

ATTACHMENTS

for

Akulikutak River

FINAL INTERIM SUMMARY REPORT

Prepared by Edwin Shoaf, Historian
Alaska Conservation Corps

Kuskokwim Assistance Agreement
Phase II-B Submission

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

October 19, 2010



United States Department of the Interior

IN REPLY REFER TO

BUREAU OF LAND MANAGEMENT
State Office
555 Cordova Street
Anchorage, Alaska 99501

2651 (941)
F-14883-EE (Anch)
F-14883-A (Anch)

**Akulikutak River Interim
Summary Report
Attachment 1**

OCT 13 1976

NOTICE OF PROPOSED EASEMENT RECOMMENDATIONS
FOR THE VILLAGE OF KWETHLUK

Pursuant to Departmental regulations (43 CFR 2650.4-7), notice is hereby provided of public easements identified on lands selected by Kwethluk Incorporated.

Subject to valid existing rights, the following described lands will be conveyed in the near future. These lands are only a portion of the total selected lands which are shown on the enclosed maps:

Seward Meridian

✓ T. 6 N., R. 68 W.
sections 1-16,22-26,35,36

T. 6 N., R. 67 W.
sections 4,5,8,9,16,17,20-22,31,34

✓ T. 7 N., R. 69 W.
sections 1-3,11-13

✓ T. 7 N., R. 68 W.
sections 1-36

T. 7 N., R. 67 W.
sections 1-7,11,12,17-19

T. 8 N., R. 70 W.
sections 1-4,9-16,21-28,33-36

✓ T. 8 N., R. 69 W.
sections 1-36

T. 8 N., R. 68 W.
sections 1-36

T. 8 N., R. 67 W.
sections 5-9,17-20,29-36



T. 9 N., R. 69 W.
sections 25-27, 34-36

T. 9 N., R. 68 W.
sections 22-36

The following easements are hereby recommended for inclusion in the conveyance document under the provisions of section 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971:

- 2 L A continuous linear shoreline easement 25 feet in width upland of and parallel to the mean high-water mark on both shores of the Kwethluk River and the stream bed below the mean high-water mark. The Kwethluk River has significant public use and provides access to public lands.
- 10 C4 A continuous linear shoreline easement 25 feet in width upland of and parallel to the mean high-water mark on both shores of the Kuskokwim River.
- 11 C4 A one-acre campsite on the left bank of the Kwethluk River upland of and parallel to the mean high-water mark to facilitate use of the river. A 25-foot wide easement is reserved below the mean high-water mark on the bed of the Kwethluk River adjacent to the one-acre campsite easement.
- 12 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 or which are produced by the United States.
- 13 C The general right to enter upon the subject lands for cadastral, geodetic, or other survey purposes, together with the right to do all things necessary in connection therewith.

The following easements are hereby not recommended for inclusion in the conveyance document:

- 1 C3 Airstrip at Kwethluk. It should be covered under section 14(c). Therefore, no easement is needed.
- 3 D1 A 25-foot trail to public lands southeasterly from Akiak. The trail was rerouted entirely on Akiak's selection area, thereby avoiding the Kwethluk selection area.

- 4 L A streamside easement on the Kisaralik River which is outside the Kwethluk selection area.
- 5 D1 The trail from Akiachak to Akiak is outside the Kwethluk selection area.
- 6,7,8,9 D1 All these trails are outside the Kwethluk selection area. They will be considered where they cross other selection areas.

The following water body is determined to be navigable:

The Kuskokwim River throughout the Kwethluk selection area and including Kuskokuak Slough, Tupuknuk Slough, and Church Slough.

No other water bodies are considered to be navigable.

This notice does not cover statutory reservations such as railroads, ditches, canals, telegraph lines or granted rights-of-way.

Written comments must be filed with the Joint Federal-State Land Use Planning Commission, 733 West Fourth Avenue, Suite 400, Anchorage, Alaska 99501, no later than NOV 29 1976. A copy of any comments should also be sent to the State Director, Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

Curtis V. McVee
 Curtis V. McVee
 State Director

UNITED STATES POSTAL SERVICE
 OFFICIAL BUSINESS

SENDER INSTRUCTIONS
 Print your name, address, and ZIP Code in the space below.
 • Complete items 1, 2, and 3 on reverse side.
 • Moiston gummed ends and attach to back of article.

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 TO



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District Office
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OCT 18 1976

Bureau of Land Management
 Anchorage, Alaska

BUREAU OF LAND MANAGEMENT
 ANCHORAGE DISTRICT OFFICE
 4700 EAST BROADWAY AVENUE
 ANCHORAGE, ALASKA 99507

Akulikutak River Interim
Summary Report
Attachment 2

BD 3/7/79
BY 3/7/79
2651/75.4 (961)
F-14883-A (Anch)
F-14883-EE

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

MAR 7 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

Kwethluk Incorporated	:	F-14883-A
Kwethluk, Alaska 99621	:	Village Selection
	:	
Calista Corporation	:	
516 Denali Street	:	
Anchorage, Alaska 99501	:	

Lands Proper for Village Selection
Approved for Interim Conveyance

On November 19, 1974, Kwethluk Incorporated, for the Native village of Kwethluk, filed selection application F-14883-A under the provisions of Sec. 12(a) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 701; 43 U.S.C. 1601, 1611(a) (Supp. V, 1975)), for the surface estate of lands located in the Kwethluk area.

As to the lands described below, the application 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), aggregating approximately 131,463 acres, is considered proper for acquisition by Kwethluk Incorporated and is hereby approved for conveyance pursuant to Sec. 14(a) of the Alaska Native Claims Settlement Act:

Seward Meridian, Alaska (Unsurveyed)

T. 6 N., R. 67 W.
Secs. 4 and 5, all;
Secs. 8 and 9, all;
Secs. 16 and 17, all;



Secs. 20, 21 and 22, all;
 Secs. 27 and 28, all;
 Sec. 31, all;
 Sec. 34, all.

Containing approximately 8,309 acres.

T. 7 N., R. 67 W.

Sec. 1, all;
 Sec. 2, excluding Native allotment F-17072
 Parcel C;
 Secs. 3 to 7, inclusive, all;
 Secs. 11 and 12, all;
 Secs. 17 to 20, inclusive, all;
 Secs. 28, 29 and 30, all;
 Secs. 32 and 33, all.

Containing approximately 11,307 acres.

T. 8 N., R. 67 W.

Secs. 5 to 9, inclusive, all;
 Secs. 17 to 20, inclusive, all;
 Secs. 29, 30 and 31, all;
 Sec. 32, excluding Native allotment F-029105
 Parcel B;
 Secs. 33 to 36, inclusive, all.

Containing approximately 10,660 acres.

T. 6 N., R. 68 W.

Secs. 1 to 9, inclusive, all;
 Sec. 10, excluding Native allotment F-17216;
 Secs. 11 to 14, inclusive, all;
 Sec. 15, excluding Native allotments F-17050
 Parcel B and F-17216;
 Sec. 16, all;
 Secs. 22 and 23, all;
 Sec. 24, excluding Native allotment F-19254
 Parcel B;
 Sec. 25, excluding Native allotments F-16016
 and F-17204 Parcel B;
 Sec. 26, all;
 Sec. 35, all;
 Sec. 36, excluding Native allotments F-16016
 and F-16008 Parcel A.

Containing approximately 14,027 acres.

T. 7 N., R. 68 W.

Secs. 1 and 2, all;
 Sec. 3, excluding Native allotment F-17212
 Parcel B;

Secs 4 to 7, inclusive, all;
 Sec. 8, excluding Native allotments F-17221
 Parcel B, F-17210 Parcel C and F-17222;
 Sec. 9, excluding Native allotment F-17222;
 Sec. 10, excluding Native allotment F-17212
 Parcel C;
 Secs. 11 and 12, all;
 Sec. 13, excluding Native allotment F-16015;
 Secs. 14 and 15, all;
 Sec. 16, excluding Native allotments F-17214
 Parcel A and F-17057 Parcel A;
 Sec. 17, excluding Native allotment F-17214
 Parcel A;
 Sec. 18, excluding Native allotment F-17072
 Parcel B;
 Sec. 19, excluding Native allotments F-17061
 Parcel A, F-16807 Parcel B and F-16803;
 Sec. 20, excluding Native allotments F-16803,
 F-17214 Parcel A and F-17015 Parcel A;
 Sec. 21, excluding Native allotments F-17214
 Parcel A and F-16013 Parcel A;
 Secs. 22 to 27, inclusive, all;
 Sec. 28, excluding Native allotment F-16724
 Parcel C;
 Secs. 29 to 36, inclusive, all.

Containing approximately 21,655 acres.

T. 8 N., R. 68 W.

Secs. 1 to 18, inclusive, all;
 Sec. 19, excluding Native allotment F-17099
 Parcel B;
 Secs. 20 to 27, inclusive, all;
 Sec. 28, excluding Native allotments F-19262
 Parcel A and F-17099 Parcel A;
 Sec. 29, excluding Native allotments F-19262
 Parcel A and F-17211;
 Sec. 30, excluding Native allotments F-17099
 Parcel B, F-19262 Parcel B, F-025345
 Parcel B, F-17073 Parcel A and F-17060
 Parcel B;
 Sec. 31, excluding Native allotment F-17212
 Parcel D;
 Sec. 32, excluding Native allotments F-17212
 Parcel D and F-17211;
 Sec. 33, excluding Native allotments F-17073
 Parcel B, F-17212 Parcel A and F-16009;
 Secs. 34, 35 and 36, all.

Containing approximately 21,769 acres.

T. 9 N., R. 68 W.

- Sec. 22, excluding the Kuskokuak Slough and Native allotments F-16595 and F-16592;
- Sec. 23, excluding the Kuskokuak Slough and Native allotment F-16592;
- Secs. 24, 25 and 26, excluding the Kuskokuak Slough;
- Sec. 27, excluding the Kuskokuak Slough and Native allotment F-17220 Parcel B;
- Sec. 28, excluding the Kuskokuak Slough and Native allotment F-13380;
- Sec. 29, excluding the Kuskokuak Slough;
- Sec. 30, excluding the Kuskokuak Slough and Native allotment F-17206 Parcel B;
- Sec. 31, excluding the Kuskokuak Slough and Native allotment F-17080;
- Sec. 32, excluding the Kuskokuak Slough and Native allotments F-17080 and F-17214 Parcel B;
- Sec. 33, excluding the Kuskokuak Slough;
- Sec. 34, all;
- Sec. 35, excluding the Kuskokuak Slough and Native allotments F-17213, F-17069 and F-17215;
- Sec. 36, excluding the Kuskokuak Slough and Native allotments F-17069 and F-17215.

Containing approximately 7,030 acres.

/ T. 7 N., R. 69 W.

- Sec. 1, all;
- Sec. 2, excluding Native allotment F-16182 Parcel A;
- Sec. 3, excluding Native allotment F-17219 Parcel A;
- Sec. 11, excluding Native allotments F-16181 Parcel A, F-16481 Parcel B, F-17607 and F-16182 Parcel B;
- Sec. 12, excluding Native allotments F-17050 Parcel C and F-17052 Parcel B;
- Sec. 13, excluding Native allotment F-17210 Parcel B.

Containing approximately 3,217 acres.

/ T. 8 N., R. 69 W.

