following reasons: Lands are no longer under Federal jurisdiction; lands are under applications pending further adjudication; lands are pending a determination under Sec. 3(e) of ANCSA, or lands were previously rejected by decision. Lands within U.S. Surveys which are excluded are described separately in this decision if they are available for conveyance. These exclusions do not constitute a rejection of the selection application, unless specifically so stated.

The conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(f)); and

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)), the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14949-EE, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

26 Foot Road - The uses allowed on a twenty-six (26) foot wide road easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, small and large all-terrain vehicles, track vehicles, four-wheel drive vehicles, automobiles, and trucks.

One Acre Site - The uses allowed on a site easement are: vehicle parking (e.g., aircraft, boats, ATV's, snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

a. (EIN 4 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 12 N., R. 66 W., Seward Meridian, on the right bank of the Kuskokwim River. The uses allowed are those listed above for a one (1) acre site easement.

b. (EIN 5 C4, D1) An easement for a proposed access trail twenty-five (25) feet in width from the Tuluksak Airport in Sec. 27, T. 12 N., R. 66 W., Seward Meridian easterly to the Tuluksak River barge landing, and public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.

c. (EIN 13 C4) An easement for an existing access road twenty-six (26) feet in width in Sec. 27, T. 12 N., R. 66 W., Seward Meridian from the easterly boundary of U.S. Survey No. 875 south-easterly to the westerly boundary of lot 2 of proposed U.S.Survey No. 4435, a distance of approximately three hundred (300) feet. The uses allowed are those listed above for a twenty-six (26) foot road.

The grant of the above-described lands shall be subject to:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted;

2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act (ANCSA) of December 18, 1971 (43 U.S.C. 1601, 1616(b)(2)), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(c)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

Tulkisarmute Incorporated is entitled to conveyance of 92,160 acres of land selected pursuant to Sec. 12(a) of ANCSA. Together with the lands herein approved, the total acreage conveyed or approved for conveyance is approximately 79,388 acres. The remaining entitlement of approximately 12,772 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of ANCSA, conveyance of the subsurface estate of the lands described above shall be issued to Calista Corporation when the surface estate is conveyed to Tulkisarmute Incorporated, and shall be subject to the same conditions as the surface conveyance.

Enclosed are copies of current status plats showing the lands approved for conveyance and maps showing the navigable water bodies and easements to be reserved.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the Federal Register and once a week, for four (4) consecutive weeks, in The Tundra Drums.

Any party claiming property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Alaska Native Claims Appeal Board, provided, however, pursuant to Public Law 96-487, this decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies.

Appeals should be filed with the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510, with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513, and the Regional

Solicitor, Office of the Solicitor, 510 L Street, Suite 100, Anchorage, Alaska 99501. The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until APR 05 1982 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. (See enclosed AK Form 2650-4.)

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

State of Alaska
Department of Natural Resources
Division of Research and Development
Pouch 7-005
Anchorage, Alaska 99510

Tulkisarmute Incorporated
Tuluksak, Alaska 99679

Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

/s/ Sandra C. Thomas
Acting Chief, Branch of
ANCSA Adjudication

Enclosures:
AK Form 2650-4
43 CFR Part 4, Subpart J
Maps
Plats
Legend

cc:

Area Director
U.S. Fish and Wildlife Service
Division of Realty
1011 East Tudor Road
Anchorage, Alaska 99503
(w/maps and legend)

Mr. Earle Williams (flp)
17th Coast Guard District
P.O. Box 3-5000
Juneau, Alaska 99802
(w/maps and legend)

U.S. Department of the Interior
Bureau of Indian Affairs
Juneau Area Office
P.O. Box 3-8000
Juneau, Alaska 99802
(w/maps and legend)

Mr. Patrick P. Ryan, Deputy Commissioner (CM-RRR)
Maintenance and Operations
Department of Transportation
and Public Facilities
Pouch 6900
Anchorage, Alaska 99502
(w/maps and legend)

Mr. Gary Gustafson (CM-RRR)
Land Exchange/Entitlement Unit
State of Alaska
Department of Natural Resources
Division of Research and Development
Pouch 7-005
Anchorage, Alaska 99510
(w/maps, legend and plats)

Mr. James Sandberg (CM-RRR)
Right-of-Way Agent
State of Alaska
Department of Transportation and
Public Facilities
Pouch 6900
Anchorage, Alaska 99502
(w/maps and legend)

Mr. Robert W. Ward, Commissioner
Department of Transportation
and Public Facilities
Pouch Z
Juneau, Alaska 99811
(w/maps and legend)

Alaska Legal Services Corporation
615 H Street, Suite 100
Anchorage, Alaska 99501
(w/maps and legend)

Mr. John Moses
Alaska Native Foundation
411 West Fourth Avenue, Suite 314
Anchorage, Alaska 99501
(w/maps and legend)

Gallagher, Cranston and Snow
310 K Street, Suite 706
Anchorage, Alaska 99501

U.S. Department of the Interior
Alaska Native Claims Appeal Board
P.O. Box 2433
Anchorage, Alaska 99510

Bureau of Land Management
Box 666
Bethel, Alaska 99559
(w/maps)

Mr. Jim Duffy
Association of Village Council Presidents
Box 767
Bethel, Alaska 99559

DM-A (010)
(w/maps)

AM-M (018)
(w/maps)

Chief, Branch of Office Engineering (922)

Chief, Branch of Lands (941)

Chief, State Adjudication (964)

Chief, Branch of Easement Identification (963)

Fire Management (970)
Attn: J. Costello

AA-40710 (2300.5)

F-033652 (2800)

961:PUnderwood:cea:07/28/81
2CMBLM*C cea:08/08/81
eaj:02/09/82
slt:02/23/82

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ALASKA

4310-84

pku 2/24/82
2/24/82 pt

Notice for Publication

F-14949-A

Alaska Native Claims Selection

On November 20, 1974, Tulkisarmute Incorporated, for the Native village of Tuluksak, filed selection application F-14949-A under the provisions of Sec. 12 of the Alaska Native Claims Settlement Act (ANCSA) of December 18, 1971 (43 U.S.C. 1601, 1611 (1976)), as amended, for the surface estate of certain lands in the vicinity of Tuluksak.

As to the lands described below, the application, as amended, is properly filed and meets the requirements of the Alaska Native Claims Settlement Act and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface estate of the following described lands, selected pursuant to Sec. 12(a) of ANCSA, aggregating approximately 79,388 acres, is considered proper for acquisition

by Tulkisarmute Incorporated, and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA:

Seward Meridian, Alaska (Unsurveyed)

T. 13 N., R. 64 W.
Secs. 2 and 3;
Sec. 4, excluding Native allotment F-13075;
Sec. 5;
Sec. 8;
Sec. 9, excluding Native allotment F-13075;
Secs. 10 and 11;
Sec. 14;
Sec. 15, excluding Native allotment F-18420 Parcel B;
Secs. 16 and 17;
Secs. 18 and 19, excluding Native allotment F-17036;
Sec. 20;
Secs. 21 and 22, excluding Native allotment F-031214;
Sec. 23;
Sec. 27, excluding Native allotment F-031214;
Sec. 28, excluding Native allotments F-031214 and F-033646;
Secs. 29 to 33, inclusive.

Containing approximately 11,943 acres.

T. 14 N., R. 64 W.
Secs. 20 to 24, inclusive;
Secs. 26, 27, and 28;
Sec. 29, excluding Native allotments F-17371 and F-17365;
Sec. 32, excluding Native allotments F-17365, F-17545, and F-17371;
Secs. 33, 34, and 35.

Containing approximately 5,680 acres.

T. 11 N., R. 65 W.
Sec. 2, excluding Native allotment F-17037;
Secs. 3 to 8, inclusive.

Containing approximately 3,796 acres.

T. 12 N., R. 65 W.
Secs. 4 to 9, inclusive;
Secs. 15 to 19, inclusive;
Sec. 20, excluding Native allotments F-033629 and F-15041;
Sec. 21, excluding Native allotment F-15041;
Sec. 22;

Sec. 27;
Sec. 28, excluding Native allotment F-15041;
Sec. 29, excluding Native allotments F-15041 and F-17042;
Secs. 30 and 31;
Sec. 32, excluding Native allotment F-17042;
Secs. 33 and 34.

Containing approximately 11,988 acres.

T. 13 N., R. 65 W.
Sec. 13, excluding Native allotment F-17036;
Sec. 19;
Sec. 24, excluding Native allotment F-17036;
Secs. 25 to 36, inclusive.

Containing approximately 8,277 acres.

T. 11 N., R. 66 W.
Secs. 1 and 2;
Sec. 3, excluding Native allotments F-17373, F-17034, and F-17370;
Sec. 4, excluding Native allotments F-17034, F-17370, F-033643, F-17368, and F-025285;
Sec. 5, excluding Native allotments F-033643, F-17368, and F-025285;
Secs. 6 and 7, excluding Native allotment F-17035;
Sec. 8, excluding Native allotments F-17368 and F-033642;
Sec. 9, excluding Native allotment F-17368;
Secs. 10 to 14, inclusive;
Sec. 15, excluding Native allotments F-033630 and F-033631;
Secs. 16 to 19, inclusive;
Sec. 20, excluding Native allotment F-033634;
Sec. 21;
Sec. 22, excluding Native allotments F-033630, F-033631, and F-17367;
Secs. 23 and 26, excluding Native allotment F-17369;
Secs. 27 to 34, inclusive.

Containing approximately 14,918 acres.

T. 12 N., R. 66 W.
Secs. 1, 2, and 3;
Sec. 4, excluding Native allotment F-17363 Parcel A;
Sec. 5;
Sec. 6, excluding Native allotment F-17362;
Sec. 7;
Sec. 8, excluding Native allotment F-17364 Parcel B;
Sec. 9, excluding Native allotment F-17363 Parcel A;
Secs. 10 to 25, inclusive;

Sec. 26, excluding Native allotments F-11981 Parcel A, F-17039, Alaska Native Claims Settlement Act Sec. 3(e) application AA-40710 (F-033652 - PLO 4091);
Sec. 27, excluding U.S. Survey No. 875, lots 1 and 4 of U.S. Survey No. 3797, PLO 2020, Alaska Native Claims Settlement Act Sec. 3(e) application AA-40710 (F-033652 - PLO 4091), and Native allotment F-17039;
Sec. 28, excluding Native allotment F-17366;
Secs. 29 and 30;
Sec. 31, excluding Native allotment F-033626;
Sec. 32, excluding U.S. Survey No. 4205 and Native allotment F-025285;
Sec. 33, excluding lots 1 and 2 of U.S. Survey No. 3797, Native allotments F-17363 Parcel B, F-17373, F-17034, F-17370, F-033643, F-11981 Parcel B, and F-025285;
Sec. 34, excluding lots 1 and 3 of U.S. Survey No. 3797, Native allotments F-17363 Parcel B, F-17373, and F-17034;
Sec. 35, excluding Native allotment F-11981 Parcel A;
Sec. 36.

Containing approximately 16,106 acres.

T. 11 N., R. 67 W.
Sec. 1, excluding Native allotments F-17040 and F-17035;
Sec. 12, excluding Native allotment F-17035;
Sec. 13;
Secs. 24 and 25;
Sec. 36.

Containing approximately 2,880 acres.

T. 12 N., R. 67 W.
Sec. 1, excluding Native allotment F-17362;
Secs. 12 and 13;
Secs. 24 and 25;
Sec. 36.

Containing approximately 3,800 acres.

Aggregating approximately 79,388 acres.

Excluded from the above-described lands herein conveyed are the submerged lands, up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection

with travel, trade and commerce. Those water bodies are identified on the attached navigability maps, the original of which will be found in easement case file F-14949-EE.

All other water bodies not depicted as navigable on the attached maps within the lands to be conveyed were reviewed. Based on existing evidence, they were determined to be non-navigable.

The lands excluded in the above description are not being approved for conveyance at this time and have been excluded for one or more of the following reasons: Lands are no longer under Federal jurisdiction; lands are under applications pending further adjudication; lands are pending a determination under Sec. 3(e) of ANCSA, or lands were previously rejected by decision. Lands within U.S. Surveys which are excluded are described separately in this decision if they are available for conveyance. These exclusions do not constitute a rejection of the selection application, unless specifically so stated.

The conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature,

accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(f)); and

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)), the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14949-EE, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

   25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

   26 Foot Road - The uses allowed on a twenty-six (26) foot wide road easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, small and large

all-terrain vehicles, track vehicles, four-wheel drive vehicles, automobiles, and trucks.

One Acre Site - The uses allowed on a site easement are: vehicle parking (e.g., aircraft, boats, ATV's, snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

a. (EIN 4 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 12 N., R. 66 W., Seward Meridian, on the right bank of the Kuskokwim River. The uses allowed are those listed above for a one (1) acre site easement.

b. (EIN 5 C4, D1) An easement for a proposed access trail twenty-five (25) feet in width from the Tuluksak Airport in Sec. 27, T. 12 N., R. 66 W., Seward Meridian easterly to the Tuluksak River barge landing, and public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.

c. (EIN 13 C4) An easement for an existing access road twenty-six (26) feet in width in Sec. 27,

T. 12 N., R. 66 W., Seward Meridian from the easterly boundary of U.S. Survey No. 875 southeasterly to the westerly boundary of lot 2 of proposed U.S. Survey No. 4435, a distance of approximately three hundred (300) feet. The uses allowed are those listed above for a twenty-six (26) foot road.

The grant of the above-described lands shall be subject to:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted;

2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act (ANCSA) of December 18, 1971 (43 U.S.C. 1601, 1616(b)(2)), any valid existing right recognized by

ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(c)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

Tulkisarmute Incorporated is entitled to conveyance of 92,160 acres of land selected pursuant to Sec. 12(a) of ANCSA. Together with the lands herein approved, the total acreage conveyed or approved for conveyance is approximately 79,388 acres. The remaining entitlement of approximately 12,772 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of ANCSA, conveyance of the subsurface estate of the lands described above shall be issued to Calista Corporation when the surface estate is conveyed to Tulkisarmute Incorporated, and shall be subject to the same conditions as the surface conveyance.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the FEDERAL REGISTER and once a week, for four (4) consecutive weeks, in THE TUNDRA DRUMS.

Any party claiming property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Alaska Native Claims Appeal Board, provided, however, pursuant to Public Law 96-487, this decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies.

Appeals should be filed with the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510, with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513, and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 100, Anchorage, Alaska 99501. The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until APR 05 1982 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were

adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

State of Alaska
Department of Natural Resources
Division of Research and Development
Pouch 7-005
Anchorage, Alaska 99510

Tulkisarmute Incorporated
Tuluksak, Alaska 99679

Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

Sandra C. Thomas
Acting Chief, Branch of
ANCSA Adjudication

cc:
Director (311)
(w/4 advanced cys)

Public Service (943)

Public Service (220)

961:PUnderwood:slt:01/19/82
SLT4*S eaj:01/28/82
eaj:02/09/82
slt:02/24/82

September 1973
4 Treasury FRM 2000 Standard Form No. 1143

ADVERTISING ORDER

pku 2/9/82 2/24/82

ORDER NUMBER A-02-09

DEPARTMENT OR ESTABLISHMENT, BUREAU OR OFFICE
Department of the Interior, Bureau of Land Management

DATE MAR 03 1982

The publisher of the publication named below is authorized to publish the enclosed advertisement according to the schedule below provided the rates are not in excess of the commercial rates charged to private individuals with the usual discounts. It is to be set solid, without paragraphing, and without any display in the heading unless otherwise expressly authorized in the specifications.

NAME OF THE PUBLICATION ADVERTISED IN
The Tundra Drums

SUBJECT OF ADVERTISEMENT Lands Proper for Selection DIC for Tulkisarmute F-14949-A/A2

EDITION OF PAPER ADVERTISEMENT APPEARED

NUMBER OF TIMES ADVERTISEMENT APPEARED

DATE(s) ADVERTISEMENT APPEARED

SPECIFICATIONS FOR ADVERTISEMENT
Publish the attached text, set solid in single spacing in the classified advertising section under "Legal Notices" or "Public Notices" once a week, in the same daily issue, for four (4) consecutive weeks. Publication should begin in the issue closest to MAR 04 1982.

COPY FOR ADVERTISEMENT

_____ Text of Notice attached.

_____ typed pages to be set similar to sample in instruction below.

X Camera-ready copy attached.

Important notice: tear sheet of first issue must be sent immediately to BLM (960) for review. Publication of succeeding issues is to continue unless notification of required correction is timely received.

AUTHORITY TO ADVERTISE	INSTRUMENT OF ASSIGNMENT
NUMBER January 17, 1979 1510.03D BLM Manual	NUMBER
DATE MAR 03 1982	DATE
SIGNATURE OF AUTHORIZING OFFICIAL /s/ Sandra C. Thomas	TITLE ACTING Chief, Branch of ANCSA Adjudication

INSTRUCTIONS TO PUBLISHERS

Extreme care should be exercised to insure that the specifications for advertising to be set other than solid be definite, clear, and specific since no allowance will be made for paragraphing or for display or leaded or prominent headings, unless specifically ordered, or for additional space required by the use of type other than that specified. Specifications for advertising other than solid and the advertisement copy submitted to the publisher will be attached to the voucher. The following is a sample of solid line advertisement set up in accordance with the usual Government requirements.

DEPARTMENT OF HIGHWAYS & TRAFFIC, D.C. Bids are requested for first spring 1966 cement concrete repair contract, including incidental work, Washington, D.C., Invitation No. C-5676-H, consisting of 11,000 sq. yds. PCC Class BB sidewalk repair and 2,000 cu. yds. PCC Class A pavement, alley, & driveway repair, both cut repairs only. Bidding material available from the Procurement Officer, D.C. Sealed bids to be opened in the Procurement Office at 3:00 p.m., November 15, 1965.

Your bill for this advertising order should be submitted on the "Public Voucher for Advertising" form, which is printed on the reverse of this form, immediately after the last publication of the advertisement. If copies of the printed advertisement are not available, complete the affidavit provided on the voucher. Submit the voucher and a copy of the printed advertisement to BLM 701 C Street, Box 13, Anchorage, Alaska 99513

IMPORTANT

Charges for advertising when a cut, matrix, stereotype or electrotype is furnished will be based on actual space used and no allowance will be made for shrinkage.

In no case shall the advertisement extend beyond the date and edition stated in this order.

1143-107

F-14949-A (Anch.) (2651)
F-14949-A2 (Anch.) (2651)
F-14949-EE (Anch.) (75.4)
AA-12890 (2620)
(961)

MAR 09 1982

pku
2/9/82

The Tundra Drums
Box 868
Bethel, Alaska 99559

Gentlemen:

Enclosed is a decision to be published once each week in consecutive weekly issues for 4 weeks.

Please send a tear sheet of the first published decision immediately to this office (Attention: ANCSA Adjudication/961) for proofing and verification. If there are deviations from the attached copy, corrections can then be made before the next publication, reducing your republication expense.

At the expiration of the period of publication, please submit your invoice and appropriate tear sheets, together with the original and one copy of our Advertising Order and Public Voucher with the affidavit on the reverse side completed.

A standard affidavit or proof of publication (notarized) must also be submitted for inclusion in our administrative file. Please send this and the documents listed in the paragraph above to the attention of Management Services (951).

Sincerely yours,

/s/ Sandra C. Thomas

ACTING Chief, Branch of ANCSA
Adjudication

Enclosures:
Notice of Decision for Publication
Public Voucher for Advertising (3)

961:PUnderwood*eaj:1/28/82
Pat3/A

UNITED STATES
DEPARTMENT OF THE INTERIOR

RUSSIAN MISSION (A-5) QUADRANGLE
ALASKA

R 65 W | R 64 W | R 63 W

T 13 N
T 12 N
T 11 N

NAVIGABILITY DECISION REVIEWED		
VILLAGE	DATE	INITIALS
TULUKSAK	8/21/81	JRG

Submerged lands beneath waters determined navigable due to (or susceptible to) travel, trade and commerce.

	Notice	Decision	Convey
Favor			

Application of Dec. 17, 1974
Represents nearest whole section.
(application may be less than 640 acres)

NAPAISKAK VILLAGE SELECTION

TULUKSAK VILLAGE SELECTION

O-Over-Selections 1

ROAD CLASSIFICATION
Trail

Tuluksak 2/17/76 BB

RUSSIAN MISSION (A-5), ALASKA
1954

RUSSIAN MISSION A-5

4/7/81

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

BETHEL (D-6) QUADRANGLE
ALASKA
1:63,360 SERIES (TOPOGRAPHIC)

NAVIGABILITY DECISION REVIEWED
DATE
INITIALS

Submerged lands beneath waters determined navigable due to (or susceptible to) travel, trade and commerce.

Pending determination of tidal influence.

Notice
Decision
Convey

R 68 W
R 67 W
R 66 W
R 65 W
T 11 N
T 10 N
T 9 N
T 8 N

Prepared by the Army Map Service
Edited and published by the Geological Survey

TULUKSAK VILLAGE SELECTION

KWETHLUK VILLAGE SELECTION

AKIAK VILLAGE SELECTION

Application of Section 14(a) of ANCSA

Represents nominal whole section
(application may be less than 640 acres)

SCALE 1:63360

FOR SALE BY U.S. GEOLOGICAL SURVEY
FAIRBANKS, ALASKA, DENVER 25, COLORADO OR WASHINGTON 25, D.C.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

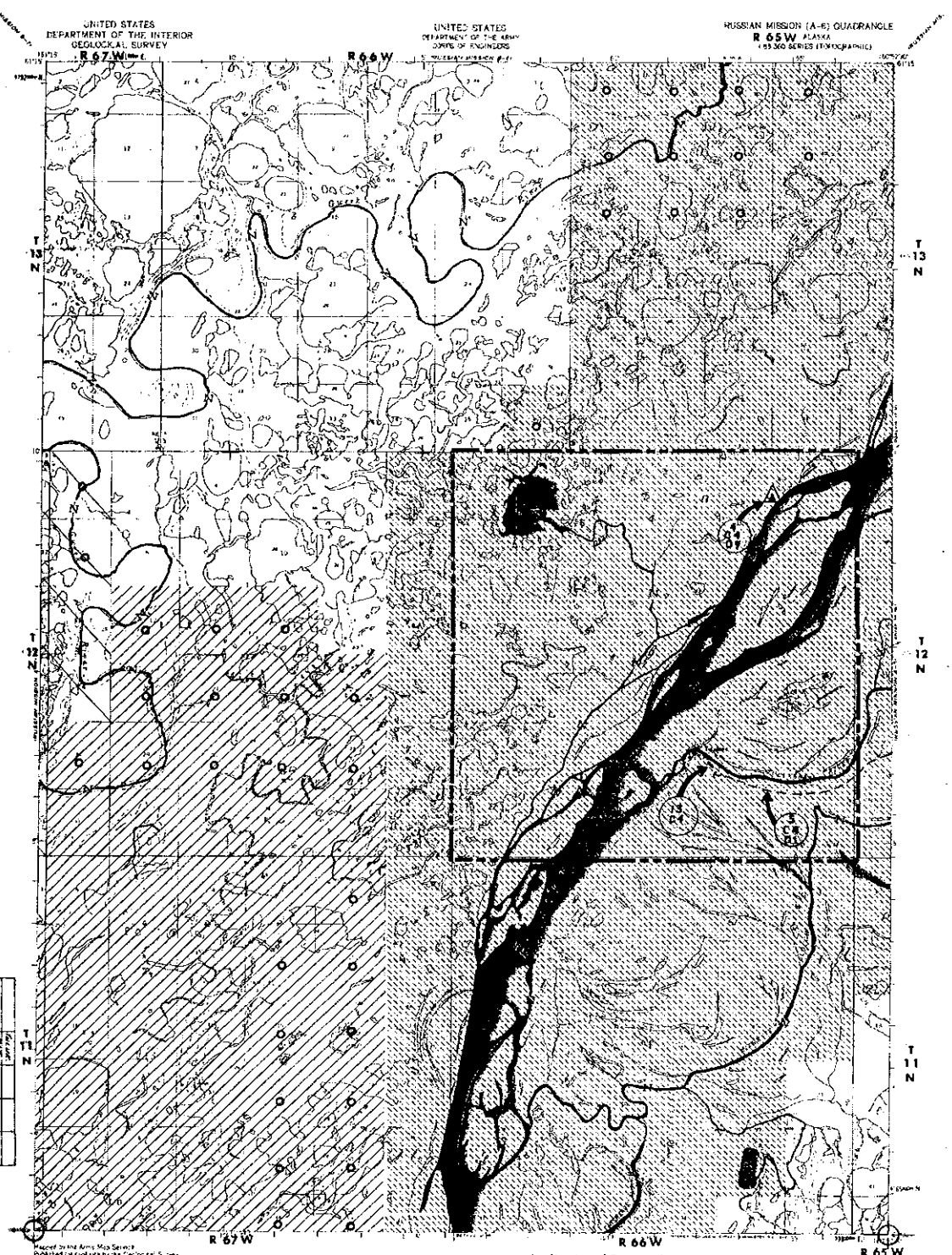
Are Townships

PCB 12/19/75
KWETHLUK
AKIAK

BETHEL (D-6), ALASKA

1954

BETHEL D-6



NAVIGABILITY DECISION REVIEWED		
VILLAGE	DATE	INITIALS
TULUKSAK	9/8/81	JZ

Submerged lands beneath waters determined navigable due to (or susceptible to) travel, trade and commerce.

Notice		
Decision		
Convey		

Application of Dec. 17, 1974
Represents nearest whole section.
(application may be less than 640 acres)

AKIACHAK VILLAGE SELECTION

AKIAK VILLAGE SELECTION

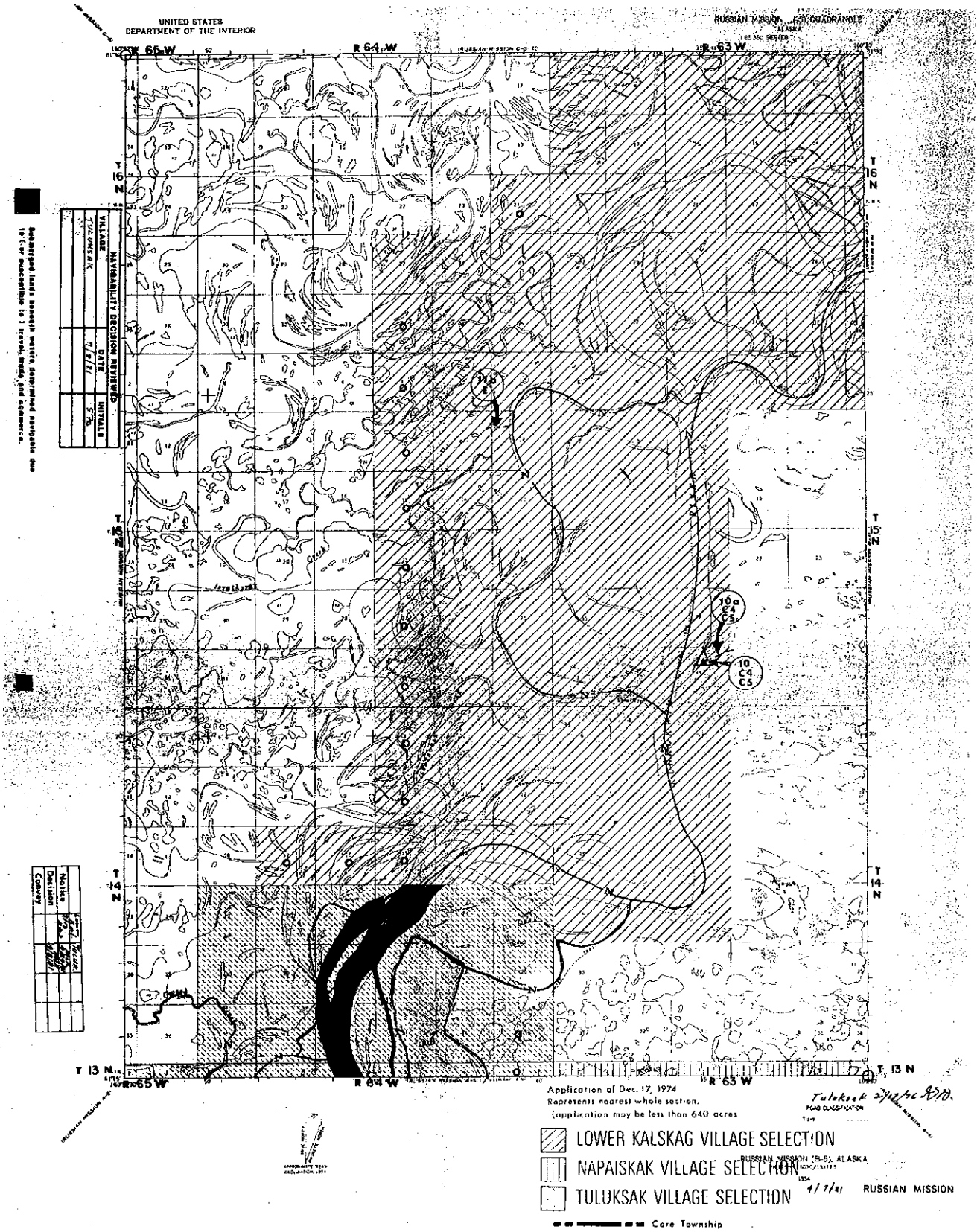
TULUKSAK VILLAGE SELECTION

RUSSIAN MISSION A-6

Corr. Township

PCB 12/19/75
AKIACHAK
AKIAK

5/12/81


UNITED STATES
DEPARTMENT OF THE INTERIOR
RUSSIAN MISSION (B-5) QUADRANGLE
ALASKA
R 65 W
R 64 W
R 63 W
T 16 N
T 15 N
T 14 N
T 13 N
NAVIGABILITY DECISION REVIEWED
VILLAGE
DATE
INITIALS
Submerged lands beneath waters determined navigable due to (or susceptible to) travel, trade, and commerce.
Notice
Decision
Convey
Application of Dec. 17, 1974
Represents nearest whole section.
(application may be less than 640 acres
LOWER KALSKAG VILLAGE SELECTION
NAPAISKAK VILLAGE SELECTION
TULUKSAK VILLAGE SELECTION
Core Township
RUSSIAN MISSION (B-5), ALASKA
4/7/81
RUSSIAN MISSION

F-14949-A

INTERIM CONVEYANCE

WHEREAS

Tulkisarmute Incorporated

is entitled to a conveyance pursuant to Secs. 14(a) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended (43 U.S.C. 1601, 1613(a), 1621(j)), of the surface estate in the following described lands:

Seward Meridian, Alaska (Unsurveyed)

T. 13 N., R. 64 W.
Secs. 2 and 3;
Sec. 4, excluding Native allotment F-13075;
Sec. 5;
Sec. 8;
Sec. 9, excluding Native allotment F-13075;
Secs. 10 and 11;
Sec. 14;
Sec. 15, excluding Native allotment F-18420 Parcel B;
Secs. 16 and 17;
Secs. 18 and 19, excluding Native allotment F-17036;
Sec. 20;
Secs. 21 and 22, excluding Native allotment F-031214;
Sec. 23;
Sec. 27, excluding Native allotment F-031214;
Sec. 28, excluding Native allotments F-031214 and F-033646;
Secs. 29 to 33, inclusive.

Containing approximately 11,943 acres.

T. 14 N., R. 64 W.
Secs. 20 to 24, inclusive;
Secs. 26, 27, and 28;
Sec. 29, excluding Native allotments F-17371 and F-17365;
Sec. 32, excluding Native allotments F-17365, F-17545, and F-17371;
Secs. 33, 34, and 35.

Containing approximately 5,680 acres.

T. 11 N., R. 65 W.
Sec. 2, excluding Native allotment F-17037;
Secs. 3 to 8, inclusive.

Containing approximately 3,796 acres.

T. 12 N., R. 65 W.
Secs. 4 to 9, inclusive;
Secs. 15 to 19, inclusive;
Sec. 20, excluding Native allotments F-033629 and F-15041;
Sec. 21, excluding Native allotment F-15041;
Sec. 22;
Sec. 27;
Sec. 28, excluding Native allotment F-15041;
Sec. 29, excluding Native allotments F-15041 and F-17042;

Interim Conveyance No. 542

Date AUG 27 1982

Secs. 30 and 31;
Sec. 32, excluding Native allotment F-17042;
Secs. 33 and 34.

Containing approximately 11,988 acres.

T. 13 N., R. 65 W.
Sec. 13, excluding Native allotment F-17036;
Sec. 19;
Sec. 24, excluding Native allotment F-17036;
Secs. 25 to 36, inclusive.

Containing approximately 8,277 acres.

T. 11 N., R. 66 W.
Secs. 1 and 2;
Sec. 3, excluding Native allotments F-17373, F-17034, and F-17370;
Sec. 4, excluding Native allotments F-17034, F-17370, F-033643, F-17368, and F-025285;
Sec. 5, excluding Native allotments F-033643, F-17368, and F-025285;
Secs. 6 and 7, excluding Native allotment F-17035;
Sec. 8, excluding Native allotments F-17368 and F-033642;
Sec. 9, excluding Native allotment F-17368;
Secs. 10 to 14, inclusive;
Sec. 15, excluding Native allotments F-033630 and F-033631;
Secs. 16 to 19, inclusive;
Sec. 20, excluding Native allotment F-033634;
Sec. 21;
Sec. 22, excluding Native allotments F-033630, F-033631, and F-17367;
Secs. 23 and 26, excluding Native allotment F-17369;
Secs. 27 to 34, inclusive.

Containing approximately 14,918 acres.

T. 12 N., R. 66 W.
Secs. 1, 2, and 3;
Sec. 4, excluding Native allotment F-17363 Parcel A;
Sec. 5;
Sec. 6, excluding Native allotment F-17362;
Sec. 7;
Sec. 8, excluding Native allotment F-17364 Parcel B;
Sec. 9, excluding Native allotment F-17363 Parcel A;
Secs. 10 to 25, inclusive;
Sec. 26, excluding Native allotments F-11981 Parcel A, F-17039, and ANCSA Sec. 3(e) application AA-40710;
Sec. 27, excluding U.S. Survey No. 875, lots 1 and 4 of U.S. Survey No. 3797, PLO 2020, ANCSA Sec. 3(e) application AA-40710, and Native allotment F-17039;
Sec. 28, excluding Native allotment F-17366;
Secs. 29 and 30;
Sec. 31, excluding Native allotment F-033626;
Sec. 32, excluding U.S. Survey No. 4205 and Native allotment F-025285;

Sec. 33, excluding lots 1 and 2 of U.S. Survey No. 3797, Native allotments F-17363 Parcel B, F-17373, F-17034, F-17370, F-033643, F-11981 Parcel B, and F-025285;
Sec. 34, excluding lots 1 and 3 of U.S. Survey No. 3797, Native allotments F-17363 Parcel B, F-17373, and F-17034;
Sec. 35, excluding Native allotment F-11981 Parcel A;
Sec. 36.

Containing approximately 16,106 acres.

T. 11 N., R. 67 W.
Sec. 1, excluding Native allotments F-17040 and F-17035;
Sec. 12, excluding Native allotment F-17035;
Sec. 13;
Secs. 24 and 25;
Sec. 36.

Containing approximately 2,880 acres.

T. 12 N., R. 67 W.
Sec. 1, excluding Native allotment F-17362;
Secs. 12 and 13;
Secs. 24 and 25;
Sec. 36.

Containing approximately 3,800 acres.

Aggregating approximately 79,388 acres.

Excluded from the above-described lands herein conveyed are the submerged lands, up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection with travel, trade and commerce. Those water bodies are identified on the attached navigability maps, the original of which will be found in easement case file F-14949-EE.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface estate in the land above described, TO HAVE AND TO HOLD the said estate with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever:

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, as amended (43 U.S.C. 1601, 1613(f)); and

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended

(43 U.S.C 1601, 1616(b)), the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14949-EE, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

26 Foot Road - The uses allowed on a twenty-six (26) foot wide road easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, small and large all-terrain vehicles, track vehicles, four-wheel drive vehicles, automobiles, and trucks.

One Acre Site - The uses allowed on a site easement are: vehicle parking (e.g., aircraft, boats, ATV's, snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading or unloading shall be limited to 24 hours.

a. (EIN 4 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 12 N., R. 66 W., Seward Meridian, on the right bank of the Kuskokwim River. The uses allowed are those listed above for a one (1) acre site easement.

b. (EIN 5 C4, D1) An easement for a proposed access trail twenty-five (25) feet in width from the Tuluksak Airport in Sec. 27, T. 12 N., R. 66 W., Seward Meridian, easterly to the Tuluksak River barge landing, and public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.

c. (EIN 13 C4) An easement for an existing access road twenty-six (26) feet in width in Sec. 27, T. 12 N., R. 66 W., Seward Meridian from the easterly boundary of U.S. Survey No. 875 southeasterly to the westerly boundary of lot 2 of proposed U.S. Survey No. 4435, a distance of approximately three hundred (300) feet. The uses allowed are those listed above for a twenty-six (26) foot road.

F-14949-A

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted;

2. Valid existing rights therein, if any, including but not limited to those created by any lease, (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958, as amended (48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended (43 U.S.C. 1601, 1616(b)(2)) (ANCSA), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended (43 U.S.C. 1601, 1613(c)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this 27th day of August, 1982, in Anchorage, Alaska.

UNITED STATES OF AMERICA

Robert D. Arnold

Assistant to the State Director
for Conveyance Management

Interim Conveyance No. 542

Date AUG 27 1982

F-14949-A

INTERIM CONVEYANCE

WHEREAS

Calista Corporation

is entitled to a conveyance pursuant to Secs. 14(f) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended (43 U.S.C. 1601, 1613(f), 1621(j)), of the subsurface estate reserved to the United States in the hereinbelow identified interim conveyance of the surface estate in the following described lands:

Interim Conveyance No. 542

Seward Meridian, Alaska (Unsurveyed)

T. 13 N., R. 64 W.
Secs. 2 and 3;
Sec. 4, excluding Native allotment F-13075;
Sec. 5;
Sec. 8;
Sec. 9, excluding Native allotment F-13075;
Secs. 10 and 11;
Sec. 14;
Sec. 15, excluding Native allotment F-18420 Parcel B;
Secs. 16 and 17;
Secs. 18 and 19, excluding Native allotment F-17036;
Sec. 20;
Secs. 21 and 22, excluding Native allotment F-031214;
Sec. 23;
Sec. 27, excluding Native allotment F-031214;
Sec. 28, excluding Native allotments F-031214 and F-033646;
Secs. 29 to 33, inclusive.

Containing approximately 11,943 acres.

T. 14 N., R. 64 W.
Secs. 20 to 24, inclusive;
Secs. 26, 27, and 28;
Sec. 29, excluding Native allotments F-17371 and F-17365;
Sec. 32, excluding Native allotments F-17365, F-17545, and F-17371;
Secs. 33, 34, and 35.

Containing approximately 5,680 acres.

T. 11 N., R. 65 W.
Sec. 2, excluding Native allotment F-17037;
Secs. 3 to 8, inclusive.

Containing approximately 3,796 acres.

T. 12 N., R. 65 W.
Secs. 4 to 9, inclusive;
Secs. 15 to 19, inclusive;

Interim Conveyance No. 543

Date AUG 27 1982

Sec. 20, excluding Native allotments F-033629 and F-15041;
Sec. 21, excluding Native allotment F-15041;
Sec. 22;
Sec. 27;
Sec. 28, excluding Native allotment F-15041;
Sec. 29, excluding Native allotments F-15041 and F-17042;
Secs. 30 and 31;
Sec. 32, excluding Native allotment F-17042;
Secs. 33 and 34.

Containing approximately 11,988 acres.

T. 13 N., R. 65 W.
Sec. 13, excluding Native allotment F-17036;
Sec. 19;
Sec. 24, excluding Native allotment F-17036;
Secs. 25 to 36, inclusive.

Containing approximately 8,277 acres.

T. 11 N., R. 66 W.
Secs. 1 and 2;
Sec. 3, excluding Native allotments F-17373, F-17034, and F-17370;
Sec. 4, excluding Native allotments F-17034, F-17370, F-033643, F-17368, and F-025285;
Sec. 5, excluding Native allotments F-033643, F-17368, and F-025285;
Secs. 6 and 7, excluding Native allotment F-17035;
Sec. 8, excluding Native allotments F-17368 and F-033642;
Sec. 9, excluding Native allotment F-17368;
Secs. 10 to 14, inclusive;
Sec. 15, excluding Native allotments F-033630 and F-033631;
Secs. 16 to 19, inclusive;
Sec. 20, excluding Native allotment F-033634;
Sec. 21;
Sec. 22, excluding Native allotments F-033630, F-033631, and F-17367;
Secs. 23 and 26, excluding Native allotment F-17369;
Secs. 27 to 34, inclusive.

Containing approximately 14,918 acres.

