

RECEIVED  
Department of Law

1 NORMAN C. GORSUCH  
ATTORNEY GENERAL

FEB 4 1985

2 Kenneth C. Powers  
3 Assistant Attorney General  
4 Office of the Attorney General  
1031 West Fourth Avenue, Suite 200  
Anchorage, Alaska 99501

Office of the Attorney General  
Anchorage Branch  
Anchorage, Alaska

Lodged  
**FILED**  
JAN 30 1985

FEB 04 1985

UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

By \_\_\_\_\_

5 Attorney for Plaintiff  
6 State of Alaska

7  
8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF ALASKA

10 STATE OF ALASKA )  
11 )  
12 Plaintiff, )  
13 )  
14 vs. )  
15 )  
16 UNITED STATES OF AMERICA; )  
17 WILLIAM CLARK, in his capacity as )  
18 Secretary of the Interior; )  
19 MICHAEL J. PENFOLD, in his capacity )  
20 as Alaska State Director, )  
21 Bureau of Land Management; )  
22 BRISTOL BAY NATIVE CORPORATION; )  
23 LEVELOCK NATIVES LIMITED; and, )  
24 IGIUGIG NATIVE CORPORATION, )  
25 )  
26 Defendants. )

A82-201 Civ.  
(Alagnak River)

FINAL JUDGMENT

This matter came before the court for consideration on the State of Alaska's Motion for Summary Judgment that the Alagnak River, the Nonvianuk River, Kukaklek Lake, and Nonvianuk Lake are navigable and that title to their beds passed to the State of Alaska on the date of Alaska's statehood. ~~The United States determined that the Alagnak River, the Nonvianuk River,~~

\* Igiugig  
Lands null  
and void.

DEPARTMENT OF LAW  
OFFICE OF THE ATTORNEY GENERAL  
ANCHORAGE BRANCH  
1031 W. FOURTH AVENUE, SUITE 200  
ANCHORAGE, ALASKA 99501  
PHONE: 1907/276-3330

1 Kukaklek Lake and Nonvianuk Lake are navigable in their  
2 entireties and disclaimed any interest in the lands underlying  
3 those waterbodies. On April 2, 1984, the United States stated  
4 its non-opposition to entry of an order determining those  
5 waterbodies navigable and quieting title in the State of Alaska.  
6 Defendant Levelock Natives, Ltd. (Levelock) filed a disclaimer  
7 of interest in the contested lands in 1982, which it reaffirmed  
8 in a stipulation with the State of Alaska on May 3, 1984.  
9 Defendants Bristol Bay Native Corporation (BBNC) and Igiugig  
10 Native Corporation (Igiugig), by stipulations dated July 29,  
11 1982 and June 21, 1983, respectively, agreed to entry of  
12 judgment against themselves should the State of Alaska prevail  
13 in its claim against the United States.

14 The issues have been considered and a decision has  
15 been rendered. Pursuant to 28 U.S.C. § 2409a(d) and the above  
16 disclaimers and stipulations,

17 IT IS ORDERED AND ADJUDGED

18 1. The disclaimers of the United States and Levelock  
19 are confirmed. The United States and Levelock have no ownership  
20 or interest in title adverse to that claimed by the State of  
21 Alaska to the beds of Alagnak River, the Nonvianuk River,  
22 Kukaklek Lake, and Nonvianuk Lake. The action is dismissed as  
23 against those defendants.

24 2. The Alagnak River, Nonvianuk River, Kukaklek Lake  
25 and Nonvianuk Lake are navigable in their entireties. Title to  
26 the beds of the Alagnak River, Nonvianuk River, Kukaklek Lake

DEPARTMENT OF LAW  
OFFICE OF THE ATTORNEY GENERAL  
ANCHORAGE BRANCH  
1031 W. FOURTH AVENUE, SUITE 200  
ANCHORAGE, ALASKA 99501  
PHONE: 1907/278-3550

1 and Nonvianuk Lake is quieted in the State of Alaska. Judgment  
2 is entered in favor of the State of Alaska and against Bristol  
3 Bay Native Corporation and Igiugig.

4 3. The portion of the interim conveyance by the  
5 United States to Igiugig, dated March 14, 1980, which purports  
6 to convey title to the bed of the Alagnak River is declared null  
7 and void and without effect and the same is hereby cancelled.

8 DATED at Anchorage, Alaska, this <sup>4<sup>th</sup></sup> day of  
9 February, 1985.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

*[Signature]*  
James M. Fitzgerald  
United States District Judge

*February 4, 1985  
enter the judgment  
Motsger*

cc: K.C. Powers (AAG-Anch)  
D. Baily (BAILY)  
E. Johnston  
E. Burton (BURR)  
R. Wagstaff  
L. Corcoran (US Atty)  
O&J 2387

DEPARTMENT OF LAW  
OFFICE OF THE ATTORNEY GENERAL  
ANCHORAGE BRANCH  
1031 W. FOURTH AVENUE, SUITE 200  
ANCHORAGE, ALASKA 99501  
PHONE: 19071 278-3550