- Sec. 1, excluding Native allotment F-17207;
- Sec. 2, excluding the Kuskokuak Slough;
- Sec. 3, excluding the Kuskokuak Slough and Native allotment F-17214 Parcel B;

- Sec. 4, excluding the Kuskokuak Slough, Tract C of U.S. Survey No. 4221 and Native allotments F-17221 Parcel A, F-16481 Parcel A, F-17057 Parcel B and F-17072 Parcel A;
- Sec. 5, excluding the Kuskokuak Slough, Tracts A, C and D of U.S. Survey No. 4221 and Native allotments F-17054 Parcel B, F-17050 Parcel A and F-17070 Parcel A;
- Sec. 6, excluding the Kuskokwim River, Kuskokuak Slough, Tracts A, B and D of U.S. Survey No. 4221 and Native allotments F-17054 Parcel B, F-17076 Parcel A, F-17218 Parcel C, F-17219 Parcel B and F-13559 Parcel A;
- Sec. 7, excluding the Kuskokuak Slough and Native allotments F-13559 Parcel A, F-17060 Parcel A and F-19257 Parcel A;
- Sec. 8, all;
- Sec. 9, excluding Native allotments F-17072 Parcel A, F-17210 Parcel A and F-19256 Parcel B;
- Secs. 10 and 11, excluding the Kuskokuak Slough and Native allotment F-16483 Parcel B;
- Sec. 12, excluding the Kuskokuak Slough and Native allotments F-17207, F-17217 Parcel A and F-17206 Parcel A;
- Sec. 13, excluding the Kuskokuak Slough and Native allotment F-17066 Parcel B;
- Sec. 14, excluding the Kuskokuak Slough and Native allotments F-16724 Parcel B and F-13611;
- Sec. 15, excluding the Kuskokuak Slough and Native allotments F-13611, F-17053 and F-17204 Parcel A;
- Sec. 16, excluding Native allotments F-18289 Parcel B and F-17217 Parcel B;
- Sec. 17, excluding Native allotments F-17217 Parcel B, F-17076 Parcel B and F-17067 Parcel A;
- Sec. 18, excluding Native allotment F-17055;
- Sec. 19, excluding Native allotment F-19260;
- Sec. 20, excluding Native allotments F-13781 Parcel B and F-19260;
- Sec. 21, excluding Native allotment F-13781 Parcel B;
- Sec. 22, excluding the Kuskokuak Slough and Native allotment F-17053;
- Sec. 23, excluding the Kuskokuak Slough and Native allotments F-17067 Parcel B, F-17205, F-13781 Parcel A and F-17052 Parcel A;
- Sec. 24, excluding Native allotment F-17059 Parcel A;

- Sec. 25, excluding Native allotments F-14189, F-025345 Parcel B and F-17078 Parcel A;
- Sec. 26, excluding Native allotment F-17054 Parcel A;
- Sec. 27, all;
- Sec. 28, excluding Native allotment F-17015 Parcel C;
- Sec. 29, excluding Native allotments F-19260 and F-13781 Parcel B;
- Sec. 30, excluding Native allotment F-19260;
- Secs. 31, 32 and 33, all;
- Sec. 34, excluding Native allotment F-17219 Parcel A;
- Sec. 35, excluding Native allotment F-17218 Parcel B;
- Sec. 36, all.

Containing approximately 17,878 acres.

T. 9 N., R. 69 W.

- Secs. 25 and 26, excluding the Kuskokwim River;
- Sec. 27, all;
- Sec. 34, all;
- Sec. 35, excluding the Kuskokwim River and Native allotment F-17079;
- Sec. 36, excluding the Kuskokuak Slough and Native allotment F-17050 Parcel A.

Containing approximately 2,905 acres.

T. 8 N., R. 70 W.

- Sec. 1, excluding the Kuskokwim River and Native allotment F-13556 Parcel A;
- Secs. 2 and 3, excluding the Kuskokwim River;
- Sec. 4, excluding the Kuskokwim River and Church Slough;
- Sec. 9, excluding the Kuskokwim River, Church Slough, Tupuknuk Slough and Native allotment F-17051 Parcel B;
- Sec. 10, excluding the Kuskokwim River, Tupuknuk Slough and Native allotments F-13111, F-17056 Parcel B, F-19256 Parcel A and F-025345 Parcel A;
- Sec. 11, excluding the Kuskokwim River, Kuskokuak Slough and Native allotments F-13111, F-13556 Parcel A, F-17019 Parcel A and F-17074 Parcel A;
- Sec. 12, excluding the Kuskokwim River, Kuskokuak Slough and Native allotments F-17074 Parcel A, F-13556 Parcel A, F-18288 Parcel A and F-19257 Parcel A;
- Sec. 13, excluding the Kuskokuak Slough and Native allotment F-17074 Parcel B;

Sec. 14, excluding the Kuskokuak Slough;
 Sec. 15, excluding Native allotment F-17075;
 Sec. 16, excluding the Tupuknuk Slough;
 Sec. 21, excluding the Tupuknuk Slough;
 Secs. 22 and 23, all;
 Sec. 24, excluding Native allotment F-17074
 Parcel B;
 Secs. 25, 26 and 27, all;
 Sec. 28, excluding Native allotment F-17056
 Parcel A;
 Secs. 33 to 36, inclusive, all.

Containing approximately 12,706 acres.

Aggregating approximately 131,463 acres.

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 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(f) (Supp. V, 1975)); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; 43 U.S.C. 1601, 1616(b) (Supp. V, 1975)), the following public easements, referenced by easement identification number (EIN) on the easement maps in case file F-14883-EE, are reserved to the United States and subject to further regulation thereby:
 - a. (EIN 2 L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of the Kwethluk River from the point of tidal influence in Sec. 4, T. 8 N., R. 69 W., Seward Meridian, upstream to Sec. 1, T. 5 N., R. 68 W., Seward Meridian. Purpose is to provide for public use of waters having highly significant present recreational use.
 - b. (EIN 11 C4) A site easement upland of the ordinary high water mark in Sec. 10, T. 6 N., R. 68 W., Seward Meridian, on the left bank of the Kwethluk River. The site is one (1) acre in size with an additional twenty-five (25) foot

wide easement on the bed of the river along the entire waterfront of the site. The site is for camping, staging, and vehicle use.

- c. (EIN 13 C) The right of the United States to enter upon the lands hereinabove granted for cadastral, geodetic or other survey purposes is reserved, together with the right to do all things necessary in connection therewith.
- d. (EIN 14 C) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation and other similar uses. Deviations from the waterline are permitted when specific conditions so require, e.g., impassable topography or waterfront obstruction. This easement is subject to the right of the owner of the servient estate to build upon such easement a facility for public or private purposes, such right to be exercised reasonably and without undue or unnecessary interference with or obstruction of the easement. When access along the marine coastline easement is to be obstructed, the owner of the servient estate will be obligated to convey to the United States an acceptable alternate access route, at no cost to the United States, prior to the creation of such obstruction.

These reservations have not been conformed to the Departmental easement policy announced March 3, 1978, and published as final rulemaking on November 27, 1978, 43 FR 55326. Conformance will be made at a later date in accordance with the terms and conditions of the agreement dated August 23, 1978 between the Secretary of the Interior, Calista Corporation and Kwethluk Incorporated.

The grant of lands shall be subject to:

1. Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;
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 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g) (1970))), 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 (85 Stat. 688; 43 U.S.C. 1601) Supp. V, 1975)), any valid existing right recognized by said act shall continue to have whatever right of access as is now provided for under existing law;

3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 703; 43 U.S.C. 1601, 1613(c) (Supp. V, 1975)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section; and
4. The terms and conditions of the agreement dated August 23, 1978, between the Secretary of the Interior, Calista Corporation and Kwethluk Incorporated. A copy of the agreement shall be attached to and become a part of the conveyance document and shall be recorded therewith. A copy of the agreement is located in the Bureau of Land Management easement case file for Kwethluk Incorporated, serialized F-14883-EE. Any person wishing to examine this agreement may do so at the Bureau of Land Management, Alaska State Office, 701 C Street, Anchorage, Alaska.

Kwethluk Incorporated is entitled to conveyance of 138,240 acres of land selected pursuant to Sec. 12(a) of the Alaska Native Claims Settlement Act. To date, approximately 131,463 acres of this entitlement have been approved for conveyance; the remaining entitlement of approximately 6,777 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of the Alaska Native Claims Settlement Act, conveyance to the subsurface estate of the lands described above will be granted to Calista Corporation at the same time conveyance is granted to Kwethluk Incorporated for the surface estate, and shall be subject to the same conditions as the surface conveyance.

The Kuskokwim River, Kuskokuak Slough, Tupuknuk Slough and Church Slough are considered to be subject to tidal influence and navigable throughout the Kwethluk selection.

Enclosed are copies of current status plats showing the lands approved for conveyance along with maps showing the 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 both the Anchorage Times and The Tundra Drums. Any party claiming a property interest in lands affected by this decision may appeal the decision to 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 408, Anchorage, Alaska 99501, also:

1. Any party receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.
2. Any unknown parties, any parties unable to be located after reasonable efforts have been expended to locate, and any parties who failed or refused to sign the return receipt shall have until APR 11 1979 to file an appeal.
3. Any party known or unknown who may claim a property interest which 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 ASO Form 2650-4.)

If an appeal is taken, the parties to be served are:

Kwethluk Incorporated
Kwethluk, Alaska 99621

Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

/s/ Judith A. Kammins
Chief, Division of ANCSA
Operations

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

cc:

Joint Federal-State Land Use
Planning Commission for Alaska
733 West Fourth Avenue
Anchorage, Alaska 99501
(w/maps)

State of Alaska
Division of Lands
323 East Fourth Avenue
Anchorage, Alaska 99501
(w/maps)

Birch, Horton, Bittner and Monroe, Inc.
Attn: Michael R. Spaan
733 West Fourth Avenue, Suite 206
Anchorage, Alaska 99501
(w/maps and plats)

Cole, Hartig, Rhodes, Norman & Mahoney
717 K Street, Suite 201
Anchorage, Alaska 99501
(w/maps and plats)