T. 12 N., R. 66 W.
Secs. 1, 2, and 3;
Sec. 4, excluding Native allotment F-17363 Parcel A;
Sec. 5;
Sec. 6, excluding Native allotment F-17362;
Sec. 7;
Sec. 8, excluding Native allotment F-17364 Parcel B;
Sec. 9, excluding Native allotment F-17363 Parcel A;
Secs. 10 to 25, inclusive;

Interim Conveyance No. _____

Date AUG 27 1982

Sec. 26, excluding Native allotments F-11981 Parcel A, F-17039, and ANCSA Sec. 3(e) application AA-40710;
Sec. 27, excluding U.S. Survey No. 875, lots 1 and 4 of U.S. Survey No. 3797, PLO 2020, ANCSA Sec. 3(e) application AA-40710, and Native allotment F-17039;
Sec. 28, excluding Native allotment F-17366;
Secs. 29 and 30;
Sec. 31, excluding Native allotment F-033626;
Sec. 32, excluding U.S. Survey No. 4205 and Native allotment F-025285;
Sec. 33, excluding lots 1 and 2 of U.S. Survey No. 3797, Native allotments F-17363 Parcel B, F-17373, F-17034, F-17370, F-033643, F-11981 Parcel B, and F-025285;
Sec. 34, excluding lots 1 and 3 of U.S. Survey No. 3797, Native allotments F-17363 Parcel B, F-17373, and F-17034;
Sec. 35, excluding Native allotment F-11981 Parcel A;
Sec. 36.

Containing approximately 16,106 acres.

T. 11 N., R. 67 W.
Sec. 1, excluding Native allotments F-17040 and F-17035;
Sec. 12, excluding Native allotment F-17035;
Sec. 13;
Secs. 24 and 25;
Sec. 36.

Containing approximately 2,880 acres.

T. 12 N., R. 67 W.
Sec. 1, excluding Native allotment F-17362;
Secs. 12 and 13;
Secs. 24 and 25;
Sec. 36.

Containing approximately 3,800 acres.

Aggregating approximately 79,388 acres.

Excluded from the above-described lands herein conveyed are the submerged lands, up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection with travel, trade and commerce. Those water bodies are identified on the attached navigability maps, the original of which will be found in easement case file F-14949-EE.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation, the subsurface estate in the land above-described, TO HAVE AND TO HOLD the said estate with all the rights, privileges,

F-14949-A

immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever.

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO all the easements and rights-of-way reserved in the aforementioned conveyance of the surface estate, and to valid existing rights, if any, in the said subsurface estate, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958, as amended (48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way or easement, and the right of the lessee, contractee, permittee or grantee to the complete enjoyment of all rights, privileges and benefits thereby granted to him.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this 27th day of August, 1982, in Anchorage, Alaska.

UNITED STATES OF AMERICA

Alfred D Arnold

Assistant to the State Director
for Conveyance Management

Interim Conveyance No. 543

Date AUG 27 1982

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

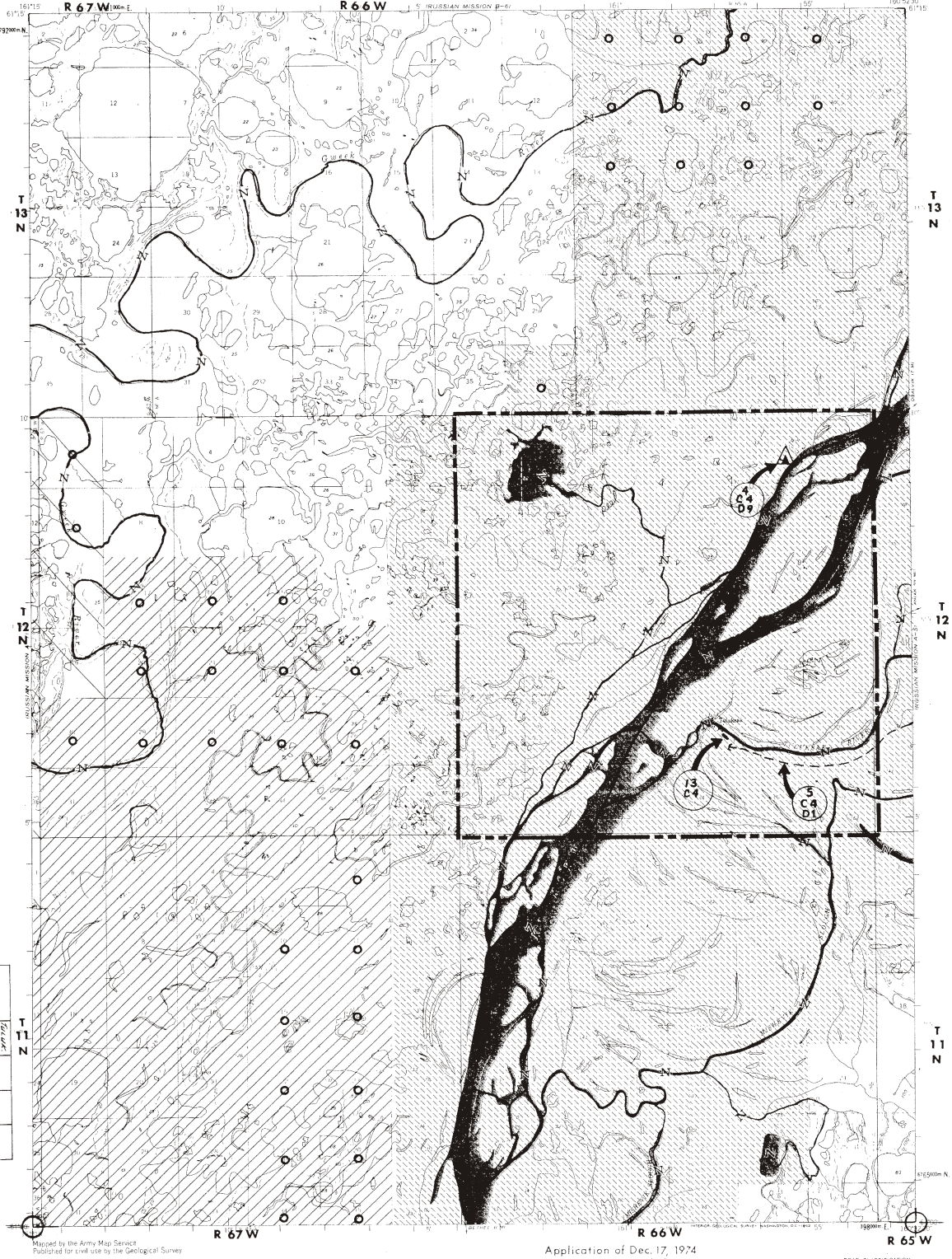
UNITED STATES
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS

RUSSIAN MISSION (A-6) QUADRANGLE
R 65 W ALASKA
1:63 360 SERIES (TOPOGRAPHIC)

NAVIGABILITY DECISION REVIEWED		
VILLAGE	DATE	INITIALS
TULUKSAK	3/18/81	SFG

Submerged lands beneath waters determined navigable due to (or susceptible to) travel, trade and commerce.

Convey	Decision	Notice
		Tulukak 2/17/76



Mapped by the Army Map Service
Published for civil use by the Geological Survey

Control by USC&GS and USGS

Topography by photogrammetric methods from aerial photographs taken 1951. Aerial photographs taken 1951 1952 and 1954. Field annotated 1953 1954. Map not field checked

Universal Transverse Mercator projection
1927 North American datum
1000 meter Universal Transverse Mercator grid ticks, zone 4, shown in blue

Land lines represent unsurveyed and unmarked locations predetermined by the Bureau of Land Management Folio 5 St. Seward Meridian.

OVER-SELECTION

Application of Dec. 17, 1974
Represents nearest whole section.
(application may be less than 640 acres)

CONTOUR INTERVAL 50 FEET
DATUM IS MEAN SEA LEVEL

TRUE NORTH
MAGNETIC NORTH
APPROXIMATE MEAN DECLINATION, 1965

FOR SALE BY U.S. GEOLOGICAL SURVEY
WASHINGTON, D.C. 20242 OR DENVER, COLORADO 80225
A LIST OF MAP SALES OFFICES AND PRICES IS AVAILABLE ON REQUEST

AKIAK VILLAGE SELECTION

AKIACHAK VILLAGE SELECTION

TULUKSAK VILLAGE SELECTION

Core Township

ROAD CLASSIFICATION
Trails

PCB 12/19/75
AKIACHAK
AKIAK
Tulukskak 2/17/76

RUSSIAN MISSION (A-6) ALASKA

RUSSIAN MISSION A-6

5/12/81

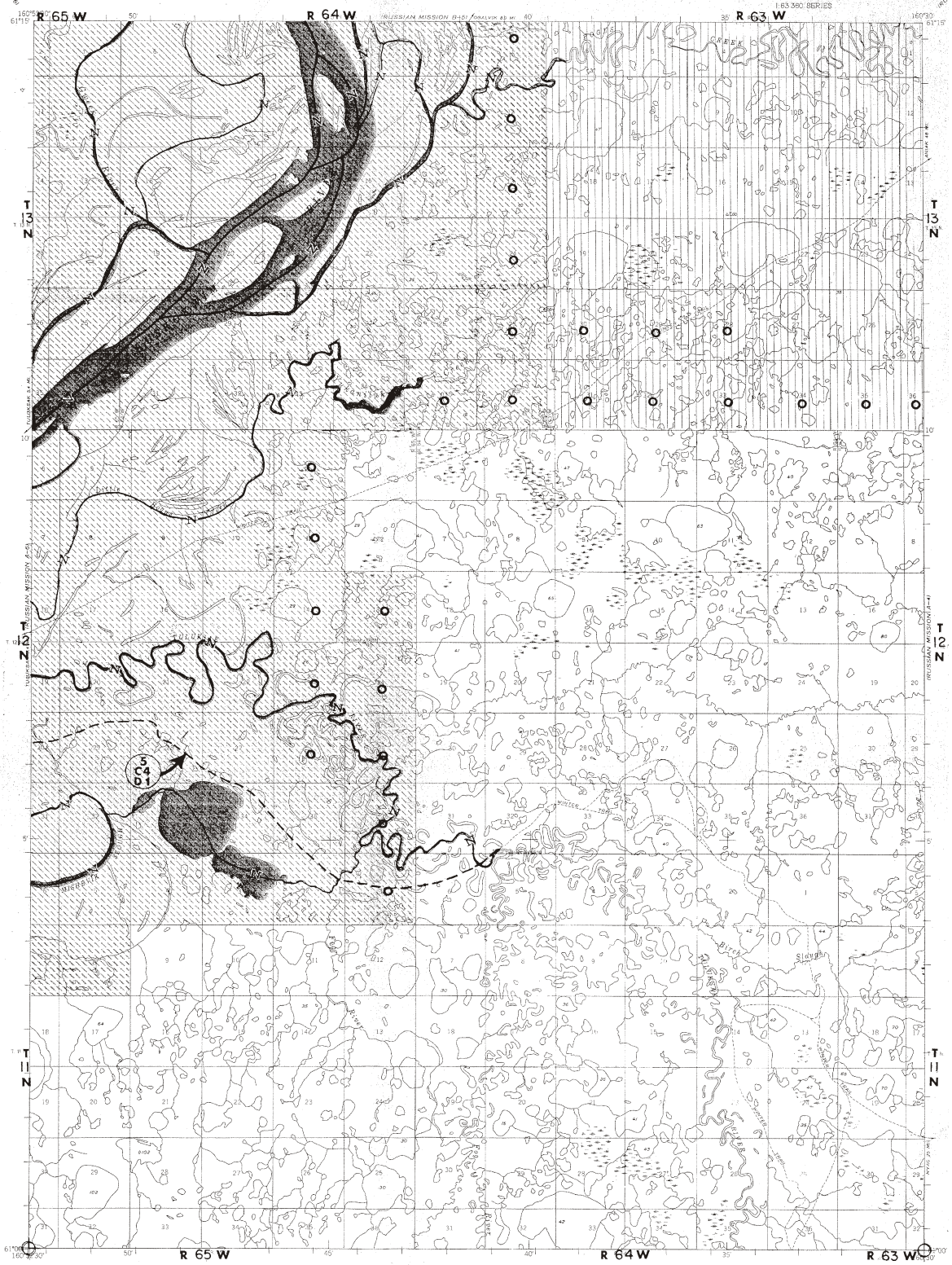
NOTE
This proof sheet is a U.S. Geological Survey map in accordance with the delineations of land status as of the date shown. It is intended to show only those land status records which are shown on the records of the Bureau of Land Management. If you observe errors or have suggestions to improve this map, please write to the address below.

RETURN TO
ROCKY MOUNTAIN REGION ENGINEER
U.S. GEOLOGICAL SURVEY
FEDERAL CENTER, DENVER 25, COLORADO

Signature .....
Date .....

UNITED STATES
DEPARTMENT OF THE INTERIOR

RUSSIAN MISSION (A-5) QUADRANGLE
ALASKA
1:63 360 SERIES



NAVIGABILITY DECISION REVIEWED		
VILLAGE	DATE	INITIALS
TULUKSAK	8/18/81	SRB

Submerged lands beneath waters determined navigable due to (or susceptible to) travel, trade and commerce.

	Notice	
Convey	Decision	
		Issue 8/20/81

Application of Dec. 17, 1974
Represents nearest whole section.
(application may be less than 640 acres)

NAPAISKAK VILLAGE SELECTION

TULUKSAK VILLAGE SELECTION

APPROXIMATE MEAN DECLINATION, 1954

O-Over-Selections 1

ROAD CLASSIFICATION
Trails

Tuluksak 2/17/76 RB

RUSSIAN MISSION (A-5), ALASKA
N6100-W16030/15X22.5
1954

RUSSIAN MISSION A-5

8/7/81

UNITED STATES
DEPARTMENT OF THE INTERIOR

RUSSIAN MISSION (B-5) QUADRANGLE
ALASKA
1:63 360 SERIES

R 65 W | R 64 W | R 63 W

T 16 N | T 15 N | T 14 N | T 13 N

Iratholak Creek

Tuluksak River

Gusak Creek

17a E

10a C4 C5

10 C4 C5

NAVIGABILITY DECISION REVIEWED		
VILLAGE	DATE	INITIALS
TULUKSAK	7/8/81	JTB

Submerged lands beneath waters determined navigable due to (or susceptible to) travel, trade and commerce.

Convey	Decision	Notice

Application of Dec. 17, 1974
Represents nearest whole section.
(application may be less than 640 acres

Tuluksak 2/12/80 RJB.

ROAD CLASSIFICATION
Trails

APPROXIMATE MEAN DECLINATION, 1954

LOWER KALSKAG VILLAGE SELECTION

NAPAISKAK VILLAGE SELECTION

TULUKSAK VILLAGE SELECTION

Core Township

RUSSIAN MISSION (B-5), ALASKA
1954

4/7/81 RUSSIAN MISSION

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

BETHEL (D-6) QUADRANGLE
ALASKA
1:63 360 SERIES (TOPOGRAPHIC)

VILLAGE	NAVIGABILITY DECISION REVIEWED	DATE	INITIALS

Submerged lands beneath waters determined navigable due to (or susceptible to) travel, trade and commerce.

Pending determination of tidal influence.

Notice
Decision
Convey

Mapped by the Army Map Service
Edited and published by the Geological Survey
Control by U.S. Coast and Geodetic Survey
Topography compiled from photographs taken 1949. Field checked 1954
Photobase compiled from photographs taken 1949. Field checked 1954. Map not field checked
Universal Transverse Mercator projection. 1927 North American Datum
10,000-foot grid based on Alaska coordinate system, zone 7
1000-meter Universal Transverse Mercator grid ticks, zone 4, shown in blue
Land lines represent surveyed and unsurveyed townships predetermined by the Bureau of Land Management
Form 9-1 Series (Revised)

TULUKSAK VILLAGE SELECTION

KWETHLUK VILLAGE SELECTION

Application of DRAWBRIDGE INTERPRETATION FEET
SPECIAL LINES or FEATURES SHOWN ON COAST AND GEODETIC SURVEY
DATUM = MEAN SEA LEVEL

Represents nearest whole section
(application may be less than 640 acres)

FOR SALE BY U.S. GEOLOGICAL SURVEY
FAIRBANKS, ALASKA, DENVER 25, COLORADO OR WASHINGTON 25, D.C.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

AKIAK VILLAGE SELECTION

SCALE 1:63360

ALASKA
QUADRANGLE LOCATION

PCB 12/19/75
KWETHLUK
AKIAK

BETHEL (D-6), ALASKA
166-42 W/161-15/15422 A
1954

6/9/80

BETHEL D-6

Fog River Summary
Interim Summary Report
Attachment 5

AA-12890 (2627)
(963)

JUN 23 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

State of Alaska	:	AA-12890
Department of Natural Resources	:	
Division of Land and Water Management	:	
Land Title Section	:	
3601 C Street, Suite 960	:	General Purposes
Anchorage, Alaska 99503	:	State Selection

Selection Application Suspended in Part
Lands Found Proper for Selection

On April 1, 1977, the State of Alaska filed general purposes grant selection application AA-12890 under the provisions of Sec. 6(b) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), as amended, for all available lands in T. 11 N., R. 65 W., Seward Meridian, Alaska. These lands are on the State's FY-87 priority list A14 for tentative approval, as amended.

On March 3, 1982, State selection application AA-12890 was rejected as to all the lands within Secs. 2 through 8, T. 11 N., R. 65 W., Seward Meridian, excluding Native allotment application F-17037.

On November 20, 1974, Tulkisarmute Incorporated, for the Native village of Tuluksak, filed village selection applications F-14949-A and F-14949-A2, pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688,701), for lands within Sec. 1, T. 11 N., R. 65 W., Seward Meridian. Therefore, State selection application AA-12890 is hereby suspended as to those lands pending adjudication of the village selection.

The remaining lands within the selection application were available for State selection at the time of filing pursuant to Public Land Order (PLO) 5561 of December 16, 1975, as amended by PLO 5581 of March ~~31, 1976~~. These lands are proper for selection and will be tentatively approved in the near future.

Although T. 11 N., R. 65 W., Seward Meridian, was designated as a part of the Yukon Delta National Wildlife Refuge by Sec. 303 of the Alaska National Interest Lands Conservation Act of December 2, 1980, the withdrawal post dates the filing of selection application AA-12890 and will have no effect on the conveyance to the State.

The chargeable acreage within this selection will not include lands beneath water bodies which meet the criteria for meanderability set forth in the "Establishment of Policy" as defined on page 54483 of the December 5, 1983, Federal Register.

A Navigability determination will be made prior to issuance of patent.

An appeal from this decision may be taken to the Board of Land Appeals, Office of Hearings and Appeals, in accordance with the regulations in Title 43, Code of Federal Regulations, Part 4, Subpart E. If an appeal is taken, the notice of appeal must be filed in the Alaska State Office of the Bureau of Land Management within 30 days of the receipt of this decision. Do not send the appeal directly to the Board. The appeal and case history file will be sent to the Board from this office. The regulations also require the appellant to serve a copy of the notice of appeal, statement of reasons, written arguments or briefs on the Regional Solicitor, Alaska Region, U.S. Department of the Interior, 701 C Street, Box 34, Anchorage, Alaska 99513. To avoid summary dismissal of the appeal, there must be strict compliance with the regulations.

An aperture card showing the current status of the township is enclosed.

/s/ ANN JOHNSON

Ann Johnson
Chief, Branch of Calista Adjudication

Enclosure:
Aperture card

cc:

Fish and Wildlife Service (CM-RRR)
Division of Realty
1011 East Tudor Road
Anchorage, Alaska 99503
(w/MTP)

DM-Anchorage (040)

F-14949-A (2651)

F-14949-A2 (2651)

F-17037 (2561)

963*AAdams*sm*06/12/87*2264n

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Alaska State Office
701 C Street, Box 13
Anchorage, Alaska 99513-0099

TAKE PRIDE IN AMERICA

Fog River System
Interim Summary Report
Attachment 6

IN REPLY REFER TO

2627 (963)

AA-12570

AUG 05 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

State of Alaska
Department of Natural Resources
Division of Land & Water Management
Land Title Section
3601 C Street, Suite 960
Anchorage, Alaska 99503

Gentlemen:

We are pleased to transmit the enclosed Tentative Approval.

This document confirms that all right, title, and interest of the United States in and to the described lands is vested in the State of Alaska.

Sincerely yours,

Ann Johnson

Chief, Branch of Calista Adjudication

Enclosure:
TA

Jackie 8/4/87
D. Thompson
8/3/87

AUG 05 1987

TENTATIVE APPROVAL

State of Alaska Department of Natural Resources Division of Land and Water Management Land Title Section 3601 C Street, Suite 960 Anchorage, Alaska 99503	:	AA-12890 General Purposes Grant State Selection

The State of Alaska has filed general purposes grant selection application AA-12890 pursuant to Sec. 6(b) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), as amended. The lands described below meet the criteria for compactness, are unreserved, are not known to be occupied or appropriated under the public land laws, including the mining laws, are not valuable for hot or medicinal springs, and otherwise conform to the requirements of the Act.

The following described surveyed lands, which are considered proper for acquisition by the State, are hereby tentatively approved:

Seward Meridian, Alaska.

T. 11 N., R. 65 W.

Sec. 9;
Sec. 10, lots 1 and 2, W½NE¼, W½, SE¼;
Sec. 11, lots 1 to 10, inclusive, E½E½, W½NE¼, NW¼SE¼;
Sec. 12, lots 1 to 8, inclusive, S½NE¼, W½W½, E½SW¼;
Sec. 13, lot 1, N½, N½S½, S½SW¼, SW¼SE¼;
Sec. 14, lots 1 to 5, inclusive, E½E½, SW¼NW¼, SW¼, NE¼SE¼, S½SE¼;
Secs. 15 and 16;
Sec. 17, lots 1 to 7, inclusive, W½W½; SE¼SW¼, SW¼SE¼, E½SE¼;
Sec. 18, lots 1 to 11, inclusive, E½NE¼, NW¼NE¼, NE¼NW¼, SE¼SW¼;
Sec. 19, lots 1 to 8, inclusive, E½W½, SE¼;
Sec. 20, lot 1, N½, SW¼, W½SE¼, NE¼SE¼;

when patent issued change

AUG 30 1987

AIR-10.F 8/31/87
Asso 8/31/87

Sec. 21, lots 1 to 4, inclusive, N½, NW¼SW¼, E½SW¼, W½SE¼;
Sec. 22, lots 1 to 6, inclusive, NE¼, N½NW¼, SE¼;
Sec. 23;
Sec. 24, lots 1 to 5, inclusive, W½NE¼, W½, N½SE¼;
Sec. 25, lots 1 to 8, inclusive, N½NW¼, SW¼NW¼;
Secs. 26 and 27;
Sec. 28, lots 1 to 6, inclusive, NE¼, S½;
Sec. 29, lots 1 to 8, inclusive, NW¼NE¼, N½NW¼, SW¼NW¼;
Sec. 30, lots 1 to 6, inclusive, NE¼, E½NW¼, E½SE¼;
Sec. 31, lots 1 to 11, inclusive, SE¼NW¼, E½SW¼, S½SE¼;
Sec. 32, lots 1 to 4, inclusive, E½NE¼, SW¼NE¼, S½NW¼, S½;
Sec. 33, lots 1 to 4, inclusive, N½NE¼, W½;
Sec. 34, lots 1, 2, and 3, NE¼, E½NW¼, NW¼NW¼, E½SW¼, SE¼;
Sec. 35, lots 1 to 5, inclusive, N½, NE¼SE¼; and
Sec. 36, lot 1, E½, W½W½, SE¼NW¼, E½SW¼.

Containing 15,996.70 acres.

Excepting and reserving to the United States a right-of-way thereon for ditches or canals constructed by the authority of the United States under the Act of August 30, 1890 (26 Stat. 391, 43 U.S.C. 945).

This document confirms that all right, title, and interest of the United States in and to the lands described above is deemed to have vested in the State of Alaska pursuant to Sec. 906(d)(1) of the Alaska National Interest Lands Conservation Act of December 2, 1980 (94 Stat. 2371).

/s/ ANN JOHNSON

Ann Johnson
Chief, Branch of Calista Adjudication

cc:
Fish and Wildlife Service (CM-RRR)
Division of Realty
1011 East Tudor Road
Anchorage, Alaska 99503
(w/MTP)

DM-Anchorage (040)

F-14949-A (2651)

F-14949-A2 (2651)

F-17037 (2561)

963*JHicks*lm*07-21-87*1880e

Fog River System
Interim Summary Report
Attachment 7

DL 5-3-89
CWBrown 5/3/89
KARSTETTER 5/3/

Marshall-GS-FY'89-#1
Baird Inlet-GS-FY'89-#1
Russian Mission-GS-FY'89-#1
Bethel-GS-FY'89-#1
F-14823 (75.4)
F-14824 (75.4)
F-14835 (75.4)
F-14873 (75.4)
F-14838 (75.4)
F-14883 (75.4)
F-14914 (75.4)
✓F-14949 (75.4)
(961)

MAY 8 1989

Memorandum

To: Deputy State Director for Cadastral Survey (923)

From: Deputy State Director for Conveyance Management (960)

Subject: Navigable Waters in Group Survey No. 268 (Window 1836)

This memorandum identifies navigable water bodies below a certain size on lands in window 1836 [Atmautluak, Nunapitchuk, Kasigluk, Akiachak, Akiak, Tuluksak, Bethel (North), and Kwethluk (North)] selected (but not conveyed) under the Alaska Native Claims Settlement (ANCSA), the Statehood Act, and the Native Allotment Act, and not reserved or withdrawn at the time Alaska joined the Union. It also identifies navigable waters excluded from interim conveyances under ANCSA and tentative approvals under the Statehood Act. Finally, this memo identifies navigable waters on or along small claims in areas not selected under ANCSA or the Statehood Act. (Only those cemetery and historic sites that the BIA has examined in the field are reviewed.)

Table 5 lists the fifty-eight townships and navigable waters. Streams 198 feet or more in width, such as the Kuskokwim and Pikmiktalik rivers are not listed in the report because, regardless of their navigability status, they are segregated on the survey plats. The same is true for lakes fifty acres or more. Many of these water bodies are listed in Table 1.

All smaller water bodies excluded from the ICs are identified in Table 2. Most of these were excluded on the basis of "navigability maps" referenced in the ICs. Copies of these maps are attached. Navigable waters on selected lands which were identified mainly through aerial photo interpretation, are listed in Table 3. Navigable waters on or along Native allotments and historical sites identified through aerial photograph interpretation are listed in Table 4.

The BLM's navigability determinations are based on criteria described in the memorandum dated March 16, 1976, from the Associate Solicitor, Division of Energy and Resources, to the Director, Bureau of Land Management, subject "Title to submerged lands for purposes of administering ANCSA"; the Alaska Native Claims Appeal Board's (ANCAB) decision (RLS 76-2) of December 14, 1979, on the navigability of the Nation and Kandik rivers; the Regional Solicitor's February 25, 1980, interpretation of the ANCAB decision; and dicta in the United States District Court's decision (A80-359) of April 16, 1987, on the navigability of the Gulkana River. In general, the BLM considers nontidal water bodies navigable if, at the time of Statehood, they were navigable for crafts larger than a one-person kayak.

Information about the land status, history, and physical character of water bodies in the report area comes primarily from the USGS Marshall, Baird Inlet, Russian Mission, and Bethel maps; the BLM's "navigability maps" and its infrared aerial photographs taken in 1980, at 60,000 feet (roll 7, frames 277, 279, 292, 293, 294, and 299) and in August 1987, at 40,000 feet (flight 1, roll 1, frames 1-41; flight 2, roll 1, frames 1-40; flight 3, roll 1, frames 1-36; flight 4, roll 1, frames 1-36; flight 5, roll 1, frames 1-36; flight 6, roll 1, frames 1-33; flight 7, roll 1, frames 1-39; flight 8-A, roll 2, frames 1-10; flight 8-B, roll 1, frames 1-6; flight 9, roll 2, frames 1-14; and flight 10, roll 2, frames 1-15); BLM's master title plats, Alaska Automated Lands and Minerals Record System, easement and Native allotment files, and prior navigability reports. In addition, Dot Tideman of the BLM's Navigability Section interviewed the following people:

Name	Date(s)	Phone number and Background
Frederick, Frank	1/12/89 & 1/31/89	(825-4520) Akiachak resident
Moses, John, Jr.	1/12/89	(825-4520) Akiachak resident
Wade, Mike	1/12/89	(543-2847) ADF&G Bethel
Huttun, Dan	1/12/89	(543-3151) Hunter and fisherman
Perry, Ron	1/20/89	(543-3151) F&W Manager, Bethel
Snyder, Robert	1/31/89	(825-4328) Akiachak Police Chief
Fritz, George	1/31/89	(825-4328) Akiachak Ltd's Land Manager
Demantle, Joseph	1/31/89	(695-6615) Tuluksak resident
Peter, Phillip	2/1/89	(695-6213) Tuluksak resident

Sam George, a board member for Akiachak, Ltd. (825-4328), was not familiar with the water bodies; however, he suggested several contacts. For a full account of the interviews, see Dot Tideman to File F-14823, March 14, 1989.

Tuluksak River

On May 22, 1985, the BLM determined the Tuluksak River navigable from its mouth to several townships upstream of the report area at Upper Landing (about mile fifty-nine). [See John J. Rumps to Chief, Branch of Conveyance Services (962), May 22, 1985.]

Gweek River

Gweek River, an anabranch of the Kuskokwim River, heads in lowlands approximately eight and one-half miles north of Tuluksak and flows seventy miles southwesterly to again join the Kuskokwim River downstream approximately seven miles northeast of Bethel. As calculated from the USGS Russian Mission A-5, A-6, A-7, B-5, B-6, and Bethel D-7 quadrangles, the river has a negligible gradient. About fifty-eight miles of the river are meanderable by reason of size. NASA infrared aerial photography taken in August 1987 at 40,000 feet (flight 7, roll 1, frames 29 and 32; flight 8, roll 2, frame 8; flight 8A, roll 2, frames 8 and 9; flight 9, roll 2, frames 1, 2, and 4, and flight 10, roll 2, frame 5), show the river flowing through swampland. Several sections are heavily vegetated and appear to be dry (or nearly so) for a total of ten miles in Sec. 1, T. 13 N., R. 65 W., SM., Secs. 20 and 29, T. 13 N., R. 66 W., SM, between Secs. 7 and 29, T. 12 N., R. 67 W., SM, and upstream of the report area in Secs. 30 and 31, T. 14 N., R. 64 W., Seward Meridian.

Most of the Gweek River's lower reaches in the group survey flow through lands that have passed from BLM's jurisdiction in Interim Conveyances 618 and 1027 and in its upper reaches in T. 13 N., Rs. 64 and 65 W., SM in IC 542. The riverbed was excluded from these conveyances, because BLM considered the waterway navigable in the conveyed area. Lands remain selected in Sec. 6, T. 13 N., R. 64 W., SM; Secs. 1, 4, 5, 7, 8, and 12, T. 13 N., R. 65 W., SM; T. 12 N., R. 67 W., SM; Sec. 1, T. 12 N., R. 68 W., SM.; and Sec. 12, T. 11 N., R. 68 W., SM. The river flows through selected lands upstream of the report area in T. 14 N., R. 64., SM and through the Yukon Delta National Wildlife Refuge in T. 14 N., Rs. 64 and 65 W., SM.

Six individuals that Tideman contacted provided information concerning their travel up a portion of the river. From Bethel, Mike Wade has taken eighteen- and twenty-foot boats to a tributary in Sec. 8, T. 13 N., R. 65 W., SM, approximately sixty miles upstream or nearly the river's length. Wade said that there is a one-quarter mile section where the river is very narrow, but it still has a deep channel. Finally, he said that he had heard that the local people boat the entire river in twenty- and twenty-two-foot boats. Robert Snyder has taken a boat to a point approximately eight miles downstream from where Wade boated before small alders prevented further upstream travel. He thought one can get through this section at high water in the spring. He too heard that Tuluksak residents boat the entire river, pulling their boats through narrow sections. Frank Frederick and John Moses, Jr., often boat to about one-half mile below John Moses, Sr.'s, Native allotment which lies about forty-five miles upstream in Sec. 19, T. 13 N., R. 67 W., SM in a sixteen-foot boat (propeller and lift). Here the river is three to six feet deep and about twenty feet wide. Frederick said that they have to line their boat through several short stretches; however, the channel remains deep. Philip Peter and Dan Huttun boated upstream to T. 12 N., R. 67 W., SM, directly west of Tuluksak village. Peter said that the water is six feet deep or more in most

areas. Huttun thought that the entire river could be boated with minimal portaging. George Fritz boated a portion of the river and said that the river is open for navigation to Moses' Native allotment.

Several other individuals provided opinions about the navigability of both the upper and lower reaches of the river. Having flown over the it, Ron Perry stated that he sees boats on the entire river all the time. He spoke with the villagers and said that they claim to boat the river between June and October with a minimal amount of portaging. Joseph Demantle said that many Tuluksak villagers boat the entire river.

I determine the Gweek River navigable from its lower mouth to and through T. 13 N., R. 65 W., SM and from its upper mouth to the middle of Sec. 12, T. 13 N., R. 64 W., SM. One individual boated nearly through the report area. The two miles upstream from where he boated are wide -- doubled-lined on the USGS map. The river remains approximately two to three chains wide for this distance on the infrared photographs taken in 1987 (roll 2, flight 9, frame 2). The upper river ranges from one to four chains wide up to a left bank tributary in Sec. 12, T. 13 N., R. 65 W., SM. Local residents of Akiachak and Tuluksak boat these portions of the river on a regular basis. All individuals believe that boaters can portage the shallower sections.

The remainder of the river in the report area is non-navigable. In the photographs the river appears to be dry in sections, some of which are a mile or more in length.

Miscellaneous Navigable Water Bodies

I determine water bodies listed in Tables 3 and 4 navigable. The sloughs which have little or no gradient and fill quickly when the Kuskokwim River rises during spring breakup and rainy seasons, are considered to be navigable if a clear channel is evident in the aerial photographs. Low level photographs taken during field examinations are also used to determine the navigability of marginal streams. During high water periods the sloughs certainly are susceptible to canoe navigation.

Other Water Bodies

The remaining water bodies are not suitable for navigation. Some of the creeks and sloughs are too shallow, narrow, and filled with vegetation. In many cases they are discontinuous and/or dry and landlocked. The unnamed tributary from Secs. 12 and 13 to Sec. 6 in T. 9 N., R. 65 W., SM, and its left bank stream from Sec. 36 to Sec. 6 are examples. Although the stream and its tributary are open downstream, they are less than one-half chain wide, and intermittently closed off in areas with what appears to be deadfalls and grass. These streams are not canoeable and for all practical purposes they are nonnavigable. (See August 20, 1987 infrared aerial photographs flight 3, roll 1, frames 32 and 33.) The lakes are too small and drained by small shallow creeks. Many lakes are also landlocked.

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Table 1

Partial List of Rivers, Streams, and Sloughs More Than Three Chains Wide and Lakes Fifty Acres in Size in Survey Window 1836 (Atmautluak, Nunapitchuk, Kasigluk, Akiachak, Akiak, Tuluksak, Bethel (North), and Kwethluk (North)

1. Kuskokwim River.

2. Interconnecting slough of Kuskokwim River in Secs. 21, 28, and 29, T. 13 N., R. 64 W., SM.

3. Interconnecting slough of Kuskokwim River with mouth in Sec. 10, T. 13 N., R. 64 W., SM and in Sec. 27, T. 14 N., R. 64 W., SM.

4. Slough heading in Sec. 34, T. 14 N., R. 64 W., SM, and joining Bogus Creek in Sec. 11, T. 13 N., R. 64 W., SM.

5. Interconnecting slough of Kuskokwim River with mouths in Sec. 36, T. 13 N., R. 65 W., SM and Sec. 6, T. 12 N., R. 65 W., SM.

6. Anabranch of Kuskokwim and Gweek rivers with mouths in Sec. 19, T. 13 N., R. 64 W., SM and in Sec 35, T. 13 N., R. 65 W., SM.

7. Interconnecting slough of Kuskokwim River in Sec. 31, T. 13 N., R. 64 W., SM and Sec. 36, T. 13 N., R. 65 W., SM.

8. Interconnecting slough of Kuskokwim River heading in NW¼ Sec. 33, T. 12 N., R. 66 W., SM and emptying in Sec. 7, T. 11 N., R. 66 W., SM.

9. Mishevik Slough in T. 10 N., Rs. 66 and 67 W., SM.

10. Right-bank slough emptying into the Kisaralik River in Secs. 20 and 21, T. 9 N., R. 67 W., SM.

11. Reindeer Slough from its head in Sec. 21, T. 10 N., R. 67 W., SM to its mouth in Sec. 15, T. 9 N., R. 67 W., SM.

12. West channel of Reindeer Slough in Secs. 21 and 28, T. 10 N., R. 67 W., SM.

13. Slough of Kuskokwim River in S½S½ of Sec. 8 to its mouth in Sec. 17, T. 9 N., R. 68 W., SM.

14. Interconnecting slough of Kuskokwim River in Secs. 2 and 10, T. 9 N., R. 68 W., SM.

15. Slough from Kuskokwim River to Kuskokuak Slough in Secs. 16, 21, and 28, T. 9 N., R. 68 W., SM.

16. Gweek River in Tps. 9-11 N., R. 69 W., and T. 10 N., R. 68 W., SM.

17. Interconnecting slough of Kuskokwim River in Secs. 2, 3, and 10, T. 9 N., R. 68 W., SM and in Secs. 34 and 35, T. 10 N., R. 68 W., SM.

18. Kuskokuak Slough.

19. Pikmiktalik River, and its interconnecting slough in Secs. 4, 5, and 8, T. 10 N., R. 73 W., SM.

20. North Fork Johnson River in Sec. 31, T. 10 N., R. 74 W., SM, and in T. 9 N., R. 74 W., SM (mouth in Secs. 16 and 17, T. 9 N., R. 74 W., and head in Sec. 31, T. 10 N., R. 74 W., SM).