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

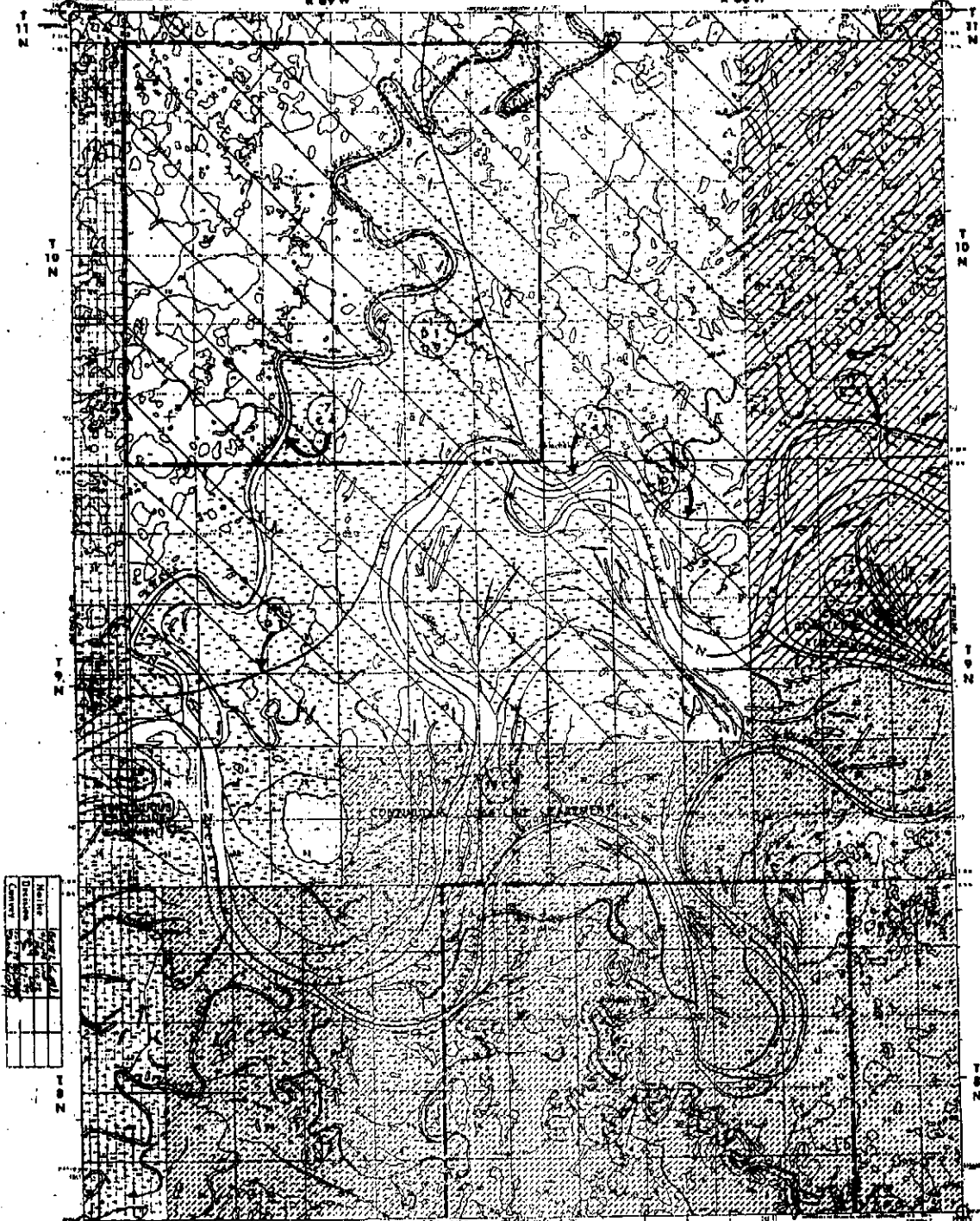
DM-A (018)
(w/maps)

961/MKonklin/SDunn/DDiakakis:pd 01/29/79:ex-134/140

UNITED STATES
DEPARTMENT OF THE INTERIOR
BIOLOGICAL SURVEY

ALVAN'S PROSP
SUBMIT TO CORRECTION

BETHEL (D-7) QUADRANGLE
ALASKA
1:48,000 SERIES (1:62,500 SCALE)



CLASSIFICATION	DATE	BY
SELECTED		
REMOVED		
REMOVED		
REMOVED		
REMOVED		
REMOVED		
REMOVED		
REMOVED		
REMOVED		
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REMOVED		
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Bethel
EN-18-C
examined for general
survey purposes.

Bethel
EN-18-C
examined for general
survey purposes.
Kwethluk

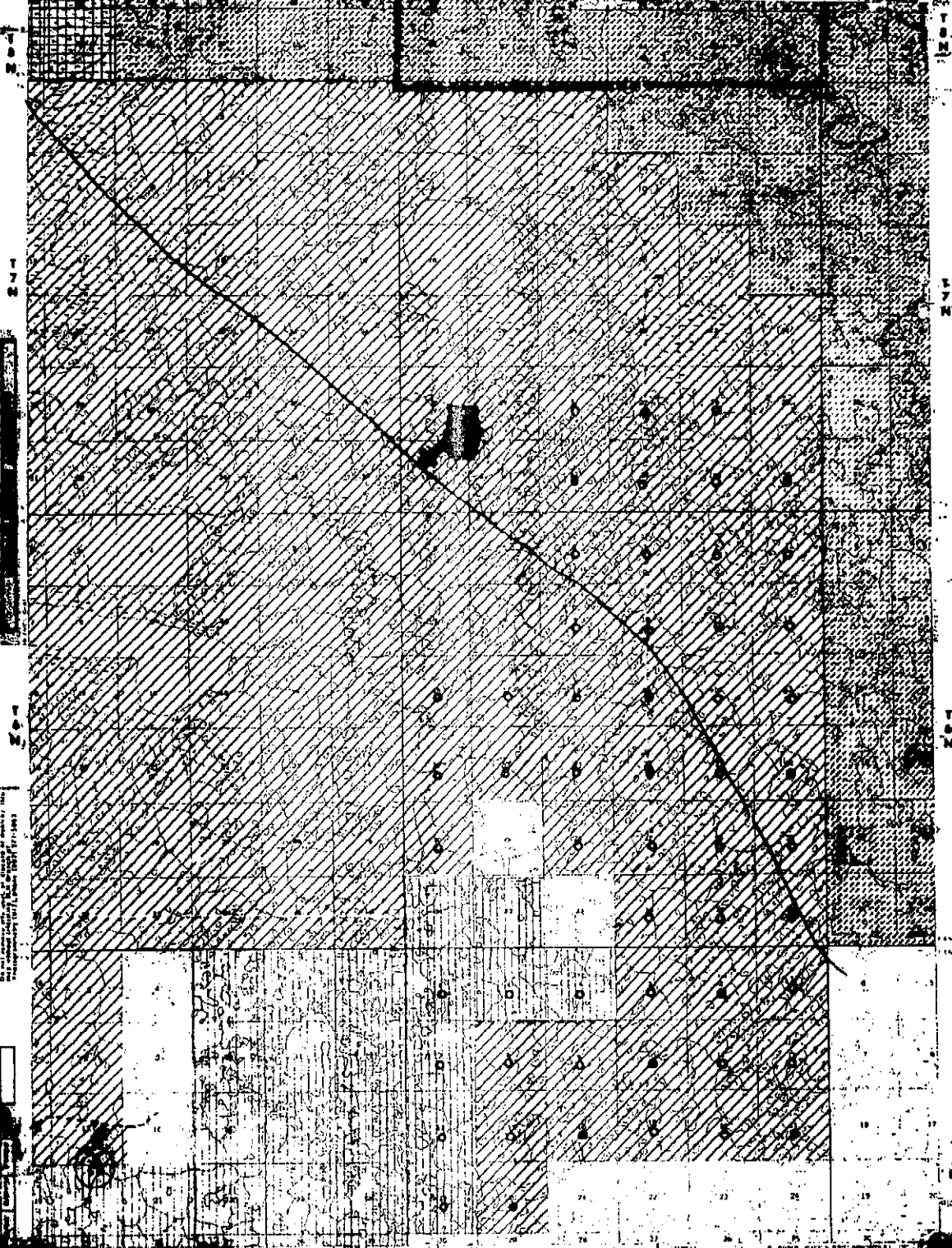
J.C. Will 7/2/71

Revised by the Army Map Service
and published by the Geologic Survey
Controlled by the U.S. G.S. and U.S.A.
Responsibility of interpretation rests with user.
When 1963 map 1200, 1:48,000, was issued 1960. This map was the
General Revision (Revised) edition. 1963 map 1200, 1:48,000, was
the first edition of the 1:48,000 scale map. 1963 map 1200, 1:48,000,
was the first edition of the 1:48,000 scale map. 1963 map 1200, 1:48,000,
was the first edition of the 1:48,000 scale map.
Land from abandoned selections and unselected sections
controlled by the Bureau of Land Management.
P.O. Box 250, Fairbanks, Alaska 99701.

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

NOV 12 1975
K.W.B. F. L. L. N. K.
AKIACHAK
BETHEL VILLAGE SELECTION
KWETLUK VILLAGE SELECTION
BETHEL (D-7) ALASKA

Core township



COMPILED BY C. H. BLOOM AND
ASSISTANT SURVEYOR
CINCINNATI-ALASKA
Geological Survey, U.S. Department of the Interior
Washington, D.C. 20548

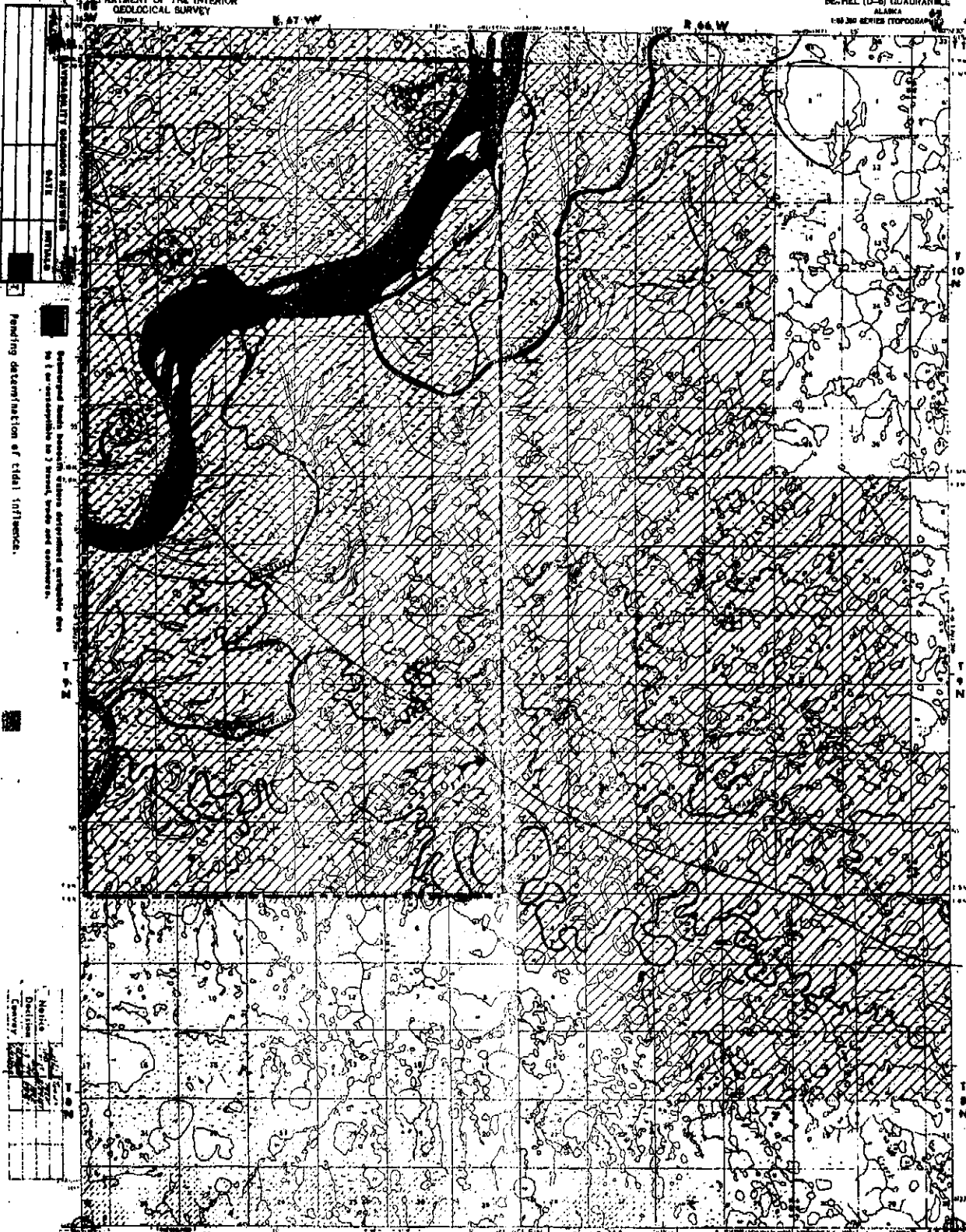


OSCARVILLE VILLAGE SELECTION
Application of Dec. 17, 1978
Represents nearest whole section.
(application may be less than 640 acres)
O-Over-Selections
Core Township

VILLAGE SELECTION
NAPASKIAK VILLAGE SELECTION
Application of Dec. 17, 1978
Represents nearest whole section.
(application may be less than 640 acres)
Core Township

KWETHLUK VILLAGE SELECTION
Application of Dec. 17, 1978
Represents nearest whole section.
(application may be less than 640 acres)
BETHEL (C-7), ALASKA
Core Township

16-71
16-71



Vertical legend table with columns for 'Symbol', 'Description', and 'Notes'. It lists symbols for 'Unimproved lands', 'Swampy lands', and 'Flooded lands'.

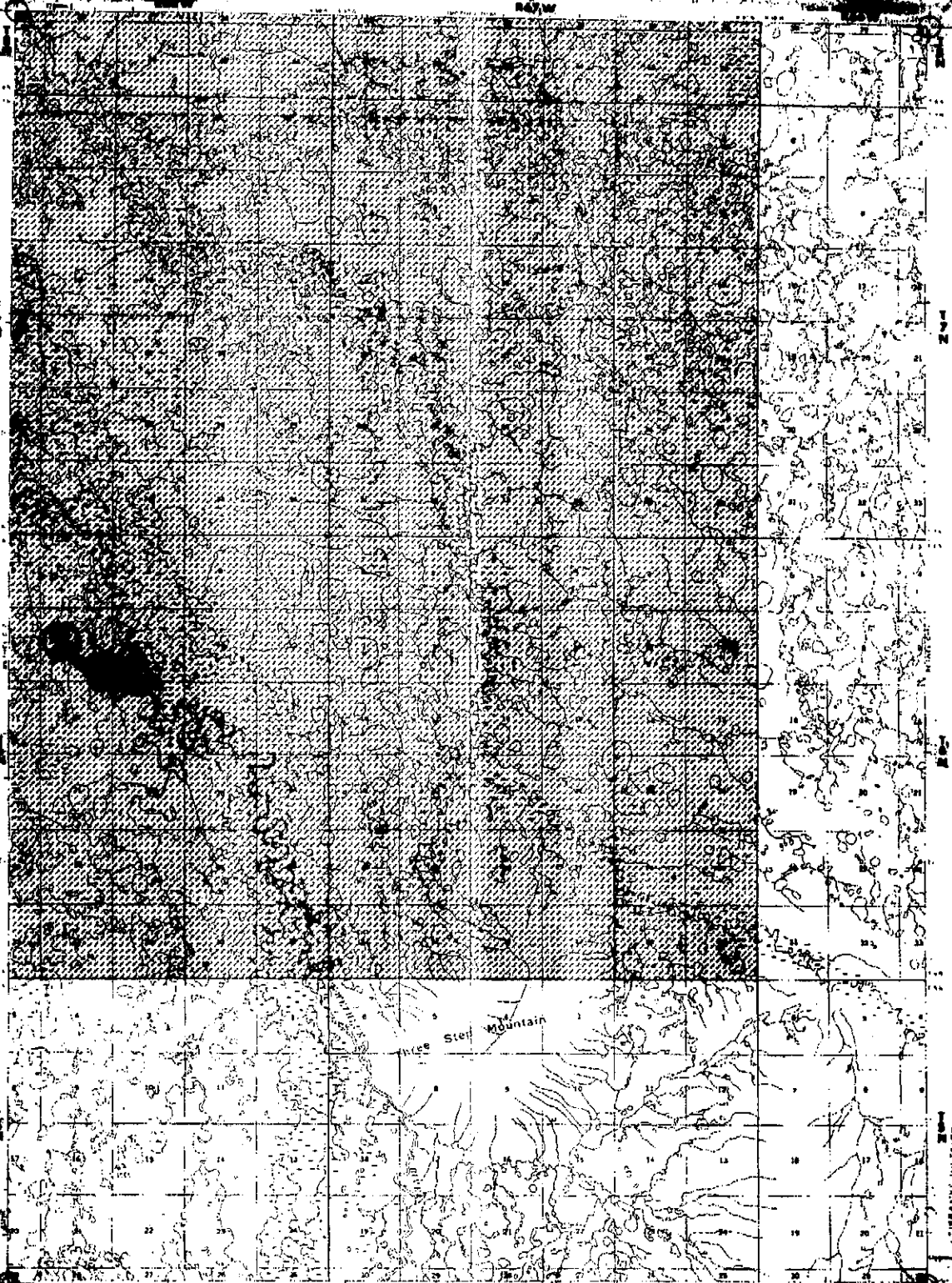
Unimproved lands between various drainage systems are shown as in 1 on maps for 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Vertical legend table with columns for 'Symbol', 'Description', and 'Notes'. It lists symbols for 'Mudflats', 'Tidal flats', and 'Lowlands'.

THUKSHAK VILLAGE SELECTION
Application of Public Law 86-363
Represents one or more whole sections
Implication may be less than 640 acres
PROGRAMS AND ACTIVITIES OF THE BUREAU OF LAND MANAGEMENT
U.S. DEPARTMENT OF THE INTERIOR

KWETHLUK VILLAGE SELECTION
Application of Public Law 86-363
Represents one or more whole sections
Implication may be less than 640 acres
PROGRAMS AND ACTIVITIES OF THE BUREAU OF LAND MANAGEMENT
U.S. DEPARTMENT OF THE INTERIOR

AKIAK VILLAGE SELECTION
Application of Public Law 86-363
Represents one or more whole sections
Implication may be less than 640 acres
PROGRAMS AND ACTIVITIES OF THE BUREAU OF LAND MANAGEMENT
U.S. DEPARTMENT OF THE INTERIOR



UNITED STATES DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT
 CMCIRS-**100-1000**
 This collection contains a series of maps and
 publications for the purpose of providing

Section	Area	Notes
1	100-1000	
2	100-1000	
3	100-1000	
4	100-1000	
5	100-1000	
6	100-1000	
7	100-1000	
8	100-1000	
9	100-1000	
10	100-1000	

Prepared by the Army, May 1954
 This map published by the Office of Survey
 and Mapping, Department of the Army
 and is not to be used for any other purpose
 without the express permission of the
 Department of the Army, Washington, D.C.
 The information on this map is for general
 information only and is not to be used for
 any other purpose.

KWETHLUK VILLAGE SELECTION

Application: **100-1000**
 Represents nearest whole section.
 (Application may be less than 640 acres)

(Includes Alaska, District of Columbia and Possessions by D.C.
 unless otherwise indicated and includes the area on which)

4010 LANSFORD
 Map of Alaska
KWETHLUK
 BETHEL (C-6), ALASKA
 1954

79 21 00 - 2-16-83 2K

11/1779

IMPORTANT DOCUMENT ATTACHED

IN REPLY REFER TO
1862 (961)

United States Department of the Interior

F-14883-A



BUREAU OF LAND MANAGEMENT
State Office

555 Cordova Street, Pouch 7-512
Anchorage, Alaska 99510

Akulikutak River Interim
Summary Report
Attachment 3

ASO 1862-4
(Nov. 1978)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JUL 20 1979

Kwethluk Incorporated
Kwethluk, Alaska 99621

Gentlemen:

We are happy to transmit the enclosed interim conveyance.

This is the original document conveying the described land from the United States to you. It should be kept in a safe place. If you are satisfied that it is correct, you should immediately record it in the Office of Recorder (District Magistrate) of the precinct in which the property is located.

If you have any questions as to where you should record your interim conveyance, please contact the State Recorder, State of Alaska, Department of Administration, 941 West Fourth Avenue, Anchorage, Alaska 99501. Be sure to include the property description when writing for more information.

Sincerely yours,

Chief, Branch of Adjudication

Enclosures:
Interim Conveyance
Maps

INTERIM CONVEYANCE NO.

213



Save Energy and You Serve America!

Case file

INTERIM CONVEYANCE

LW
 ER 11/27/79
 JMC 2/26/80
 ER
 SAC

WHEREAS

Kuethluk 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 (35 Stat. 688, 702, 715; 43 U.S.C. 1601, 1613(a), 1621(j) (1976)), of the surface estate in the following described lands:

Coward Meridian, Alaska (Unsurveyed)

T. 6 N., R. 67 W.
 Secs. 4 and 5, all;
 Secs. 8 and 9, all;
 Secs. 16 and 17, all;
 Secs. 20, 21 and 22, all;
 Secs. 27 and 28, all;
 Sec. 31, all;
 Sec. 34, all.

Containing approximately 8,309 acres.

T. 7 N., R. 67 W.
 Sec. 1, all;
 Sec. 2, excluding Native allotment F-17072
 Parcel C;
 Secs. 3 to 7, inclusive, all;
 Secs. 11 and 12, all;
 Secs. 17 to 20, inclusive, all;
 Secs. 28, 29 and 30, all;
 Secs. 32 and 33, all.

Containing approximately 11,307 acres.

T. 8 N., R. 67 W.
 Secs. 5 to 9, inclusive, all;
 Secs. 17 to 20, inclusive, all;
 Secs. 29, 30 and 31, all;
 Sec. 32, excluding Native allotment F-029105
 Parcel F;
 Secs. 33 to 36, inclusive, all.

Containing approximately 10,550 acres.

T. 6 N., R. 68 W.
 Secs. 1 to 9, inclusive, all;
 Sec. 10, excluding Native allotment F-17216;
 Secs. 11 to 14, inclusive, all;
 Sec. 15, excluding Native allotments F-17090
 Parcel B and F-17216;
 Sec. 16, all;
 Secs. 22 and 23, all;
 Sec. 24, excluding Native allotment F-19254
 Parcel B;
 Sec. 25, excluding Native allotments F-16016
 and F-17204 Parcel B;
 Sec. 26, all;
 Sec. 35, all.

213

JMC
 7/23/79
 ER

Interim Conveyance No. _____
 Date JUL 12 1979 _____

Sec. 36, excluding Native allotments F-16016 and F-16008 Parcel A.

Containing approximately 14,027 acres.

T. 7 N., R. 63 W.

- Secs. 1 and 2, all;
- Sec. 3, excluding Native allotment F-17212 Parcel B;
- Secs. 4 to 7, inclusive, all;
- Sec. 8, excluding Native allotments F-17221 Parcel B, F-17216 Parcel C, and F-17222;
- Sec. 9, excluding Native allotment F-17222;
- Sec. 10, excluding Native allotment F-17212 Parcel C;
- Secs. 11 and 12, all;
- Sec. 13, excluding Native allotment F-16015;
- Secs. 14 and 15, all;
- Sec. 16, excluding Native allotments F-17214 Parcel A and F-17057 Parcel A;
- Sec. 17, excluding Native allotment F-17214 Parcel A;
- Sec. 18, excluding Native allotment F-17072 Parcel B;
- Sec. 19, excluding Native allotments F-17061 Parcel A, F-16807 Parcel B, and F-16803;
- Sec. 20, excluding Native allotments F-16803, F-17214 Parcel A, and F-17015 Parcel A;
- Sec. 21, excluding Native allotments F-17214 Parcel A and F-16013 Parcel A;
- Secs. 22 to 27, inclusive, all;
- Sec. 28, excluding Native allotment F-16724 Parcel C;
- Secs. 29 to 36, inclusive, all.