21. Double-lined slough in Sec. 30, T. 11 N., R. 74 W., SM and in Secs. 24 and 25, T. 11 N., R. 75 W., SM.

Table 2

Navigable Rivers, Streams, and Sloughs Less Than Three Chains Wide and Lakes Less Than Fifty Acres in Size Excluded from ICs and TAs in Survey Window 1836 (Atmautluak, Nunapitchuk, Kasigluk, Akiachak, Akiak, Tuluksak, Bethel (North) Kwethluk (North)

1. Bogus Creek slough in Secs. 2 and 11, T. 13 N., R. 64 W., SM. (IC 542)(Russian Mission A-5)

2. Bogus Creek in Sec. 11, T. 13 N., R. 64 W., SM. (IC 542)(Russian Mission A-5)

3. Kuskokwim River slough in Secs. 3 and 10, T. 13 N., R. 64 W., SM (single-lined on USGS maps), and branch in Secs. 2, 3, and 11, T. 13 N., R. 64 W., SM. joining Bogus Creek in Sec. 11. (IC 542)(Russian Mission A-5)

4. Slough with mouth in Sec. 19, T. 13 N., R. 64 W., SM, in Secs. 5, 8, 9, 18 and 19, T. 13 N., R. 64 W., SM.(IC 542)(Russian Mission A-5)

5. Yukaniluk Creek in Secs. 27, 28, 32, and 33, T. 13 N., R. 64 W., SM. (IC 542)(Russian Mission A-5)

6. Gweek River in Secs. 18 and 19, T. 13 N., R. 64 W., SM, Sec. 13, T. 13 N., R. 65 W., Secs. 1 and 2, 10, 11, 14, 21, 22, 23, 26-32, T. 11 N., R. 68 W., SM; and in Secs. 25, 35, and 36, in T. 12 N., R. 68 W., SM. (ICs 542, 618, 1027)

7. Lake influent and downstream segment of Fog River in Sec. 2, T. 11 N., R. 65 W., SM. (IC 542)(Russian Mission A-5)

8. Mishevik Slough in Secs. 5 and 6, T. 11 N., R. 65 W., SM; Secs. 31 and 32, T. 12 N., R. 65 W.; Secs. 4, 5, 8 and 18, T. 10 N., R. 66 W.; Tps. 11 and 12 N., R. 66 W., SM. (ICs 542, 610)(Russian Mission A-5, A-6)

9. Little Bogus Creek in Secs. 4, 5, 8, 9, 18, and 19, T. 12 N., R. 65 W., SM. (IC 542)(Russian Mission A-5 and A-6)

10. Lake effluent entering Mishevik Slough in Sec. 32, T. 12 N., R. 65 W., SM. (IC 542)(Russian Mission A-5)

11. Tuluksak River in Secs. 15, 16, 19, 20, 21, 22, 27, and 30, T. 12 N., R. 65 W., SM, and in T. 12 N., R. 66 W., SM. (IC 542)(Russian Mission A-5, A-6)

12. Kasigluk River in Secs. 31 and 33, T. 9 N., R. 66 W., SM. (IC 610)

13. Portion of right-bank tributary of Mishevik Slough (mouth in Sec. 1, T. 11 N., R. 66 W., SM) double-lined on USGS Russian Mission A-6, in Secs. 1 and 2, T. 11 N., R. 66 W., and Sec. 35, T. 12 N., R. 66 W., SM. (IC 542)

14. Slough in Secs. 20 and 21, T. 11 N., R. 66 W., SM. (IC 542)(Russian Mission A-6)

15. Left-bank stream/slough (mouth in Sec. 22) in Secs. 22, 23, 24, 25, and 26, T. 11 N., R. 66 W., SM. (IC 542)(Russian Mission A-6)

16. Stream heading in lake in Sec. 8, T. 12 N., R. 66 W., SM, and emptying into slough in Sec. 15, T. 12 N., R. 66 W., SM. (IC 542)(Russian Mission A-6)

17. Interconnecting slough of the Kuskokwim with head in Sec. 15 and mouth in Sec. 31, T. 12 N., R. 66 W., SM, and its branch in Secs. 15, 21, and 22. (IC 542)(Russian Mission A-6)

18. Interconnecting slough of Kuskokwim River with head in Sec. 28 and mouth in Sec. 32, T. 12 N., R. 66 W., SM. (IC 542)(Russian Mission A-6)

19. Right-bank slough of Kuskokwim River in Sec. 6, T. 9 N., R. 67 W., SM. (IC 610)(Bethel D-6)

20. Tributary of Reindeer Slough in Secs. 8 and 9, T. 9 N., R. 67 W., SM, portion double-lined on USGS Bethel D-6. (IC 610)

21. Kisaralik River to forks in Sec. 13, T. 9 N., R. 67 W., SM. (IC 610)(Bethel D-6)

22. Slough (mouth in Sec. 19) in Secs. 17, 18, and 19, T. 9 N., R. 67 W., SM. (IC 610)(Bethel D-6)

23. Slough in Secs. 8 and 17, T. 9 N., R. 67 W., SM. (IC 610)(Bethel D-6)

24. Kuskokwim River anabranch heading in Sec. 6, T. 10 N., R. 66 W., SM, emptying into Mishevik Slough in Sec. 25, T. 10 N., R. 67 W., SM. (IC 610)(Bethel D-6)

25. Reindeer Slough from its head in Sec. 21, T. 10 N., R. 67 W., SM, to its mouth in Sec. 15, T. 9 N., R. 67 W., SM. (IC 610)(Bethel D-6)

26. Lake and outlet in Sec. 7, T. 9 N., R. 68 W., SM. (IC 1027)(Bethel D-6)

27. Portion of slough double-lined on Bethel D-7 in Secs. 8 and 17, T. 9 N., R. 68 E., SM. (IC 618)

28. Interconnecting slough of Kuskokwim River and Kuskokuak Slough in Secs. 16, 21, and 28, T. 9 N., R. 68 W., SM. (ICs 213, 618) (Bethel D-7)

29. Kongeruk River in Sec. 31, T. 9 N., R. 72 W., SM. (IC 448)

30. Left-bank tributary of Pikmiktalik River in Secs. 29 and 30, T. 11 N., R. 72 W., SM. (IC 448)(Marshall A-1)

31. Left-bank tributary of Pikmiktalik River in Secs. 35 and 36, T. 9 N., R. 73 W., SM. (IC 448)(Baird Inlet D-1)

32. Lake effluent in Secs. 4 and 9, T. 9 N., R. 74 W., SM. (IC 485; Baird Inlet D-2)

33. Tributary of Johnson River (mouth in Sec. 5, T. 9 N., R. 74 W.) in Sec. 5, T. 9 N., R. 74 W., SM; and in Secs. 28, 32, and 33, T. 10 N., R. 74 W., SM. (IC 485)(Baird Inlet D-2)

34. Lake effluent in Sec. 27, T. 9 N., R. 74 W., SM. (IC 485) (Baird Inlet D-2)

35. North fork of Johnson River (mouth in Sec. 16, T. 9 N., R. 74 W., SM) and its tributary in Sec. 6, T. 9 N., R. 74 W., SM and in Secs. 1, 2, and 12, T. 9 N., R. 75 W., SM. (ICs 485, 595, 678)

36. Right-bank tributary (mouth in Sec. 17) of Johnson River in Secs. 7, 8, and 17, T. 10 N., R. 74 W., SM. (IC 485)(Baird Inlet D-2)

37. Left-bank tributary of Johnson River in Sec. 25, T. 11 N., R. 74 W., SM (single-lined on USGS Marshall A-1). (IC 448)

38. Johnson River to and through Sec. 36, T. 11 N., R. 74 W., SM. (ICs 448, 485, 595)

39. Right-bank tributary of Johnson River in Secs. 26 and 35, T. 10 N., R. 75 W., SM. (IC 595)(Baird Inlet D-2)

40. Right-bank tributary of Johnson River in Tps. 9 and 10 N., R. 75 W., SM, heading in Kayigyalik Lake in Sec. 15, T. 10 N., R. 75 W., SM, and emptying into the Johnson at Kasigluk in Sec. 2, T. 9 N., R. 75 W., SM. (IC 595)(Baird Inlet D-2)

41. Stream heading in Nunavakpak Lake in Sec. 28, T. 9 N., R. 76 W., SM, and emptying into Johnson River tributary in Sec. 22, T. 10 N., R. 75 W., including interconnecting slough in Sec. 21, T. 10 N., R. 75 W., outside of Native allotment AA-58195-A. (IC 595)(Baird Inlet D-2, D-3)

42. Interconnecting slough in Sec. 25, T. 10 N., R. 76 W., SM. (IC 595)(Baird Inlet D-2)

Table 3

Navigable Waters on Lands Selected Under ANCSA or the Statehood Act in Survey Window 1836 Identified Through Aerial Photo-Interpretation

1. Left-bank tributary of Bogus Creek from its mouth in Sec. 3 to tributary in S½ Sec. 22, T. 13 N., R. 62 W., SM. (Flight 9, roll 2, frame 12, 1987) (Russian Mission A-4)

2. Bogus Creek in Secs. 1 and 12, T. 13 N., R. 64 W., SM, and T. 13 N., Rs. 62 and 63 W., SM. (Flight 9, roll 2, frame 12, 1987)

3. Kuskokwim River slough (mouth in Sec. 19, T. 13 N., R. 64 W., SM), to right bank tributary in E½ of Sec. 12, T. 13 N., R. 65 W., SM. (Flight 9, roll 2, frame 5, 1987)

4. Fog River in Secs. 1, 11, and 14 to tributary in the E½W½ of Sec. 13, T. 11 N., R. 65 W., SM, and Sec. 36, T. 12 N., R. 65 W., SM. (Flight 7, roll 1, frame 36, 1987)

5. Little Bogus Creek in Secs. 3 and 10, T. 12 N., R. 65 W., SM. (CIR 60, roll 7, frame 277, 1980)

6. Right-bank tributary of Tuluksak River in Sec. 25, T. 12 N., R. 65 W., SM. (Flight 7, roll 1, frame 36, 1987) (Russian Mission A-5)

7. Stream emptying into interconnecting slough of Kisaralik River, in Secs. 1, 2, 3, and 11, T. 9 N., R. 66 W., SM. (Flight 3, roll 1, frame 31, 1987) (Bethel D-6)

8. Stream (mouth in Sec. 18) emptying into Mishevik Slough in Secs. 3 and 10, T. 10 N., R. 66 W., SM. (Flight 5, roll 1, frame 30, 1987) (Bethel D-6)

9. Slough in Secs. 3 and 10, T. 10 N., R. 66 W., SM to lower lake effluent in NW¼ Sec. 10 on USGS Bethel D-6. (Flight 5, roll 1, frame 30, 1987) (Bethel D-6)

10. Israthorak Creek to and through Native allotment AA-51769 in Sec. 30, T. 13 N., R. 67 W., SM. (Flight 8A, roll 2, frames 6 and 7, 1987) (Russian Mission A-7)

11. Left-bank tributary of Gweek River in Sec. 12, T. 11 N., R. 68 W., SM. (Flight 7, roll 1, frame 29, 1987) (Russian Mission A-6, A-7)

12. Left-bank tributary of Gweek River in Secs. 13 and 24, T. 11 N., R. 68 W., SM. (Flight 6, roll 1, frame 24, 1987) (Russian Mission A-7)

13. Right-bank tributary of Gweek River in NW¼ Sec. 28, T. 10 N., R. 69 W., SM. (Flight 4, roll 1, frame 24, 1987) (Bethel D-7)

14. Left-bank tributary of Pikmiktalik River in Secs. 22, 27, and 28, T. 11 N., R. 72 W., SM. (Flight 6, roll 1, frame 13, 1987) (Marshall A-1)

15. Right-bank tributary of Pikmiktalik River in Secs. 23 and 24, T. 11 N., R. 73 W., SM. (Flight 6, roll 1, frame 12, 1987) (Marshall A-1)

16. Johnson River in T. 11 N., R. 73 W., SM; Secs. 13, 23, 24, 26, 34 and 35, T. 11 N., R. 74 W., SM; and in Sec. 2, T. 10 N., R. 74 W., SM. (Flight 6, roll 1, frames 10, 11, and 12, 1987)

17. Slough (mouth in Sec. 4), in Secs. 3 and 4, T. 11 N., R. 74 W., SM. (Roll 7, frame 292, 1980) (Marshall A-2)

18. Stream in Sec. 7, T. 11 N., R. 74 W., SM. (Roll 7, frame 294, 1980) (Roll 1, flight 6, frame 8, 1987) (Marshall A-2)

19. Interconnecting slough of Johnson River in Secs. 23 and 26, T. 11 N., R. 74 W., SM. (Roll 1, flight 6, frames 9 and 10) (Marshall A-1)

20. Slough (mouth in Sec. 34) in Secs. 27 and 34, T. 11 N., R. 74 W., SM. (Roll 1, flight 6, frames 9 and 10, 1987)

21. Slough heading in lake in Secs. 1 and 12 (mouth in E½ Sec. 12), T. 10 N., R. 75 W., SM. (Flight 5, roll 1, frame 9, 1987) (Baird Inlet D-2)

22. Slough connecting Kyigayalik Lake with an unnamed lake in Sec. 12, T. 10 N., R. 75 W., SM, including north channel in W½, Sec. 12. (Flight 5, roll 1, frame 9, 1987) (Baird Inlet D-2)

23. Slough (mouth in Sec. 22) in E½ Sec. 15, T. 10 N., R. 75 W., SM. (Roll 1, Flight 5, frame 8, 1987) (Baird Inlet D-2)

24. Stream in Secs. 7 and 8, T. 11 N., R. 75 W., SM. (Roll 7, frame 294, 1980) (Roll 1, flight 6, frame 5, 1987) (Marshall A-2)

25. Stream in Secs. 20 and 21, T. 11 N., R. 75 W., SM. (Flight 6, roll 1, frame 6, 1987) (Marshall A-2)

26. Slough in SE¼, Sec. 21, T. 11 N., R. 75 W., SM. (Roll 1, flight 6, frame 6, 1987) (Marshall A-2)

27. Stream in Secs. 29 and 30 (mouth in Sec. 29), T. 11 N., R. 75 W., SM. (Flight 6, roll 1, frame 6, 1987) (Marshall A-2)

28. Stream from Takslesluk Lake (mouth in Sec. 17), in Secs. 17, 18, and 19, T. 11 N., R. 76 W., SM, only. (Flight 6, roll 1, frame 4, 1987) (Marshall A-3)

29. Stream from Takslesluk Lake in Sec. 1, T. 11 N., R. 78 W., SM to its mouth in Sec. 5, in Secs. 1-5. (Roll 7, frame 299, 1980)(Roll 1, flight 7, frame 4, 1987) (Marshall A-3, A-4)

30. Stream in Secs. 6 and 7, T. 11 N., R. 78 W., and Sec. 31, T. 12 N., R. 78 W., SM. (Roll 7, frame 299, 1980)(Roll 1, flight 7, frame 3, 1987) (Marshall A-4)

31. Taklesluk Lake influent, in Sec. 25, T. 12 N., R. 78 W., SM. (Roll 7, frame 299, 1980)(Roll 1, flight 7, frame 5, 1987) (Marshall A-3)

32. Stream in Secs. 28, 29, 32, and 33, T. 12 N., R. 78 W., SM and in Secs. 5 and 8, T. 11 N., R. 78 W., SM. (Roll 7, frame 299, 1980)(Roll 1, flight 7, frames 3 and 4, 1987) (Marshall A-4)

Table 4

Navigable Waters On or Along Native Allotments and Field-Examined Historical Sites in Survey Window 1836

1. Right fork of Fog River along Native allotment AA-56435, and its left-bank tributary in allotment, in Sec. 30, T. 11 N., R. 64 W., SM. (Flight 6, roll 1, frame 33, 1987) (Russian Mission A-5)

2. Interconnecting slough of Kisaralik River in Native allotment AA-55907 in Secs. 8 and 17, in Native allotment AA-55908 in Secs. 16 and 17, and in Native allotment F-033569 in Secs. 9 and 16, T. 9 N., R. 66 W., SM. (Flight 3, roll 1, frame 31, 1987) (Bethel D-6)

3. Stream in Native allotment F-17363-A in Secs. 4 and 9, heading in lake in Sec. 8, T. 12 N., R. 66 W., SM (mouth in Sec. 15). (Roll 7, frame 279, 1980) (Russian Mission A-6)

4. Slough in Sec. 5, T. 9 N., R. 68 W., SM, in F-17800. (Roll 4, frame 25, 1987)

5. Lake and effluent in Sec 7, T. 9 N., R. 68 W., SM in Native allotment F-029194. (Flight 4, roll 1, frame 25, 1987)

6. Slough in Native allotment F-17206-B in Sec. 30, T. 9 N., R. 68 W., SM. (Flight 3, Roll 1, Frame 26, 1987) (Bethel D-7)

7. Right-bank tributary of Gweek River in Native allotment F-17083 in Sec. 1, T. 10 N., R. 69 W., SM and in Sec. 36, T. 11 N., R. 69 W., SM. (Flight 5, Roll 1, Frames 22, 23, and 24, 1987) (Bethel D-6)

8. Tubungaluk Creek, in Native allotment AA-51614, in Secs. 14 and 15, T. 9 N., R. 70 W., SM. (Flight 3, roll 1, frame 22, 1987) (Bethel D-8)

9. Kukthluk River and its right bank tributary in Native allotment F-14378 in Sec. 30, T. 9 N., R. 72 W., SM. (Flight 3, roll 1, frame 15, 1987) (Baird Inlet D-1)

10. Slough (mouth in Sec. 29, T. 10 N., R. 74 W.,) and its northern tributary in Native allotment F-14961-C, in Sec. 29. (Flight 4, roll 1, frame 10, 1987) (Baird Inlet D-2)

11. Slough with mouth in Kyigayalik Lake in Sec. 6, T. 10 N., R. 75 W., SM in Native allotment AA-18257 in Secs. 4 and 5, T. 10 N., R. 76 W., SM. (Flight 5, roll 1, frame 6, 1987) (Baird Inlet D-2, D-3)

12. Stream (northernmost mouth in Sec. 24, T. 12 N., R. 75 W., SM) through Native allotment F-14256-B in Sec. 7, T. 12 N., R. 74 W., SM; and its left-bank tributary with mouth in Sec. 7, T. 12 N., R. 74 W., SM through Native allotment F-18198-A. (Roll 7, frame 293, 1980) (Marshall A-2)

13. Stream (southernmost mouth in Sec. 24, T. 12 N., R. 75 W., SM) to and through Native allotment F-16567 in Sec. 10, T. 12 N., R. 74 W., SM; its left bank tributary (mouth in Sec. 10) to and through Native allotment F-14386-B in Sec. 12, and its left bank tributary in Sec. 18, T. 12 N., R. 74 W., SM to the middle of Native allotment F-14968-A. (Roll 7, frame 293, 1980)(Roll 1, flight 7, frames 12 and 13, 1987) (Marshall A-1,A-2)

14. Stream in Native allotments F-16337-A, F-14515, and F-15734, in Secs. 29, 30, 31, and 32, T. 12 N., R. 75 W., SM (mouths in Sec. 29 and 31). (Roll 7, frame 294, 1980)(Roll 1, flight 7, frame 9, 1987) (Marshall A-2)

15. Lake and its outlet in NW¼SE¼ of Native allotment F-17534 in Sec. 21, T. 9 N., R. 76 W., SM. (Flight 3, roll 1, frame 5, 1987) (Baird Inlet D-2)

16. Stream (mouths in Secs. 21 and 28, T. 9 N., R. 76 W., SM) in Native allotments F-14561 and F-18258, in Secs. 21 and 28. (Flight 3, roll 1, frame 5, 1987) (Baird Inlet D-3)

17. Interconnecting slough of stream in Sec. 25, T. 10 N., R. 76 W., SM in Native allotment F-15827-A. (Flight 4, roll 1, frame 7, 1987) (Baird Inlet D-2)

18. Stream in Native allotment F-14387-B, in Secs. 25 and 36, T. 12 N., R. 79 W., SM (mouth in Sec. 6, T. 11 N., R. 78 W., SM). (Flight 7, roll 1, frame 2, 1987) (Marshall A-4)

Table 5

Navigable Rivers, Streams and Sloughs Less Than 198 Feet Wide and Lakes Less Than 50 Acres in Size in Survey Window 1836 (Atmautluak, Nunapitchuk, Kasiguluk, Akiachak, Akiak, Tuluksak, Bethel (North), and Kwethluk (North)

Seward Meridian

Townships

T. 13 N., R. 62 W.
Bogus Creek and its left-bank tributary from its mouth in Sec. 3, to tributary in S½ Sec. 22.

T. 13 N., R. 63 W.
Bogus Creek.

T. 11 N., R. 64 W.
Tuluksak River. Right fork of Fog River (mouth in Sec. 5) along Native allotment AA-56435 in Sec. 30. Left-bank tributary of right fork of Fog River in Native allotment AA-56435.

T. 13 N., R. 64 W.,
Bogus Creek. Bogus Creek slough in Secs. 2 and 11. Slough (mouth in Sec. 19), in Secs. 5, 7, 8, 9, 18 and 19. Yukaniluk Creek in Secs. 27, 28, 32, and 33. Kuskokwim River slough in Secs. 3 and 10 (single-lined on USGS map), and branch in Secs. 2, 3, and 11. Kuskokwim River slough (mouth in Sec. 19) to right bank tributary in E½ of Sec. 12, T. 13 N., R. 65 W., SM.

T. 9 N., R. 65 W.
None.

T. 10 N., R. 65 W.
None.

T. 11 N., R. 65 W.
Lake influent in Sec. 2. Fog River in Secs. 1, 11, and 14 to tributary in E½W½ of Sec. 13. Tuluksak River. Mishevik Slough.

T. 12 N., R. 65 W.
Fog, Gweek, and Tuluksak rivers. Right-bank tributary of Tuluksak River in Sec. 25. Mishevik Slough. Fog River in Sec. 36. Lake effluent entering Mishevik Slough in Sec. 32. Little Bogus Creek.

T. 13 N., R. 65 W.
Gweek River in Secs. 4, 5, 7, and 8. Kuskokwim River slough (mouth in Sec. 19, T. 13 N., R. 65 W.) to right bank tributary in E½ of Sec. 12.

T. 9 N., R. 66 W.
Kasigluk River. Interconnecting slough of Kisaralik River in Native allotments AA-55907 in Secs. 8 and 17, AA-55908 in Secs. 16 and 17, and in F-033569 in Secs. 9 and 16, and its tributary in Secs. 1, 2, 3, and 11.

T. 10 N., R. 66 W.
Mishevik Slough. Kuskokwim River anabranch heading in Sec. 6, T. 10 N., R. 66 W., SM and emptying into Mishevik Slough in Sec. 25, T. 10 N., R. 67 W., SM. Stream (mouth in Sec. 18), emptying into Mishevik Slough in Secs. 3 and 10. Slough in Secs. 3 and 10, to lower lake effluent in NW¼ Sec. 10.

T. 11 N., R. 66 W.
Mishevik Slough. Portion of right bank tributary of Mishevik Slough (mouth in Sec. 1) double-lined on USGS map in Secs. 1 and 2. Left-bank stream/slough (mouth in Sec. 22) in Secs. 22, 23, 24, 25, 26, and 27. Slough in Secs. 20 and 21.

T. 12 N., R. 66 W.
Tuluksak River. Stream in Native allotment F-17363-A in Secs. 4 and 9. Mishevik Slough. Interconnecting slough of the Kuskokwim with head in Sec. 15 and mouth in Sec. 31, and its branch in Secs. 15, 21, and 22. Interconnecting slough of Kuskokwim River with head in Sec. 28 and mouth in Sec. 32. Portion of right bank tributary of Mishevik Slough (mouth in Sec. 1, T. 11 N., R. 66 W., SM) double-lined on USGS map in Sec. 35. Stream heading in lake in Sec. 8, and emptying into slough in Sec. 15.

T. 13 N., R. 66 W.
Gweek River.

T. 9 N., R. 67 W.
Right-bank slough of Kuskokwim River in Sec. 6. Kisaralik River to forks in Sec. 13. Reindeer Slough. Double-lined portion of tributary of Reindeer Slough in Secs. 8 and 9. Slough in Secs. 8 and 17. Slough in Secs. 17, 18, and 19 (mouth in Sec. 19). Kasigluk River.

T. 10 N., R. 67 W.
Mishevik and Reindeer sloughs. Kuskokwim River anabranch heading in Sec. 6, T. 10 N., R. 66 W., SM, emptying into Mishevik Slough in Sec. 25, T. 10 N., R. 67 W., SM.

T. 11 N., R. 67 W.
None.

T. 12 N., R. 67 W.
Gweek River.

T. 13 N., R. 67 W.
Israthorak Creek to and through Native allotment AA-51769 in Sec. 30.

T. 9 N., R. 68 W.
Portion of Kuskokwim River slough double-lined on USGS map in Secs. 8 and 17. Lake and effluent in Sec. 7. Slough in Secs. 16, 21, and 28. Slough in Native allotment F-17800 in Sec. 5. Slough in Native allotment F-17206-B in Sec. 30. Lake and outlet in Secs. 6 and 7.

T. 10 N., R. 68 W.
Gweek River.

T. 11 N., R. 68 W.
Gweek River. Left-bank tributary of Gweek River in Sec. 12. Left-bank tributary of Gweek River in Secs. 13 and 24 (mouth in Sec. 14).

T. 12 N., R. 68 W.
Gweek River. Israthorak Creek.

T. 13 N., R. 68 W.
Israthorak Creek.

T. 9 N., R. 69 W.
Gweek River.

T. 10 N., R. 69 W.
Gweek River. Right-bank tributary of Gweek River in Native allotment F-17083 in Sec. 1. Right-bank tributary of Gweek River in NW¼ Sec. 28.

T. 11 N., R. 69 W.
Gweek River. Right-bank tributary of Gweek River in Native allotment F-17083 in Sec. 36.

T. 12 N., R. 69 W.
Israthorak Creek.

T. 9 N., R. 70 W.
Gweek River. Tubungaluk Creek in Native allotment AA-51614 in Secs. 14 and 15 (mouth in Sec. 18, T. 9 N., R. 69 W., SM).

Tps. 10 and 11 N., R. 70 W.
None.

Tps. 9, 10 and 11 N., R. 71 W.
None.

T. 9 N., R. 72 W.
Kukthluk River and right-bank tributary in Native allotment F-14378 in Sec. 30. Kongeruk River in Sec. 31.

T. 10 N., R. 72 W.
None.

T. 11 N., R. 72 W.
Left-bank tributary of Pikmiktalik River in Secs. 22, 27, 28, 29, and 30.

T. 9 N., R. 73 W.
Johnson River. Left-bank tributary of Pikmiktalik River in Secs. 35 and 36.

T. 10 N., R. 73 W.
None.

T. 11 N., R. 73 W.
Right-bank tributary of Pikmiktalik River in Sec. 23 and 24. Johnson River.

T. 9 N., R. 74 W.
Johnson River. Lake effluent in Secs. 4 and 9. North Fork Johnson River (mouth in Sec. 16) and its southernmost tributary in Sec. 6. Tributary of Johnson River in Sec. 5. Lake effluent in Sec. 27.

T. 10 N., R. 74 W.
Johnson River. Right-bank tributary (mouth in Sec. 17) of Johnson River in Secs. 7, 8, and 17. North Fork Johnson River in Sec. 31. Tributary of Johnson River in Secs. 28, 32, and 33. Slough (mouth in Sec. 29) and its northern tributary in Native allotment F-14961-C, in Sec. 29.

T. 11 N., R. 74 W.
Johnson River. Stream in Sec. 7. Left-bank tributary of Johnson River in Sec. 25 (single-lined on USGS map). Interconnecting slough of Johnson River in Secs. 23 and 26. Slough (mouth in Sec. 34) in Secs. 27 and 34. Slough in Secs. 3 and 4 (mouth in Sec. 4).

T. 12 N., R. 74 W.
Stream (southernmost mouth in Sec. 24, T. 12 N., R. 75 W., SM) to and through Native allotment F-16567 in Sec. 10; its left-bank tributary (mouth in Sec. 10) to and through Native allotment F-14386-B in Sec. 12, and its left-bank tributary in Sec. 18 to the middle of Native allotment F-14968-A. Stream (northernmost mouth in Sec. 24, T. 12 N., R. 75 W., SM) to and through Native allotment F-14256-B in Sec. 7, and its tributary in Sec. 7 in Native allotment F-18198-A.

T. 9 N., R. 75 W.
Johnson River. Anabranch of Johnson River and North Fork Johnson River in Secs. 1, 2 and 12. Slough in Secs. 2, 3, and 11, mouth in Johnson River at Kasigluk. Right-bank tributary of Johnson River heading in Kayigyalik Lake in Sec. 15, T. 10 N., R. 75 W., SM and emptying into the Johnson River at Kasigluk in Sec. 2, T. 9 N., R. 75 W., SM.

T. 10 N., R. 75 W.
Johnson River. Right-bank tributary of Johnson River in Secs. 26 and 35. Slough connecting Kyigyalik Lake with an unnamed lake in Sec. 12, including north channel in W½ Sec. 12. Slough heading in lake, in Secs. 1 and 12 (mouth in E½ Sec. 12). Slough (mouth in Sec. 22) in E½ Sec. 15. Right-bank tributary of Johnson River heading in Kyigyalik Lake in Sec. 15 and unnamed lake in Sec. 22, T. 10 N., R. 75 W., SM, emptying into the Johnson River at Kasigluk in Sec. 2, T. 9 N., R. 75 W., SM. Stream heading in Nunavakpak Lake in Sec. 28, T. 9 N., R. 76 W., SM, and emptying into Johnson River tributary in Sec. 22, including interconnecting sloughs in Sec. 21, outside of Native allotment F-14873-A.

T. 11 N., R. 75 W.
Stream in Secs. 7 and 8. Stream in Secs. 29 and 30 (mouth in Sec. 29). Stream in Secs. 20 and 21. Slough in SE¼ Sec. 21.

T. 12 N., R. 75 W.
Stream in Native allotments F-16337-A, F-14515, and F-15734, in Secs. 29, 30, 31, and 32.

T. 9 N., R. 76 W.
Stream heading in Nunavakpak Lake in Sec. 28, T. 9 N., R. 76 W., SM, and emptying into Johnson River tributary in Sec. 22, T. 10 N., R. 75 W., SM. Lake and its outlet in NW¼SE¼ of Native allotment F-17534 in Sec. 21. Stream with mouths in Secs. 21 and 28 in Native allotments F-14561 and F-18258.

T. 10 N., R. 76 W.
Stream emptying into Johnson River tributary in Sec. 22, T. 10 N., R. 75 W., SM and heading in Nunavakpak Lake in Sec. 28, T. 9 N., R. 76 W., SM, and its interconnecting slough in Sec. 25. Slough in Native allotment AA-18257 in Secs. 4 and 5 (mouth in Kyigyalik Lake in Sec. 6, T. 10 N., R. 75 W., SM).

T. 11 N., R. 76 W.
Stream from Takslesluk Lake (mouth in Sec. 17), in Secs. 17, 18, and 19.

T. 12 N., R. 76 W.
None.

Tps. 9, 10, and 11 N., R. 77 W.
None.

T. 11 N., R. 78 W.
Stream in Secs. 5 and 8 (mouth in Sec. 8). Stream from Takslesluk Lake in Sec. 1, to its mouth in Sec. 5, in Secs. 1-5. Stream in Secs. 6 and 7 (mouth in Sec. 7).

T. 12 N., R. 78 W.
Takslesluk Lake influent in Sec. 25. Stream in Secs. 28, 29, 32, and 33 (mouth in Puk Palik Lake in Sec. 8, T. 11 N., R. 78 W., SM). Stream in Sec. 31 (mouth in Sec. 6, T. 11 N., R. 78 W., SM).

T. 12 N., R. 79 W.
Stream in Native allotment F-14387-B in Secs. 25 and 36 (mouth in Sec. 6, T. 11 N., R. 78 W., SM).

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE
222 W. 7th Avenue, #13
ANCHORAGE, ALASKA 99513-7599

Fog River System
Interim Summary Report
Attachment 8

2628 (930)

DEC 13 1995
1995

Mr. Michael B. Rearden
Refuge Manager
Yukon Delta National Wildlife Refuge
P.O. Box 346
Bethel, Alaska 99559

Dear Mr. Rearden:

This is in response to your letter of October 11, 1995 to Jeff Denton at our Anchorage District Office requesting, among other things, the history and status of the Bureau of Land Managements (BLM) navigability findings for certain rivers and streams in the Yukon-Kuskokwim Delta National Wildlife Refuge. Enclosed are brief chronologies of the BLM's navigability findings for the requested eight rivers and streams. Nolan Heath, Deputy State Director for Lands, Minerals, and Resources, responded to your other requests for information in his letter dated November 24, 1995.

As noted in the November 24th letter, the BLM investigates the navigability of water bodies on lands selected under the Alaska Statehood Act, the Alaska Native Claims Settlement Act, and the Native Allotment Act. Its purpose is to ensure that the State, Native corporations, and Native individuals are not charged for the submerged land acreage of navigable water bodies. These entities and individuals are charged for lands underlying non-navigable rivers and streams less than 3 chains wide and lakes less than 50 acres in size.

In the attached chronologies you will notice cases where the BLM re-examined the navigability of a river several times and, in a few instances, reached opposite navigability conclusions. In case of the Kwethluk River, for example, the BLM found the lower reaches non-navigable, and 12 years later decided that the upper reaches were navigable. Is this an arbitrary act? No, it is the result of the courts clarifying the legal standard for navigability determinations. In 1979, the Alaska Native Claims Appeals Board issued a decision on the navigability of the Nation and Kandik Rivers. In 1987 and 1989, respectively, the U. S. District Court and Ninth Circuit Court issued decisions on the Gulkana River's navigability. Each decision further clarified our understanding of what is a navigable water body, and our criteria for administrative navigability determinations were modified accordingly.

By law, once the riparian lands have been conveyed, as with an interim conveyance to a Native corporation, the United States no longer has any right, title, or interest in the submerged lands (Public Law 100-395). Thus, in cases like the Kwethluk River, which does not meet the meander size criteria, the BLM has no authority on its own initiative to revisit the issue of the river's navigability where the riparian lands have been conveyed out of Federal ownership. However, this action could be undertaken if both the surface owner and subsurface owner request it. By authority of Section 316 of the Federal Land Policy and Management Act of 1976 (Public Law 94-579) and Department regulations (43 CFR 1865), the BLM may reconsider a previous administrative determination of navigability or non-navigability. If navigable, the river would be meandered and the submerged lands excluded from the patent. If non-navigable, the river would not be meandered. Again, however, this action requires the agreement of both the surface and subsurface owners. In the Kuskokwim River region, several village corporations, as well as the Calista Corporation, have chosen not to avail themselves of this option.

If you have questions about the attached chronology or if you need additional information about the BLM's navigability program, please call me at (907) 271-5477. If you want information about the navigability or survey status of other water bodies, you should contact Lynette Nakazawa, Chief, Mapping Sciences, Division of Cadastral Survey, at (907) 271-3274.

Sincerely,

C. Michael Brown

C. Michael Brown
Navigable Waters Specialist

Enclosure
Navigability Status Report (5 pp)

cc: Sharon Janis, Chief
Division of Lands
U. S. Fish & Wildlife Service
1011 E. Tudor Road
Anchorage, Alaska 99503
(w/encl)

NAVIGABILITY STATUS REPORT FOR BOGUS CREEK, TULUKSAK RIVER, LITTLE KASIGLUK RIVER, KISARALIK RIVER, AKULIKUTAK RIVER, KWETHLUK RIVER, EEK RIVER, AND GWEEK RIVER IN THE KUSKOKWIM RIVER REGION

Bogus Creek

The Bureau of Land Management (BLM) has consistently held that this creek is navigable. In 1981, it decided that Bogus Creek is navigable from its mouth through the area selected by Tuluksak village. The creek bed was excluded from Interim Conveyance Nos. 542 and 543 in Sec. 11, T. 13 N., R. 64 W., SM. The Kuskokwim River slough into which Bogus Creek empties is also considered navigable.

In 1989, the BLM confirmed that Bogus Creek is navigable through the Tuluksak village selection area; that is, in Secs. 1 and 12, T. 13 N., R. 64 W., and in T. 13 N., Rs. 62 and 63 W., SM. However, in the course of examining Native allotment selections, it found that the creek is navigable as far upstream as the Native allotment, F-16534 Parcel D, located in Sec. 32, T. 14 N., R. 61 W., SM. (On the USGS map, this stream is shown as a tributary of Bogus Creek. In aerial photos, this streams appears to be the main channel of Bogus Creek.) This is the uppermost point of the creek that we have considered for navigability.

The BLM has also identified two tributaries of Bogus Creek as navigable:

1. The right bank tributary in Secs. 2 and 11, T. 13 N., R. 64 W., SM (excluded from IC 542 and 543).

2. he left bank tributary of Bogus Creek from its mouth in Sec. 3 to tributary in S½ Sec. 22, T. 13 N., R. 62 W., SM.

Tuluksak River

The BLM has issued two navigability findings for this river. In 1981, while considering navigable waters and easements in the Tuluksak village selection area, it decided that the river is navigable from its mouth to a former barge landing site in Sec. 32, T. 12 N., R. 64 W., SM. In 1985, after completing an historical study of water bodies in the Kuskokwim River region, it issued a finding that the Tuluksak River is navigable to another former boat landing site called Upper Landing, reportedly about 4.5 miles above Otter Creek. In all, about 59 miles of the river is considered navigable.

The BLM has also identified five tributaries of the Tuluksak River as navigable:

1. Little Bogus Creek from its mouth to and into SW¼NW¼ Sec. 35, T. 13 N., R. 64 W., SM, ~~including~~ Yukamiluk Creek. (~~These were excluded~~ from IC ~~542 and~~ 543.)

2. Right bank tributary of Tuluksak River in Sec. 26, T. 12 N., R. 65 W., SM. Only the portion in Section 26 was examined and found navigable.

3. The slough and lake system which extends from the Tuluksak River in Sec. 36, T. 12 N., R. 65 W., to Mishevik Slough in Sec. 32, 12 N., R. 65 W., SM.

4. Fog River in Secs. 1, 11, and 14 to tributary in E½W½ of Sec. 13, T. 11 N., R. 65 W., SM and Sec. 36, T. 12 N., R. 65 W., SM.

5. Right fork of Fog River along Native allotment AA-56435 and its left bank tributary in allotment in Sec. 30, T. 11 N., R. 64 W., SM.

Kasigluk River and Little Kasigluk River

The lower reaches of the Kasigluk River flow through lands conveyed to the Akiak village corporation (IC 610). In 1982, the BLM decided that the river in T. 9 N., R. 67 W., T. 9 N., R. 66 W., and T. 8 N., R. 66 W., SM, is non-navigable. A short segment of the river in T. 8 N., R. 67 W., SM, also was not excluded from lands conveyed to the Kwethluk village corporation (IC's 213, 214). The river here was also considered to be non-navigable.

At the time of interim conveyance, it was thought that the lower Kasigluk River may be tidal. According to Lynette Nakazawa, who heads a team of photo-interpreters responsible for creating meanders in the Division of Cadastral Survey, the river is not tidal, but much of the reach in T. 9 N., R. 67 W., SM, is 3 chains or more in width. Thus, based on its width alone, this reach will be meandered and the submerged lands segregated from uplands on the survey plat.

The BLM has not studied the remainder of this river for navigability. The same applies to its tributaries, including Little Kasigluk River.

Kisaralik River

In 1982, the BLM decided that only the first few miles of this river is navigable. Examining the river reach in the area selected by the Akiak village corporation, it found the river navigable to a tributary in Sec. 13, T. 9 N., R. 67 W., SM, and excluded the submerged lands from IC 610. The remainder of the river (about 15 miles) in the selection area was considered to be non-navigable. The river bed from the tributary in Sec. 13, T. 9 N., R. 67 W. through T. 9 N., R. 67 W., T. 9 N., 66 W., and T. 8 N., R. 66 W., SM, was not excluded from IC 610.

In 1989, the BLM examined Native allotment selections in the area selected by or conveyed to the Akiak village corporation, and identified additional navigable waters. Specifically, it decided that the slough heading in the Kisaralik River in Sec. 28, T. 9 N., R. 66 W., SM, and returning to the Kisaralik in Sec. 13, T. 9 N., R. 67 W., SM, is navigable. A stream that empties into this slough in Sec. 8, T. 9 N., R. 66 W., SM, was also considered to be navigable to and through Sec. 1, T. 9 N., R. 66 W., SM. At the time of interim conveyance in 1982, the BLM had decided that these water

bodies were non-navigable and did not exclude them from the interim conveyance. Therefore, these waters will not be meandered and the submerged lands segregated from interim-conveyed uplands unless the survey shows they are tidal or meet the size criteria for meander lines. However, where they flow through Native allotments or lands selected by but not yet conveyed to the Native corporations, they will be meandered and the submerged lands segregated from Federal uplands.

In 1990, at the request of the State of Alaska, the BLM reconsidered the navigability of the upper reaches of the Kisaralik, specifically on lands patented to the State of Alaska in Tps. 3 N., R. 59 W., and 3 and 4 N., R. 60 W., SM. Years ago, the BLM had found this reach to be non-navigable and charged the submerged land acreage against the State's entitlement. Upon review of the facts and recent court decisions in the Gulkana River case, the agency decided that the State should not have been charged for the submerged land acreage because the river up to Kisaralik Lake is navigable.

✓ Kwethluk River

In 1979, the BLM issued IC's 213 and 214 to the Kwethluk village corporation and Calista Corporation, respectively. The Kuskokwim River, Kuskokuak Slough, Tupuknuk Slough, and Church Slough were the only water bodies excluded from the conveyances by reason of navigability. The Kwethluk River in T. 8 N., R. 69 W., T. 7 N., R. 69 W., T. 7 N., R. 68 W., and T. 6 N., R. 68 W., SM, was not excluded from the interim conveyances. It was considered to be non-navigable.

The Division of Cadastral Survey reports that the river is not tidal. However, according to Lynette Nakazawa, much of the lower reach in T. 8 N., R. 69 W., SM, is 3 chains or more in width. On the survey plat, this reach will be meandered and the submerged lands segregated from uplands. The remainder of the river in this township and in T. 7 N., R. 69 W., SM, is less than three chains in width, and thus will not be segregated on the survey plats.

In 1991, the BLM reconsidered the navigability of this river above the interim-conveyed area. Our Division of Cadastral Survey was preparing survey instructions for numerous small tracts, like Native allotment parcels, located on and along the river above the interim-conveyed area, and needed to know whether or not to exclude the river from the surveys of Native allotment boundaries. Analyzing new information in light of the Federal courts' decisions in the Gulkana River case, the BLM concluded that the Kwethluk River is navigable from T. 5 N., R. 68 W. to and through T. 3 N., R. 66 W., SM. The river flows through seven townships in this reach.

✓ Akulikutak River

In 1979 the BLM did not exclude this river from IC 213 and 214 in Tps. 7 and 8 N., R. 68W., and T. 6 and 7 N., R. 67 W., SM. We found the river to be non-navigable. Since, the agency has not considered the navigability of the remainder of the river.

✓ Gweek River

This river flows through the selection areas of Bethel, Akiachak, Akiak, and Tuluksak villages. The Gweek River was excluded from all ICs of lands along this river. (ICs 542, 618, 1027) In 1978 the BLM considered it a tidal waterway through the Bethel conveyance area. In 1981 the agency considered the river to be an interconnected slough of the Kuskokwim River. However, it changed this position after studying high altitude color infrared photographs of the area and new information collected through interviews with local residents and government officials. In 1989 the agency decided that the river is navigable by reason of use from its mouth to and through Section 4, T. 13 N., R. 65 W., SM. Beyond, the river appears to be dry or virtually so for a considerable distance. However, it also found the "head" of the river to be navigable a short distance; that is, from the Kuskokwim River in Sec. 19, T. 13N., R. 64 W., SM, to a point in the middle of Sec. 12, T. 13 N., R. 65 W., SM.

The BLM also identified the following tributaries of Gweek River as navigable:

1. Left-bank tributary in Sec. 12, T. 11 N., R. 68 W., SM.

2. Left-bank tributary in Secs. 13 and 24 (mouth in Sec. 14), T. 11 N., R. 68 W., SM.

3. Right-bank tributary in Native allotment F-17083 in Sec. 1, T. 10 N., R. 69 W., SM.

4. Right-bank tributary in NW¼ Sec. 28, T. 10 N., R. 69 W., SM.

5. Right-bank tributary in Native Allotment F-17083 in Sec. 36. T. 11 N., R. 69 W., SM.

✓ Eek River.