Containing approximately 21,655 acres.

T. 3 N., R. 68 W.

- Secs. 1 to 18, inclusive, all;
- Sec. 19, excluding Native allotment F-17099 Parcel B;
- Secs. 20 to 27, inclusive, all;
- Sec. 28, excluding Native allotments F-19262 Parcel A and F-17099 Parcel A;
- Sec. 29, excluding Native allotments F-19262 Parcel A and F-17211;
- Sec. 30, excluding Native allotments F-17099 Parcel B, F-19262 Parcel B, F-025345 Parcel B, F-17073 Parcel A, and F-17050 Parcel B;
- Sec. 31, excluding Native allotment F-17212 Parcel B;
- Sec. 32, excluding Native allotments F-17212 Parcel B and F-17211;
- Sec. 33, excluding Native allotments F-17073 Parcel B, F-17212 Parcel A, and F-16009;
- Secs. 34, 35 and 36, all.

Containing approximately 21,769 acres.

T. 9 N., R. 68 W.

- Sec. 22, excluding the Euskokuak Slough and Native allotments F-16595 and F-16592;
- Sec. 23, excluding the Euskokuak Slough and Native allotment F-16592;

Secs. 24, 25 and 26, excluding the Kuskokuak Slough;
 Sec. 27, excluding the Kuskokuak Slough and Native allotment F-17220 Parcel B;
 Sec. 28, excluding the Kuskokuak Slough and Native allotment F-13380;
 Sec. 29, excluding the Kuskokuak Slough;
 Sec. 30, excluding the Kuskokuak Slough and Native allotment F-17206 Parcel B;
 Sec. 31, excluding the Kuskokuak Slough and Native allotment F-17080;
 Sec. 32, excluding the Kuskokuak Slough and Native allotments F-17080 and F-17214 Parcel B;
 Sec. 33, excluding the Kuskokuak Slough;
 Sec. 34, all;
 Sec. 35, excluding the Kuskokuak Slough and Native allotments F-17213, F-17069, and F-17215;
 Sec. 36, excluding the Kuskokuak Slough and Native allotments F-17069 and F-17215.

Containing approximately 7,030 acres.

✓ T. 7 N., R. 69 W.

Sec. 1, all;
 Sec. 2, excluding Native allotment F-16182 Parcel A;
 Sec. 3, excluding Native allotment F-17219 Parcel A;
 Sec. 11, excluding Native allotments F-16181 Parcel A, F-16481 Parcel B, F-17607, and F-16182 Parcel B;
 Sec. 12, excluding Native allotments F-17050 Parcel C and F-17052 Parcel B;
 Sec. 13, excluding Native allotment F-17210 Parcel B.

Containing approximately 3,217 acres.

✓ T. 8 N., R. 69 W.

Sec. 1, excluding Native allotment F-17207;
 Sec. 2, excluding the Kuskokuak Slough;
 Sec. 3, excluding the Kuskokuak Slough and Native allotment F-17214 Parcel B;
 Sec. 4, excluding the Kuskokuak Slough, Tract C of U.S. Survey No. 4221 and Native allotments F-17221 Parcel A, F-16481 Parcel A, F-17057 Parcel B, and F-17072 Parcel A;
 Sec. 5, excluding the Kuskokuak Slough, Tracts A, C and D of U.S. Survey No. 4221, and Native allotments F-17054 Parcel B, F-17059 Parcel A, and F-17070 Parcel A;
 Sec. 6, excluding the Kuskokuak River, Kuskokuak Slough, Tracts A, B and D of U.S. Survey No. 4221 and Native allotments F-17054 Parcel B, F-17076 Parcel A, F-17218 Parcel C, F-17219 Parcel B and F-13559 Parcel A;
 Sec. 7, excluding the Kuskokuak Slough and Native allotments F-13559 Parcel A, F-17060 Parcel A, and F-19257 Parcel A;
 Sec. 8, all;
 Sec. 9, excluding Native allotments F-17072 Parcel A, F-17210 Parcel A, and F-19256

213

Interim Conveyance No. _____

JUL 12 1979

Date _____

Parcel B;
 Secs. 10 and 11, excluding the Kuskokwuk Slough and Native allotment F-16483 Parcel B;
 Sec. 12, excluding the Kuskokwuk Slough and Native allotments F-17207, F-17217 Parcel A, and F-17206 Parcel A;
 Sec. 13, excluding the Kuskokwuk Slough and Native allotment F-17066 Parcel B;
 Sec. 14, excluding the Kuskokwuk Slough and Native allotments F-16724 Parcel B and F-13611;
 Sec. 15, excluding the Kuskokwuk Slough and Native allotments F-13611, F-17053, and F-17204 Parcel A;
 Sec. 16, excluding Native allotments F-13289 Parcel B and F-17217 Parcel B;
 Sec. 17, SE, SW, excluding Native allotments F-17217 Parcel B and F-17078 Parcel B;
 Sec. 18, excluding Native allotment F-17055;
 Sec. 19, excluding Native allotment F-19260;
 Sec. 20, excluding Native allotments F-13781 Parcel B and F-19260;
 Sec. 21, NE, NW, SW, excluding Native allotment F-13781 Parcel A;
 Sec. 22, SW, excluding the Kuskokwuk Slough and Native allotment F-17053; NW, SE;
 Sec. 23, excluding the Kuskokwuk Slough and Native allotments F-17067 Parcel B, F-17205, F-13781 Parcel A, and F-17052 Parcel A;
 Sec. 24, excluding Native allotment F-17059 Parcel A;
 Sec. 25, excluding Native allotments F-16189, F-025345 Parcel B, and F-17078 Parcel A;
 Sec. 26, excluding Native allotment F-17054 Parcel A;
 Sec. 27, SE, SW, NW, NE;
 Sec. 28, SW, NW, SE, excluding Native allotment F-17019 Parcel C; SW;
 Sec. 29, excluding Native allotments F-19260 and F-13781 Parcel A;
 Sec. 30, excluding Native allotment F-19260;
 Secs. 31, 32 and 33, all;
 Sec. 34, excluding Native allotment F-17219 Parcel A;
 Sec. 35, excluding Native allotment F-17219 Parcel B;
 Sec. 36, all.

Containing approximately 17,473 acres.

T. 9 N., R. 69 W.

Secs. 25 and 26, excluding the Kuskokwuk River;
 Sec. 27, all;
 Sec. 30, all;
 Sec. 35, excluding the Kuskokwuk River and Native allotment F-17079;
 Sec. 36, excluding the Kuskokwuk Slough and Native allotment F-17050 Parcel A.

Containing approximately 2,005 acres.

T. 9 N., R. 70 W.

Sec. 1, excluding the Kuskokwuk River and Native allotment F-13556 Parcel A;

- Secs. 2 and 3, excluding the Kuskokwim River;
- Sec. 4, excluding the Kuskokwim River and Church Slough;
- Sec. 9, excluding the Kuskokwim River, Church Slough, Tupuknuk Slough, and Native allotment F-17051 Parcel B;
- Sec. 10, excluding the Kuskokwim River, Tupuknuk Slough, and Native allotments F-13111, F-17056 Parcel B, F-19256 Parcel A, and F-025345 Parcel A;
- Sec. 11, 24, excluding the Kuskokwim River and Native allotment F-13556 Parcel A; 50%, excluding the Kuskokwim River, Kuskokuak Slough, and Native allotment F-13111;
- Sec. 12, excluding the Kuskokwim River, Kuskokuak Slough and Native allotments F-17074 Parcel A, F-13556 Parcel A, F-18288 Parcel A, and F-19257 Parcel A;
- Sec. 13, excluding the Kuskokuak Slough and Native allotment F-17074 Parcel B;
- Sec. 14, excluding the Kuskokuak Slough;
- Sec. 15, excluding Native allotment F-17075;
- Sec. 16, excluding the Tupuknuk Slough;
- Sec. 21, excluding the Tupuknuk Slough;
- Secs. 22 and 23, all;
- Sec. 24, excluding Native allotment F-17074 Parcel B;
- Secs. 25, 26 and 27, all;
- Sec. 28, excluding Native allotment F-17056 Parcel A;
- Secs. 33 to 36, inclusive, all.

Containing approximately 12,692 acres.

Aggregating approximately 131,049 acres.

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, therunto 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 (35 Stat. 688, 704; 43 U.S.C. 1601, 1613(f) (1976)); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (35 Stat. 688, 708; 43 U.S.C. 1601, 1616(b) (1976)), the following public easements, referenced by easement identification number (EID) on the easement maps attached to this document, copies of which will be found in case file F-14883-EE, are reserved to the

213

Interim Conveyance No. _____

Date JUL 12 1979 _____

United States and subject to further regulation thereby:

- a. (EIR 2 D) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of the Kvethluk River from the point of tidal influence in Sec. 4, T. 8 N., R. 69 W., Seward Meridian, upstream to Sec. 1, T. 5 N., R. 68 W., Seward Meridian. Purpose is to provide for public use of waters having highly significant present recreational use.
- b. (EIR 11 G4) A site easement upland of the ordinary high water mark in Sec. 10, T. 6 N., R. 68 W., Seward Meridian, on the left bank of the Kvethluk River. The site is one (1) acre in size with an additional twenty-five (25) foot wide easement on the bed of the river along the entire waterfront of the site. The site is for camping, staging and vehicle use.
- c. (EIR 13 C) The right of the United States to enter upon the lands hereinabove granted for cadastral, geodetic, or other survey purposes is reserved, together with the right to do all things necessary in connection therewith.
- d. (EIR 14 C) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses. Deviations from the waterline are permitted when specific conditions so require, e.g., impassable topography or waterfront obstruction. This easement is subject to the right of the owner of the servient estate to build upon such easement a facility for public or private purposes, such right to be exercised reasonably and without undue or unnecessary interference with or obstruction of the easement. When access along the marine coastline easement is to be obstructed, the owner of the servient estate will be obligated to convey to the United States an acceptable alternate access route, at no cost to the United States, prior to the creation of such obstruction.

These reservations have not been conformed to the Departmental easement policy announced March 3, 1978, and published as final rulemaking on November 27, 1978, 43 FR 55326. Conformance will be made at a later date in accordance with the terms and conditions of the agreement dated August 23, 1978 between the Secretary of the Interior, Calista Corporation, and Kvethluk Incorporated.

Interim Conveyance No. 213

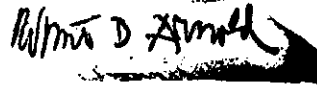
Date JUL 12 1979

THE GRANT OF THE ABOVE DESCRIBED LAND IS SUBJECT TO:

1. Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;
2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(c) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(c) (1976))), 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 to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688; 43 U.S.C. 1601) (1975)), any valid existing right recognized by said act shall continue to have whatever right of access as is now provided for under existing law;
3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 703; 43 U.S.C. 1601, 1613(c) (1976)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section; and
4. The terms and conditions of the agreement dated August 23, 1976, between the Secretary of the Interior, Calista Corporation and Kvethluk, Incorporated. A copy of the agreement is hereby attached to and made a part of this conveyance document and shall be recorded therewith.

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 12th day of July, 1979, in Anchorage, Alaska.

UNITED STATES OF AMERICA



Robert D. Arnold
Assistant to the State Director
ANCSA

Interim Conveyance No. _____

213

Date JUL 12 1979

IMPORTANT DOCUMENT ATTACHED

United States Department of the Interior

IN REPLY REFER TO
1862 (961)
F-14883-A

BUREAU OF LAND MANAGEMENT
State Office
555 Cordova Street, Pouch 7-512
Anchorage, Alaska 99510

ASO 1862-4
(Nov. 1978)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JUL 20 1979

Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

Gentlemen:

We are happy to transmit the enclosed interim conveyance.

This is the original document conveying the described land from the United States to you. It should be kept in a safe place. If you are satisfied that it is correct, you should immediately record it in the Office of Recorder (District Magistrate) of the precinct in which the property is located.

If you have any questions as to where you should record your interim conveyance, please contact the State Recorder, State of Alaska, Department of Administration, 941 West Fourth Avenue, Anchorage, Alaska 99501. Be sure to include the property description when writing for more information.

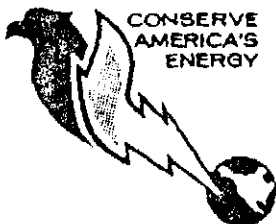
Sincerely yours,

Sue A. Goff

Chief, Branch of Adjudication

Enclosures:
Interim Conveyance
Maps

INTERIM CONVEYANCE NO. 214



Save Energy and You Serve America!

case file

INTERIM CONVEYANCE

WHEREAS

Calista Corporation

CDI
RCE 11/27/79
JMC 2/26/80
ESB
AVC

is entitled to a conveyance pursuant to Secs. 14(f) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704, 715; 43 U.S.C. 1601, 1613(f), 1621(j) (1976)), of the subsurface estate in the hereinbelow identified interim conveyance of the surface estate in the following described lands:

INTERIM CONVEYANCE NO. 213

AK 213-4-APK

Seward Meridian, Alaska (Unsurveyed)

T. 6 N., R. 67 W.
Secs. 4 and 5, all;
Secs. 8 and 9, all;
Secs. 16 and 17, all;
Secs. 20, 21 and 22, all;
Secs. 27 and 28, all;
Sec. 31, all;
Sec. 34, all.

Containing approximately 8,309 acres.

T. 7 N., R. 67 W.
Sec. 1, all;
Sec. 2, excluding Native allotment F-17072
Parcel C;
Secs. 3 to 7, inclusive, all;
Secs. 11 and 12, all;
Secs. 17 to 20, inclusive, all;
Secs. 28, 29 and 30, all;
Secs. 32 and 33, all.

Containing approximately 11,307 acres.

AK 213-4-APK

T. 8 N., R. 67 W.
Secs. 5 to 9, inclusive, all;
Secs. 17 to 20, inclusive, all;
Secs. 29, 30 and 31, all;
Sec. 32, excluding Native allotment F-029105
Parcel B;
Secs. 33 to 36, inclusive, all.

Containing approximately 10,660 acres.

T. 6 N., R. 68 W.
Secs. 1 to 9, inclusive, all;
Sec. 10, excluding Native allotment F-17216;
Secs. 11 to 14, inclusive, all;
Sec. 15, excluding Native allotments F-17050
Parcel B and F-17216;
Sec. 16, all;
Secs. 22 and 23, all;
Sec. 24, excluding Native allotment F-19254
Parcel B;
Sec. 25, excluding Native allotments F-16016
and F-17204 Parcel B;

Interim Conveyance No. 214

Date JUL 12 1979

ESB 7/25/79

Sec. 26, all;
Sec. 35, all;
Sec. 36, excluding Native allotments F-16016
and F-16008 Parcel A.

Containing approximately 14,027 acres.

T. 7 N., R. 68 W.

Secs. 1 and 2, all;
Sec. 3, excluding Native allotment F-17212
Parcel B;
Secs. 4 to 7, inclusive, all;
Sec. 8, excluding Native allotments F-17221
Parcel B, F-17210 Parcel C, and F-17222;
Sec. 9, excluding Native allotment F-17222;
Sec. 10, excluding Native allotment F-17212
Parcel C;
Secs. 11 and 12, all;
Sec. 13, excluding Native allotment F-16015;
Secs. 14 and 15, all;
Sec. 16, excluding Native allotments F-17214
Parcel A and F-17057 Parcel A;
Sec. 17, excluding Native allotment F-17214
Parcel A;
Sec. 18, excluding Native allotment F-17072
Parcel B;
Sec. 19, excluding Native allotments F-17061
Parcel A, F-16807 Parcel B, and F-16803;
Sec. 20, excluding Native allotments F-16803,
F-17214 Parcel A, and F-17015 Parcel A;
Sec. 21, excluding Native allotments F-17214
Parcel A and F-16013 Parcel A;
Secs. 22 to 27, inclusive, all;
Sec. 28, excluding Native allotment F-16724
Parcel C;
Secs. 29 to 36, inclusive, all.

Containing approximately 21,655 acres.

*Also include
A-201-10*

T. 8 N., R. 68 W.

Secs. 1 to 18, inclusive, all;
Sec. 19, excluding Native allotment F-17099
Parcel B;
Secs. 20 to 27, inclusive, all;
Sec. 28, excluding Native allotments F-19262
Parcel A and F-17099 Parcel A;
Sec. 29, excluding Native allotments F-19262
Parcel A and F-17211;
Sec. 30, excluding Native allotments F-17099
Parcel B, F-19262 Parcel B, F-025345 Parcel B,
F-17073 Parcel A, and F-17060 Parcel B;
Sec. 31, excluding Native allotment F-17212
Parcel B;
Sec. 32, excluding Native allotments F-17212
Parcel D and F-17211;
Sec. 33, excluding Native allotments F-17073
Parcel B, F-17212 Parcel A, and F-16009;
Secs. 34, 35 and 36, all.

Containing approximately 21,769 acres.

Kuskokuak

T. 9 N., R. 68 W.

Sec. 22, excluding the Kuskokuak Slough and
Native allotments F-16595 and F-16592;

Sec. 23, excluding the Kuskokuak Slough and Native allotment F-16592;
 Secs. 24, 25 and 26, excluding the Kuskokuak Slough;
 Sec. 27, excluding the Kuskokuak Slough and Native allotment F-17220 Parcel B;
 Sec. 28, excluding the Kuskokuak Slough and Native allotment F-13380;
 Sec. 29, excluding the Kuskokuak Slough;
 Sec. 30, excluding the Kuskokuak Slough and Native allotment F-17206 Parcel B;
 Sec. 31, excluding the Kuskokuak Slough and Native allotment F-17080;
 Sec. 32, excluding the Kuskokuak Slough and Native allotments F-17080 and F-17214 Parcel B;
 Sec. 33, excluding the Kuskokuak Slough;
 Sec. 34, all;
 Sec. 35, excluding the Kuskokuak Slough and Native allotments F-17213, F-17069, and F-17215;
 Sec. 36, excluding the Kuskokuak Slough and Native allotments F-17069 and F-17215.

Containing approximately 7,030 acres.

T. 7 N., R. 69 W.

Sec. 1, all;
 Sec. 2, excluding Native allotment F-16182 Parcel A;
 Sec. 3, excluding Native allotment F-17219 Parcel A;
 Sec. 11, excluding Native allotments F-16181 Parcel A, F-16481 Parcel B, F-17607, and F-16182 Parcel B;
 Sec. 12, excluding Native allotments F-17050 Parcel C and F-17052 Parcel B;
 Sec. 13, excluding Native allotment F-17210 Parcel B.

Containing approximately 3,217 acres.

T. 8 N., R. 69 W.

Sec. 1, excluding Native allotment F-17207;
 Sec. 2, excluding the Kuskokuak Slough;
 Sec. 3, excluding the Kuskokuak Slough and Native allotment F-17214 Parcel B;
 Sec. 4, excluding the Kuskokuak Slough, Tract C of U.S. Survey No. 4221, and Native allotments F-17221 Parcel A, F-16481 Parcel A, F-17057 Parcel B, and F-17072 Parcel A;
 Sec. 5, excluding the Kuskokuak Slough, Tracts A, C and D of U.S. Survey No. 4221, and Native allotments F-17054 Parcel B, F-17050 Parcel A, and F-17070 Parcel A;
 Sec. 6, excluding the Kuskokuak River, Kuskokuak Slough, Tracts A, B and D of U.S. Survey No. 4221 and Native allotments F-17054 Parcel B, F-17076 Parcel A, F-17218 Parcel C, F-17219 Parcel B and F-13559 Parcel A;
 Sec. 7, excluding the Kuskokuak Slough and Native allotments F-13559 Parcel A, F-17060 Parcel A, and F-19257 Parcel A;
 Sec. 8, all;

214

Interim Conveyance No. _____
 Date JUL 12 1979 _____

Sec. 9, excluding Native allotments F-17072 Parcel A, F-17210 Parcel A, and F-19256 Parcel B;
 Secs. 10 and 11, excluding the Kuskokuak Slough and Native allotment F-16483 Parcel B;
 Sec. 12, excluding the Kuskokuak Slough and Native allotments F-17207, F-17217 Parcel A, and F-17206 Parcel A;
 Sec. 13, excluding the Kuskokuak Slough and Native allotment F-17056 Parcel B;
 Sec. 14, excluding the Kuskokuak Slough and Native allotments F-16726 Parcel B and F-13611;
 Sec. 15, excluding the Kuskokuak Slough and Native allotments F-13611, F-17053, and F-17204 Parcel A;
 Sec. 16, excluding Native allotments F-18289 Parcel B and F-17217 Parcel B;
 Sec. 17, B₂; S₂A, excluding Native allotments F-17217 Parcel B and F-17076 Parcel B;
 Sec. 18, excluding Native allotment F-17055;
 Sec. 19, excluding Native allotment F-19260;
 Sec. 20, excluding Native allotments F-13781 Parcel B and F-19260;
 Sec. 21, B₂; B₂S₂; S₂SW₂A, excluding Native allotment F-13781 Parcel B;
 Sec. 22, E₂, excluding the Kuskokuak Slough and Native allotment F-17053; NW₂; SE₂SW₂E;
 Sec. 23, excluding the Kuskokuak Slough and Native allotments F-17067 Parcel B, F-17205, F-13781 Parcel A, and F-17052 Parcel A;
 Sec. 24, excluding Native allotment F-17059 Parcel A;
 Sec. 25, excluding Native allotments F-14189, F-925345 Parcel B and F-17073 Parcel A;
 Sec. 26, excluding Native allotment F-17054 Parcel A;
 Sec. 27, E₂; SE₂SW₂; NW₂;
 Sec. 28, S₂NE₂; W₂, excluding Native allotment F-17015 Parcel C; SE₂;
 Sec. 29, excluding Native allotments F-19260 and F-13781 Parcel B;
 Sec. 30, excluding Native allotment F-19260;
 Secs. 31, 32 and 33, all;
 Sec. 34, excluding Native allotment F-17219 Parcel A;
 Sec. 35, excluding Native allotment F-17218 Parcel B;
 Sec. 36, all.

Containing approximately 17,476 acres.