The BLM has consistently held this river to be navigable. In 1983 it examined the navigability of Eek River in the Eek village selection area. On the basis of information provided by local residents, it decided the river is navigable from its mouth to and through T. 1 N., R. 72 W., SM; that is, through the selection area. In 1988 the BLM again examined the Eek village selection area for navigable water bodies that might meet the U. S. District Court's standard of navigability as described in the Gulkana River case. It found three additional navigable water bodies on Federal lands:

1. A lake and its outlet in Sec. 3, T. 1 N., R. 72 W., SM.

2. A slough in Secs. 16-20, T. 2 N., R. 7 W., SM.

3. A slough in Sec. 36, T. 2 N., R. 74 W., to second tributary on right (looking upstream).

Finally, in 1989 the BLM investigated the navigability of the river upstream of the village selection area, focusing on those river segments that crossed Native allotment claims. As a result of this study, it concluded that the Eek River is navigable from its mouth to and through Native allotment F-15812-C in Sec. 28, T. 1 N., R. 67 W., SM. In addition, it found that the Middle Fork Eek River is navigable from Eek River to and through Native allotment AA-31272-B in Sec. 12, T. 3 S., R. 69 W., SM.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE
222 W. 7th Avenue, #13
ANCHORAGE, ALASKA 99513-7599

NOV 7 1997

Fog River System
Interim Summary Report
Attachment 9

Bethel -FY'98
F17100 (2561)[1]

9600 (924)

Memorandum

To: Chief, Branch of Survey Preparation and Policy Interpretation (AK925)

From: Chief, Branch of Mapping Sciences (AK924)

Subject: Navigability Review for Waters in Window 2700

The purpose of this memorandum is to indicate the navigability status of those water bodies on selected lands within Window 2700. The window, scheduled to be surveyed in FY'98, is composed of 37 Native Allotments, one State Selection and no village Selections in 24 townships. After review, I found six Native Allotment selections that needed navigability recommendations. They are depicted on the attached appendix and maps.

The window lies within the Yukon Delta National Wildlife Refuge created in 1980 by PL96-487. The lands are selected but not yet conveyed under the Alaska Statehood Act, Alaska Native Claims Settlement Act and the Native Allotment Act. Previous BLM administrative navigability determinations for the following rivers in Window 2700 are listed below.

The Tuluksak River was determined navigable from its mouth to the Upper Landing located about 59 miles upstream. (See navigability report 5/22/85 Bethel Quad File) and to mile 68.5 through Sec. 8, T. 10 N., R. 61W., Seward Meridian. (See navigability report June 4, 1993 Bethel).

The Kisaralik River was determined navigable from its confluence with the Kuskokuak Slough in Sec. 19, T. 9N., R. 67W., SM to the "Y" in Sec. 13, T. 9N., R. 67W., SM. (See Memorandum for Final Easements for the Village of Akiak 6/22/82 F-14824-EE, IC610). Within the window, the Kisaralik varies from two to three chains wide, is braided and has many intermittent streams. Most Native allotments are situated either along the Kisaralik or its intermittent streams except for Native Allotment F15903 situated in Sec 8, T. 8N., R. 65 W., Seward Meridian. The sketch diagram of the allotment dated 9/25/74, depicts the allotment straddling an anabranch of the Kisaralik River. When compared to the Kisaralik River configuration in the 1954 USGS

File also in Native Allotment Files: F17062, F16917, F16013, F17016, F15903

topographic map (aerial photography taken 1955 and 1957) and with the 1981 NASA aerials (CIR 40: Flight 2, Frames 37 or 38, August 1981), it was evident that within this allotment, the Kisaralik River had jumped it's bank and cut a new channel which resulted in drying up the anabranch. This avulsive action was brought to the attention of Frank Hardt, the Riparian Boundary Specialist in Cadastral Survey who brought this to the attention of the State/BLM Working Group Committee. He asked if the State would like the anabranch, now dried up, segregated within this allotment. The State said not to segregate since there are no State lands in the surrounding area. On September 15, 1997 a field inspection by helicopter revealed that the river had cut a new channel which now formed the southern boundary of this Native Allotment. The anabranch was dried up and heavily vegetated with willows and trees. Photographs and a video were taken and copies were given to the Branch of Survey Preparation and Policy Interpretations to aid them in the writing of Special Instructions.

Additionally, within this same township the Kisaralik River cut through it's banks and created a small stream flowing into a Right Bank Tributary of the Kasigluk, locally known as "Chicoyuilnuk", within Secs. 8 & 17. Kwethluk residents say they do not use this stream because it is too shallow, too narrow and lined with willows and trees which obstruct passage. A field inspection by helicopter on September 15, 1997 confirmed the stream to be shallow, about 15' wide, heading southerly then easterly, and diminishing to a small insignificant stream.

The Kasigluk River has been meandered (tidal) through Tps. 8 & 9 N., Rs. 66, 67 W., SM., (IC610).

The Native allottees mainly from Kwethluk and Akiak, rely heavily on these water bodies to reach traditional harvest areas to supplement their lifestyle and economy. During 1986-87 Michael Coffing with the Alaska Department of Fish and Game, conducted a two-year study examining the subsistence wildlife harvest and use for Kwethluk. In this primarily Yup'ik Eskimo community, there were 540 residents living in 112 households. In the study, he indicated household harvests averaged 3,860 pounds edible weight. Per capita harvest was 800 pounds edible weight, among the highest of communities in Alaska.[2] Salmon and freshwater fish accounted for 85% of the harvested resource with big game, mainly moose, berries and plants, waterfowl, furbearers, small game and marine mammals accounting for the rest.

To reach those areas for harvesting, the most common form of transportation is a 18'-24' aluminum boat with 25-40 horsepower propeller motor. Seasonal weather conditions such as the amount of rain, the amount of snow, a midwinter thaw, an extended dry season or the early breakup of the Kuskokwim River drainage system all effect the use and accessibility of these water bodies.

---

[2] Michael Coffing, Kwethluk Subsistence: Contemporary Land Use Patterns, Wild Resource Harvest and Use, and the Subsistence Economy of a Lower Kuskokwim River Area Community, Technical Paper No. 157, ADF&G, Division of Subsistence, Juneau, AK December 1991, Abstract

The BLM-Alaska's navigability criteria are based upon federal title navigability law. In a March 16, 1976, memorandum, Hugh Garner, Associate Solicitor, summarized the law for the purpose of administering the Alaska Native Claims Settlement Act. In general, BLM considers nontidal water bodies navigable if, at the time of statehood, they were suitable for travel, trade, and commerce. Additionally, in a December 13, 1989 Ninth Circuit Court decision, the court found that watercraft customary at statehood included boats with a load capacity of about 1,000 pounds. The court further held that the contemporary guided fishing and sightseeing activity on the Gulkana River was commerce and that watercraft customary at statehood "could have at least supported" this commercial activity.

Tidal water bodies, lakes fifty acres or more in size, and rivers averaging 198 feet or more in width are not described because, regardless of their navigability status, these water bodies are segregated on the survey plat. Only streams three chains or less in width and lakes fifty acres or less in size are reported. The attached appendix lists those water bodies that have been determined navigable within the Native Allotment selection.

Attachments (2):
1. Appendix (1 p)
2. Maps (2 pp)

cc:

Jim Culbertson, State of Alaska DNR
State of Alaska, DNR, Realty Services Section
Robin Willis, State of Alaska, Dept. F&G
Calista Corporation
Chief, Branch of Field Surveys (921)
Chief, Survey Data Research Section (926)
Chief, Mapping Section (924)
Chief, GCDB Project Section (926)
ANCSA (962)
Anchorage District Office (040)

Appendix I

Navigable Waters in Window 2700 by Township for Native Allotment Selections Only

Seward Meridian

T. 9 N., R. 61 W.
None on selected lands

T. 5-10 N., R. 62 W.
None on selected lands

T. 5-10 N., R. 63 W.
None on selected lands

T. 5-10 N., R. 64 W.
None on selected lands

T. 5-7 N., R. 65 W.
None on selected lands

T. 8N., R. 65 W.
Kasigluk River in Native Allotments F17100, F17062, F16917, F16013 - (See Map)

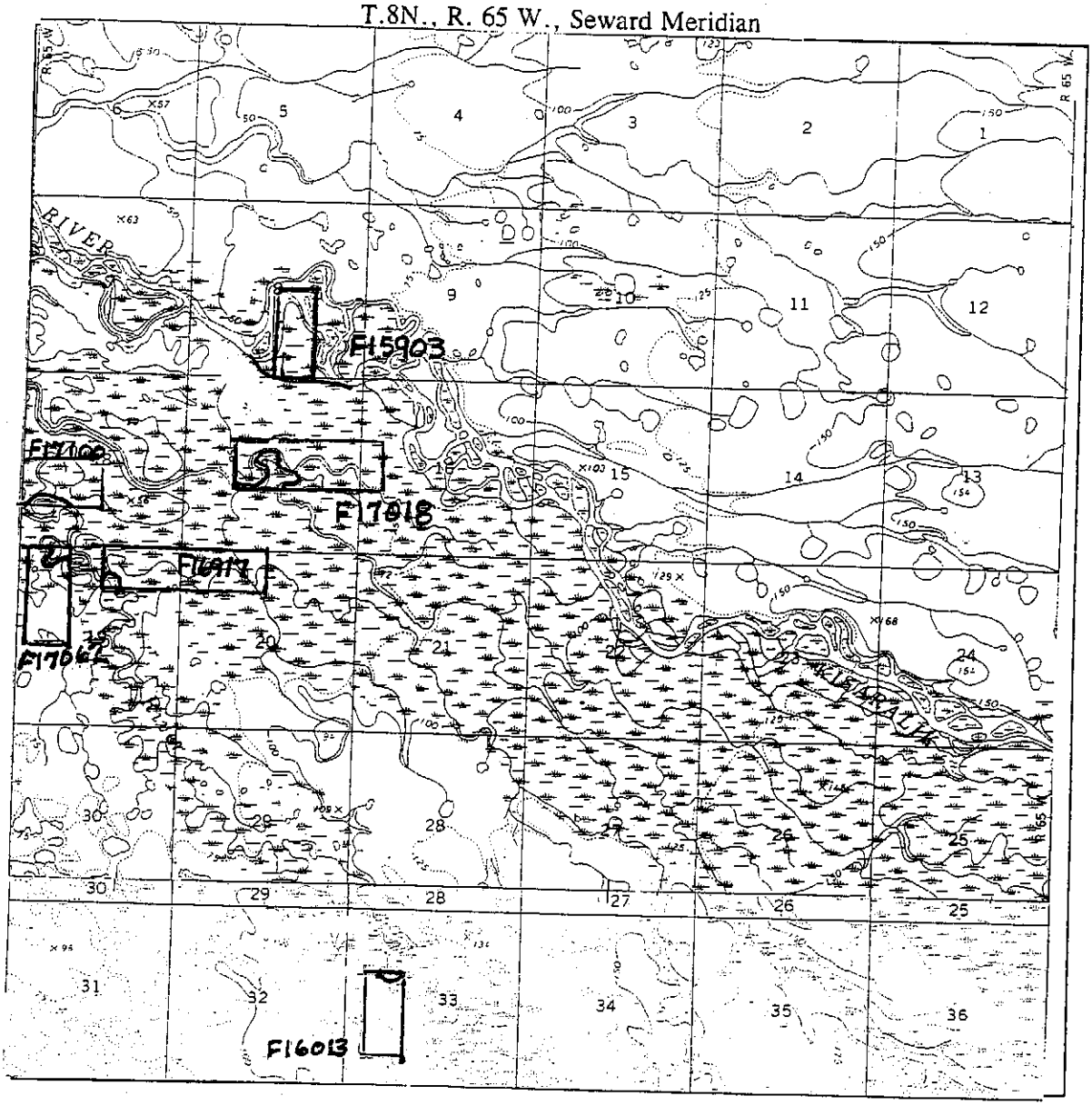
Right Bank Tributary of the Kasigluk River, local name "Chicoyuilnuk" in Native Allotment F17018 - (See Map)

T. 8N., R. 66 W.
Kasigluk River in Native Allotment F17100 - (See Map)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

NAVIGABILITY MAP - PPP WINDOW 2700

T.8N., R. 65 W., Seward Meridian



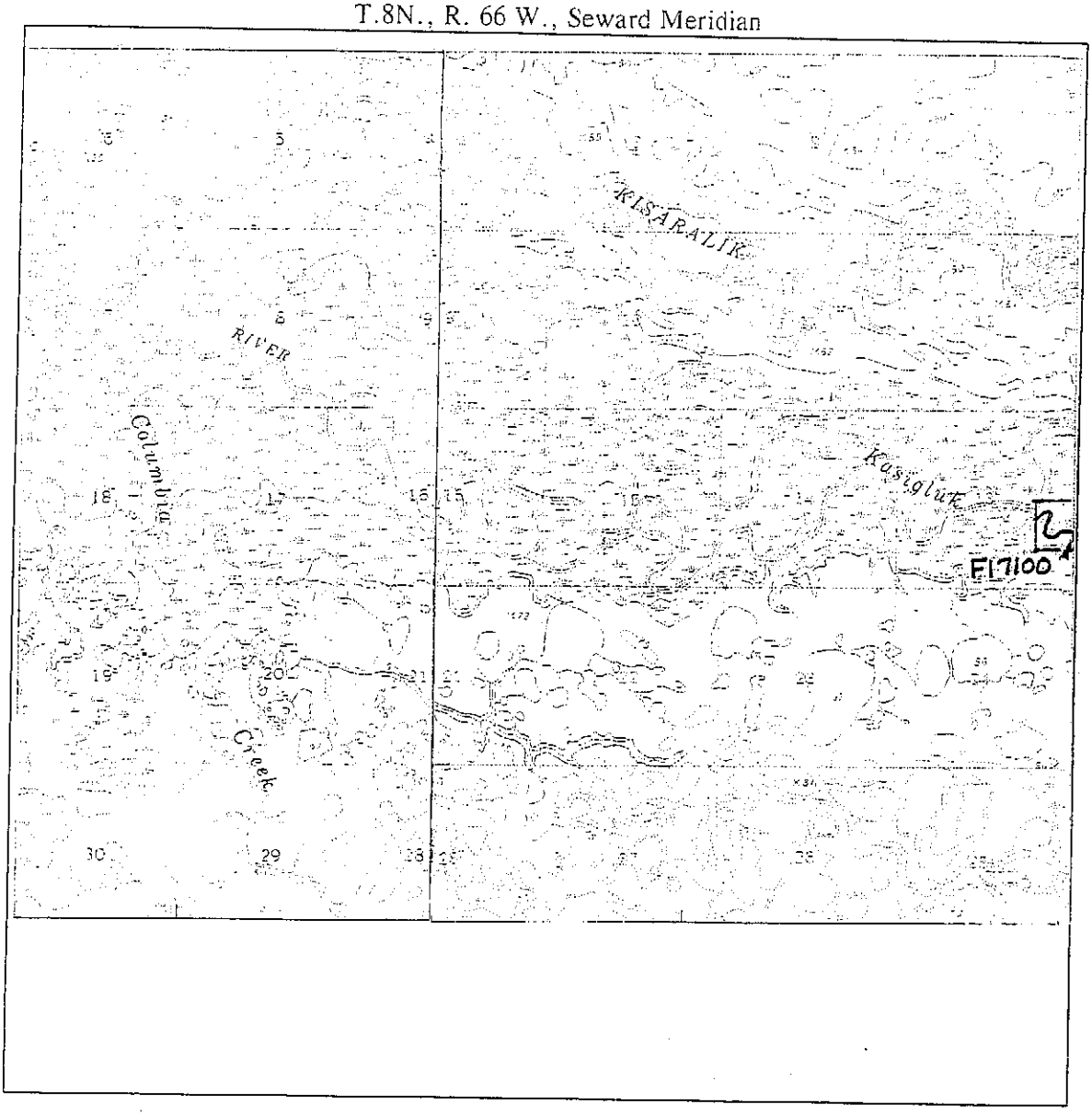
SCALE: 1" = 1 Mile

USGS MAPS	AERIAL PHOTOS	Native Allotments
Bethel C-5, D-5	CIR 40, R.1, Flt. 2, Fr. 37, 8/20/87, CIR 60, R.10, Fr. 382, 7/80	F17100, F17062B, F16917, F16013, F17018, F15903

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

NAVIGABILITY MAP - PPP WINDOW 2700

T.8N., R. 66 W., Seward Meridian



SCALE: 1" = 1 Mile

USGS MAPS	AERIAL PHOTOS	IC & Native Allotments
Bethel C 5-6, D 5-6	CIR 40, R.1, Flt. 2, Fr. 37, 8/20/87,	IC 610, NA F-17100

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE
222 W. 7th Avenue, #13
ANCHORAGE, ALASKA 99513-7599

JUL 26 2000

Fog River System
Interim Summary Report
Attachment 10

F-14824

Bethel-GS-FY 2000
~~AA-6671~~-EE (75.4)[1]
9600 (924)

Memorandum

To: Chief, Branch of Survey Preparation and Policy Interpretation (925)

From: Chief, Branch of Mapping Sciences (924)

Subject: Navigability Determination for Waters in Native Allotment or ANCSA Sec. 14(h)(1) applications for Survey Window 2732 (Akiak)

This memorandum identifies navigable waters on lands which are within the Yukon Delta National Wildlife Refuge, and were applied for under the Native Allotment Act of 1906 or the Alaska Native Claims Settlement Act of 1971. Survey Window 2732 is comprised of 10 townships containing 16 Native allotment application parcels, and one ANCSA Sec. 14(h)(1) application parcel.

Streams averaging three chains or more in width and lakes fifty acres or more in size are not listed in this report because, regardless of their navigability status, they are segregated on the survey plats. Some of the water bodies are tidally influenced. By law, the tidal portions of those streams belong to the State and are, accordingly, meandered at the time of survey. Only streams and interconnecting sloughs less than three chains in width and lakes less than fifty acres in size that are potentially navigable and which bisect unsurveyed Native allotment applications are addressed.

Having reviewed Window 2732, we find that all water bodies bisecting Native allotment parcels have previously been determined nonnavigable in BLM reports dated November 7, 1997 (Window 2700), and January 13, 1998 (Window 2029, Part 1).

---

[1] F-14883 ~~AA-6691~~-EE (75.4), AA-10224 (2653), AA-56257, F-13191, F-13378, F-13379, F-15899, F-15901, F-15903, F-15918, F-15921, F-16129, F-16592, F-16595, F-17230, F-18251, F-19273, F-19393 (2651)

In addition, ANCSA Sec. 14(h)(1) application AA-10224 was reviewed. Photographs in the BIA field report of July 25, 1990, and BLM aerial photographs show that the water body is dry and, therefore, is nonnavigable. Native allotments F-16592 and F-16595 abut the Kuskokwim River and the Kuskokuak Slough which are tidally influenced, and no navigable waters bisect the allotments.

The BLM's navigability determinations are based on Federal law of title navigability. In a March 16, 1976, memorandum, Associate Solicitor Hugh C. Garner summarized the law for the purpose of administering the Alaska Native Claims Settlement Act. In general, nontidal water bodies are navigable if, at the time of statehood, they were used or susceptible to use for travel, trade and commerce. The Ninth Circuit Court's decision of December 13, 1989, on the navigability of the Gulkana River provides additional guidance. In this case, the Court found that watercraft customary at statehood included boats with a load capacity of about 1,000 pounds. The court further held that contemporary guided fishing and sightseeing activity on the Gulkana River was commerce and that watercraft customary at statehood "could have at least supported" this commercial activity.

/s/ GUST PANOS

cc:

State of Alaska
Department of Natural Resources
Navigability Unit
550 West 7th Avenue, Suite 1050A
Anchorage, Alaska 99501-3579
ATTN: Kathy Atkinson

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
Realty Services Section
550 West 7th Avenue, Suite 1050A
Anchorage, Alaska 99501-3579

Robin Willis
State of Alaska
Department of Fish and Game
Habitat Division
333 Raspberry Road
Anchorage, Alaska 99518

Refuge Manager
Yukon Delta NWR
101 12th Avenue, Box 14
Fairbanks, Alaska 99701

Warren Keogh
Navigable Waters Specialist
Water Resources Branch, Region 7
U.S. Fish and Wildlife Service
1011 East Tudor Road
Anchorage, Alaska 99503

Calista Corporation
601 West 5th Avenue, Suite 200
Anchorage, Alaska 99501-2225

Kwethluk Incorporated
P.O. Box 109
Kwethluk, Alaska 99621

Kwethluk IRA
P.O. Box 127
Kwethluk, Alaska 99621

Akiak Native Community
P.O. Box 52127
Akiak, Alaska 99552

Orutsararmuit Native Council (ONC)
P.O. Box 127
Bethel, Alaska 99559

Association of Village Council Preisdents (AVCP)
P.O. Box 219
Bethel, Alaska 99559

James Hawke, Jr., Land Surveyor (925)

Chief, Branch of Field Surveys (921)

Chief, Survey Data Research Section (926)

Chief, Branch of Native Allotment Adjudication (964)

Anchorage Field Office (040)

Tiffany Martinez (952)
(Electronic Copy)

Kathy Flippen (924)

Navigable Waters in Window 2732 by Township
in Native Allotments and one Historical Place Application

Seward Meridian

T. 9 N., R. 61 W.
None on selected lands. (See report for Window 2700 dated 11/7/97.)

T. 9 N., R. 62 W.
None on selected lands. (See report for Window 2700 dated 11/7/97.)

T. 10 N., R. 62 W.
None on selected lands. (See report for Window 2700 dated 11/7/97.)

T. 7 N., R. 63 W.
None on selected lands. (See report for Window 2700 dated 11/7/97.)

T. 8 N., R. 63 W.
None on selected lands. (See report for Window 2700 dated 11/7/97.)

T. 8 N., R. 64 W.
None on selected lands. (See report for Window 2700 dated 11/7/97.)

T. 8 N., R. 65 W.
None on selected lands. (See report for Window 2700 dated 11/7/97.)

T. 8 N., R. 66 W.
None on selected lands. (See report for Window 2029 dated 1/13/98.)

T. 5 N., R. 67 W.
None on selected lands.

T. 9 N., R. 68 W.
None on selected lands.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Alaska State Office
222 West Seventh Avenue, #13
Anchorage, Alaska 99513-7599
http://www.ak.blm.gov

TAKE PRIDE IN AMERICA

Fog River System
Interim Summary Report
Attachment 11

F-14949-EE (75.4)
F-14949-A (2651)
F-14949-A2 (2651)
CAA-9
(961) sjc/sla

AUG 3 1 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

NOTICE

Tuliksarmute Incorporated P.O. Box 65 Tuluksak, Alaska 99679	: : :	F-14949-A, F-14949-A2 ANCSA Sec. 12(a) and 12(b) Village Selections
Calista Corporation Attn: Land Department 301 Calista Court, Suite A Anchorage, Alaska 99518-3028	: : : :	
State of Alaska Department of Natural Resources Division of Mining, Land and Water Sandra J. Singer, Realty Services Section 550 West Seventh Avenue, Suite1050A Anchorage, Alaska 99501-3579	: : : : :	

Notice of Proposed Easement Recommendations and
Request for Easement Nominations on Land Selected by Tuliksarmute Incorporated

Pursuant to Departmental Regulation 43 CFR 2650-4.7, notice is hereby provided of public easements identified on land selected by Tuliksarmute Incorporated near the village of Tuluksak.

The Bureau of Land Management (BLM) is also requesting easement nominations pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act (ANCSA) for the land described below.

Subject to valid existing rights, the following land, selected under 12(b) of ANCSA will be conveyed in the future to Tuliksarmute Incorporated on behalf of the Native village of Tuluksak:

Seward Meridian, Alaska

T. 11 N., R.65 W.
Sec. 1.

T. 12 N., R. 64 W.
Secs. 6, 7, and 18.

T. 12 N., R. 65 W.
Secs. 1, 2, and 3;
Secs. 10 through 14, inclusive;
Secs. 23 through 26, inclusive;
Secs. 35 and 36.

T. 13 N., R. 64 W.
Secs. 1, 6, 7, 12, and 13;
Secs. 24 through 26, inclusive;
Secs. 34 through 36, inclusive.

T. 13 N., R. 65 W.
Secs. 1 through 12, inclusive;
Secs. 14 through 18, inclusive;
Secs. 20 through 23, inclusive.

T. 13 N., R. 66 W.
Sec. 36.

T. 14 N., R. 64 W.
Secs. 19, 25, 30, 31, and 36.

MAJOR WATERWAYS:

The Kuskokwim, Gweek, and Tuluksak Rivers have been determined to be major waterways.

ALLOWABLE USES:

All easements are subject to applicable Federal, State or Municipal Corporation regulations. The following is a listing of uses allowed for each type of easement identified. Any uses which are not specifically listed are prohibited.

25-Foot Trail -- The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheeled vehicles and small all-terrain vehicles (ATV's) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

EASEMENTS TO BE RESERVED:

(EIN 5 C4, D1) An easement twenty-five (25) feet in width for a proposed access trail from the Tuluksak Airport located in Sec. 27, T. 12 N., R. 66 W., Seward Meridian, thence easterly to the Tuluksak River Barge landing and public land. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

EASEMENT MAPS:

The easement map reflects the current status of easements. Only those easements recommended for inclusion in the conveyance document are shown on the easement maps. Please recommend easements you believe should be reserved in the conveyance document by drawing them on the enclosed maps and completing the enclosed justification statement form.

This notice does not cover granted rights-of-way of record.

Written comments and recommendations must be filed with the Deputy State Director of Conveyance Management, Alaska State Office, 222 W. 7th Avenue, Box 13, Anchorage, Alaska 99513, ATTENTION: Stephanie Clusiau, no later than DEC 01 2005.

Your recommendations should identify the serial number of the application. If you have any questions, please contact Stephanie Clusiau at 1-907-271-4567.

/s/ Denny Benson

Denny Benson
Easement Coordinator
Branch of Land Transfer Services

4 – Attachments:
1 - Easement and Navigability Legend
2 - Justification Statement Form
3 - Master Title Plats
4 - Easement quads:
Bethel D-6
Russian Mission A-5, A-6, and B-5

Copy furnished to:

State of Alaska
Department of Fish and Game
Division of Sport Fish
Attn: Robin Willis
333 Raspberry Road
Anchorage, Alaska 99518-1599
(with attachments):

U.S. Fish and Wildlife Service
Division of Realty, Mail Stop 211
Chief, Branch of Operations
1011 East Tudor Road
Anchorage, Alaska 99503
(with attachments):

U.S. Fish and Wildlife Service
Refuge Manager
Yukon Delta National Wildlife Refuge
P.O. Box 346
Bethel, Alaska 99559
(with attachments):

Easement Reading file (961)

EN... COMPLETE THIS SECTION

- Com... items 1, 2, and 3. Also complete item 4... Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

SEPTEMBER 1 2005

Calista Corporation
Attn: Land Department
301 Calista Court, Suite A
Anchorage, Alaska 99518-3028

F-14949-EE (75.4) (961) sjc/ Cag

COMPLETE THIS SECTION ON DE...

A. Received by (Please Print Clearly) K Meyer

C. Signature X K Meyer

D. Is delivery address different from it...
If YES, enter delivery address bel...

3. Service Type
☒ Certified Mail ☐ Express ...
☐ Registered ☐ Return R...
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

Article Number (Transfer from service label) 7003 0500 0004 94...

S Form 3811, March 2001 Domestic Return Receipt

X AUG 31 200...

PS Form 3811, December 1994 102595-97-B-0179 Domestic R...

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Alaska State Office
222 West Seventh Avenue, #13
Anchorage, Alaska 99513-7599
http://www.ak.blm.gov

TAKE PRIDE IN AMERICA

Fog River System
Interim Summary Report
Attachment 12

F-14949-EE (75.4)
F-14949-A (2651)
F-14949-A2 (2651)
CAA-9
(961) sjc/jak

SEP 2 6 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

NOTICE

Tuliksarmute Incorporated P.O. Box 65 Tuluksak, Alaska 99679	: : :	F-14949-A, F-14949-A2 ANCSA Sec. 12(a) and 12(b) Village Selections
Calista Corporation Attn: Land Department 301 Calista Court, Suite A Anchorage, Alaska 99518-3028	: : : :	
State of Alaska Department of Natural Resources Division of Mining, Land and Water Sandra J. Singer, Realty Services Section 550 West Seventh Avenue, Suite1050A Anchorage, Alaska 99501-3579	: : : : :	

Notice of Proposed Easement Recommendations and
Request for Easement Nominations on Land Selected by Tuliksarmute Incorporated

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The Bureau of Land Management (BLM) is also requesting easement nominations pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act (ANCSA) for the land described below.

Subject to valid existing rights, the following land, selected under Sec. 12(a) and Sec. 12(b) of ANCSA will be conveyed in the future to Tuliksarmute Incorporated on behalf of the Native village of Tuluksak:

Seward Meridian, Alaska

T. 11 N., R.65 W.
Sec. 1.

T. 12 N., R. 64 W.
Secs. 6, 7, and 18.

T. 12 N., R. 65 W.
Secs. 1, 2, and 3;
Secs. 10 through 14, inclusive;
Secs. 23 through 26, inclusive;
Secs. 35 and 36.

T. 13 N., R. 64 W.
Secs. 1, 6, 7, 12, and 13;
Secs. 24 through 26, inclusive;
Secs. 34 through 36, inclusive.

T. 13 N., R. 65 W.
Secs. 1 through 12, inclusive;
Secs. 14 through 18, inclusive;
Secs. 20 through 23, inclusive.

T. 13 N., R. 66 W.
Sec. 36.

T. 14 N., R. 64 W.
Secs. 19, 25, 30, 31, and 36.

MAJOR WATERWAYS:

The Kuskokwim, Gweek, and Tuluksak Rivers have been determined to be major waterways.

ALLOWABLE USES:

25-Foot Trail -- The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheeled vehicles and small all-terrain vehicles (ATV's) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

EASEMENTS TO BE RESERVED:

(EIN 5 C4, D1) An easement twenty-five (25) feet in width for a proposed access trail from the Tuluksak Airport located in Sec. 27, T. 12 N., R. 66 W., Seward Meridian, thence easterly to the Tuluksak River Barge landing and public land. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

EASEMENT MAPS:

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Your recommendations should identify the serial number of the application. If you have any questions, please contact Stephanie Clusiau at 1-907-271-4567.

/s/ Denny Benson

Denny Benson
Easement Coordinator
Branch of Land Transfer Services

4 – Attachments:
1 - Easement and Navigability Legend
2 - Justification Statement Form
3 - Master Title Plats
4 - Easement quads:
Bethel D-6
Russian Mission A-5, A-6, and B-5

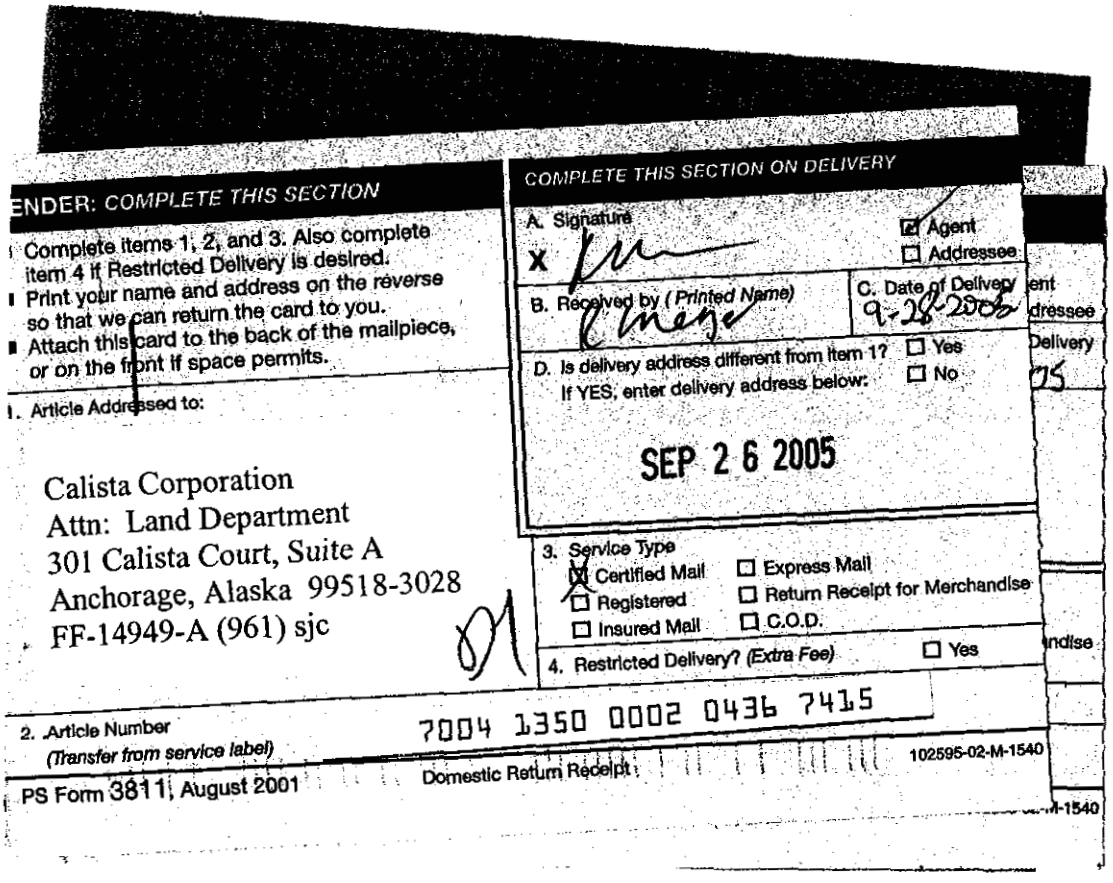
Copy furnished to:

State of Alaska
Department of Fish and Game
Division of Sport Fish
Attn: Robin Willis
333 Raspberry Road
Anchorage, Alaska 99518-1599
(with attachments):

U.S. Fish and Wildlife Service
Division of Realty, Mail Stop 211
Chief, Branch of Operations
1011 East Tudor Road
Anchorage, Alaska 99503
(with attachments):

U.S. Fish and Wildlife Service
Refuge Manager
Yukon Delta National Wildlife Refuge
P.O. Box 346
Bethel, Alaska 99559
(with attachments):

Easement Reading file (961)


ENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
Print your name and address on the reverse so that we can return the card to you.
Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Calista Corporation
Attn: Land Department
301 Calista Court, Suite A
Anchorage, Alaska 99518-3028
FF-14949-A (961) sjc

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☑ Agent
☐ Addressee

B. Received by (Printed Name)
C. Date of Delivery 9-28-2005

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

SEP 2 6 2005

3. Service Type
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☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7004 1350 0002 0436 7415

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Alaska State Office
222 West Seventh Avenue, #13
Anchorage, Alaska 99513-7599
http://www.ak.blm.gov

TAKE PRIDE IN AMERICA

Fog River System
Interim Summary Report
Attachment 13

F-14949-EE (75.4)
F-14949-A (2651)
F-14949-A2 (2651)
(961) sjc/vkm

Memorandum

DECEMBER 2 9 2005

To: Chief, Branch of Adjudication II (964)

From: Easement Coordinator

Subject: Final Easement Recommendations and Patent Easement Review for Lands to be Patented to Tuliksarmute Incorporated on behalf of the Native village of Tuluksak

Final Easement Recommendations: The following are the final easement recommendations for final land selections of Tuliksarmute Incorporated, on behalf of the Native village of Tuluksak, which are described below:

Seward Meridian, Alaska

T. 11 N., R.65 W.
Sec. 1.

T. 12 N., R. 64 W.
Secs. 6, 7, and 18.

T. 12 N., R. 65 W.
Secs. 1, 2, and 3;
Secs. 10 through 14, inclusive;
Secs. 23 through 26, inclusive;
Secs. 35 and 36.

T. 13 N., R. 64 W.
Secs. 1, 6, 7, 12, and 13;
Secs. 24 through 26, inclusive;
Secs. 34 through 36, inclusive.

T. 13 N., R. 65 W.
Secs. 1 through 12, inclusive;
Secs. 14 through 18, inclusive;
Secs. 20 through 23, inclusive.

T. 13 N., R. 66 W.
Sec. 36.

T. 14 N., R. 64 W.
Secs. 19, 25, 30, 31, and 36.

MAJOR WATERWAYS:

The Kuskokwim, Gweek, and Tuluksak Rivers have been determined to be major waterways.

ALLOWABLE USES:

All easements are subject to applicable Federal, State or Municipal Corporation regulations. The following is a listing of uses allowed for each type of easement identified. Any uses which are not specifically listed are prohibited.

25-Foot Trail -- The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheeled vehicles and small all-terrain vehicles (ATV's) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

EASEMENT TO BE RESERVED:

(EIN 5 C4, D1) An easement twenty-five (25) feet in width for a proposed access trail from the Tuluksak Airport located in Sec. 27, T. 12 N., R. 66 W., Seward Meridian, thence easterly to the Tuluksak River Barge landing and public land. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

EASEMENTS CONSIDERED BUT NOT RECOMMENDED:

(EIN 1 C3, D1, D9) An easement fifty (50) feet in width for an existing access trail from Tuluksak, northeasterly to Aniak. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

Discussion: The Tuluksak to Aniak trail is identified by the State of Alaska as historic trail DOT 1973 Trail 73-2. This trail was originally recommended to be reserved in 1975. However, it was determined that the trail has been abandoned and no longer used. Inter-village travel in this region is almost exclusively along the Kuskokwim River; in summer by boat and in winter by snow machine. Therefore the trail was not reserved in the original conveyance to Tuluksak. Reserving discontinuous segments of an existing trail is not in compliance with federal regulations.

(EIN 2 C3, D1, D9) An easement fifty (50) feet in width for an existing access trail from Tuluksak, northerly to Kaltag. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

Discussion: The Tuluksak to Kaltag trail is identified by the State of Alaska as historic trail DOT 1973 Trail 73-13. This trail was originally recommended to be reserved in 1975. However, it was determined that the trail was no longer used. Inter-village travel in this region is almost exclusively along the Kuskokwim River; in summer by boat and in winter by snow machine. Therefore the trail was not reserved in the original conveyance to Tuluksak. Reserving discontinuous segments of an existing trail is not in compliance with federal regulations.

(EIN 101 D1) A one (1) acre site easement upland of the ordinary high water mark in Sec. 25, T. 12 N., R. 65 W., Seward Meridian, Alaska, on the right bank of the Tuluksak River. The uses allowed are those listed above for a one (1) acre site easement.

Discussion: This easement is not recommended due to its close proximity (less than one mile) to public land.

Patent Easement Review: The strategic plan and annual work plan require completion of easement review on all easements reserved within Interim Conveyance Nos. 542 and 1123. Following our review of the ANCSA 17(b) easements, my decision is as follows for the lands described below:

Seward Meridian, Alaska	IC No.
T. 11 N., R. 65 W.	542
T. 11 N., R. 66 W.	542
T. 11 N., R. 67 W.	542
T. 12 N., R. 65 W.	542
T. 12 N., R. 66 W.	542 and 1123
T. 12 N., R. 67 W.	542
T. 13 N., R. 64 W.	542
T. 13 N., R. 65 W.	542
T. 14 N., R. 64 W.	542

EASEMENTS RESERVED:

a. (EIN 4 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 22 N., R. 66 W., Seward Meridian, on the right bank of the Kuskokwim River. The uses allowed are those listed for a one (1) acre site easement.

b. (EIN 5 C4, D1) An easement twenty-five (25) feet in width for a proposed access trail from the Tuluksak Airport located in Sec. 27, T. 12 N., R. 66 W., Seward Meridian, thence easterly to the Tuluksak River Barge landing and public land. The uses allowed

are those listed for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

c. (EIN 13 C4) An easement twenty-five (26) feet in width for an existing access road in Sec. 27, T. 12 N., R. 66 W., Seward Meridian, from the easterly boundary of U. S. Survey No. 875, southeasterly to the westerly boundary of lot 2, U. S. Survey No. 4435, a distance of approximately three hundred (300) feet. The uses allowed are those listed for a twenty-six (26) foot wide road easement.

d. (EIN 100 C4) An easement twenty (20) feet in width for an existing sewage outfall line running from the sewage lagoon, southwesterly, crossing a portion of the NE4SE4, Sec. 27, T. 12 N., R. 66 W., Seward Meridian (lot 1, U. S. Survey No. 4435). The uses allowed are those activities associated with the construction, operation, and maintenance of the sewage outfall line.

EASEMENT MAPs:

The easement maps reflect the current status of easements. Only those easements recommended for inclusion in the conveyance document are shown on the easement maps.

/s/ Danny Dickson

Attachments:
1 - Easement quads:
Russian Mission A-5 and A-6

cc

Tuliksarmute Incorporated
P.O. Box 65
Tuluksak, Alaska 99679
(w/attachments)

Calista Corporation
Attn: Land Department
301 Calista Court, Suite A
Anchorage, Alaska 99518-3028
(w/attachments)

U.S. Fish and Wildlife Service
Refuge Manager
Yukon Delta National Wildlife Refuge
P.O. Box 346
Bethel, Alaska 99559
(w/attachments)

U.S. Fish and Wildlife Service
Division of Realty, Mail Stop 211
Chief, Branch of Operations
1011 East Tudor Road
Anchorage, Alaska 99503
(w/attachments)

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
Sandra J. Singer, Realty Services Section
550 West Seventh Avenue, Suite1050A
Anchorage, AK 99501-3579
(w/attachments)

State of Alaska
Department of Fish and Game
Division of Sport Fish
Attn: Robin Willis
333 Raspberry Road
Anchorage, Alaska 99518-1599
(w/attachments)

Anchorage Field Manager (040)
(w/attachments)

Easement Reading file (961)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Alaska State Office
222 W. 7th Avenue, #13
Anchorage, Alaska 99513-7599
http://www.ak.blm.gov

TAKE PRIDE IN AMERICA

Fog River System
Interim Summary Report
Attachment 14

9600 (927) rss/klf

Bethel-VS-FY 2006
Russian Mission-VS-FY 2006
F-14949-A (2651)[1]

AUG 15 2006

Memorandum

To: Chief, Branch of Survey Planning and Preparation (927)

From: Chief, Navigability Section (927)

Subject: Navigable Waters within the Tuluksak Village Project Area

This memorandum identifies navigable waters on certain lands within eleven (11) townships, including pending ANCSA-selected and Interim-Conveyed lands, State of Alaska Tentatively-Approved lands, and pending Native Allotment lands within the above-mentioned project area. These lands, located within the Yukon Delta National Wildlife Refuge, are scheduled for final entitlement survey during the 2006 field survey season. The authority to identify navigable waters on selected lands rests in the Native Allotment Act, the Alaska Statehood Act, and the Alaska Native Claims Settlement Act.