T. 9 N., R. 69 W.

Secs. 25 and 26, excluding the Kuskokwin River;
 Sec. 27, all;
 Sec. 34, all;
 Sec. 35, excluding the Kuskokwin River and Native allotment F-17079;
 Sec. 36, excluding the Kuskokwin Slough and Native allotment F-17050 Parcel A.

Containing approximately 2,905 acres.

T. 3 N., R. 70 W.

- Sec. 1, excluding the Kuskokwim River and Native allotment F-13556 Parcel A;
 Secs. 2 and 3, excluding the Kuskokwim River;
 Sec. 4, excluding the Kuskokwim River and Church Slough;
 Sec. 9, excluding the Kuskokwim River, Church Slough, Tupuknuak Slough, and Native allotment F-17051 Parcel B;
 Sec. 10, excluding the Kuskokwim River, Tupuknuak Slough, and Native allotments F-13111, F-17056 Parcel B, F-19256 Parcel A, and F-025345 Parcel A;
 Sec. 11, excluding the Kuskokwim River and Native allotment F-13556 Parcel A; ~~Sec.~~ excluding the Kuskokwim River, Kuskokuak Slough, and Native allotment F-13111;
 Sec. 12, excluding the Kuskokwim River, Kuskokuak Slough and Native allotments F-17074 Parcel A, F-13556 Parcel A, F-18283 Parcel A, and F-19257 Parcel A;
 Sec. 13, excluding the Kuskokuak Slough and Native allotment F-17074 Parcel B;
 Sec. 14, excluding the Kuskokuak Slough;
 Sec. 15, excluding Native allotment F-17075;
 Sec. 16, excluding the Tupuknuak Slough;
 Sec. 21, excluding the Tupuknuak Slough;
 Secs. 22 and 23, all;
 Sec. 24, excluding Native allotment F-17074 Parcel B;
 Secs. 25, 26 and 27, all;
 Sec. 28, excluding Native allotment F-17056 Parcel A;
 Secs. 33 to 36, inclusive, all.

Containing approximately 12,692 acres.

Aggregating approximately 131,049 acres.

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, 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(p) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(p) (1976))), contract, permit, right-of-way or easement, and the right of the lessee, contractor, permittee or grantee to the complete enjoyment of the rights, privileges and benefits thereby granted to him, and the grant of the lands is further subject to the terms and conditions of the agreement dated August 23, 1978, between the Secretary of the Interior, Calista Corporation and Euvethluk Incorporated. A copy of the agreement is hereby attached to and made a part of this conveyance document and shall be recorded therewith.

Interim Conveyance No. 214

Date JUL 12 1979

F-14883-A

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 12th day of July, 1979, in Anchorage, Alaska.

UNITED STATES OF AMERICA

Robert D. Arnold

Robert D. Arnold
Assistant to the State Director
ANCSA

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Interim Conveyance No. _____

Date JUL 12 1979

UNITED STATES

ADVANCE PROOF
SUBJECT TO CORRECTION.

QUADRANT



see also 1/1/79

UNITED STATES GOVERNMENT PRINTING OFFICE: 1979 O 280-000

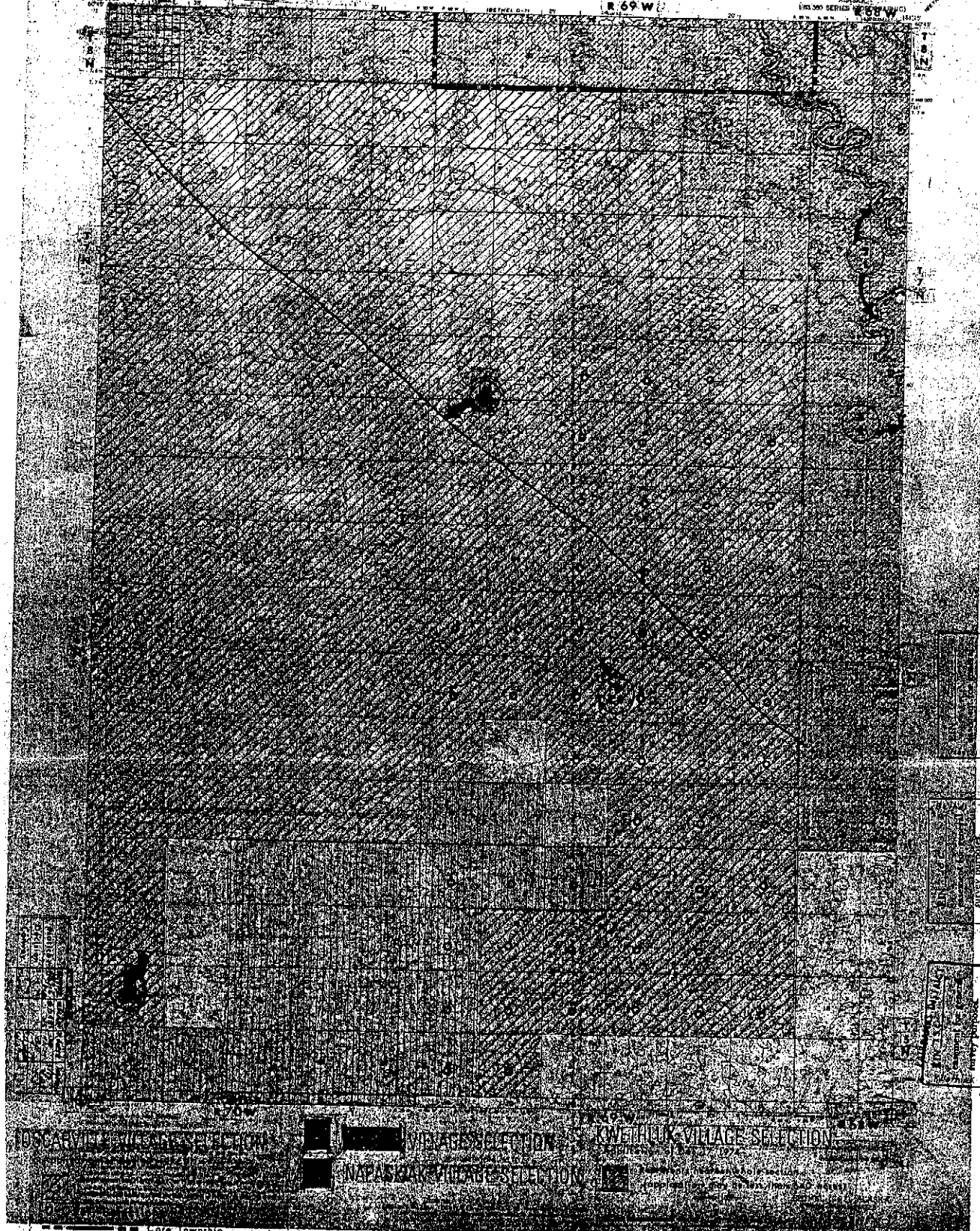
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

ADVANCE PROOF
SUBJECT TO CORRECTION.

BETHEL (C-7) QUADRANGLE
ALASKA

R. 69 W.

1:50,000 SERIES



OSCAVILLE VILLAGE SECTION

INAPASKIAN VILLAGE SECTION

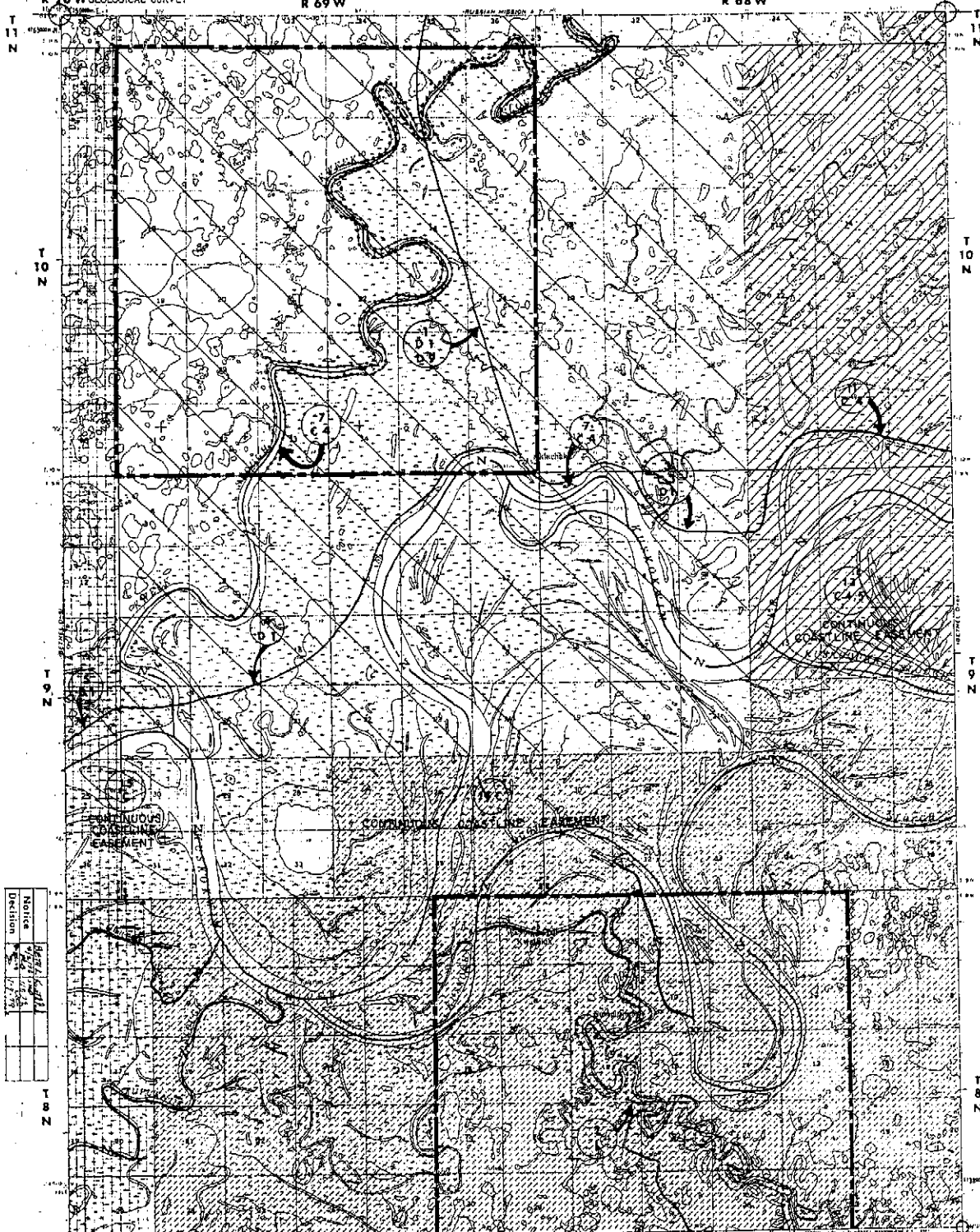
KMETLIK VILLAGE SECTION

Core township

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

ADVANCE PROOF
SUBJECT TO CORRECTION

BETHEL (0-7) QUADRANGLE
ALASKA
1:50,000 SERIES (1:50,000 RAISED)



Notice	1/1/78
Decision	1/1/78

Bethel
EIN-1B-C
Easement for general
survey purposes.