The Appendix lists the 11 townships in the survey project area, and, for each township, the navigable water bodies and the dates of previous determinations. Water bodies not listed in the Appendix are not navigable as they are too short, steep, narrow, or shallow for travel, trade and commerce. All but one of the townships have been surveyed and the navigable waters accurately depicted on the survey plats with one exception. The Gweek River was determined navigable from where it flows from and back into the Kuskokwim River as stated in the State Director Memorandum dated June 9, 1981. It appears supplemental survey plats are necessary on certain townships to meander the Gweek River including Tps. 13 and14 N., R. 64 W., and T. 13 N., R. 65 W., Seward Meridian. The request for supplemental plats will follow this determination.

On June 9, 1981, and September 6, 1983, navigability determinations were issued for lands selected by Tulkisarmute, Incorporated, Successor in Interest to Tuluksak, Incorporated, within selection application F-14949-A. These navigability determinations were issued to support Interim Conveyance (IC) Nos. 542 and 1123 issued to Tulkisarmute, Incorporated;

[1] F-14949-A2 (2651), F-14949-EE (75.04), AA-82829FL/32 (75.06), AA-12890 (2627), F-16118 (2561), F-16120 (2561), F-18778 (2561), F-25272 (2561), AA-10278 (2653)

therefore, the decisions of June 9, 1981, and September 6, 1983, are final agency actions with respect to navigability under the Submerged Lands Act of 1988 which amends ANILCA Sec. 901. This applies to the entire water body or as much as is covered by the determination, even if only a portion of the lands were actually conveyed.

Lands encompassing pending Native Allotment application F-16118 located within Sec. 14, T. 11 N., R. 64 W., Seward Meridian, were screened for navigable waters utilizing Master Title Plats, USGS topo quads, and aerial photos. As a result of our findings of the lands containing only small lakes and short, shallow, landlocked sloughs, we determine these lands contain no navigable waters.

Village-Selected lands located within Secs. 6, 7, and 18, T. 12 N., R. 64 W., and Secs. 1 and 12, T. 12 N., R. 65 W., Seward Meridian, were screened for navigable waters utilizing Master Title Plats, USGS topo quads, and aerial photos. As a result of our findings of several small to medium-sized lakes and short, narrow, shallow connecting streams which for all practical purposes are landlocked, we determine these lands contain no navigable waters.

State of Alaska Tentatively-Approved (TA'd) lands located within Secs. 9-36, T. 11 N., R. 65 W., Seward Meridian, were screened for navigable waters utilizing Master Title Plats, USGS topo quads, aerial photos, interview reports, and previous navigability determinations. In a navigability determination dated May 8, 1989, using the one-man kayak criteria, a stream denoted as Fog River on the USGS topo quad from an unnamed slough in Sec. 2 upstream to Sec. 13 was determined navigable. However, upon further review of the records and using current criteria, we determine the subject waterway non-navigable, as the portion of waterway remaining in federal ownership is too short and not situated in such a way as to be part of a water transportation system. As a result of our findings for the entire TA'd township of numerous small-sized lakes, several medium-sized lakes, and short, narrow, shallow streams which for all practical purposes are landlocked, we determine these lands contain no navigable waters.

In assessing the navigability of inland water bodies, the BLM relies upon federal administrative case law and the advice of the Interior Department's Solicitor's Office. The classic definition of navigable waters is found in *The Daniel Ball*, 77, U.S. (10 Wall.) 557 (1870). Pertinent DOI Office of the Solicitor's opinions include Associate Solicitor Hugh Garner's memo or March 16, 1976, ("Title to submerged lands for purposes of administering ANCSA") and Regional Solicitor John Allen's memo of February 25, 1980 ("Kandik, Nation Decision on Navigability"). The agency is also guided by the Submerged Lands Act of 1953 and the Submerged Lands Act of 1988.

Dominica VanKotan

Attachment:
Appendix

cc:

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
Navigability Unit
550 W. 7th Avenue, Suite 1330
Anchorage, Alaska 99501-3514
Attn: Scott Ogan

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
Realty Services Section
550 W. 7th Avenue, Suite 1050A
Anchorage, Alaska 99501-3514

State of Alaska
Department of Fish and Game
Division of Sport Fish
333 Raspberry Road
Anchorage, Alaska 99518-1599
Attn: Robin Willis

U.S. Fish and Wildlife Service
Water Resources Division
1011 East Tudor Road
Anchorage, Alaska 99503
Attn: Warren Keogh

U.S. Fish and Wildlife Service
Refuge Manager
Yukon Delta National Wildlife Refuge
P.O. Box 346
Bethel, Alaska 99559

Tulkisarmute, Incorporated
P.O. Box 65
Tuluksak, Alaska 99679

Bering Straits Native Corporation
P.O. Box 1008
Nome, Alaska 99762-1008

Chief, Branch of Lands and Realty (932)

Chief, Branch of Preparation and Resolution (962)

Chief, Branch of Adjudication II (964)

Anchorage Field Office (040)

Rory Spurlock (927)

Rodney Harvey (954C)
(Electronic Copy)

Group File Nos. 254, 268 and 999

Groups 254, 268 and 999 (Field packets)

U.S. Survey Nos. 13760, 13762, and 13765 (Field packets)

Dominica Van Koten (927)

Mike Bennett (964)

K. J. Mushovic (961)

Appendix

Navigable Waters
Within the
Tuluksak Village Project Area

Seward Meridian, Alaska

T. 11 N., R. 64 W.

Sec. 14 (Native allotment application F-16118)
No navigable waters

Secs. 22 and 23 (Native allotment application F-18778)
Tuluksak River (05/22/85)

Secs. 26 and 35 (Native allotment application F-16120)
Tuluksak River (05/22/85)

T. 12 N., R. 64 W.

Secs. 6, 7, and 18
No navigable waters

T. 13 N., R. 64 W.

Secs. 1, 6, 7, 12, 13, 24-26, and 34-36
Bogus Creek, Little Bogus Creek, Yukaniluk Creek, and Gweek River (06/09/81)

Secs. 21, 22, and 27 (Native allotment application F-025272)
No navigable waters (06/09/81)

Secs. 2-5, 8-11, 14-23, and 27-33 (IC 542)
Kuskokwim River, Gweek River, Bogus Creek, Little Bogus Creek, and Yukaniluk Creek (06/09/81)

T. 14 N., R. 64 W.

Secs. 19, 25, 30, 31, 36
Gweek River and interconnecting slough of the Kuskokwim River (06/09/81)

Secs. 20-24, 26-29, and 32-35 (IC 542)
Kuskokwim River (06/09/81)

T. 11 N., R. 65 W.

Sec. 1
Tuluksak River (06/09/81)

Secs. 2-8 (IC 542)
Mishevik Slough and an unnamed slough and lake system flowing from the Tuluksak River in Sec. 36, T. 12 N., R. 65 W., to its confluence with Mishevik Slough in Sec. 32, T. 12 N., R. 65 W., Seward Meridian (06/09/81)

Secs. 9-36 (TA, AA-12890)
No navigable waters

T. 12 N., R. 65 W.

Secs. 1 and 12
No navigable waters

Secs. 2, 3, 10, 11, 13, 14, 23-26, 35 and 36
Tuluksak River, Little Bogus Creek, and an unnamed slough and lake system flowing from the Tuluksak River in Sec. 36, T. 12 N., R. 65 W., to its confluence with Mishevik Slough in Sec. 32, T. 12 N., R. 65 W., Seward Meridian (06/09/81)

Secs. 4-9, 15-22, and 27-34 (IC 542)
Kuskokwim River, Tuluksak River, Little Bogus Creek, Mishevik Slough, and an unnamed slough and lake system flowing from the Tuluksak River in Sec. 36, T. 12 N., R. 65 W., to its confluence with the Mishevik Slough in Sec. 32, T. 12 N., R. 65 W., Seward Meridian (06/09/81)

T. 13 N., R. 65 W.

Secs. 1-12, 14-18, and 20-23
Gweek River (06/09/81)

Secs. 13, 19, and 24-36 (IC 542)
Kuskokwim River and Gweek River (06/09/81)

T. 11 N., R. 66 W.

Secs. 1-23, and 26-34 (IC 542)
Kuskokwim River, Mishevik Slough, an unnamed slough which joins the Kuskokwim River in Sec. 20 and also joins the Mishevik Slough in Sec. 21, T. 11 N., R. 66 W., and an unnamed slough from its confluence with Mishevik Slough in Sec. 22, upstream and including an unnamed lake in Sec. 26, T. 11 N., R. 66 W., Seward Meridian (06/09/81)

T. 12 N., R. 66 W.

Secs. 1-36 (IC 542)
Kuskokwim River, Tuluksak River, Mishevik Slough, and an unnamed slough from its confluence with an unnamed slough of the Kuskokwim River in Sec. 15 upstream and including an unnamed lake in Secs. 5, 6, 7, and 8, T. 12 N., R. 66 W., Seward Meridian (06/09/81)

Lots 4 and 5, U.S. Survey No. 4435 within Secs. 26 and 27 (IC 1123)
No navigable waters (09/06/83)

T. 11 N., R. 67 W.

Secs. 1, 12, 13, 24, 25, and 36 (IC 542)
Kuskokwim River (06/09/81)

T. 12 N., R. 67 W.

Secs. 1, 12, 13, 24, 25, and 36 (IC 542)
No navigable waters (06/09/81)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Alaska State Office
222 West Seventh Avenue, #13
Anchorage, Alaska 99513-7504
http://www.blm.gov/ak

TAKE PRIDE® IN AMERICA

HWoods 6/12/08
MB Lamoure 6/12/08
K Hoyt 6/11/08

Fog River System
Interim Summary Report
Attachment 15

In Reply Refer To:

F-14949-A (2651)
F-14949-A2 (2651)
F-14949-EE (75.4)
AA-10328 (2653)
(964) hw/mb/mre

JUN 18 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

Tulkisarmute Incorporated P.O. Box 65 Tuluksak, Alaska 99679	:	F-14949-A, F-14949-A2 Village Selection Applications
Calista Corporation Attn: Land Department 301 Calista Court, Suite A Anchorage, Alaska 99518-3028	:	AA-10328 Regional Selection Application
U.S. Fish and Wildlife Service Divison of Realty, Mail Stop 211 Chief, Branch of Operations 1011 East Tudor Road Anchorage, Alaska 99503	:	Yukon Delta National Wildlife Refuge

Regional Selection Application Rejected
Lands Proper for Village Selection
Approved for Conveyance
Village Selection Applications Deemed Relinquished in Part

On November 20, 1974 and December 11, 1975, Tulkisarmute Incorporated, for the Native village of Tuluksak, filed selection applications F-14949-A, as amended, and F-14949-A2 under the provisions of Secs. 12(a) and 12(b), respectively, of the Alaska Native Claims Settlement Act

of December 18, 1971 (ANCSA), 43 U.S.C. § 1611(a) and 1611(b), for the surface estate of certain lands withdrawn by Sec. 11(a)(1) of ANCSA, 43 U.S.C. § 1610(a)(1), in the vicinity of Tuluksak, Alaska. The selections include lands within the Yukon Delta National Wildlife Refuge.

REGIONAL SECTION 14(h)(1) SELECTION APPLICATION REJECTED

On November 10, 1975, Calista Corporation filed regional selection application AA-10328 pursuant to Sec. 14(h)(1) of ANCSA, 43 U.S.C. § 1613(h)(1). The lands were also selected by Tulkisarmute Incorporated in selection applications F-14949-A, as amended, and F-14949-A2, and are herein approved for conveyance to Tulkisarmute Incorporated. Departmental regulations 43 CFR § 2651.4 (d) states that village selections shall be given priority over regional selections for the same land. Therefore, regional selection application AA-10328 is hereby rejected as to the lands described below, which are a portion of the lands approved for conveyance.

Seward Meridian, Alaska

T. 13 N., R. 64 W.,
Sec. 35.

Containing approximately 5 acres.

Case file AA-10328 will be closed of record when this decision becomes final as there are no other lands remaining selected.

LAND APPROVED FOR CONVEYANCE

As to the lands described below, village selection applications F-14949-A, as amended, and F-14949-A2, are properly filed and meet the requirements of ANCSA and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title; neither do they include any submerged lands which passed to the State of Alaska under the Equal Footing Doctrine, U.S. Const. art. IV, § 3, and Sec. 6(m) of the Alaska Statehood Act of July 7, 1958, 72 Stat. 339.

Further, this decision does not make any determination as to the ownership of islands, if any, that have emerged from the bed of a navigable water body on or after the date of statehood, January 3, 1959. Determinations regarding islands that have emerged from the beds of navigable waters on or after January 3, 1959, will be completed prior to patent. If it is determined that the lands herein approved for conveyance contain islands that have emerged from the beds of navigable waters on or after January 3, 1959, such islands will be excluded from the final patent.

In view of the foregoing, the surface estate of the lands described below, selected pursuant to Secs. 12(a) and 12(b) of ANCSA, aggregating approximately 18,968 acres, is considered proper for acquisition by Tulkisarmute Incorporated and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA:

Lands to Patent

Seward Meridian, Alaska

T. 12 N., R. 64 W.,
Secs. 6, 7 and 18.

Containing 1,670.95 acres, as shown on the plat of survey officially filed on June 21, 2007.

T. 13 N., R. 64 W.,
Sec. 1, lot 2, lots 4 to 9, inclusive, NE¼, N½NW¼, SE¼NW¼, N½SE¼, SW¼SE¼;
Sec. 6, lot 1, lots 4 to 15, inclusive, SW¼NE¼, SE¼NW¼, E½SW¼, W½SE¼;
Sec. 7, lots 1 to 6, inclusive, NE¼, E½W½, N½SE¼, SW¼SE¼;
Sec. 12, lots 1 to 4, inclusive, lot 6, lots 13 to 19, inclusive, SE¼NE¼, S½S½, NE¼SE¼;
Secs. 13 and 25;
Sec. 26, lots 1 to 6, inclusive, E½NE¼, S½;
Sec. 35, lots 1 to 13, inclusive, SE¼NE¼, SW¼;
Sec. 36, lots 1 and 2, N½, E½SW¼, SE¼.

Containing 5,251.15 acres, as shown on the plat of survey officially filed on August 31, 1984, the plat of photogrammetric resurvey officially filed on April 18, 2007, and the supplement plat of survey officially filed on January 11, 2008.

T. 14 N., R. 64 W.,
Sec. 19;
Sec. 25, lots 3 and 4;
Sec. 30, lots 1 and 2;
Sec. 31, lots 1, 2, and 3;
Sec. 36, lot 1.

Containing 3,104.03 acres, as shown on the plat of survey accepted on May 28, 1980, the plat of photogrammetric resurvey officially filed on January 31, 2006, and plat of dependent resurvey officially filed on June 19, 2007.

T. 12 N., R. 65 W.,
Sec. 1, lots 1 and 2, NE¼, E½NW¼, S½;
Sec. 2, lots 1 to 8, inclusive, SW¼, S½SE¼;
Sec. 3, lots 1 to 8, inclusive, NE¼NE¼, NW¼, N½SW¼, SW¼SW¼, SE¼SE¼;
Sec. 10, lots 1 to 4, inclusive, NE¼, SE¼NW¼, S½;
Sec. 11, lots 1 to 9, inclusive, E½NE¼, NW¼NE¼, NE¼NW¼, W½NW¼;
Sec. 12, lots 1 to 6, inclusive, NW¼NE¼, W½;
Sec. 14, lots 1 to 4, inclusive, lots 7 and 8, E½E½, NW¼NE¼, SW¼SE¼;
Sec. 25, lots 6 to 18, inclusive, NE¼, S½SW¼;

Sec. 26, lot 1, lots 3 to 6, inclusive, W½NE¼, E½NW¼, SW¼NW¼, W½SW¼, NE¼SW¼, SE¼;
Sec. 35, lots 1 to 7, inclusive, E½NE¼, SW¼;
Sec. 36, lots 1 to 8, inclusive, lot 11, lots 13 to 19, inclusive, NW¼.

Containing 6,057.31 acres, as shown on the plat of survey officially filed on August 31, 1984, and the supplemental plat of survey officially filed on April 18, 2007.

Lands to Interim Convey

Seward Meridian, Alaska

T. 13 N., R. 64 W.,
Secs. 24 and 34.

Containing approximately 1,132 acres.

T. 12 N., R. 65 W.,
Secs. 13, 23, and 24.

Containing approximately 1,753 acres.

Aggregating approximately 18,968 acres.

Only uplands are charged against entitlement. Submerged lands, if any, beneath rivers or streams 3 chains (198 feet) wide and wider, lakes 50 acres in size and larger, navigable water bodies of lesser size, and lands covered by tidal waters up to the line of mean high tide are excluded from the acreage charge, as provided by Sec. 901 of the Alaska National Interest Lands Conservation Act of December 2, 1980, as amended by the Act of August 16, 1988, 43 U.S.C. § 1631.

Within the lands herein approved for conveyance, only the following water bodies have been determined to be navigable:

Seward Meridian, Alaska

In T. 13 N., R. 64 W.:
Bogus Creek;
Little Bogus Creek from its confluence with the Tuluksak River upstream, including the Yukaniluk Creek, and into the SW¼NW¼, Sec. 35, T. 13 N., R. 64 W. SM;
Gweek River.

In T. 14 N., R. 64 W.:
Gweek River;
Interconnecting slough of the Kuskokwim River.

In T. 12 N., R. 65 W.:
Tuluksak River;
Little Bogus Creek;
Unamed slough and lake system flowing from Tuluksak River in Sec. 36, to its confluence with the Mishevik Slough in Sec. 32, T. 12 N., R. 65 W., SM.

All other named and unnamed water bodies within the lands approved for conveyance were reviewed, and were determined to be non-navigable based on existing evidence.

The conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(f); and

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1616(b) (1976), the following public easement, referenced by Easement Identification Number (EIN) on the easement map, a copy of which can be found in the Bureau of Land Management's public land records, is reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for the easement. Any uses which are not specifically listed are prohibited.

   25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheeled vehicles, and small all-terrain vehicles (ATV's) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

   (EIN 5 C4, D1) An easement twenty-five (25) feet in width for a proposed access trail from the Tuluksak Airport located in Sec. 27, T. 12 N., R. 66 W., Seward Meridian, thence easterly to the Tuluksak River Barge landing and public land. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

The grant of the above-described lands shall be subject to:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official supplemental plat of survey confirming the boundary description and acreage of the lands hereinabove granted; and in accordance with a determination as to those islands, if any, that emerged from the bed of a navigable water body on or after January 3, 1959;

2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. § 1616(b)(2) (1976), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(c), as amended, that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

CONVEYANCE OF SUBSURFACE ESTATE

Pursuant to Sec. 14(f) of ANCSA, 43 U.S.C. § 1613(f), and Departmental regulation 43 CFR § 2652.4, conveyance of the subsurface estate shall be issued to Calista Corporation when the surface estate is conveyed to Tulkisarmute Incorporated, and shall be subject to the same conditions as the surface conveyance, except for those provisions under Sec. 14(c) of ANCSA; also the right to explore, develop, or remove minerals from the subsurface estate in lands within the boundaries of the Native village of Tuluksak shall be subject to the consent of Tulkisarmute Incorporated.

COMBINED SURFACE ESTATE ENTITLEMENT SUMMARY

Tulkisarmute Incorporated, for the Native village of Tuluksak, is entitled to conveyance of 92,160 acres of land selected pursuant to Sec. 12(a), and 8,320 acres of land selected pursuant to Sec. 12(b) of ANCSA. Pursuant to Sec. 12(f) of ANCSA, as amended by Sec. 202 of the Alaska Land Transfer Acceleration Act of December 10, 2004 (Acceleration Act), 43 U.S.C. § 1611(f), the combined ANCSA entitlement of Tulkisarmute Incorporated is 100,480 acres. Together with the lands herein approved for conveyance, the total acreage conveyed or approved for conveyance is approximately 99,612 acres. The remaining combined entitlement of approximately 868 acres will be conveyed at a later date.

OVER-SELECTIONS DEEMED RELINQUISHED

Section 403(d) of the Acceleration Act provides that any unprioritized and/or lower priority land selections in excess of 125% of the remaining (or 640 acres, if larger) are deemed to be relinquished and will be removed from the records.

The remaining combined entitlement of Tulkisarmute Incorporated is approximately 868 acres. The following lands, which were prioritized on February 10, 2006, will be retained on the records and available for conveyance to fulfill entitlement. All other selections will be removed from the records pursuant to Sec. 403(d) of the Acceleration Act.

ANCSA Section	Priority No.	Serial No.	Meridian	Township	Range	Sec.	Acreage
12(b)	34	F-14949-A2	Seward	11 N	65 W	1	552.02
12(b)	35	F-14949-A2	Seward	13 N	65 W	12	628.32
12(b)	36	F-14949-A2	Seward	13 N	65 W	1	587.45
Total to Remain Selected							1,767.79

GENERAL INFORMATION

Enclosed are current status plats showing the lands approved for conveyance, along with a map showing the easement to be reserved.

In accordance with Departmental regulation 43 CFR § 2650.7(d), notice of this decision has been published once in the Federal Register and once a week for four (4) consecutive weeks in the Tundra Drums.

APPEAL PROVISIONS

A Federal agency, a regional corporation, or any party claiming a property interest in lands affected by this decision may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals. See DOI Form 1842-1 and 43 CFR Part 4, enclosed, for instructions.

The time limits for filing an appeal are:

1. Parties receiving service of this decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of this decision by regular mail which is not certified, return receipt requested, shall have until JUL 1 8 2008 to file an appeal.

The appellant has the burden of showing that the decision appealed from is in error. Failure to file the notice of appeal with the Bureau within the time allowed will result in dismissal of the appeal. In order to avoid dismissal of the appeal, there must be strict compliance with the regulations.

Navigability determinations may not be appealed to the Interior Board of Land Appeals, but may be taken to a court of competent jurisdiction, pursuant to Sec. 901 of ANILCA, as amended, 43 U.S.C. § 1631.

/s/ Ramona Chinn Acting
State Director

Enclosures:
Form 1842-1
Appeal regulations
Plats
Map

Copy furnished to:

State of Alaska (CM-RRR)
Department of Natural Resources
Division of Mining, Land and Water
Realty Services Section
550 West Seventh Avenue, Suite 1050A
Anchorage, Alaska 99501-3579
(w/plats and map)

State of Alaska (CM-RRR)
Department of Fish and Game
Division of Sport Fish
ATTN: Ellen Simpson
333 Raspberry Road
Anchorage, Alaska 99518-1599
(w/plats and map)

State of Alaska
Department of Transportation and Public Facilities
ATTN: Chief, Right-of-Way Branch
Central Region
4111 Aviation Avenue
Anchorage, Alaska 99502-1058
(w/plats and map)

U.S. Fish and Wildlife Service
Refuge Manager
Yukon Delta National Wildlife Refuge
P.O. Box 346
Bethel, Alaska 99559
(w/plats and map)

Federal Aviation Administration
ATTN: Acquisition & Real Estate Branch, AAL-59RE
222 West Seventh Avenue, #14
Anchorage, Alaska 99513-7587
(w/plats and map)

United States Coast Guard
Commander (s)
MLC Pacific
1301 Clay Street, Suite 700N
Oakland, California 94612-5203
(w/plats and map)

United States Coast Guard
Commander (DPR)
17th Coast Guard District
P.O. Box 25517
Juneau, Alaska 99801-5517
(w/plats and map)

AK-FM Anchorage (011)

ANCSA Acreage Control (965)

Escrow (962)

Pat Moreno (961)

Ron Royer, State Coordinator (965)

Charles Lovely, Land Transfer Resolution Specialist (965)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Alaska State Office
222 West Seventh Avenue, #13
Anchorage, Alaska 99513-7504
http://www.blm.gov/ak

TAKE PRIDE IN AMERICA

07/09/09
7/9/09

Fog River System
Interim Summary Report
Attachment 16

In Reply Refer To:
AA-9361-1E (75.04)
AA-9657-1E (75.04)
AA-9833-1E (75.04)
AA-9346 (2653)[1]
(962) dlt/jjl/lga

JUL 10 2009

Memorandum

To: Chief, Branch of Land Transfer Adjudication I (964)

From: Dina Torres, Land Transfer Resolution Specialist, Resolution Branch (962)

Subject: Final Easement Memorandum for Lands to be Conveyed to Calista Corporation

Section 17(b) of the Alaska Native Claims Settlement Act (ANCSA) requires that easements be identified for lands selected by Calista Corporation pursuant to Sec. 14(h)(1) of ANCSA. The following are the final easement recommendations. Of these recommendations, my decision is as follows for the lands described below.

Kateel River Meridian, Alaska

T. 28 S., R. 30 W.
U.S. Survey No. 10694, Alaska.

T. 28 S., R. 28 W.
U.S. Survey No. 10675, Alaska.

[1] AA-9353, AA-9361, AA-9379, AA-9477, AA-9526, AA-9635, AA-9657, AA-9676, AA-9743, AA-9811, AA-10279, AA-9833, AA-9880, AA-9938, AA-9964, AA-10034, AA-10066, AA-10173, AA-10205, AA-10211, AA-11471, AA-10222, AA-10224, AA-10273, AA-10278, AA-10319, AA-10322, AA-10381, AA-11412, AA-10383, AA-11303, AA-11304, AA-11317, AA-11318, AA-11665

Seward Meridian, Alaska

T. 29 N., R. 79 W.
Lot 2, U.S. Survey No. 10526, Alaska.

T. 27 N., R. 82 W.
U.S. Survey No. 10541, Alaska.

T. 25 N., R. 85 W.
U.S. Survey No. 11157, Alaska.
Lot 3, U.S. Survey No. 10480, Alaska.

T. 10 S., R. 76 W.
U.S. Survey No. 13740, Alaska.

T. 1 N., R. 67 W.
Lots 1 and 2, U.S. Survey No. 10157, Alaska.

T. 4 S., R. 83 W.
Lots 2, 3, and 4, U.S. Survey No. 10076, Alaska.

T. 10 N., R. 84 W.
U.S. Survey No. 13608, Alaska.

T. 1 S., R. 88 W.
U.S. Survey No. 13829, Alaska.
Lot 1, U.S. Survey No. 13826, Alaska.
U.S. Survey No. 13827, Alaska.
Lots 2 and 3, U.S. Survey No. 13826, Alaska.

T. 3 N., R. 86 W.
U.S. Survey No. 13591, Alaska.

T. 26 N., R. 83 W.
U.S. Survey No. 10673, Alaska.

T. 1 S., R. 77 W.
U.S. Survey No. 10646, Alaska.
U.S. Survey No. 10647, Alaska.

T. 19 N., R. 71 W.
U.S. Survey No. 11058, Alaska.

T. 11 N., R. 66 W. and T. 10 N., R. 66 W.
U.S. Survey No. 10548, Alaska.

T. 15 N., R. 69 W.
Lot 6, U.S. Survey No. 11006, Alaska.
Lots 1 and 2, U.S. Survey No. 11005, Alaska.

T. 3 N., R. 67 W.
U.S. Survey No. 10769, Alaska.

T. 5 N., R. 67 W. and T. 4 N., R. 68 W.
U.S. Survey No. 11795, Alaska.

T. 10 N., R. 64 W.
Lots 1 and 2, U.S. Survey No. 10728, Alaska.

T. 13 N., R. 65 W.
U.S. Survey No. 13765, Alaska.

T. 1 N., R. 84 W.
U.S. Survey No. 13823, Alaska.

T. 1 S., R. 87 W.
U.S. Survey No. 13825, Alaska.

T. 4 N., R. 72 W.
Lot 7, U.S. Survey No. 10155, Alaska.
Lot 2, U.S. Survey No. 10155, Alaska.

T. 2 N., R. 72 W.
U.S. Survey No. 10123, Alaska.

T. 2 N., R. 78 W.
U.S. Survey No. 13816, Alaska.
U.S. Survey No. 13817, Alaska.

T. 1 N., R. 77 W.
U.S. Survey No. 13818, Alaska.
Lots 1 and 2, U.S. Survey No. 13819, Alaska.

T. 15 N., R. 60 W. and T. 14 N., R. 60 W.
U.S. Survey No. 10573, Alaska.

MAJOR WATERWAYS:

There are no major waterways within these lands.

EASEMENT TO BE RESERVED:

There are no Sec. 17(b) easements to be reserved for the above lands.

EASEMENT MAPS:

The easement map reflects the current status of easements. Only those easements recommended for inclusion in the conveyance document are shown on the easement map.

/s/ Robert L. Lloyd

Robert L. Lloyd
Chief, Land Transfer Adjudication I

Attachments:

Easement Quadrangle Maps:

Kwiguk (B-6), Quadrangle
Kwiguk (C-5), Quadrangle
Black (B-1), Quadrangle
Bethel (D-5), Quadrangle
Bethel (D-6), Quadrangle
Baird Inlet (A-2), Quadrangle
Baird Inlet (B-3), Quadrangle
Marshall (C-1), Quadrangle
Russian Mission (A-6), Quadrangle
Russian Mission (B-3), Quadrangle
Russian Mission (B-7), Quadrangle

Copy furnished to:

Department of Natural Resources
Division of Mining, Land and Water
Attn: Scott Ogan
Public Access Assertion and Defense Unit
550 West Seventh Avenue, Suite 1070A
Anchorage, Alaska 99501-3579
(w/maps)

State of Alaska
Department of Fish and Game
Division of Sport Fish
ATTN: Marla Carter
333 Raspberry Road
Anchorage, Alaska 99518-1599
(w/maps)

U.S. Fish and Wildlife Service
Division of Realty, Mail Stop 211
Chief, Branch of Operations
1011 East Tudor Road
Anchorage, Alaska 99503
(w/maps)

U.S. Fish and Wildlife Service
Refuge Manager
Alaska Maritime National Wildlife Refuge
95 Sterling Highway, Suite 1
Homer, Alaska 99603-8021
(w/maps)

U.S. Fish and Wildlife Service
Refuge Manager
Yukon Delta National Wildlife Refuge
P.O. Box 346
Bethel, Alaska 99559
(w/maps)

Calista Corporation
Attn: Land Department
301 Calista Court, Suite A
Anchorage, Alaska 99518-3028

Anchorage Field Manager (011)

Chief, Resolution Branch (962)

Pat Moreno (961)

Easement Reading File (964)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Alaska State Office
222 West Seventh Avenue, #13
Anchorage, Alaska 99513-7504
http://www.ak.blm.gov

TAKE PRIDE IN AMERICA

07/21/09
7/31/09
8/3/09

Fog River System
Interim Summary Report
Attachment 17

In Reply Refer To:
AA-9526 (2653)[1]
(962) dlt/jjl/cf

AUG 0 5 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

Calista Corporation Attn: Land Department 301 Calista Court, Suite A Anchorage, Alaska 99518-3028	:	AA-9526[2] Regional Selection Applications
U.S. Fish and Wildlife Service Division of Realty, Mail Stop 211 Chief, Branch of Operations 1011 East Tudor Road Anchorage, Alaska 99503	:	Yukon Delta National Wildlife Refuge

Section 14(h)(1) Selection Applications Rejected in Part
Lands Proper for Regional Selections
Approved for Conveyance

In 1975, Calista Corporation filed regional selection applications AA-9526, AA-10173, AA-10205, AA-10211, AA-11471, AA-10222, AA-10224, AA-10273, AA-10278, AA-10381, AA-11412, AA-10383, and AA-11665, as amended, under the provisions of Sec. 14(h)(1) of the Alaska Native Claims Settlement Act (ANCSA) of December 18, 1971, 43 U.S.C. 1613(h)(1), for certain lands within the Yukon Delta National Wildlife Refuge, located northeasterly of the Native village of Akiak, Alaska, and southeasterly of the Native village of Napaskiak, Alaska.

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[1] AA-10173, AA-10205, AA-10211, AA-11471, AA-10222, AA-10224, AA-10273, AA-10278, AA-10381, AA-11412, AA-10383, AA-11665

[2] AA-10173, AA-10205, AA-10211, AA-11471, AA-10222, AA-10224, AA-10273, AA-10278, AA-10381, AA-11412, AA-10383, AA-11665

Section 14(h)(1) of ANCSA, as amended, authorizes the Secretary of the Interior (hereinafter, the Secretary) to convey to a regional corporation fee title to existing cemetery sites and historical places located on unreserved and unappropriated public lands.

The Secretary authorized the Bureau of Indian Affairs (BIA) to investigate historical places and cemetery sites and to certify their eligibility in accordance with 43 CFR 2653.5(h).

SELECTION APPLICATIONS REJECTED IN PART

The BIA certified applications AA-9526, AA-10173, AA-10205, AA-10211, AA-11471, AA-10222, AA-10224, AA-10273, AA-10278, AA-10381, AA-11412, AA-10383, and AA-11665, as to the lands described below, as eligible historical places and/or cemetery sites in accordance with Departmental regulations 43 C.F.R. 2653.5. BLM has reviewed the BIA report of investigations for these sites and concurs that the parcels fit the definition of historical place and/or cemetery site as defined in 43 CFR 2653.0-5 (a) and (b). Selection applications AA-9526, AA-10173, AA-10205, AA-10211, AA-11471, AA-10222, AA-10224, AA-10273, AA-10278, AA-10381, AA-11412, AA-10383, and AA-11665, are hereby rejected as to those lands not approved for conveyance herein.

Selection Application	Date BIA Certified Eligible	Site Name (BIA Report)	Cert. Acres (approx.)	Site Now Surveyed As:	Surveyed Acres:
AA-9526	Dec. 18, 1987	Elngurtuliarmiullret	8.5	Lots 1 & 2, USS 10157	9.08
AA-10173	Aug. 30, 1984	Whirtaq	16.6	USS No. 11058	18.28
AA-10205	Nov. 26, 1990	Nauryarmiut	66.8	USS No. 10548	71.67
AA-10211	Sep. 4, 1984	Itercaraq	0.2	Lot 6, USS No. 11006	0.19
AA-11471	Sep. 4, 1984	Iiterceq #1	1.3	Lots 1 & 2, USS 11005	1.32
AA-10222	Jan. 4, 1991	Iluaktuq	48	USS No. 10769	48.00
AA-10224	July 25, 1990	Iqsalleq	37	USS No. 11795	28.39
AA-10273	Dec. 21, 1990	Cavirrutnartuli	4.8	Lots 1 & 2, USS 10728	3.97
AA-10278	May 31, 1989	Nemrarutem Painga	3.4	USS No. 13765	0.81
AA-10381	Feb. 1, 1988	Iinrayacuarmiullret	2.1	Lot 7, USS No. 10155	0.48
AA-11412	Feb. 1, 1988	Iinrayacuarmiullret	3.1	Lot 2, USS No. 10155	4.63
AA-10383	June 14, 1988	Amakcuayarmiullret	6.1	USS No. 10123	2.25
AA-11665	April 2, 1990	Nanvarmiullret	7	USS No. 10573	9.63

LANDS APPROVED FOR CONVEYANCE

As to the lands described below, selection applications AA-9526, AA-10173, AA-10205, AA-10211, AA-11471, AA-10222, AA-10224, AA-10273, AA-10278, AA-10381, AA-11412, AA-10383, and AA-11665, as amended, are properly filed and meet the requirements of ANCSA and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title; neither do they include any submerged lands which passed to the State of Alaska under the Equal Footing Doctrine, U.S. Const. art. IV, § 3, and Sec. 6(m) of the Alaska Statehood Act of July 7, 1958, 72 Stat. 339.

In view of the foregoing, the following surface and subsurface estates are considered proper for acquisition by Calista Corporation and are hereby approved for conveyance pursuant to Sec. 14(h)(1) of ANCSA:

AA-9526
Lots 1 and 2, U.S. Survey No. 10157, Alaska.

Containing 9.08 acres, as shown on plat of survey officially filed on February 1, 1993.

AA-10173
U.S. Survey No. 11058, Alaska.

Containing 18.28 acres, as shown on plat of survey officially filed on November 17, 1995.

AA-10205
U.S. Survey No. 10548, Alaska.

Containing 71.67 acres, as shown on plat of survey officially filed on October 20, 1992.

AA-10211
Lot 6, U.S. Survey No. 11006, Alaska.

Containing 0.19 acres, as shown on plat of survey officially filed on November 17, 1995.

AA-11471
Lots 1 and 2, U.S. Survey No. 11005, Alaska.

Containing 1.32 acres, as shown on plat of survey officially filed on November 17, 1995.

AA-10222
U.S. Survey No. 10769, Alaska.

Containing 48.00 acres, as shown on plat of survey officially filed on October 8, 1992.

AA-10224
U.S. Survey No. 11795, Alaska.

Containing 28.39 acres, as shown on plat of survey officially filed on January 5, 2001.

AA-10273
Lots 1 and 2, U.S. Survey No. 10728, Alaska.

Containing 3.97 acres, as shown on plat of survey officially filed on March 24, 2009.

AA-10278
U.S. Survey No. 13765, Alaska.

Containing 0.81 acres, as shown on plat of survey officially filed on May 29, 2007.

AA-10381
Lot 7, U.S. Survey No. 10155, Alaska.

Containing 0.48 acres, as shown on plat of survey officially filed on June 7, 1993.

AA-11412
Lot 2, U.S. Survey No. 10155, Alaska.

Containing 4.63 acres, as shown on plat of survey officially filed on June 7, 1993.

AA-10383
U.S. Survey No. 10123, Alaska.

Containing 2.25 acres, as shown on plat of survey officially filed on April 6, 1993.

AA-11665
U.S. Survey No. 10573, Alaska.

Containing 9.63 acres, as shown on plat of survey officially filed on June 25, 1992.

Aggregating 198.70 acres.

There are no easements to be reserved to the United States pursuant to Sec. 17(b) of ANCSA and the administrative record, including easement memoranda.

The grant of the above-described lands shall be subject to:

1. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights,

privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1616(b)(2) (1976), any valid existing right recognized by the Alaska Native Claims Settlement Act shall continue to have whatever right of access as is now provided for under existing law; and

2. A covenant, running with the land, providing that (1) Calista Corporation shall not authorize mining or mineral activities of any type; nor shall it authorize any use which is incompatible with or is in derogation of the values as a cemetery site/historic place (the standards for determining incompatibility or derogation are found in 36 C.F.R. 800 which contains the Advisory Council on Historic Preservation criteria of effect and adverse effect); and (2) that the United States reserves the right to seek enforcement of the covenant in an action in equity.

The Secretary of the Interior had previously allocated a maximum number of acres available for conveyance to each regional corporation under Secs. 14(h)(1), (2) and (5) of ANCSA. Pursuant to Sec. 14(h)(1), as amended by Sec. 204 of the Alaska Land Transfer Acceleration Act of December 10, 2004, 43 U.S.C. 1613(h)(1)(C), the Secretary may convey any cemetery site or historical place for which an application was on record with the Secretary as of December 10, 2004, that is found eligible for conveyance, notwithstanding the previous acreage allocations. Lands conveyed as cemetery and historical sites continue to be charged against the 2 million acres available for conveyance under Sec. 14(h). Upon conveyance of the lands described above, approximately 14,426 acres will have been conveyed to regional corporations under Sec. 14(h)(1).

Enclosed is a CD-ROM containing the electronic version of current status plats and survey plats showing the lands approved for conveyance.

In accordance with Departmental regulation 43 C.F.R. 2650.7(d), notice of this decision is being published once in the Federal Register and once a week, for four (4) consecutive weeks, in the Anchorage Daily News.

APPEAL PROVISIONS

A Federal agency, a regional corporation, or any party claiming a property interest in lands affected by this decision may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals. See DOI Form 1842-1 and 43 C.F.R. Part 4, enclosed, for instructions.

The time limits for filing an appeal are:

1. Parties receiving service of this decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of this decision by regular mail which is not certified, return receipt requested, shall have until SEP 0 4 2009 to file an appeal.

The appellant has the burden of showing that the decision appealed from is in error. Failure to file the notice of appeal with the Bureau within the time allowed will result in dismissal of the appeal. In order to avoid dismissal of the appeal, there must be strict compliance with the regulations.

Questions concerning this document should be addressed to Dina Torres, Land Transfer Resolution Specialist, at (907) 271-3248, or Joe Labay, Land Transfer Resolution Specialist, at (907) 271-3340.

/s/ Ramona Chinn Acting

State Director

Enclosures:
Form 1842-1
Appeal Regulations
CD-ROM containing Status and Survey Plats

Copy furnished to:

State of Alaska (CM-RRR)
Department of Natural Resources
Division of Mining, Land and Water
Realty Services Section
550 West Seventh Avenue, Suite 1050A
Anchorage, Alaska 99501-3579
(w/CD-ROM)

State of Alaska (CM-RRR)
Department of Fish and Game
Division of Sport Fish
ATTN: Ellen Simpson
333 Raspberry Road
Anchorage, Alaska 99518-1599
(w/CD-ROM)

U.S. Fish and Wildlife Service
Refuge Manager
Yukon Delta National Wildlife Refuge
P.O. Box 346
Bethel, Alaska 99559
(w/CD-ROM)

U.S. Fish and Wildlife Service
Refuge Manager
Alaska Maritime National Wildlife Refuge
95 Sterling Highway, Suite 1
Homer, Alaska 99603-8021
(w/CD-ROM)

State of Alaska
Department of Transportation and Public Facilities
ATTN: Chief, Right-of-Way Branch
Central Region
4111 Aviation Avenue
Anchorage, Alaska 99502-1058
(w/CD-ROM)

Federal Aviation Administration
ATTN: Acquisition & Real Estate Branch, AAL-59RE
222 West Seventh Avenue, #14
Anchorage, Alaska 99513-7587
(w/CD-ROM)

Department of Homeland Security
United States Coast Guard (CA)
Commander (s)
MLC Pacific
1301 Clay Street, Suite 700N
Oakland, California 94612-5203
(w/CD-ROM)

Commander (DPR)
17th Coast Guard District
P.O. Box 25517
Juneau, Alaska 99801-5517
(w/CD-ROM)

Alaska Legal Services Corporation
1016 West Sixth Avenue, Suite 200
Anchorage, Alaska 99501-1963

Alaska Legal Services Corporation
Fairbanks Office
1648 Cushman Street, # 300
Fairbanks, Alaska 99701-6206

Bureau of Indian Affairs
ANCSA
Attn: Kenneth L. Pratt, ANCSA Program Manager
3601 C Street, Suite 1100
Anchorage, Alaska 99503-5947

Alaska Federation of Natives, Inc.
1577 C Street, Suite 100
Anchorage, Alaska 99501

Ahtna, Incorporated
P.O. Box 649
Glennallen, Alaska 99588-0649

The Aleut Corporation
One Aleut Plaza
4000 Old Seward Highway, Suite 300
Anchorage, Alaska 99503-6079

Arctic Slope Regional Corporation
P.O. Box 129
Barrow, Alaska 99723-0129

Bering Straits Native Corporation
P.O. Box 1008
Nome, Alaska 99762-1008

Bristol Bay Native Corporation
111 West 16th Avenue, Suite 400
Anchorage, Alaska 99501

Cook Inlet Region, Incorporated
Attn: Land Department
P.O. Box 93330
Anchorage, Alaska 99509-3330

Chugach Alaska Corporation
3800 Center Point Drive, Suite 601
Anchorage, Alaska 99503

Doyon, Limited
Lands and Natural Resources Department
1 Doyon Place, Suite 300
Fairbanks, Alaska 99701-2941

Koniag, Incorporated
104 Center Ave., Suite 205
Kodiak, AK 99615

NANA Regional Corporation, Inc.
Attn: Jeff Nelson
1001 East Benson Boulevard
Anchorage, Alaska 99508

Sealaska Corporation
One Sealaska Plaza
Suite 400
Juneau, Alaska 99801-1276

AK FM-Anchorage (011)

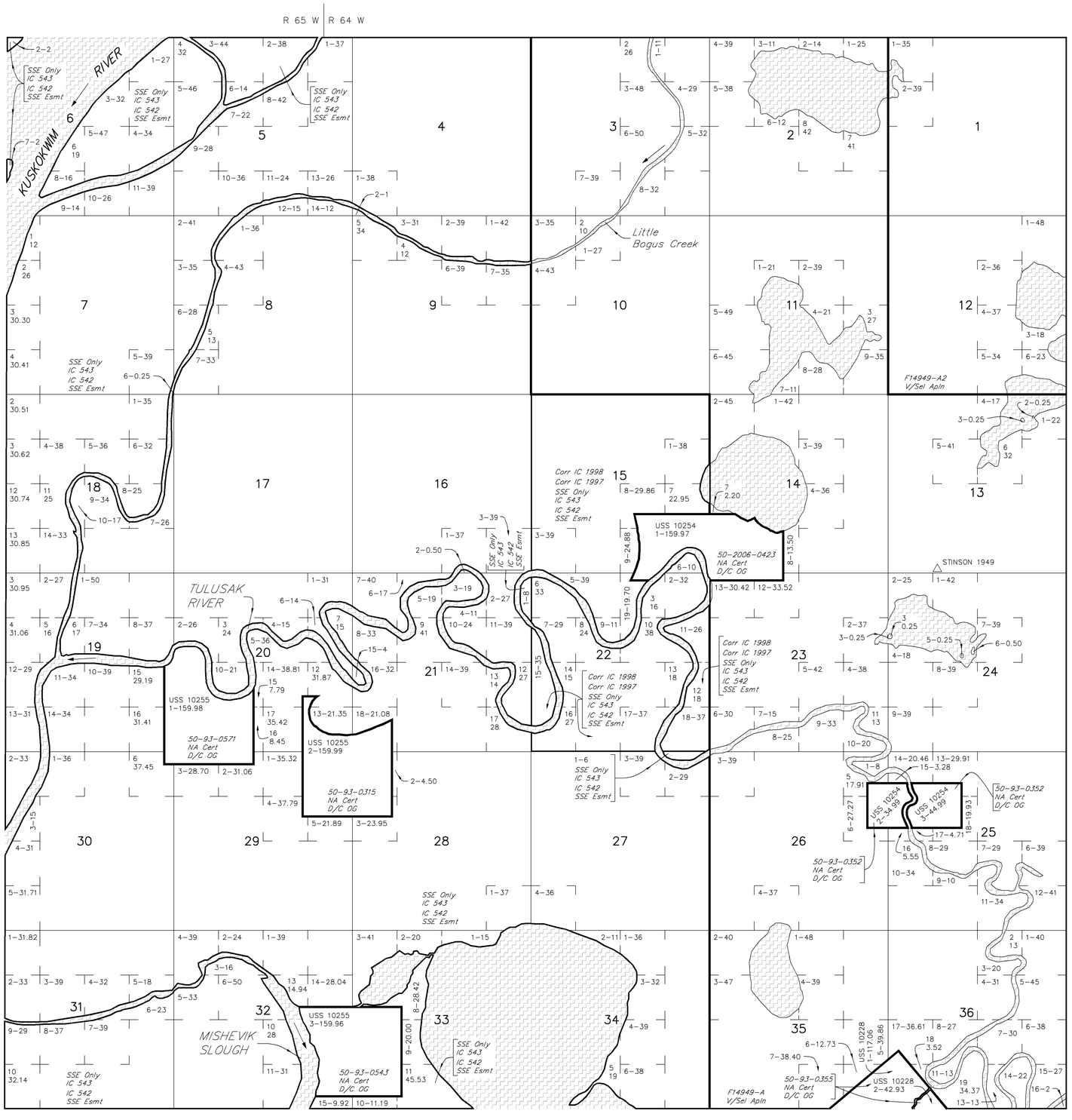
ANCSA Acreage Control (965)

Escrow (961)

Pat Moreno (961)

Charles Lovely (965)

SURVEYED TOWNSHIP 12 NORTH RANGE 65 WEST OF THE SEWARD MERIDIAN, ALASKA



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PL 92-203 Wdl F14949, Lds W/\ F14949-A, F14949-A2

PLO 5184 Wdl Cl affects Lds/Interests not conveyed

PL 96-487 Wdl Yukon Delta NWR entire Tp

Lat 61°04'48.69"N
Long 160°42'50.99"W

SCALE in chains
10 5 0 10 20 30 60

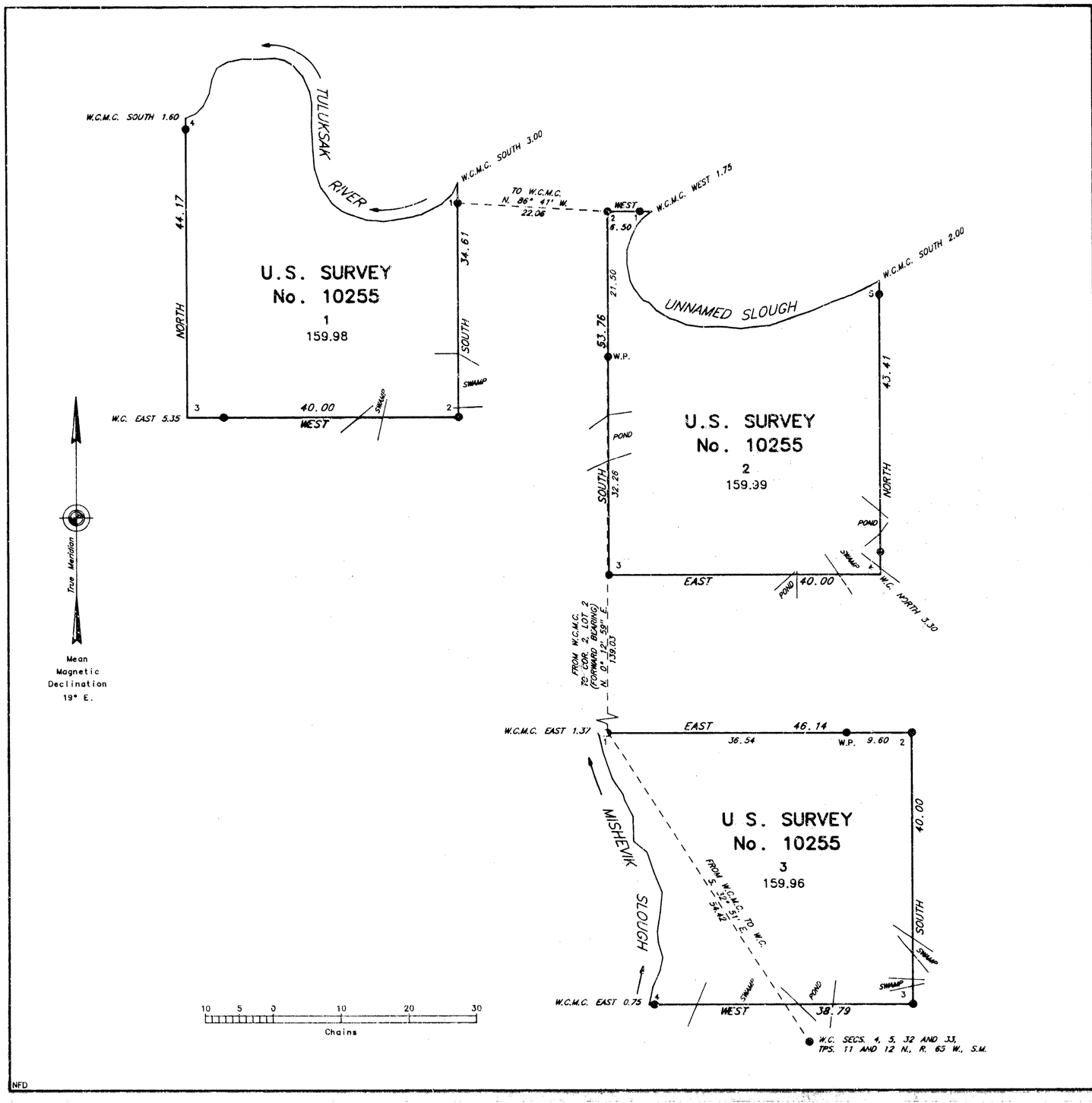
WARNING:
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

CURRENT TO		Sew Mer
5-22-2008		T 12 N
		R 65 W

ACAD

Officially Filed ORIGINAL

DATE OCTOBER 20, 1992



NFD

U.S. SURVEY No. 10255, ALASKA

COMPRISING LOTS 1 THROUGH 3

SITUATED

ON THE LEFT BANK OF THE

TULUKSAK RIVER

AND THE RIGHT BANK OF

MISHEVIK SLOUGH

APPROXIMATELY 4 MILES EASTERLY

OF

THE VILLAGE OF TULUKSAK, ALASKA

GEOGRAPHIC POSITION

OF

THE WITNESS CORNER TO CORNER NO. 1, LOT 3

A MEANDER CORNER

IS:

LATITUDE: 61° 05' 18.41" NORTH

NAD 27

LONGITUDE: 160° 50' 31.32" WEST

AREA: 479.93 ACRES

SURVEYED

BY

MICHAEL H. SCHODER

REGISTERED ALASKA LAND SURVEYOR NO. LS-5368

FOR R&M CONSULTANTS, INC.

JULY 15 THROUGH SEPTEMBER 7, 1991

UNDER SPECIAL INSTRUCTIONS

DATED NOVEMBER 22, 1989

APPROVED DECEMBER 8, 1989

AND CONTRACT NO. N651-C1-3037

AWARDED JUNE 13, 1991

Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 6(m) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirement of law and the regulations of this Bureau, is hereby accepted.

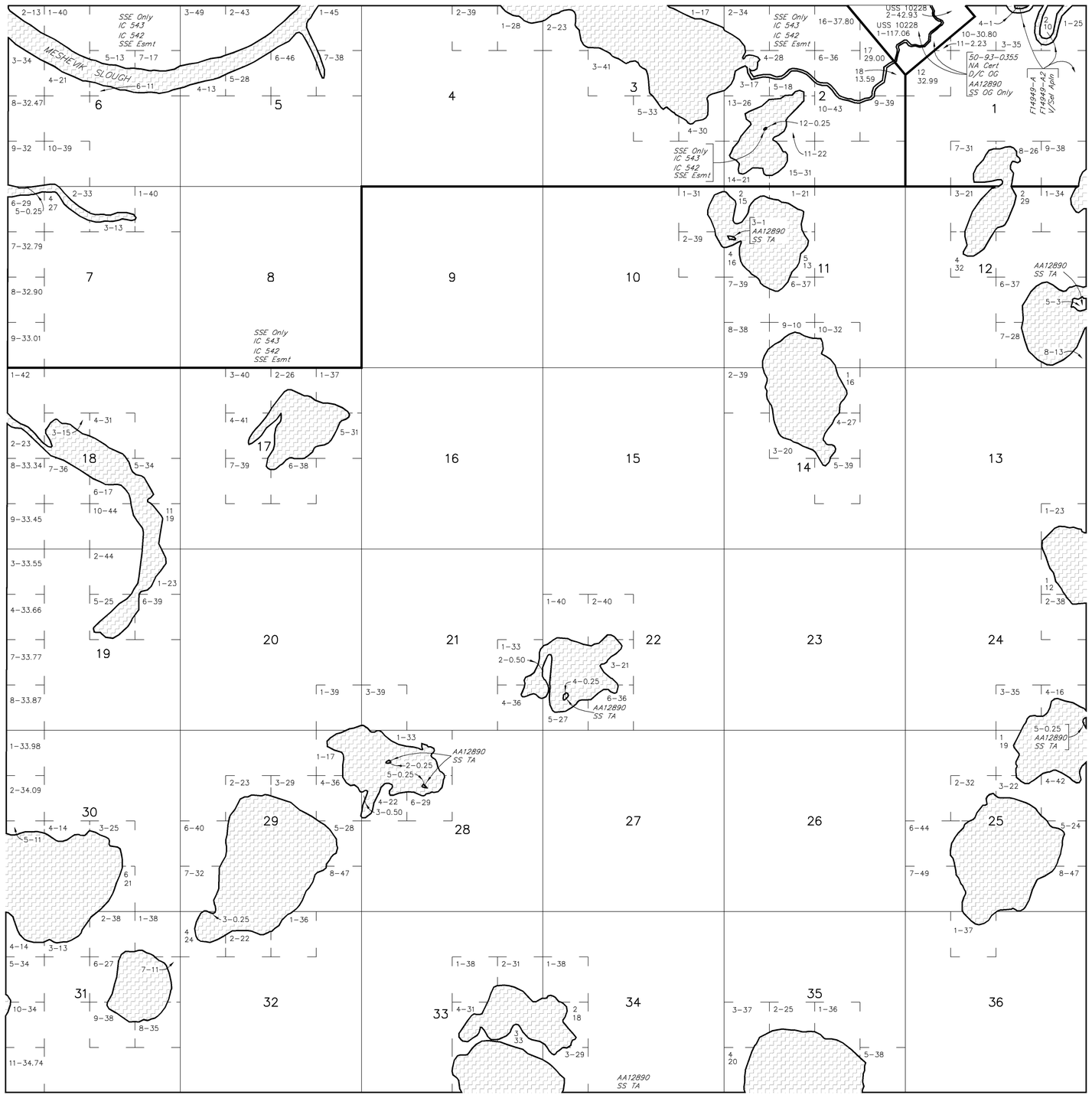
For the Director

George P. Chandler 30 SEPT. 1992
Date

Deputy State Director for Cadastral Survey, Alaska

ClibPDF - www.fastio.com

SURVEYED TOWNSHIP 11 NORTH RANGE 65 WEST OF THE SEWARD MERIDIAN, ALASKA



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PL 92-203 Wdl F14949, Lds W/I F14949-A, F14949-A2

PLO 5184 Wdl Cl affects Lds/Interests not conveyed

PL 96-487 Wdl Yukon Delta NWR entire Tp

AA12890 SS Amdt PL 96-487 Sec 906(e) Top Filed

Lat 60°59'36.73"N
Long 160°42'50.99"W

SCALE in chains
10 5 0 10 20 30 60

WARNING:
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

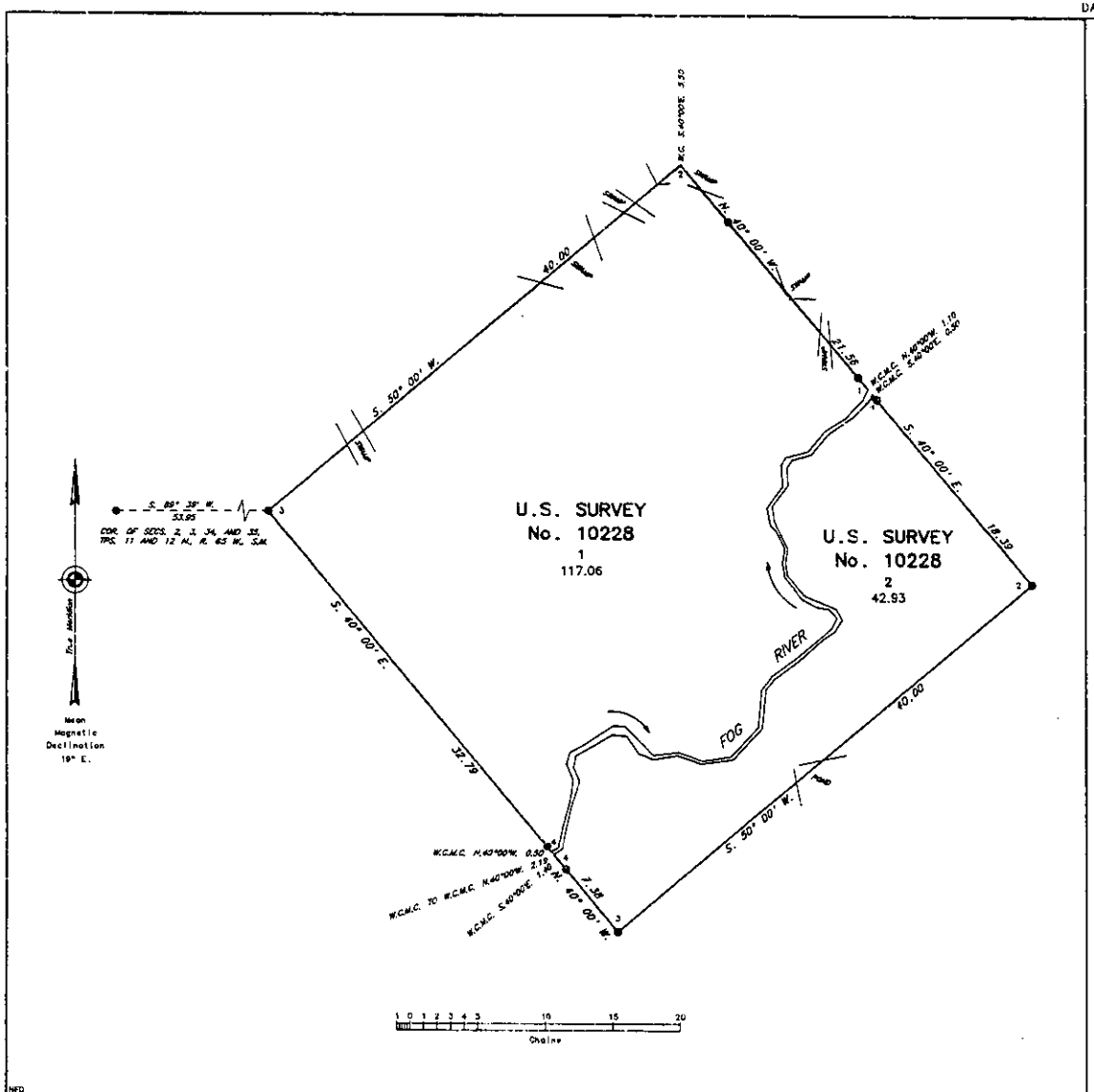
CURRENT TO	
4-29-2008	

Sew Mer
T 11 N
R 65 W

ACAD

Officially Filed ORIGINAL

DATE OCTOBER 20, 1992



U.S. SURVEY No. 10228, ALASKA

COMPRISING LOTS 1 AND 2

SITUATED

ON BOTH BANKS OF

A FORK OF THE FOG RIVER

APPROXIMATELY 19 1/2 MILES NORTHEASTERLY

OF

THE VILLAGE OF AKIAK, ALASKA

GEOGRAPHIC POSITION

OF

CORNER NO. 3, LOT 1

IS:

LATITUDE: 61° 04' 48.91" NORTH

NAD 27

LONGITUDE: 160° 45' 13.29" WEST

AREA: 159.99 ACRES

SURVEYED

BY

MICHAEL H. SCHODER

REGISTERED ALASKA LAND SURVEYOR NO. LS-5366

FOR R&M CONSULTANTS, INC.

AUGUST 5 THROUGH SEPTEMBER 4, 1991

UNDER SPECIAL INSTRUCTIONS

DATED OCTOBER 19, 1988

APPROVED DECEMBER 15, 1989

AND CONTRACT NO. N851-C1-3037

AWARDED JUNE 13, 1991

Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 6(m) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirement of law and the regulations of this Bureau, is hereby accepted.

For the Director

30 Sept 1992

Date

Deputy State Director for Cadastral Survey, Alaska

NFD

Fog River System
Attachment 12

PDF - www.fastio.com

ORIGINAL 19

U-201

UNITED STATES

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

FIELD NOTES

OF

U.S. SURVEY NO. 10228

COMPRISING LOTS 1 AND 2

SITUATED

ON BOTH BANKS OF

A FORK OF THE FOG RIVER

APPROXIMATELY 19 1/2 MILES NORTHEASTERLY OF

THE VILLAGE OF AKIAK, ALASKA

GEOGRAPHIC POSITION OF

CORNER NO. 3, LOT 1

IS:

LATITUDE: 61° 04′ 48.91" NORTH, LONGITUDE: 160° 45′ 13.29" WEST

NAD 27

IN THE STATE OF ALASKA

EXECUTED BY

Michael H. Schoder, Registered Alaska Land Surveyor No. LS-5368

for R&M Consultants, Inc.

Under special instructions dated October 19, 1988, approved December 15, 1989, and Contract No. N651-C1-3037, awarded June 13, 1991, which provided for the surveys included under U.S. Survey No. 10228, and Notice to Proceed dated June 13, 1991.

Survey Commenced: August 5, 1991

Survey Completed: September 4, 1991

U.S. Survey No. 10228, Alaska

CHAINS

The following field notes are those of U.S. Survey No. 10228, comprising Lots 1 and 2.

The exterior boundaries and a portion of the subdivisional lines of Township 11 North, Range 65 West, Seward Meridian, were surveyed by George P. Oviatt, Cadastral Surveyor, in 1976 through 1979.

This survey was executed in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Special Instructions dated October 19, 1988, approved December 15, 1989, and Contract No. N651-C1-3037 awarded June 13, 1991.

The azimuth was obtained from a solar observation and refers to the true meridian.

The geographic position of corner No. 3, Lot 1, as determined from a tie to the corner of sections 2, 3, 34 and 35, Townships 11 and 12 North, Range 65 West, Seward Meridian, is:

Latitude: 61° 04' 48.91" North
NAD 27
Longitude: 160° 45' 13.29" West

The mean magnetic declination was taken from the National Oceanic and Atmospheric Administration McGrath Sectional Aeronautical Chart, effective August 22, 1991, which indicates a 1985 mean isogonic value of 19° E.

The Bureau of Land Management Location Tag was found. The position of this survey was determined by the Contract Inspector from the description given in the Land Examiner's report.

The term DEEP-1 magnet refers to a magnetic marker composed of strontium encased in a color coded plastic container. The units are 1 inch diameter and 2 1/2 inches long.

LOT 1

Beginning at the true point for cor. No. 1, Lot 1, a meander cor., on the left bank of a fork of the Fog River at the line of ordinary high water, not

Lot 1, U.S. Survey No. 10228, Alaska

CHAINS	
	monumented due to the liability of destruction by ice and water action.
	N. 40° 00′ W., on line 1-2, Lot 1.
	Over rolling ground, vegetated with spruce and birch trees, with patches of willow and alder brush.
1.10	Point selected for the witness cor. to cor. No. 1, Lot 1, a meander cor.
	Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 24 ins. in the ground, with brass cap mkd.
	WC C1 L1 MC S10228 1991
	from which
	A birch, 5 ins. diam., bears S. 29 1/4° W., 99 lks. dist., mkd. X BT.
	A birch, 6 ins. diam., bears N. 56° W., 70 lks. dist., mkd. X BT.
	Bury a clear DEEP-1 magnet at the base of the stainless steel post.
2.50	Gully, 7 ft. deep, 15 lks. wide, bears N. 44° E. and S. 44° W.
4.30	Easterly edge of swamp, bears S. 5° E. and N. 5° W.
5.50	Westerly edge of swamp, bears N. 5° E. and S. 5° W.
7.25	Gully, 6 ft. deep, 23 lks. wide, bears N. 10° E. and S. 10° W.
8.70	Easterly edge of swamp, bears East and West.
9.60	Westerly edge of swamp, bears S. 20° E. and N. 20° W.

Lot 1, U.S. Survey No. 10228, Alaska

CHAINS	
10.90	Southerly edge of tundra, bears S. 6° E. and N. 6° W.; continue over rolling tundra vegetated with native grass and berry plants.
16.06	Point selected for the witness cor. to cor. No. 2 Lot 1.
	Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 23 ins. in the ground, with brass cap mkd.
	WC C2 L1 S10228 1991
	from which
	A spruce, 4 ins. diam., bears N. 52 1/2° E., 114 lks. dist., mkd. X BT.
	A spruce, 5 ins. diam., bears N. 65 1/2° W., 433 lks. dist., mkd. X BT.
	Bury a clear DEEP-1 magnet at the base of the stainless steel post.
17.70	Northerly edge of tundra, bears S. 80° E. and N. 80° W.; continue over rolling ground vegetated with dense alder and willow brush, with scattered spruce and birch trees.
19.15	Southerly edge of swamp, bears S. 70° E. and N. 70° W.
21.56	True point for cor. No. 2, Lot 1, falls in swamp, impractical to monument.
	S. 50° 00′ W., on line 2-3, Lot 1.
	Across swamp.
2.25	Westerly edge of swamp, bears N. 85° E. and N. 28° W.; continue over rolling tundra vegetated with native

Lot 1, U.S. Survey No. 10228, Alaska

CHAINS	
	grass and berry plants, with scattered spruce and birch trees, with patches of willow and alder brush.
4.40	Northerly edge of swamp, bears S. 55° E. and N. 55° W.
5.50	Southerly edge of swamp, bears S. 64° E. and N. 64° W.
8.40	Northerly edge of swamp, bears S. 20° E. and N. 20° W.
13.55	Southerly edge of swamp, bears S. 75° E. and N. 75° W.
30.70	Southerly edge of tundra, bears S. 30° E. and N. 30° W.; continue over rolling ground vegetated with scattered spruce trees.
32.30	Northerly edge of swamp, bears S. 28° E. and N. 28° W.
34.50	Southerly edge of swamp, bears S. 28° E. and N. 28° W.; continue over rolling tundra.
40.00	Point for cor. No. 3, Lot 1.
	Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 24 ins. in the ground, with brass cap mkd.

S10228
L1
C3
1991

from which

A silver DEEP-1 magnet bears N. 27° E., 15 lks. dist., 18 ins. below ground.

A spruce, 5 ins. diam., bears S. 63° E., 705 lks. dist., mkd. C3 L1 S10228 BT.

Bury a clear DEEP-1 magnet at the base of the stainless steel post.

From this point, the corner of secs. 2, 3, 34 and 35, Tps. 11 and 12 N., R. 65 W., bears S. 89° 39′ W., 53.95 chs. dist., monumented with an alum. rod, 5/8 in.

CHAINS	
	diam., firmly set, projecting 14 ins. above ground, with alum. cap mkd. T12N R65W S34 S35 S2 S3 T11N 1977. Reset alum. rod to project 8 ins. above ground, from which the following new accessories A silver DEEP-1 magnet bears N. 45° E., 15 lks. dist., 18 ins. below ground. A purple DEEP-1 magnet bears S. 45° E., 15 lks. dist., 18 ins. below ground.
	S. 40° 00′ E., on line 3-4, Lot 1. Over rolling tundra vegetated with native grass and berry plants.
31.60	Southerly edge tundra, bears N. 20° E. and S. 20° W.; continue over rolling ground vegetated with spruce and birch trees, with patches of willow and alder brush.
32.29	Point selected for the witness cor. to cor. No. 4, Lot 1, a meander cor. Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 24 ins. in the ground, with brass cap mkd. WC S10228 L1 C4 MC 1991 from which A spruce, 8 ins. diam., bears N. 12 1/2° E., 167 lks. dist., mkd. X BT. A birch, 4 ins. diam., bears N. 79 3/4° W., 16 lks. dist., mkd. X BT. Bury a clear DEEP-1 magnet at the base of the stainless steel post.

Lot 1, U.S. Survey No. 10228, Alaska

CHAINS	
32.79	True point for cor. No. 4, Lot 1, a meander cor., on the left bank of a fork of the Fog River, at the line of ordinary high water, not monumented due to the liability of destruction by ice and water action.

Thence downstream with the meanders of the left bank of a fork of the Fog River, along a well-defined bank, 2 to 8 ft. high, at the line of ordinary high water.

N. 61° 57′ E., 0.55 ch.
N. 12° 05′ E., 1.53 chs.
N. 16° 05′ E., 1.83 chs.
N. 11° 32′ E., 0.76 ch.
N. 6° 28′ E., 1.03 chs.
N. 22° 23′ W., 1.27 chs.
N. 15° 50′ E., 0.89 ch.
N. 61° 04′ E., 1.33 chs.
N. 57° 11′ E., 2.46 chs.
S. 84° 58′ E., 0.87 ch.
S. 45° 12′ E., 2.98 chs.
N. 83° 15′ E., 1.87 chs.
S. 70° 15′ E., 1.89 chs.
N. 81° 02′ E., 2.12 chs.
N. 43° 16′ E., 2.98 chs.
N. 5° 32′ E., 2.81 chs.
N. 36° 40′ E., 1.27 chs.
N. 53° 42′ E., 2.17 chs.
N. 49° 50′ E., 3.42 chs.
N. 27° 09′ E., 0.90 ch.
N. 41° 53′ W., 0.92 ch.
N. 82° 13′ W., 0.89 ch.
N. 61° 41′ W., 1.25 chs.
N. 37° 31′ W., 2.08 chs.
N. 9° 35′ W., 0.98 ch.
N. 8° 23′ E., 1.11 chs.
N. 24° 50′ W., 1.44 chs.
N. 42° 09′ W., 0.68 ch.
N. 11° 35′ W., 1.24 chs.
N. 35° 53′ E., 1.99 chs.
N. 3° 48′ W., 1.60 chs.
N. 29° 58′ E., 0.64 ch.
N. 74° 44′ E., 1.73 chs.
N. 39° 42′ E., 1.94 chs.
N. 56° 52′ E., 1.80 chs.
N. 43° 54′ E., 1.88 chs.
N. 25° 01′ E., 0.90 ch. At end of course, true

CHAINS	
	point for cor. No. 1, Lot 1, a meander cor., and point of beginning.
	LOT 2
	Beginning at the true point for cor. No. 1, Lot 2, a meander cor., on the right bank of a fork of the Fog River, at the line of ordinary high water, not monumented due to the liability of destruction by ice and water action.
	S. 40° 00' E., on line 1-2, Lot 2.
	Over rolling ground vegetated by willow and alder brush with scattered spruce and birch trees.
0.50	Point selected for the witness cor. to cor. No. 1, Lot 2, a meander cor.
	Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 24 ins. in the ground, with brass cap mkd.
	WC MC C1 L2 S10228 1991
	from which
	A birch, 4 ins. diam., bears S. 76 1/2° E., 67 lks. dist., mkd. X BT.
	A birch, 5 ins. diam., bears S. 22 1/2° W., 101 lks. dist., mkd. X BT.
	Bury a clear DEEP-1 magnet at the base of the stainless steel post.

Lot 2, U.S. Survey No. 10228, Alaska

CHAINS	
4.10	Northerly edge tundra, bears N. 75° E. and S. 75° W.; continue over rolling tundra vegetated with native grass and berry plants with scattered spruce trees.
18.39	Point for cor. No. 2, Lot 2.
	Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 24 ins. in the ground, with brass cap mkd.
	C2 L2 S10228 1991
	from which
	A spruce, 8 ins. diam., bears N. 53 1/4° E., 606 lks. dist., mkd. X BT.
	A spruce, 4 ins. diam., bears S. 45° E., 422 lks. dist., mkd. X BT.
	Bury a clear DEEP-1 magnet at the base of the stainless steel post.
	S. 50° 00′ W., on line 2-3, Lot 2.
	Over rolling tundra vegetated with native grass and berry plants.
20.20	Northerly bank of pond, bears N. 78° E. and S. 78° W.
22.75	Southerly bank of pond, bears S. 12° E. and N. 12° W.
40.00	Point for cor. No. 3, Lot 2.
	Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 24 ins. in the ground, with brass cap mkd.
	S10228 L2 C3 1991

Lot 2, U.S. Survey No. 10228, Alaska

CHAINS	
	from which A silver DEEP-1 magnet bears N. 5° E., 15 lks. dist., 18 ins. below ground. An orange DEEP-1 magnet bears N. 85° W., 15 lks. dist., 18 ins. below ground. Bury a clear DEEP-1 magnet at the base of the stainless steel post.
	N. 40° 00′ W., on line 3-4, Lot 2. Over rolling tundra vegetated with native grass and berry plants, with scattered spruce trees.
5.98	Point selected for the witness cor. to cor. No. 4, Lot 2, a meander cor. Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 26 ins. in the ground, with brass cap mkd. WC S10228 MC L2 C4 1991
	from which A spruce, 10 ins. diam., bears N. 1 1/4° E., 220 lks. dist., mkd. X BT. A spruce, 4 ins. diam., bears S. 86° W., 225 lks. dist., mkd. X BT. Bury a clear DEEP-1 magnet at the base of the stainless steel post. From this point, the witness cor. to cor. No. 4, Lot 1, a meander cor., bears N. 40° 00′ W., 2.19 chs. dist., hereinbefore described.

Lot 2, U.S. Survey No. 10228, Alaska

CHAINS	
7.38	True point for cor. No. 4, Lot 2, a meander cor., on the right bank of a fork of the Fog River, at the line of ordinary high water, not monumented due to the liability of destruction by ice and water action.
	Thence downstream with the meanders of the right bank of a fork of the Fog River, along a well-defined bank, 2 to 8 ft. high, at the line of ordinary high water.
	N. 55° 20′ E., 0.72 ch.
	N. 11° 46′ E., 1.47 chs.
	N. 13° 12′ E., 1.79 chs.
	N. 17° 43′ E., 0.95 ch.
	N. 17° 04′ E., 0.96 ch.
	N. 24° 17′ W., 1.09 chs.
	N. 10° 44′ E., 0.91 ch.
	N. 60° 54′ E., 1.45 chs.
	N. 59° 34′ E., 1.65 chs.
	S. 85° 00′ E., 1.08 chs.
	S. 35° 57′ E., 1.60 chs.
	S. 68° 30′ E., 1.14 chs.
	N. 80° 33′ E., 1.84 chs.
	S. 70° 15′ E., 1.85 chs.
	N. 81° 49′ E., 2.37 chs.
	N. 43° 25′ E., 3.18 chs.
	N. 5° 32′ E., 2.86 chs.
	N. 39° 33′ E., 1.05 chs.
	N. 52° 56′ E., 2.28 chs.
	N. 47° 29′ E., 2.27 chs.
	N. 56° 31′ E., 1.10 chs.
	N. 31° 53′ E., 1.01 chs.
	N. 27° 59′ W., 0.91 ch.
	N. 67° 17′ W., 2.55 chs.
	N. 40° 10′ W., 1.95 chs.
	N. 9° 11′ W., 0.92 ch.
	N. 8° 54′ E., 1.04 chs.
	N. 25° 12′ W., 2.34 chs.
	N. 6° 37′ W., 0.53 ch.
	N. 12° 13′ W., 0.52 ch.
	N. 36° 21′ E., 2.00 chs.
	N. 1° 55′ W., 1.33 chs.
	N. 31° 41′ E., 0.65 ch.
	N. 73° 40′ E., 1.47 chs.
	N. 40° 02′ E., 1.98 chs.
	N. 54° 52′ E., 2.29 chs.
	N. 43° 50′ E., 1.80 chs.
	N. 22° 23′ E., 0.38 ch. At end of course, true

Lot 2, U.S. Survey No. 10228, Alaska

CHAINS	
	point for cor. No. 1, Lot 2, a meander cor., and point of beginning.

GENERAL DESCRIPTION

This survey is situated on both banks of a fork of the Fog River, approximately 19 1/2 miles northeasterly of the village of Akiak, Alaska.

The land, which is 0 to 10 feet above ordinary high water, is rolling tundra vegetated by native grass and berry plants, with willow and alder brush, with scattered spruce and birch trees.

Permafrost was encountered at 12 to 14 inches below the topsoil of silt and sand.

Access at the time of survey was by floatplane.

U.S. Department of the Interior
Bureau of Land Management
Alaska State Office, Anchorage, Alaska

FIELD ASSISTANTS

NAME	CAPACITY
Randal H. Brinker	Party Chief
Larry K. Bekkedahl	Survey Technician

CERTIFICATE OF SURVEY

I, Michael H. Schoder, Registered Alaska Land Surveyor No. LS-5368, for R&M Consultants, Inc. HEREBY CERTIFY upon honor that, in pursuance of special instructions bearing the date of the 19 th day of October, 1988, and Contract No. N651-C1-3057 bearing the award date of the 13 th day of June, 1991, I have surveyed U.S. Survey No. 10228, comprising Lots 1 and 2, situated on both banks of a fork of the Fog River, approximately 19 1/2 miles northeasterly of the village of Akiak, Alaska, which are represented in the foregoing field notes as having been executed by me, and under my direction; and that said survey has been made in strict conformity with said special instructions, the Manual of Instructions for the Survey of the Public Lands of the United States, and in the specific manner described in the foregoing field notes.

MAY 29, 1992
(Date)

STATE OF ALASKA
49TH
Michael H. Schoder
No. LS 5368
REGISTERED PROFESSIONAL LAND SURVEYOR

Seal

CERTIFICATE OF APPROVAL

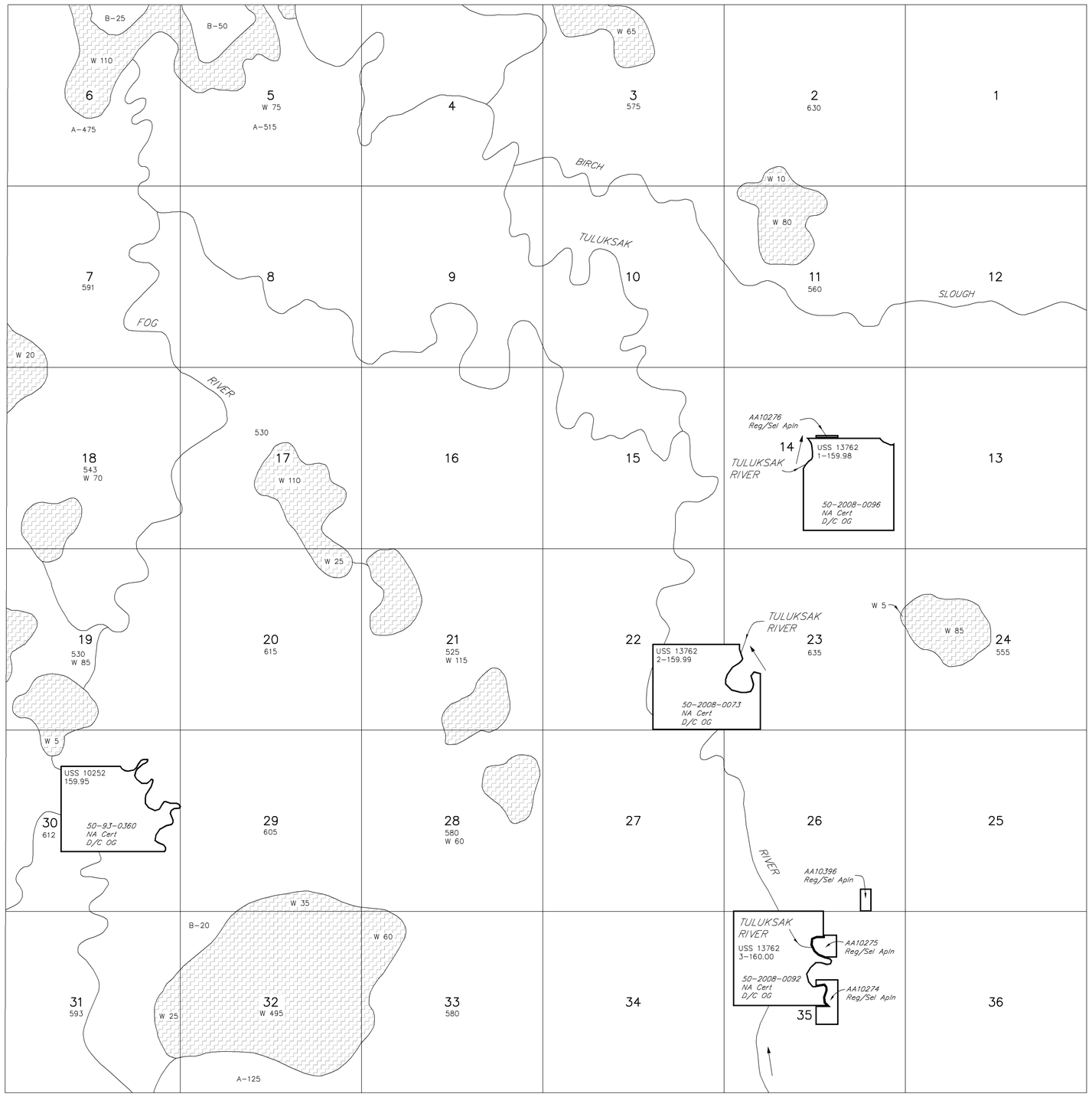
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

The foregoing field notes of the survey described in the Certificate of Survey above executed by Michael H. Schoder, Registered Alaska Land Surveyor No. LS-5368, having been critically examined and found correct, are hereby approved.

30 SEPT. 1992 — George P. Pratt
(Date) (Deputy State Director for Cadastral Survey, Alaska)

UNSURVEYED TOWNSHIP 11 NORTH RANGE 64 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. S10-5 OFFICIALLY FILED 7/27/1959



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5184 Wdl Cl affects Lds/Interests not conveyed

PL 96-487 Wdl Yukon Delta NWR entire Tp

Lat 60°59'36.733"N
Long 160°32'12.158"W

SCALE in chains
10 5 0 10 20 30 60

WARNING:
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

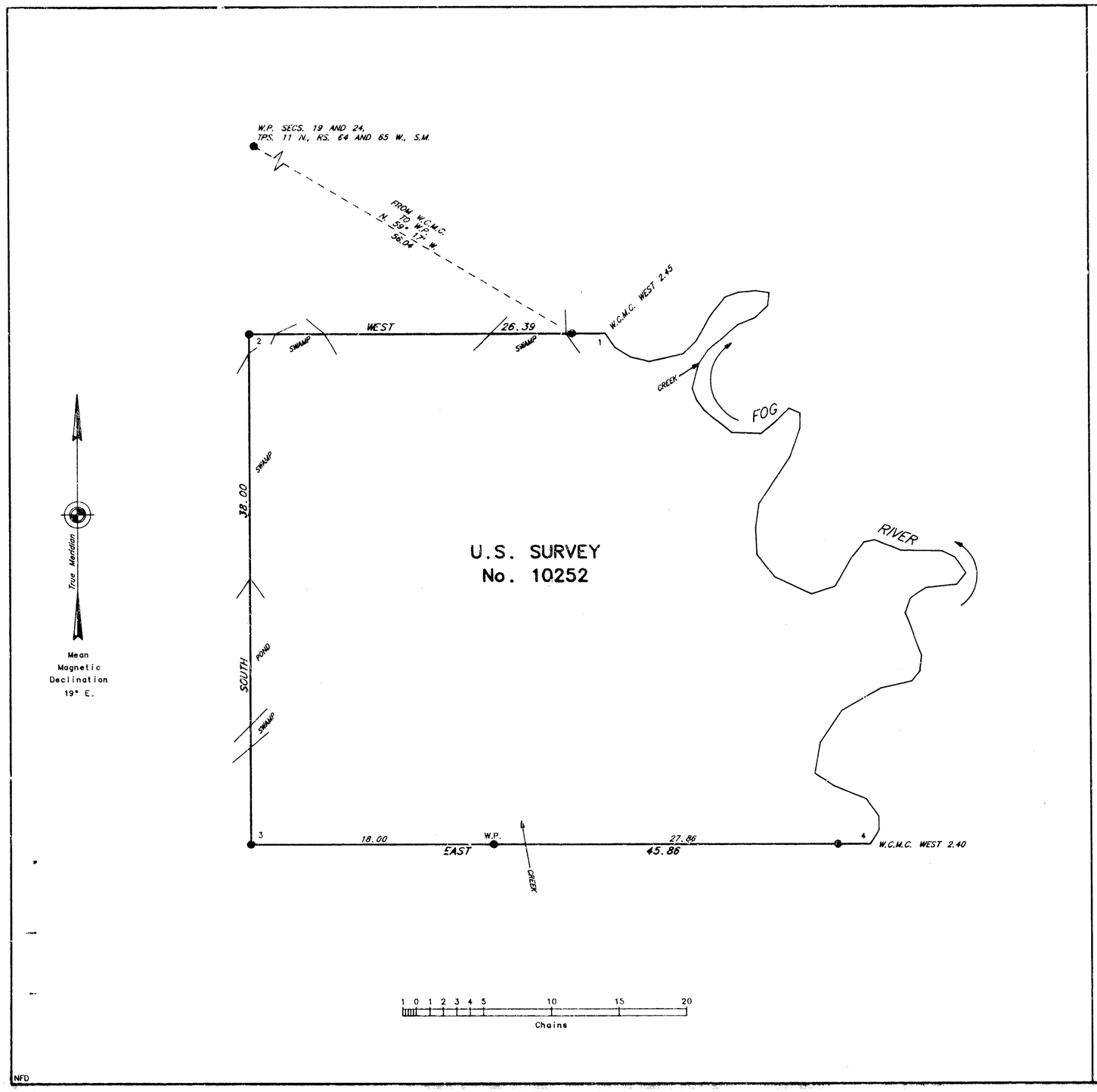
CURRENT TO	
4-10-2008	

Sew Mer
T 11 N
R 64 W

ACAD

Officially Filed ORIGINAL

DATE OCTOBER 20, 1992



U.S. SURVEY
No. 10252, ALASKA

SITUATED

ON THE LEFT BANK OF THE

FOG RIVER

APPROXIMATELY 11 MILES SOUTHEASTERLY

OF

THE VILLAGE OF TULUKSAK, ALASKA

GEOGRAPHIC POSITION

OF

THE WITNESS CORNER TO CORNER NO. 1

A MEANDER CORNER

IS:

LATITUDE: 61° 01' 10.42" NORTH

NAD 27

LONGITUDE: 160° 41' 46.45" WEST

AREA: 159.95 ACRES

SURVEYED

BY

MICHAEL H. SCHODER

REGISTERED ALASKA LAND SURVEYOR NO. LS-5368

FOR R&M CONSULTANTS, INC.

JUNE 29 THROUGH SEPTEMBER 1, 1991

UNDER SPECIAL INSTRUCTIONS

DATED NOVEMBER 21, 1988

APPROVED DECEMBER 18, 1989

AND CONTRACT NO. N651-C1-3037

AWARDED JUNE 13, 1991

Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 6(m) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirement of law and the regulations of this Bureau, is hereby accepted.

For the Director

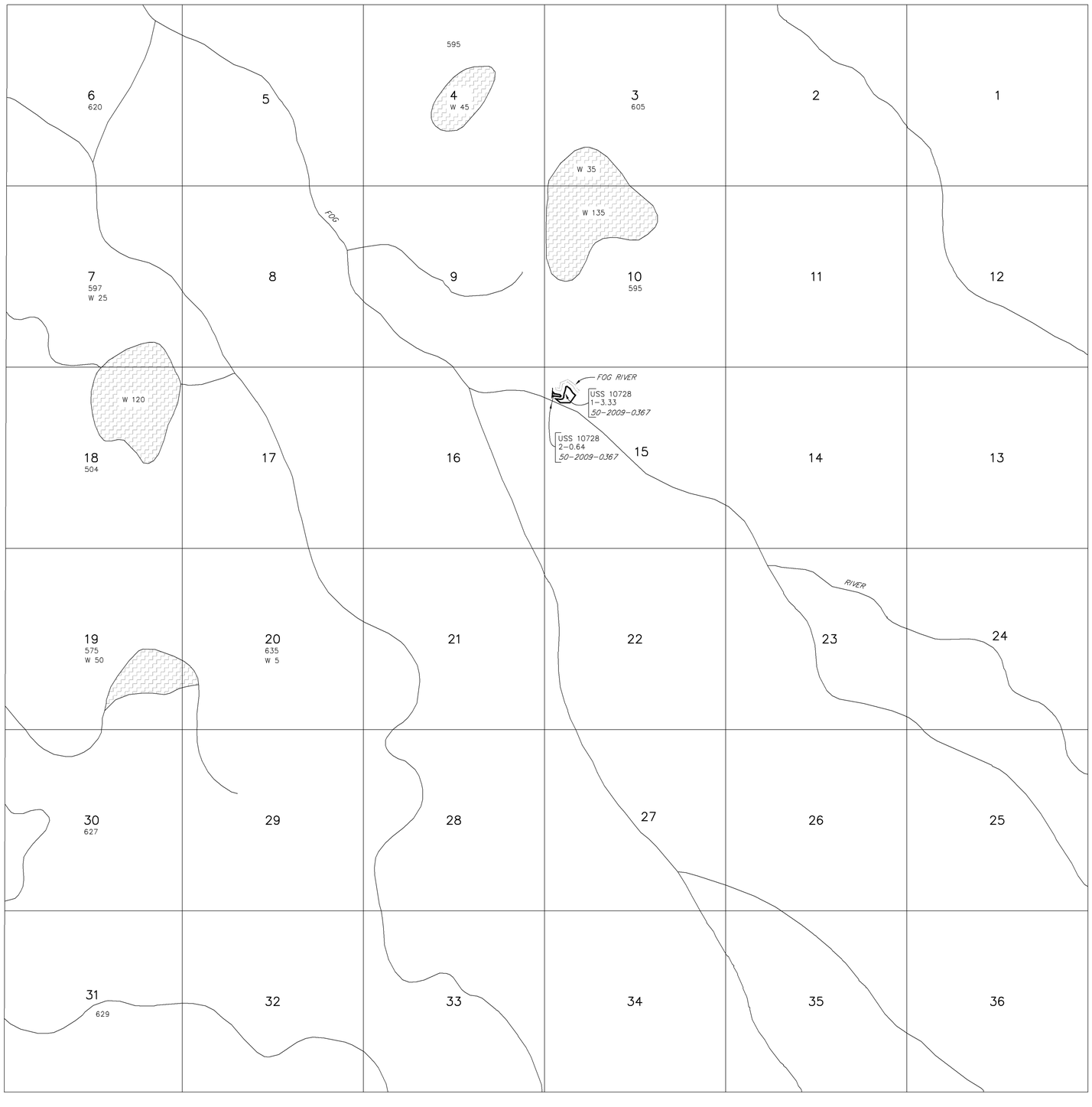
George O. Gimmett 30 SEPT. 1992
Date

Deputy State Director for Cadastral Survey, Alaska

ClibPDF - www.fastio.com

UNSURVEYED TOWNSHIP 10 NORTH RANGE 64 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. S10-5 OFFICIALLY FILED 7/27/1959



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5184 Wdl Cl affects Lds/Interests not conveyed

PL 96-487 Wdl Yukon Delta NWR entire Tp

Lat 60°54'24.773"N
Long 160°32'12.158"W

SCALE in chains
10 5 0 10 20 30 60

WARNING:
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

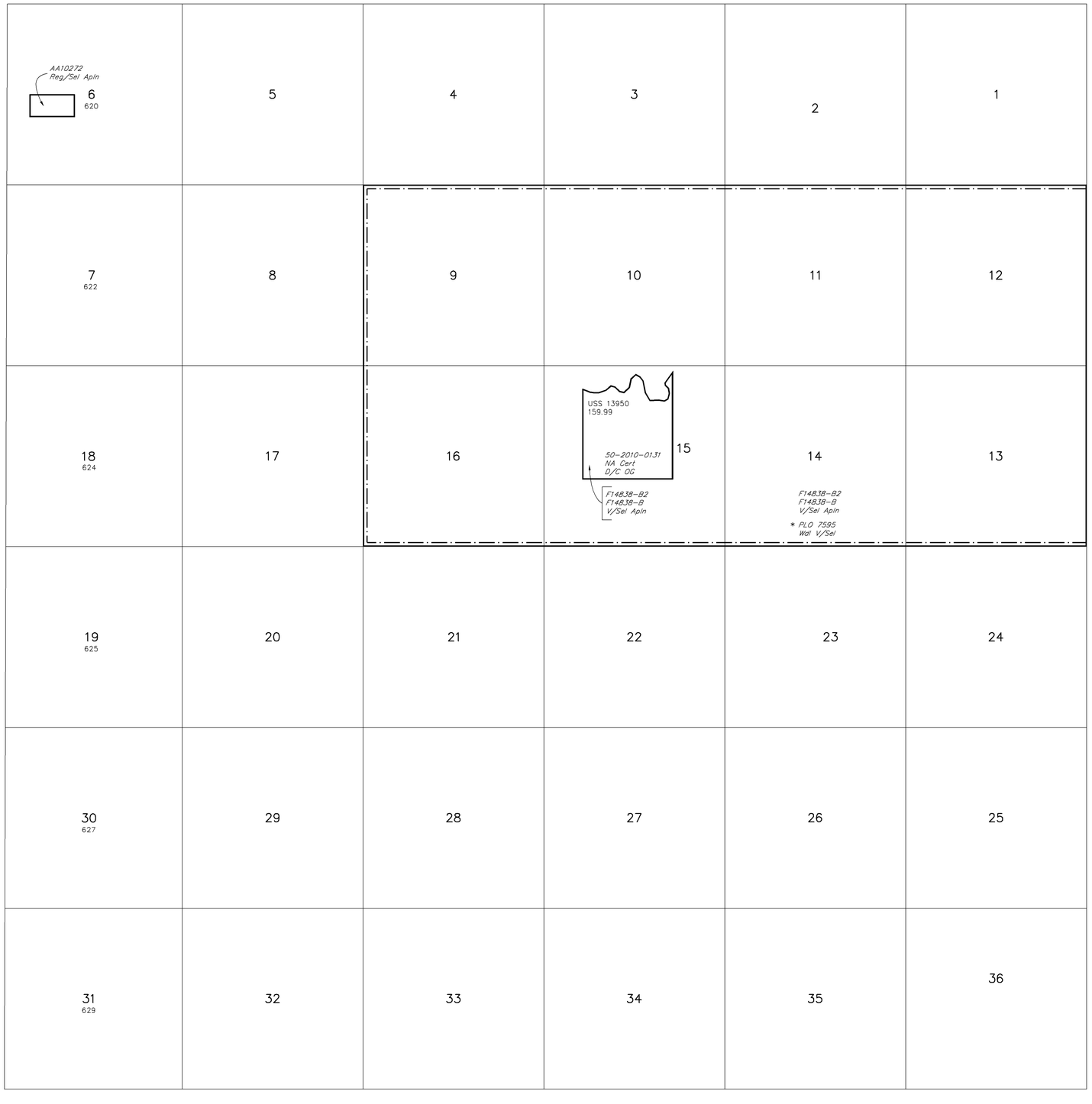
CURRENT TO	
10-28-2009	

Sew Mer
T 10 N
R 64 W

ACAD

UNSURVEYED TOWNSHIP 10 NORTH RANGE 63 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. S10-5 OFFICIALLY FILED 7/27/1959



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PL 96-487 Wdl Yukon Delta NWR entire Tp

* Affects Lds/Interests not conveyed

PLO 5442 Wdl V/Reg Sel affects Lds/Interests not conveyed

Lat 60°54'24.773"N
Long 160°21'33.330"W

SCALE in chains
10 5 0 10 20 30 60

WARNING:
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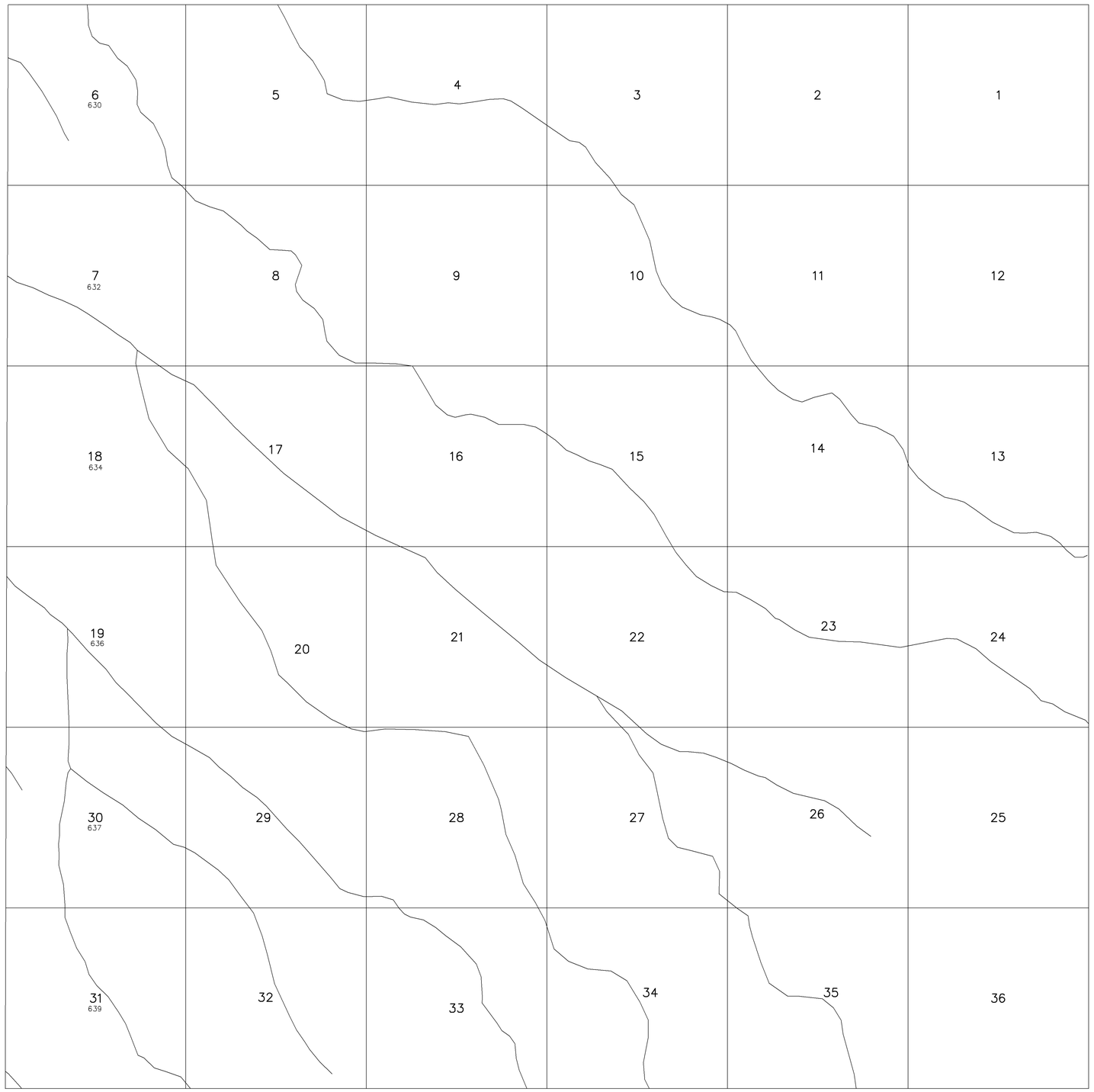
CURRENT TO	
4-14-2010	

Sew Mer
T 10 N
R 63 W

ACAD

UNSURVEYED TOWNSHIP 9 NORTH RANGE 63 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. s10-5 OFFICIALLY FILED 7/27/1959



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5180 Wdl Cl & Public Interest affects Lds/Interests not conveyed

PL 96-487 Wdl Yukon Delta NWR entire Tp

Lat 60°49'12.809"N
Long 160°21'33.330"W

SCALE in chains
10 5 0 10 20 30 60

WARNING:
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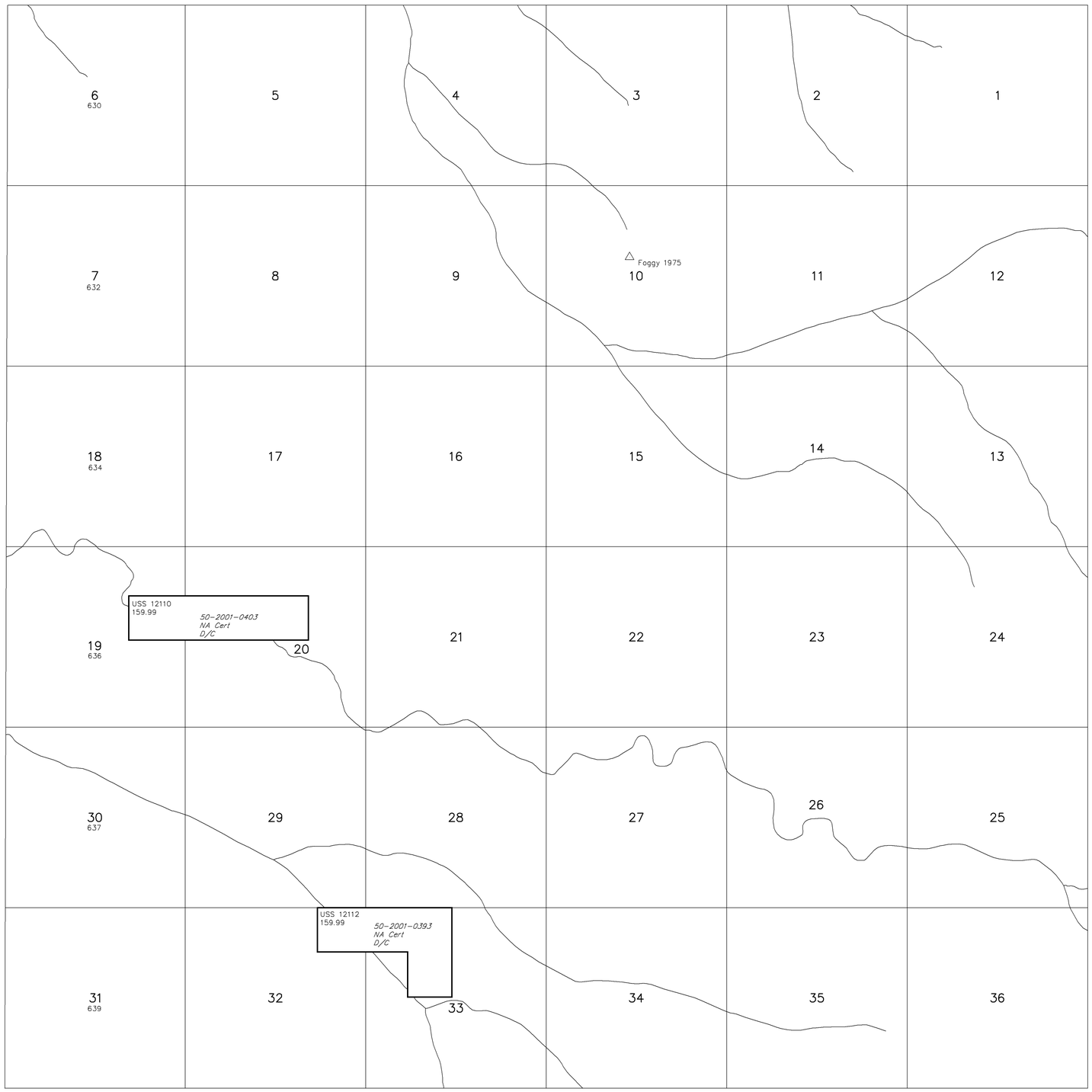
CURRENT TO	
2-13-2008	

Sew Mer
T 9 N
R 63 W

ACAD

UNSURVEYED TOWNSHIP 9 NORTH RANGE 62 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. S10-5 OFFICIALLY FILED 7/27/1959



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5180 Wdl Cl & Public Interest affects Lds/Interests not conveyed

PL 96-487 Wdl Yukon Delta NWR entire Tp

Lat 60°49'12.809"N
Long 160°10'54.503"W

SCALE in chains

10 5 0 10 20 30 60

WARNING:
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

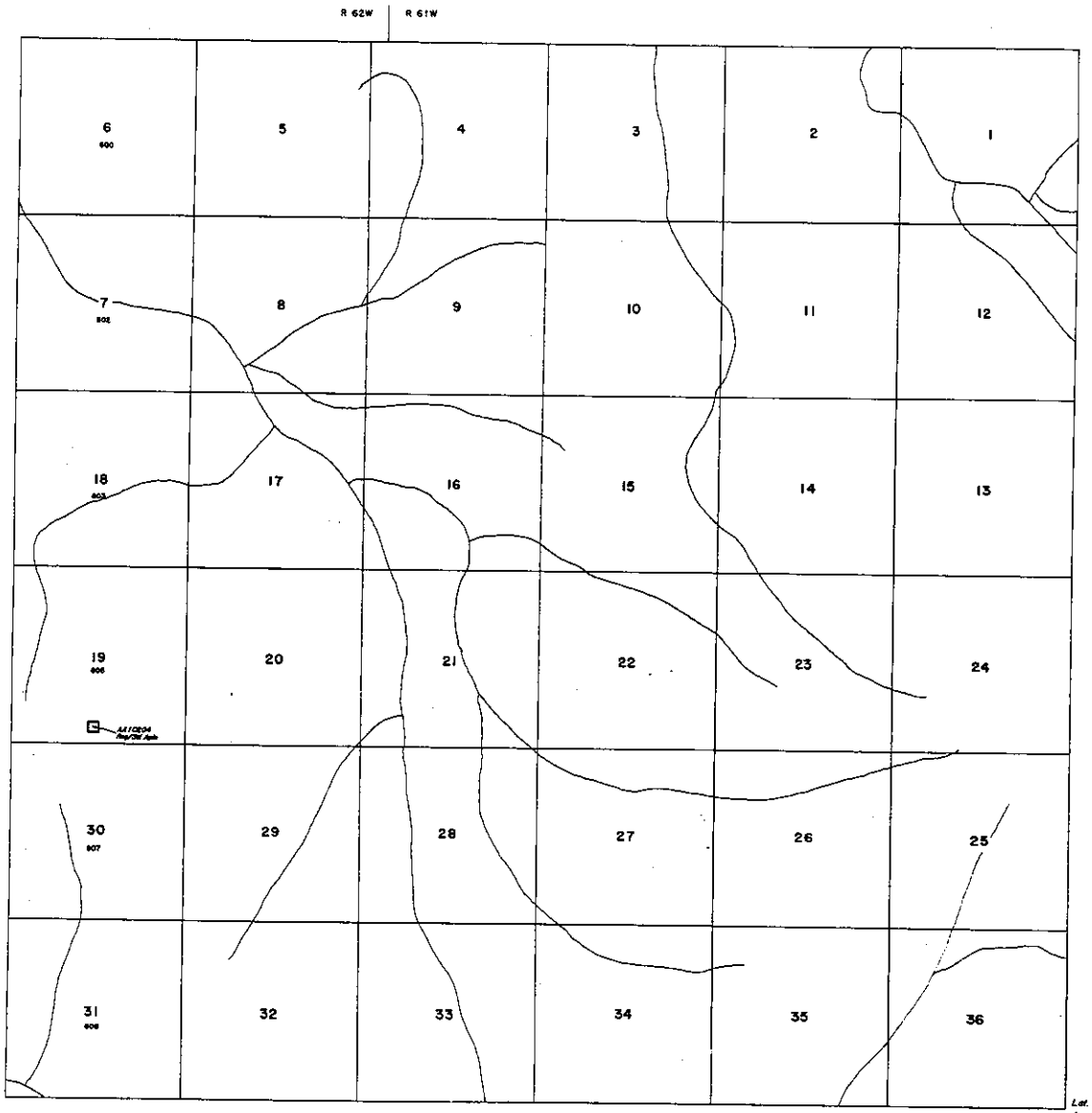
CURRENT TO	
2-13-2008	

Sew Mer
T 9 N
R 62 W

ACAD

UNSURVEYED TOWNSHIP 8 NORTH, RANGE 62 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. S10-12 OFFICIALLY FILED 7/27/1959



Lat. 60°44'00.641"N
Long. 160°03'58.217"W

SCALE

10 5 0 10 20 30 40

30 chains to the inch

WARNING
THIS PLAT IS THE BUREAU'S RECORD OF TITLE AND SHOULD BE USED ONLY AS A GRAPHIC DISPLAY OF TOWNSHIP SURVEY DATA. RECORDS HEREON DO NOT REFLECT TITLE CHANGES WHICH MAY HAVE BEEN EFFECTED BY LATERAL MOVEMENTS OF RIVERS OR OTHER BODIES OF WATER. REFER TO THE CADASTRAL SURVEY FOR OFFICIAL SURVEY INFORMATION.

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MTP

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5180 3/16/1972 Wdl Cl and Public Interest entire Tp

PL96-487 12/2/1980 Wdl Yukon Delta NWR entire Tp

MAY 6 3 1985

A-C-P

CURRENT TO	F&WS

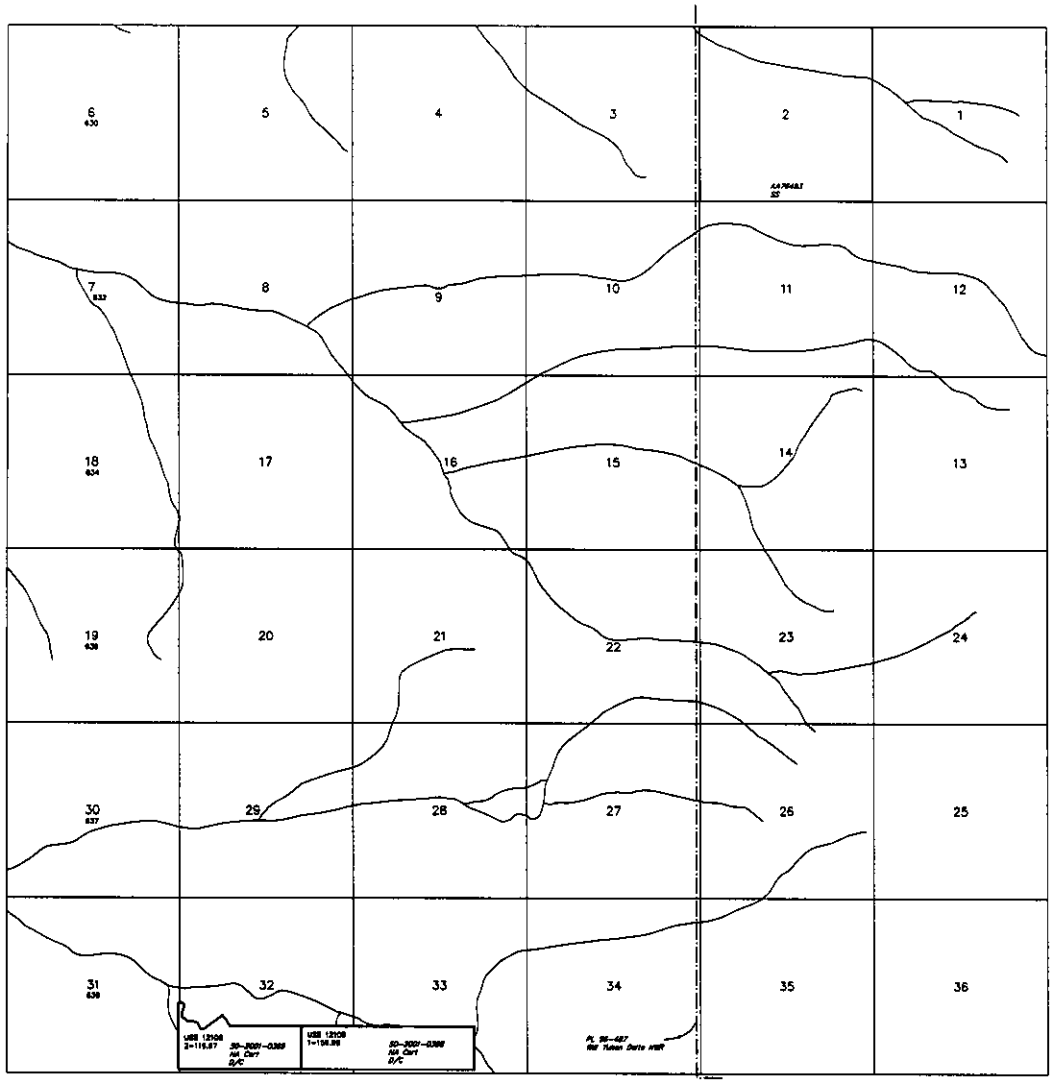
T. 8 N.
R. 62 W.
SM

BN 62W SM

ClibPDF - www.fastio.com

UNSURVEYED TOWNSHIP 9 NORTH RANGE 61 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. S10-5 OFFICIALLY FILED 7/27/1959



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5180 Wd. O & Public interest affects Lds/Interests not conveyed

Lat 60°49'12.809"N
Long 160°00'15.575"W

SCALE in chains
10 5 0 10 20 30 40

WARNING
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Township corners do not reflect title changes which may have been affected by natural movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

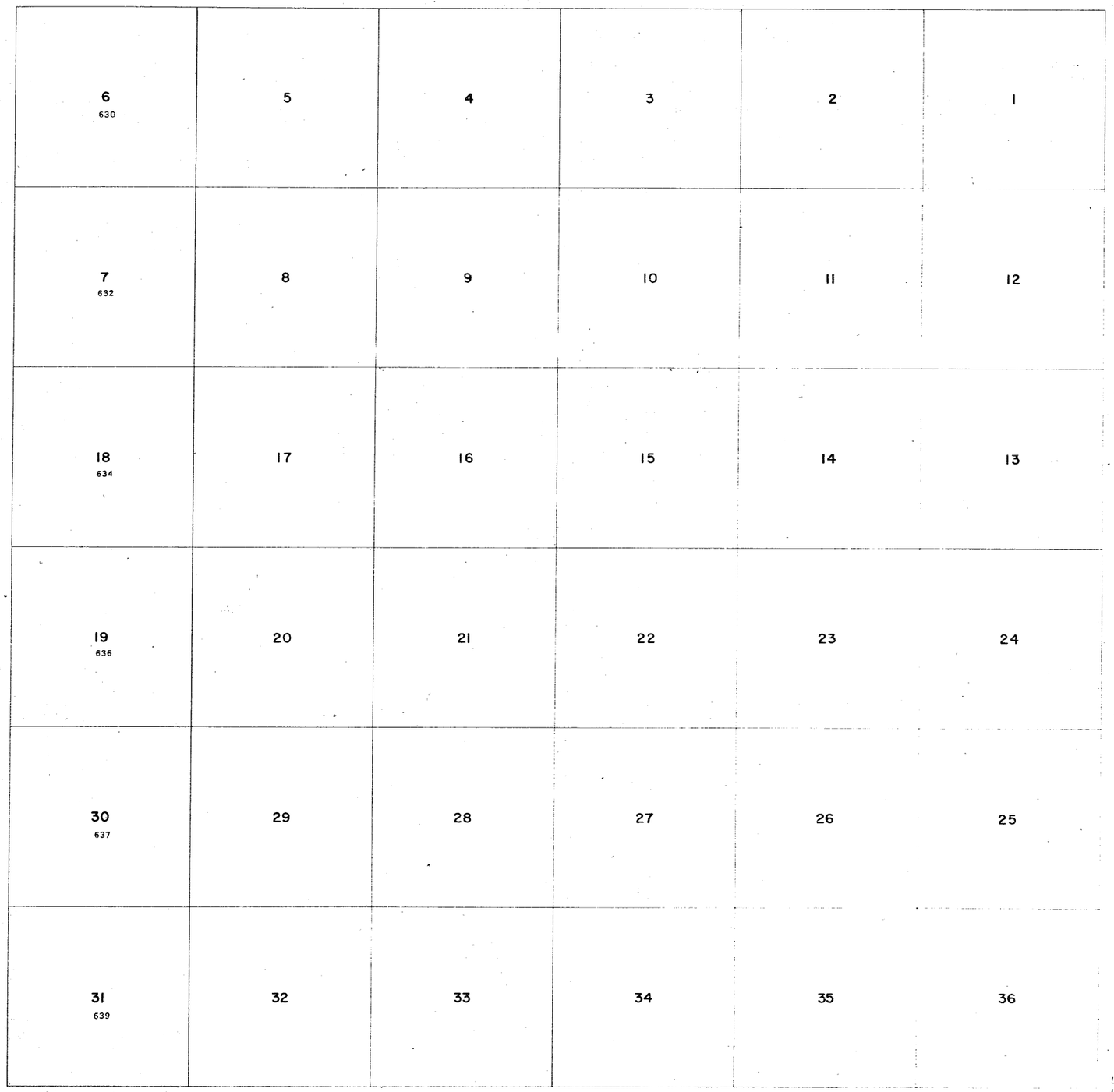
CURRENT TO	FWS, AVCP
8-27-2001	

Sew Mer
T 9 N
R 61 W

ACAD

ClibPDF - www.fastio.com

UNSURVEYED TOWNSHIP 9 NORTH RANGE 60 WEST OF THE SEWARD MERIDIAN, ALASKA



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5442 11/08/1974 Wdl V/Reg Corp Sel and Cl; entire Tp.

MS 4109 N6

CURRENT TO	AVCP,
11/23/1993	

Lat. 60°40' 12.809"N
Long. 159°49' 36.247"W

SCALE
10 5 0 10 20 30 60
30 chains to the inch

WARNING STATEMENT

This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records hereon *do not* reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

T. 9 N.
R. 60 W.
SM

ClibPDF - www.fastio.com

UNSURVEYED TOWNSHIP 9 NORTH RANGE 59 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. S10-6 OFFICIALLY FILED 7/27/1959

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5442 Wdl Cl & V/Reg Sel affects Lds/Interests not conveyed

Lat 60°49'12.809"N
Long 159°38'58.019"W

SCALE in chains
10 5 0 10 20 30 60

WARNING:
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

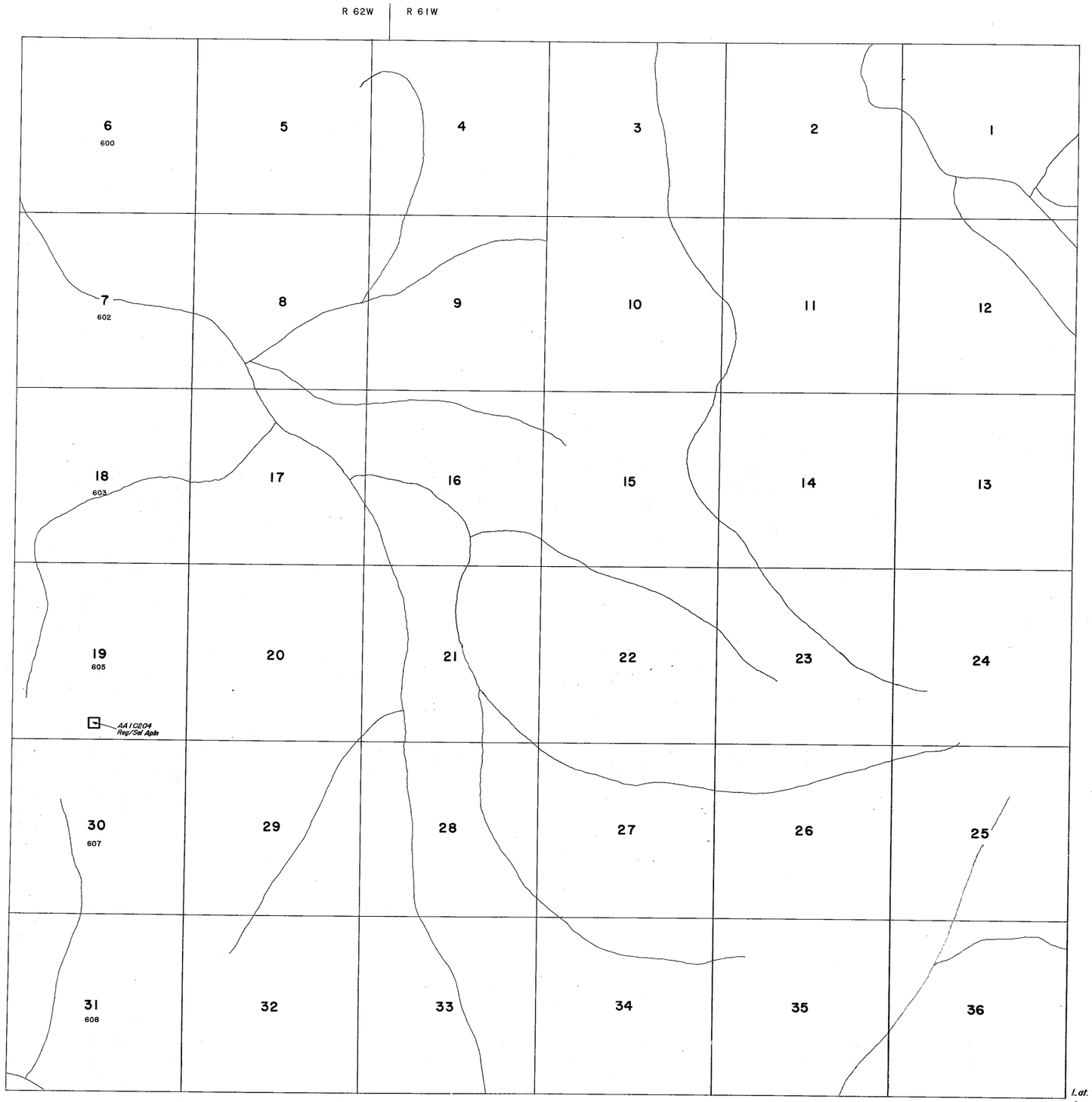
CURRENT TO	
8-13-2009	

Sew Mer
T 9 N
R 59 W

ACAD

UNSURVEYED TOWNSHIP 8 NORTH, RANGE 62 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO S10-12 OFFICIALLY FILED 7/27/1959



Lat. 60°44'00.841"N
Long. 160°03'58.217"W

SCALE

10 5 0 10 20 30 60

30 chains to the inch

WARNING:
THIS PLAT IS THE BUREAU'S RECORD OF TITLE AND SHOULD BE USED ONLY AS A GRAPHIC DISPLAY OF TOWNSHIP SURVEY DATA. RECORDS HEREON DO NOT REFLECT TITLE CHANGES WHICH MAY HAVE BEEN EFFECTED BY LATERAL MOVEMENTS OF RIVERS OR OTHER BODIES OF WATER. REFER TO THE CADASTRAL SURVEY FOR OFFICIAL SURVEY INFORMATION.

AG-FFP 4222-S1

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5180 3/16/1972 Wdl Cl and Public Interest entire Tp

PL96-487 12/2/1980 Wdl Yukon Delta NWR entire Tp

MAY 03 1985

AVCP

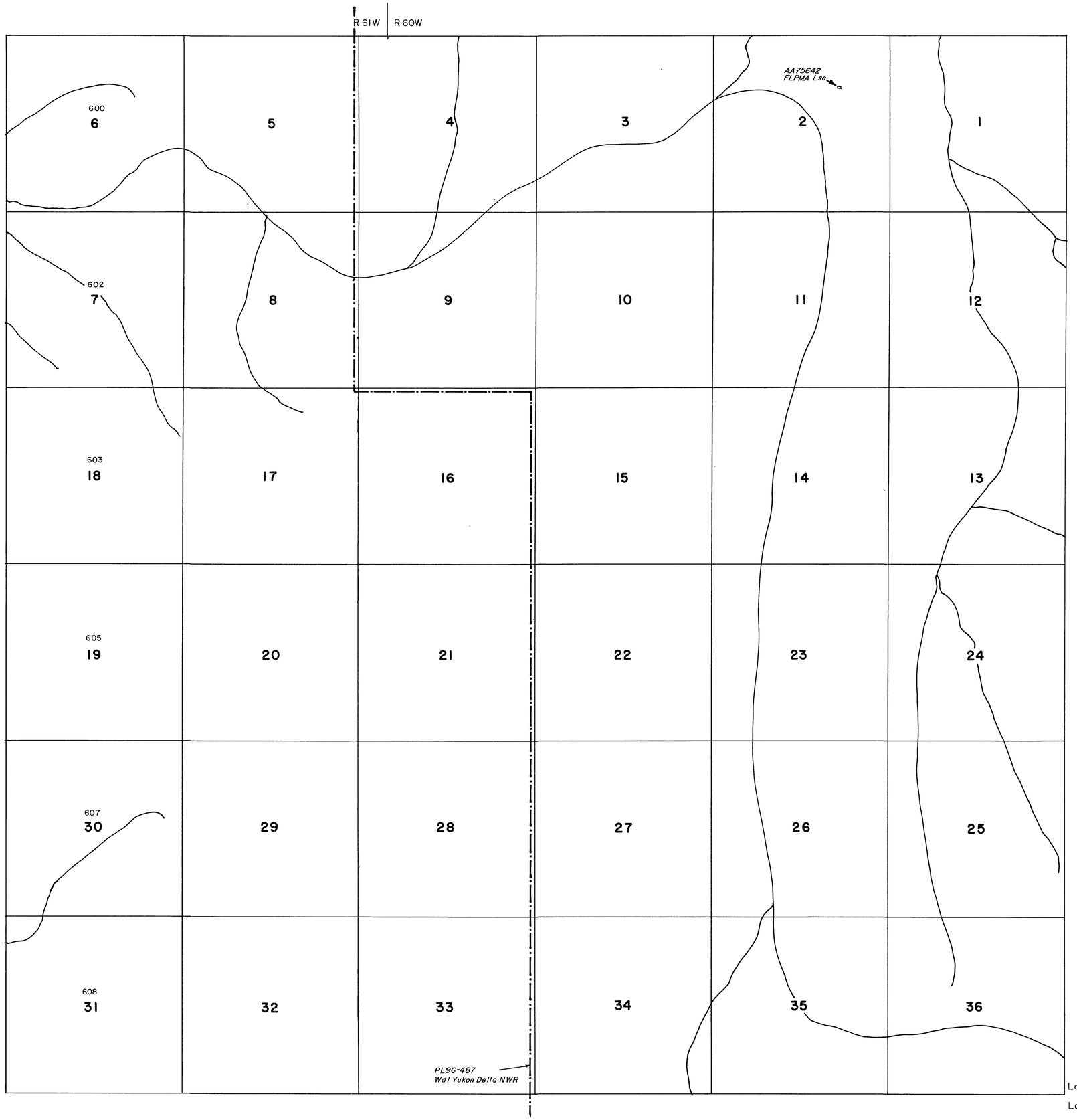
CURRENT TO	F&WS

T 8 N
R 62 W
SM

ClibPDF - www.fastio.com

UNSURVEYED TOWNSHIP 8 NORTH, RANGE 61 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO S10-12 OFFICIALLY FILED 7/27/1959



Lat 60°44'00.841"N

Long 159°53'26.213"W

SCALE in chains

10 5 0 10 20 30 60

WARNING:
THIS PLAT IS THE BUREAU'S RECORD OF TITLE AND SHOULD BE USED ONLY AS A GRAPHIC DISPLAY OF TOWNSHIP SURVEY DATA. RECORDS HEREON DO NOT REFLECT TITLE CHANGES WHICH MAY HAVE BEEN EFFECTED BY LATERAL MOVEMENTS OF RIVERS OR OTHER BODIES OF WATER. REFER TO THE CADASTRAL SURVEY FOR OFFICIAL SURVEY INFORMATION.

AG-FPP 4222-84

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MTP

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5442 Wdl V/Reg Corp Sel & Cl affects Lds/interest not conveyed

CURRENT TO	F&WS AVCP
10-7-1999	

S Mer
T 8 N
R 61 W

ClibPDF - www.fastio.com

UNSURVEYED TOWNSHIP 9 NORTH RANGE 60 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

6 630	5	4	3	2	1
7 632	8	9	10	11	12
18 634	17	16	15	14	13
19 636	20	21	22	23	24
30 637	29	28	27	26	25
31 639	32	33	34	35	36

INDEX TO SEGREGATED TRACTS

RESURVEY	ORIGINAL SURVEY			
TRACT NO.	T.	R.	SEC.	SUBDIVISION

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5442 11/06/1974 Wdl W/Reg Corp Sal and Cl; ...ective To.

CURRENT TO 11/23/1993 AVCP.

SCALE
10 5 0 10 20 30 40
30 chains to the inch

WARNING STATEMENT
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Bureau knows of no subject title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the authorized surveys for official survey information

T. 9 N.
R. 60 W.

ClibPDF - www.fastio.com

UNSURVEYED TOWNSHIP 9 NORTH RANGE 59 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. S10-6 OFFICIALLY FILED 7/27/1959

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5442 Wdl Cl & V/Reg Sel affects Lds/Interests not conveyed

Lat 60°49'12.809"N
Long 159°38'58.019"W

SCALE in chains
10 5 0 10 20 30 60

WARNING:
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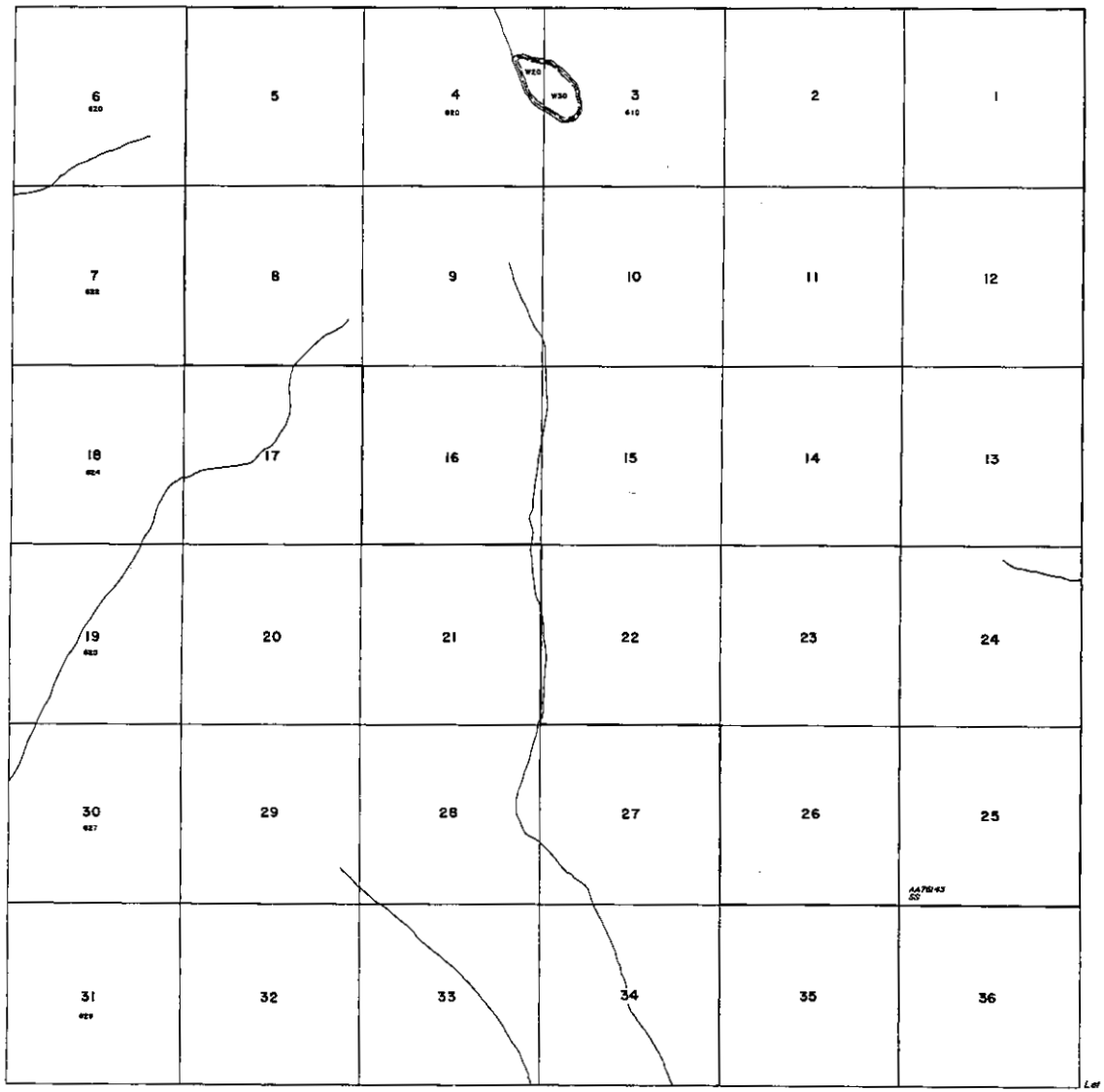
CURRENT TO	
8-13-2009	

Sew Mer
T 9 N
R 59 W

ACAD

UNSURVEYED TOWNSHIP 10 NORTH, RANGE 59 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO S10-6 OFFICIALLY FILED 7/27/1959



Lat 60°54'24.773"N
Long 159°38'58.019"W

SCALE

10 5 0 10 20 30 40

30 chains to the inch

WARNING
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STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

INDEX TO SEGREGATED TRACTS

RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5442 11/11/1974 Wdl V/Rsg Corp Sel & Cl entire Tp.

CURRENT TO	AVCP,
2/12/1993 RM	

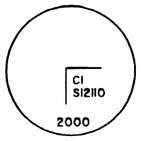
T 10 N
R 59 W
SM

ClibPDF - www.fastio.com

Officially Filed
DATE JANUARY 5, 2001

ORIGINAL

(A)



Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 26 ins. in the ground, with brass cap mkd. as shown, from which

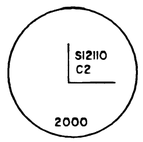
A spruce, 6 ins. diam., bears N. 52° E., 19 lks. dist., mkd. X BT.

A spruce, 5 ins. diam., bears South, 50 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic case at the base of the stainless steel post.

Cor. falls on level ground in dense small spruce and scattered small birch with willow.

(B)



Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 24 ins. in the ground, with brass cap mkd. as shown, from which

A magnet in a silver plastic case, bears N. 45° E., 15 lks. dist., buried 12 ins. below ground

A magnet in a pink plastic case, bears S. 45° E., 15 lks. dist., buried 12 ins. below ground.

Deposit a magnet in a clear plastic case at the base of the stainless steel post.

Cor. falls on flat wide open tundra.

(C)

Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 24 ins. in the ground, with brass cap mkd. as shown, from which

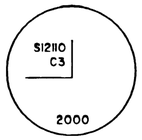
A spruce, 4 ins. diam., bears N. 55° E., 121 1/2 lks. dist., mkd. X BT.

A spruce, 4 ins. diam., bears N. 41° W., 108 1/2 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic case at the base of the stainless steel post.

Cor. falls on wide open tundra.

(D)



Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 24 ins. in the ground, with brass cap mkd. as shown, from which

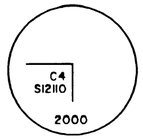
A spruce, 4 ins. diam., bears S. 63° W., 65 1/2 lks. dist., mkd. X BT.

A spruce, 6 ins. diam., bears N. 14° W., 159 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic case at the base of the stainless steel post.

Cor. falls on level ground in widely scattered spruce.

(E)



Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 28 ins. in the ground, with brass cap mkd. as shown, from which

A birch, 6 ins. diam., bears N. 6° E., 51 lks. dist., mkd. X BT.

A spruce, 7 ins. diam., bears N. 60° W., 72 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic case at the base of the stainless steel post.

Cor. falls in moderate spruce and birch with alder and willow understory.

(F)

Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 25 ins. in the ground, with brass cap mkd. as shown, from which

A spruce, 11 ins. diam., bears N. 35° E., 47 1/2 lks. dist., mkd. X BT.

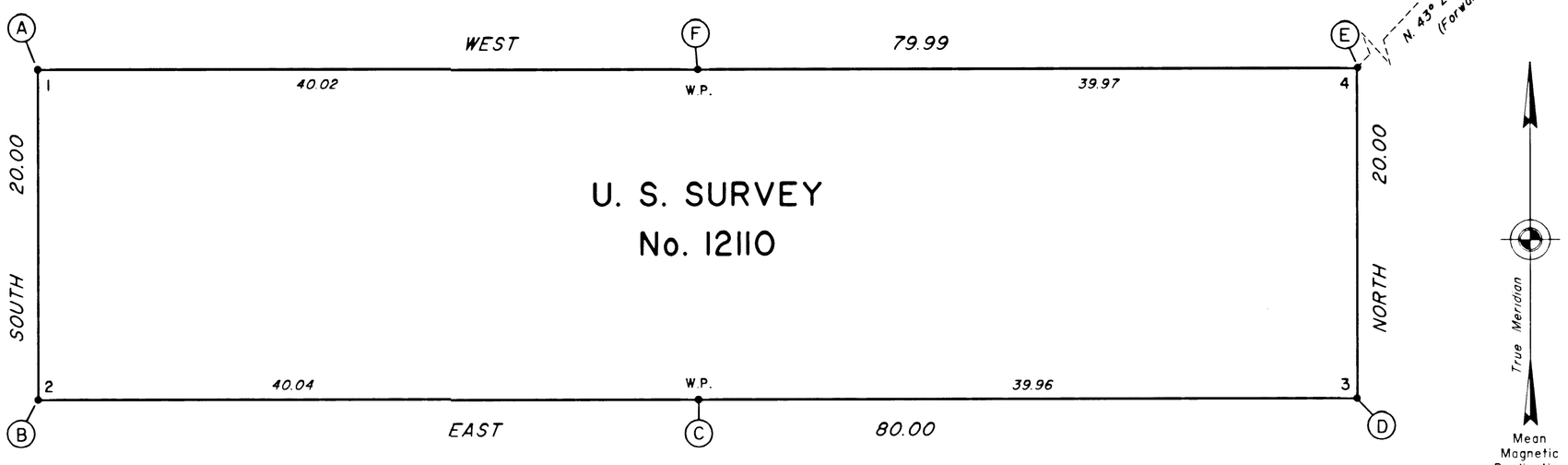
A double trunked birch, 5 ins. diam., bears S. 32° E., 69 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic case at the base of the stainless steel post.

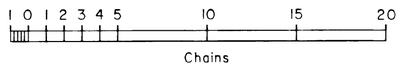
Cor. falls on level ground in spruce and birch.

(G)

N.G.S. "FOGGY, 1975"
Lat. 60° 53' 12.205" N.
Long. 160° 15' 25.104" W.
(NAD 27)



Mean Magnetic Declination 17° E.



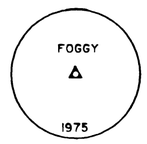
I, Charles E. Akin, Jr., Registered Alaska Land Surveyor No. LS-5131, HEREBY CERTIFY upon honor that in pursuance of Special Instructions dated February 12, 1997, and under Contract No. NAC 000078, awarded June 12, 2000, I have executed the survey depicted on this plat in strict conformity with said Special Instructions, the Manual of Instructions for the Survey of Public Lands of the United States, 1973, and in the specific manner described on this plat.

9/10/2000
Date

Charles E. Akin Jr.
Registered Land Surveyor

STATE OF ALASKA
49TH
Charles E. Akin Jr.
LS-5131
REGISTERED PROFESSIONAL LAND SURVEYOR

(G)



Recovered a copper-clad steel rod, 5/8 in. diam., firmly set, projecting 12 ins. above the ground with a standard brass disk brazed to the top mkd. as shown

No accessories

C.E.A.

U. S. SURVEY
No. 12110, ALASKA

This plat contains the entire survey record.

This survey was executed by Charles E. Akin, Jr., Registered Alaska Land Surveyor No. LS-5131, for the Akiak Native Community, June 11 through June 13, 2000, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Special Instructions dated February 12, 1997, approved December 10, 1997, under Contract No. NAC 000078, dated June 12, 2000, and Notice to Proceed dated June 7, 2000.

Field assistants were:

James E. Mitchell, Land Surveyor
Kenneth J. Ludy, Land Surveyor
David M. Klein, Land Surveyor
Peter Gilila, Survey Aid
James S. Nicolai, Survey Aid
Charles N. Williams, Survey Aid

Area: 159.99 Acres.

The azimuth was obtained from Global Positioning System Methods, and refers to the true meridian.

The geographic position of the corner No. 4, as determined from a direct tie to National Geodetic Survey triangulation station "FOGGY, 1975", using global positioning system methods, is:

Latitude: 60°51'34.78" North

Longitude: 160°18'34.60" West (NAD 27)

The observed mean magnetic declination is 17° East.

This survey is situated along the Fog River, Approximately 37 miles northeasterly of the village of Kwethluk, Alaska, within Township 9 North, Range 62 West, Seward Meridian, Alaska.

The land is nearly level. The vegetation consists of spruce, birch and cottonwood, with an undergrowth of dense willow and alder. The soil varies from silt to permafrost.

Access to the parcel was by helicopter.

Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 6(m) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

Daniel L. Johnson ACTING
11-14-00
Date

Deputy State Director for Cadastral Survey, Alaska.

48

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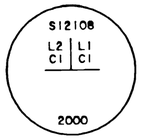
Officially Filed
DATE JANUARY 5, 2001

ORIGINAL

U. S. SURVEY
No. 12108, ALASKA
COMPRISING TWO LOTS

(A)



Set a stainless steel post 28 ins. long, 2 1/2 ins. diam., 25 ins. in the ground, with brass cap mkd. as shown, from which

A spruce, 4 ins. diam., bears N. 22° E., 241 1/2 lks. dist., mkd. X BT.

A spruce, 5 ins. diam., bears S. 61° W., 114 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic case at the base of the stainless steel post.

Cor. falls on level tundra in scattered small spruce.

(B)

Set a stainless steel post 28 ins. long, 2 1/2 ins. diam., 24 ins. in the ground, with brass cap mkd. as shown, from which

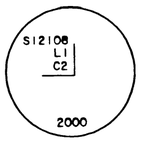
A spruce 9, ins. diam., bears N. 2° E., 76 lks. dist., mkd. X BT.

A spruce 5, ins. diam., bears N. 54° E., 31 1/2 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic case at the base of the stainless steel post.

Cor. falls on open tundra with scattered black spruce and birch.

(C)



Set a stainless steel post 28 ins. long, 2 1/2 ins. diam., 25 ins. in the ground, and in a collar of stone, with brass cap mkd. as shown, from which

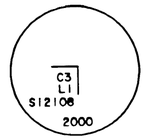
A spruce, 5 ins. diam., bears N. 51° E., 40 1/2 lks. dist., mkd. X BT.

A spruce, 6 ins. diam., bears S. 45° E., 105 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic case at the base of the stainless steel post.

Cor. falls on nearly level ground in spruce.

(D)



Set a stainless steel post 28 ins. long, 2 1/2 ins. diam., 26 ins. in the ground, with brass cap mkd. as shown, from which

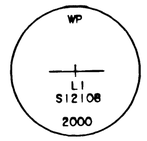
A spruce, 6 ins. diam., bears S. 28° W., 44 lks. dist., mkd. C3 L1 S12108 BT.

A spruce, 14 ins. diam., bears N. 86° W., 54 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic cast at the base of the stainless steel post.

Cor. falls in fairly dense spruce, birch, and cottonwood.

(E)



Set a stainless steel post 28 ins. long, 2 1/2 ins. diam., 26 ins. in the ground, and in a collar of stone, with brass cap mkd. as shown, from which

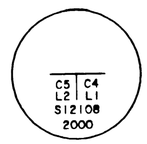
A spruce, 4 ins. diam., bears S. 61° E., 72 lks. dist., mkd. X BT.

A spruce 6 ins. diam., bears N. 6° W., 84 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic cast at the base of the stainless steel post.

Cor. falls on level broken ground with much beaver activity around, in cottonwood and scattered spruce.

(F)



Set a stainless steel post 28 ins. long, 2 1/2 ins. diam., 26 ins. in the ground, with brass cap mkd. as shown, from which

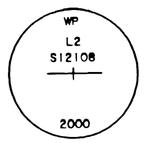
A spruce, 10 ins. diam., bears N. 41° W., 140 lks. dist., mkd. X BT.

A spruce, 13 ins. diam., bears N. 6° W., 87 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic cast at the base of the stainless steel post.

Cor. falls on marshy ground approx. 6 chains N. of the Fog River.

(G)



Set a stainless steel post 28 ins. long, 2 1/2 ins. diam., 24 ins. in the ground, with brass cap mkd. as shown, from which

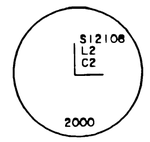
A spruce, 7 ins. diam., bears N. 48° E., 43 1/2 lks. dist., mkd. X BT.

A spruce, 5 ins. diam., bears N. 72° W., 71 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic case at the base of the stainless steel post.

Cor. falls in moderate stand of spruce and birch with willow underbrush.

(H)



Set a stainless steel post 28 ins. long, 2 1/2 ins. diam., 26 ins. in the ground, with brass cap mkd. as shown, from which

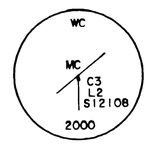
A spruce, 8 ins. diam., bears S. 68° W., 119 lks. dist., mkd. X BT.

A spruce 4 ins. diam., bears N. 32° W., 140 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic cast at the base of the stainless steel post.

Cor. falls on level open tundra.

(I)



Set a stainless steel post 28 ins. long, 2 1/2 ins. diam., 28 ins. in the ground, with brass cap mkd. as shown, from which

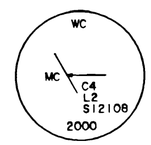
A spruce, 9 ins. diam., bears S. 15° E., 173 lks. dist., mkd. X BT.

A spruce, 12 ins. diam., bears S. 24° W., 69 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic case at the base of the stainless steel post.

Cor. falls in spruce and cottonwood timber on fairly level ground.

(J)



Set a stainless steel post 28 ins. long, 2 1/2 ins. diam., 28 ins. in the ground, with brass cap mkd. as shown, from which

A birch, 6 ins. diam., bears N. 34° E., 42 lks. dist., mkd. X BT.

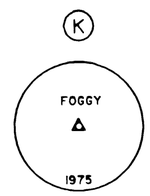
A spruce, 14 ins. diam., bears S. 58° E., 53 lks. dist., mkd. X BT.

Deposit a magnet in a clear plastic case at the base of the stainless steel post.

Cor. falls in scattered spruce birch and alder.

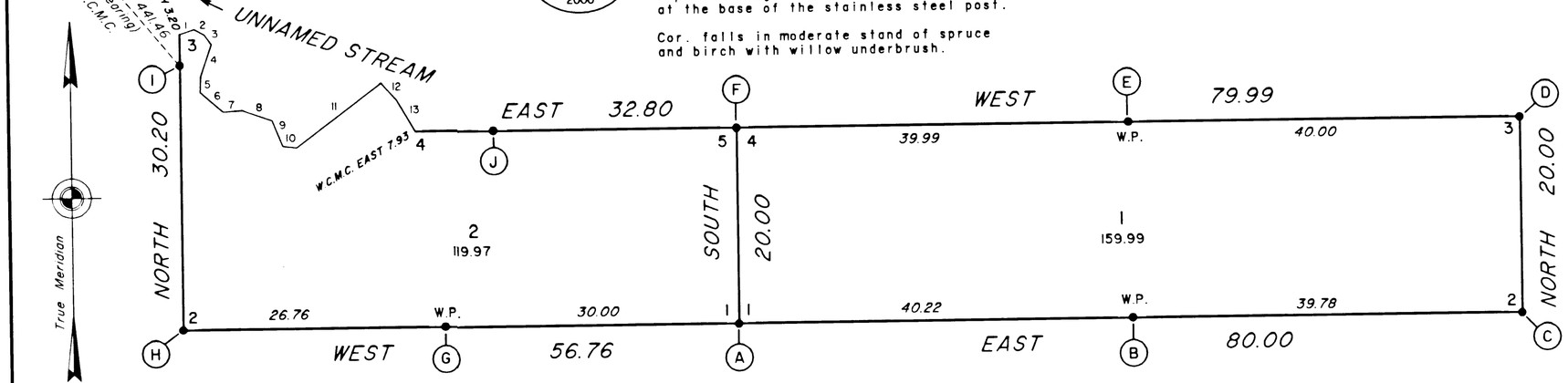
(K) N.G.S. "FOGGY, 1975"
Lat. 60° 53' 12.205" N.
Long. 160° 15' 25.104" W.
(NAD 27)

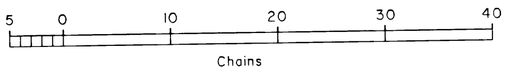
(K)



Recovered a copper-clad steel rod, 5/8 in. diam., firmly set, projecting 12 ins. above the ground, with a standard brass disk brazed to the top, mkd. as shown

There are no accessories.





MEANDERS

Along a poorly-defined bank, 1 to 3 ft. high, at the line of ordinary high water

1.	N.	71° 54'	E.,	1.59 chs.
2.	S.	61° 07'	E.,	1.20 chs.
3.	S.	35° 02'	E.,	1.23 chs.
4.	S.	19° 26'	W.,	3.45 chs.
5.	S.	2° 20'	W.,	1.60 chs.
6.	S.	48° 57'	E.,	3.11 chs.
7.	N.	85° 27'	E.,	1.93 chs.
8.	S.	70° 30'	E.,	3.21 chs.
9.	S.	21° 59'	E.,	2.84 chs.
10.	S.	83° 15'	E.,	1.41 chs.
11.	N.	53° 19'	E.,	10.82 chs.
12.	S.	42° 39'	E.,	2.38 chs.
13.	S.	30° 04'	E.,	3.70 chs.

I, Charles E. Akin, Jr., Registered Alaska Land Surveyor No. LS-5131, HEREBY CERTIFY upon honor that in pursuance of Special Instructions dated February 12, 1997, and under Contract No. NAC 000078, awarded June 12, 2000, I have executed the survey depicted on this plat in strict conformity with said Special Instructions, the Manual of Instructions for the Survey of Public Lands of the United States, 1973, and in the specific manner described on this plat.

9/10/2000
Date

Charles E. Akin Jr.
Registered Land Surveyor

STATE OF ALASKA 49TH
Charles E. Akin Jr.
LS-5131
REGISTERED PROFESSIONAL LAND SURVEYOR

This plat contains the entire survey record.

This survey was executed by Charles E. Akin, Jr., Registered Alaska Land Surveyor No. LS-5131, for the Akiak Native Community, June 10 through June 14, 2000, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Special Instructions dated February 12, 1997, approved December 10, 1997, under Contract No. NAC 000078, dated June 12, 2000, and Notice to Proceed dated June 7, 2000.

Field assistants were:

James E. Mitchell, Land Surveyor
Kenneth J. Ludy, Land Surveyor
David M. Klein, Land Surveyor
Peter Gilila, Survey Aid
Charles W. Williams, Survey Aid

Area: 279.96 Acres.

The azimuth was obtained from Global Positioning System Methods, and refers to the true meridian.

The geographic position of the witness corner to corner No. 3, Lot 2, a meander corner, as determined from a direct tie to National Geodetic Survey triangulation station "FOGGY, 1975", using global positioning system methods, is:

Latitude: 60°49'31.46" North

Longitude: 160°09'09.34" West (NAD 27)

The observed mean magnetic declination is 17° East.

This survey is situated on the Fog River, approximately 43 miles northeasterly of the village of Kwethluk, Alaska, within Township 9 North, Range 61 West, Seward Meridian, Alaska.

The land is nearly level. The vegetation consists of spruce, birch and cottonwood, with an undergrowth of dense willow and alder. The soil varies from silt to permafrost.

Access to the parcel was by helicopter.

Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 6 (m) of the Alaska Statehood Act, P.L. 85-508, not withstanding the use, location, or absence of meander lines to depict water bodies.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

Daniel L. Johnson ACTING 11-14-00
Date

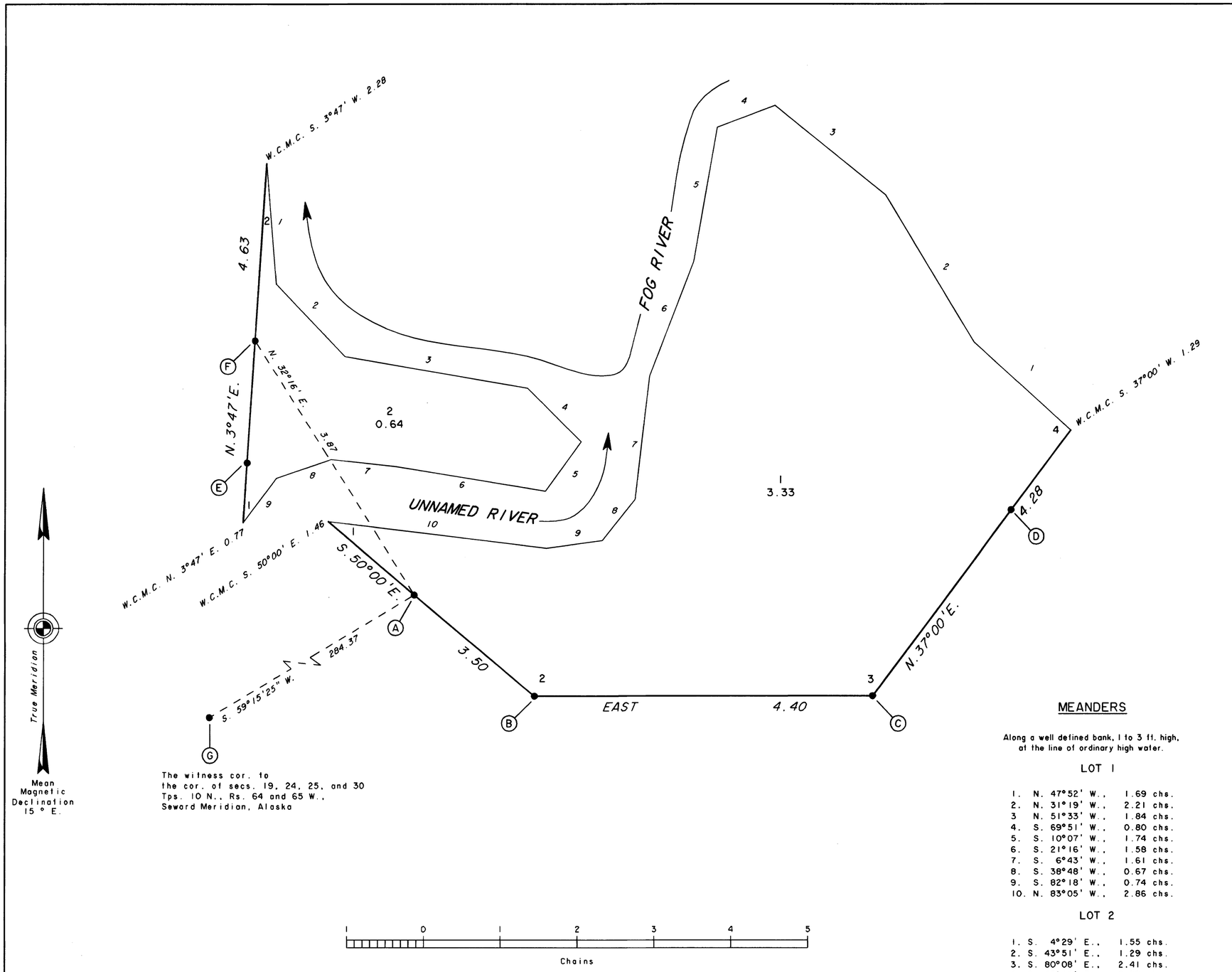
Deputy State Director for Cadastral Survey, Alaska.

C.E.A.

ClibPDF - www.fastio.com

Officially Filed ORIGINAL

DATE MARCH 24, 2009



U.S. SURVEY
No. 10728, ALASKA
COMPRISING 2 LOTS

This plat (in 2 sheets) contains the entire survey record.

The survey of the west boundary of Township 10 North, Range 65 West, Seward Meridian, Alaska, was surveyed by George P. Oviatt, Cadastral Surveyor in 1979 through 1982.

This survey was executed by John G. Hill, Cadastral Surveyor, July 3 through July 5, 2008, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Amendend Special Instructions dated June 23, 2008, approved June 25, 2008 and Assignment Instructions dated June 25, 2008.

Field assistants were:

Jacob M. Erickson	Student Trainee (LS)
Dudley M. Babb	Surveying Technician
Mark E. Saari	Surveying Technician

Area: 3.97 Acres

The azimuth was obtained utilizing the Global Positioning System, using static relative positioning techniques, and refers to the true meridian.

All surveyed lines and ties between corners are mean bearings.

The geographic position of the witness corner to corner No. 1, Lot 1, a meander corner, as determined from the record plat of Township 10 North, Range 65 West, of the Seward Meridian, Alaska, is:

Latitude: 60°57'43.24" N.
NAD 27
Longitude: 160°37'25.80" W.

The mean magnetic declination was obtained using National Geodetic Surveys, magnetic declination calculator, based on IGRF (International Geomagnetic Reference Field.

This survey is situated approximately 15 miles southeasterly of the Village of Tuluksak, Alaska, along the left bank of the Fog River, within Township 10 North, Range 64 West, Seward Meridian, Alaska.

The land is mostly level with vegetation consisting of scattered spruce, birch and alder brush.

Access to this survey was by helicopter.

MEANDERS

Along a well defined bank, 1 to 3 ft. high, at the line of ordinary high water.

LOT 1

1.	N. 47°52' W.,	1.69 chs.
2.	N. 31°19' W.,	2.21 chs.
3	N. 51°33' W.,	1.84 chs.
4.	S. 69°51' W.,	0.80 chs.
5.	S. 10°07' W.,	1.74 chs.
6.	S. 21°16' W.,	1.58 chs.
7.	S. 6°43' W.,	1.61 chs.
8.	S. 38°48' W.,	0.67 chs.
9.	S. 82°18' W.,	0.74 chs.
10.	N. 83°05' W.,	2.86 chs.

LOT 2

1.	S. 4°29' E.,	1.55 chs.
2.	S. 43°51' E.,	1.29 chs.
3.	S. 80°08' E.,	2.41 chs.
4.	S. 45°14' E.,	0.99 chs.
5.	S. 36°01' W.,	0.79 chs.
6.	N. 80°39' W.,	1.97 chs.
7.	N. 83°37' W.,	0.85 chs.
8.	S. 71°20' W.,	0.74 chs.
9.	S. 37°07' W.,	0.72 chs.

I, John G. Hill, HEREBY CERTIFY upon honor that in pursuance of Amended Special Instructions dated June 23, 2008, I have executed the survey depicted on this plat in strict conformity with said Special Instructions, the Manual of Instructions for the Survey of the Public Lands of the United States, 1973, and in the specific manner described on this plat.

1/6/09
Date

Cadastral Surveyor

JGH

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

Jan. 08, 09
Date

Deputy State Director for Cadastral Survey, Alaska

TCW

Officially Filed ORIGINAL

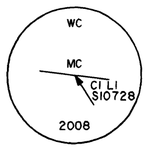
DATE MARCH 24, 2009

U.S. SURVEY No. 10728, ALASKA

COMPRISING 2 LOTS

REFERENCE SHOULD BE MADE TO SHEET No. 1 FOR SURVEY INFORMATION

(A)



Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 26 ins. in the ground, with brass cap mkd. as shown, from which

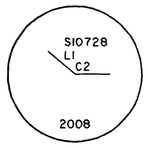
A spruce, 5 ins. diam., bears S. 89 3/4° E., 46 lks. dist., mkd X BT.

A spruce, 8 ins. diam., bears S. 8° W., 108 1/2 lks. dist., mkd X BT.

Deposit a magnet in white plastic case at the base of the stainless steel post.

Located on uneven ground, among alder, willow, spruce and birch.

(B)



Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 28 ins. in the ground, with brass cap mkd. as shown, from which

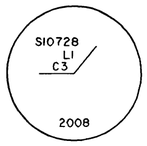
A spruce, 3 ins. diam., bears N. 31° E., 49 1/2 lks. dist., mkd X BT.

A spruce, 5 ins. diam., bears S. 70 1/2° E., 72 1/2 lks. dist., mkd X BT.

Deposit a magnet in white plastic case at the base of the stainless steel post.

Located on mostly open mossy ground, among scattered spruce and alder.

(C)



Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 28 ins. in the ground, with brass cap mkd. as shown, from which

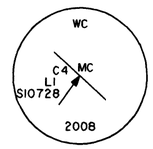
A spruce, 4 ins. diam., bears S. 62° E., 86 lks. dist., mkd X BT.

Drive a steel fence post, 5 ft. long, 2 1/2 ft. in the ground, 10 lks. N of cor.

Deposit a magnet in white plastic case at the base of the stainless steel post.

Located on level marshy ground, among scattered alder, willow and black spruce.

(D)



Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 28 ins. in the ground, with brass cap mkd. as shown, from which

A spruce, 14 ins. diam., bears S. 20 1/2° W., 30 1/2 lks. dist., mkd X BT.

A spruce, 10 ins. diam., bears N. 54° W., 40 lks. dist., mkd X BT.

Deposit a magnet in white plastic case at the base of the stainless steel post.

Located on level grassy ground, among dense alder and scattered spruce.

(E)

Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 25 ins. in the ground, with brass cap mkd. as shown, from which

A birch, 7 ins. diam., bears N. 24 3/4° E., 58 lks. dist., mkd X BT.

A spruce, 3 ins. diam., bears N. 80 1/2° E., 86 lks. dist., mkd X BT.

Deposit a magnet in white plastic case at the base of the stainless steel post.

Located on level grassy ground, among dense alder with scattered spruce and birch.

(F)

Set a stainless steel post, 28 ins. long, 2 1/2 ins. diam., 25 ins. in the ground, with brass cap mkd. as shown, from which

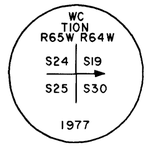
A spruce, 5 ins. diam., bears S. 62 1/2° E., 77 1/2 lks. dist., mkd X BT.

A spruce, 13 ins. diam., bears S. 16 1/2° W., 51 1/2 lks. dist., mkd X BT.

Deposit a magnet in white plastic case at the base of the stainless steel post.

Located on uneven grassy ground, among spruce, birch, willow and alder brush.

(G)



Found an alum. rod, 5/8 in. diam., loosely set, projecting 48 ins. above ground, protruding out of an orange fiberglass cone with a base of 25 ins. diam., a top of 4 ins. diam. and a height of 25 ins., over and wired to the top, with alum. cap mkd. as shown

At the corner point

Remove top section of alum. rod, 36 ins. in length, then drive original alum. rod to project 2 ins. above ground, attach original alum. cap and wire fiberglass cone to the monument.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

(For) Jerry B. Lewis Jan. 08, '09
Date

Deputy State Director for Cadastral Survey, Alaska

JGH