Bethel
EIN-1B-C
Easement for general
survey purposes.
Kwethluk

Approved by the Army Map Service
Controlled by USGACS and USGS
Edited and published by the Geological Survey
Final data by airplane photogrammetry, highest from aerial photographs
taken 1952 and 1957, and ground 1954. Map not held true to
1927 datum. Horizontal datum projection, 1927 North American datum.
1:50,000 scale grid based on Alaska coordinate system, zone 7
1000 meter Universal Transverse Mercator grid lines.
Line 6, station 10 West.
Land lines represent unpatented and unpatented minerals
as shown on the Bureau of Land Management
File 0-9 Second Meridian.

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

PCO 12/19/75
KWETHLUK
AKIACHAK
AKIAK

R 68 W
ROAD CLASSIFICATION
No roads at least 1/4 mile wide

AKIACHAK VILLAGE SELECTION BETHEL VILLAGE SELECTION
AKIAK VILLAGE SELECTION KWETHLUK VILLAGE SELECTION

BETHEL (0-7) ALASKA

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

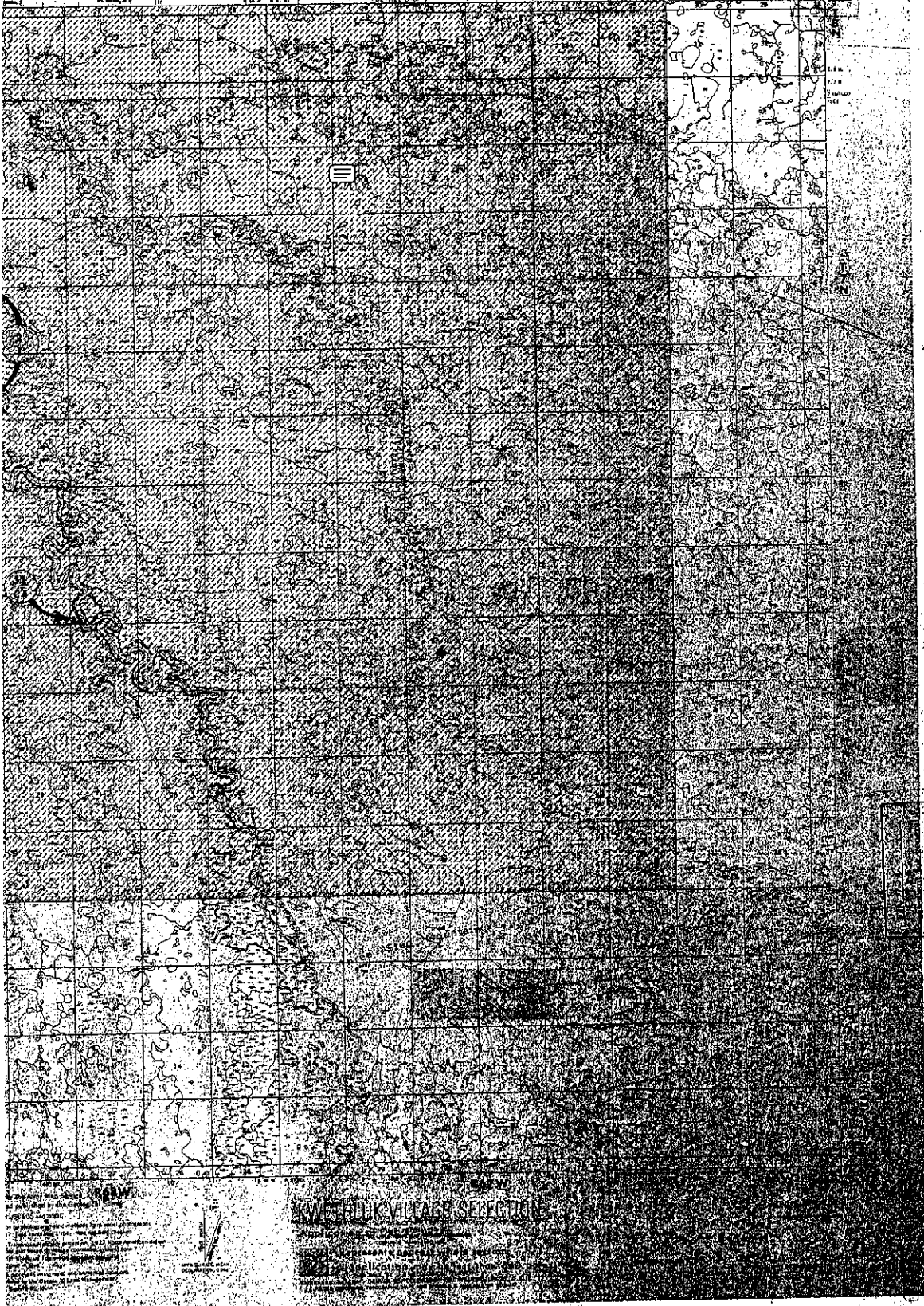
ADVANCE PROOF
SUBJECT TO CORRECTION

BETHLEHEM QUADRANGLE

R66W

R67W

T43N



Survey purposes

See also 7/2/79

Scale of 1:62,500
Vertical scale of 1:31,250
Horizontal scale of 1:62,500
Projection: UTM
Datum: NAD 83
Units: Meters
Contour interval: 20 feet
Elevation: 1000 feet
Map scale: 1 inch = 1 mile
Map projection: UTM
Map datum: NAD 83
Map units: Meters
Map contour interval: 20 feet
Map elevation: 1000 feet
Map scale: 1 inch = 1 mile
Map projection: UTM
Map datum: NAD 83
Map units: Meters
Map contour interval: 20 feet
Map elevation: 1000 feet

UNITED STATES GEOLOGICAL SURVEY
BETHLEHEM QUADRANGLE
GEOLOGIC MAP
Scale of 1:62,500
Vertical scale of 1:31,250
Horizontal scale of 1:62,500
Projection: UTM
Datum: NAD 83
Units: Meters
Contour interval: 20 feet
Elevation: 1000 feet
Map scale: 1 inch = 1 mile
Map projection: UTM
Map datum: NAD 83
Map units: Meters
Map contour interval: 20 feet
Map elevation: 1000 feet



United States Department of the Interior

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

**Akulikutak River Interim
Summary Report
Attachment 4**

Bethel FY'98
Baird Inlet F'Y98
FF-14824 (75.4)
FF-014838 (75.4)
FF-14901 (75.4)
FF-14902 (75.4)
FF-14916 (75.4)¹
9600 (924)

December 4, 1997

Memorandum

To: FF-14883 (75.4)

From: Laura Lagstrom, Navigability Section (AK924)

Subject: Field Trip for Window 2029 Part I

On September 15, 1997, Dot Tideman, Scott Guyer and myself left Anchorage for Bethel to do a field inspection of water bodies for Windows 2700 & 2029. Because there were more than 40 sites to see, the area was divided into two work-day sessions. On the first day we flew over the Kisaralik, *Chicoyuiluk**, Kasigluk, Kushluk, Old Kwethluk, Akulikatak and Lumavik Rivers, a tributary of the Kwethluk, Net Creek, *Viganthtalik Creek*, Columbia Creek and an unnamed stream north of Eek Lake. On the second day all the water bodies were unnamed except for the Kongeruk, Kutukhum and Meroyuk Rivers.

We left Anchorage via Reeve Aleutian Airlines at 7:30am and arrived in Bethel about 8:45am. After picking up the rental car we went over to Yukon Helicopters Inc. to meet with the pilot, Leo Swank. He had just called the weather station to get a current update and weather forecast and assured us if the weather turned bad, we would turn back. The first day we would be flying about 40 miles east. The previous week I had faxed him a detailed list of the sites we needed to photograph and video. He was aware that Scott had a GPS unit and had input most of the sites. Leo showed us his current OAS card and the secretary showed us the OAS card for the 206 Bell helicopter. Tail # N 150HH. Flight following was established with the office. After Leo gave us a safety briefing, we took off about 10am.

*Local names

To make the field trip cost effective, we field inspected water bodies for Windows 2029 and 2700 and specific waterbody requests from the Special Instructions Section of Cadastral Survey. We began our field examination by flying directly east to Columbia Creek.

Columbia Creek

We left Bethel and flew easterly along the Kasigluk River until we came to the oxbow that Columbia Creek flowed into. The oxbow was shallow, placid and very narrow, about 8'-10' wide. The mouth of Columbia Creek was blocked by vegetation jutting out from the right bank and a small island of vegetation. A short distance upstream a beaver dam was visible. (Photo 1)

We left Columbia Creek and headed northeast toward Kisaralik River which will not be covered in this report because it is part of Window 2700.

Kushluk River

We began our flight at its confluence with Akulikutak River. The mouth appeared to be between 25'-30' wide, unobstructed and fairly straight compared to other rivers we had inspected earlier in the area. Grass and willows lined the banks. Tundra interspersed with a few lakes lie above the stream. We flew upstream to the Native Allotment located six miles from the mouth. The stream continued to be wide and free of any obstructions and appeared deep enough for use as a route for travel, trade and commerce. Beyond the allotment the channel continued to be wide and unobstructed, however, because there were no selections beyond this point, we turned around and headed back to its mouth. (Photos 2-3)

Akulikutak River

At the confluence with Kushluk River, the Akulikutak River mouth appeared to be about 20'-25' wide. Immediately after the juncture, the stream became sinuous and the banks heavily vegetated with grass, brush and willows. Because the area is very flat and composed of tundra with a myriad of scattered lakes, the stream had very little gradient. We flew up to the first village selection in Sec. 13, T. 7N, R. 68 W, SM, which continued to be wide and free of any obstructions. It appeared to be deep enough for navigation. About three air miles beyond this selection the stream became significantly more sinuous and narrower. At this point, Leo told us we needed to head back to Bethel to refuel. (Photos 4-5)

We landed in Bethel and decided to have lunch. During lunch Scott said we needed to remind the pilot to fly more to the right of the waterbody so he could better video the water bodies.

Net Creek

After lunch we headed east along the Kuskokwim towards an anabranch of the Kwethluk River which is about 13 miles in length. The first attempt to fly from it's effluent into Kwethluk proved in vain. There was another stream similar in size and location about a mile west. When we realized we were on the wrong stream, we headed back toward the mouth and a few minutes later, we found the right stream. The effluent appeared to be about 20'-25' wide with well-defined banks lined with willows and brush. It appeared to have sufficient water for navigation. There

were wide and long straight stretches of causeway for several miles before it became more sinuous and narrow. The area above the banks was composed of tundra with hundreds of lakes, some of which fed into this stream. We continued to fly upstream and saw that the waterbody continued to be open and free of any obstructions all the way to its exit into the Kwethluk River. The river was rather muddy in color and appeared to be very placid. The one Native Allotment that straddled the stream was located about 10 miles upstream. There are two Native allotments located on another stream that fed into this stream through a lake, however, the overflight revealed riffles and sediment encompassing its effluent. After leaving this area we headed south to a left bank tributary of the Kwethluk River. (Photos 6-8)

Left bank tributary of the Kwethluk River

At it's confluence with the Kwethluk river, the mouth appeared to be about 10'-15' wide, muddy and shallow. We flew for several miles upstream and the stream continued to be muddy and shallow and more grass appeared in the middle of the stream and along the banks. We did not reach the site of the Village Selection beginning in Sec. 28., T. 6N., R. 68 W., SM. We left this area and headed southerly towards the mouth of the Old Kwethluk River. (Photos 9-10)

Left Bank Tributary locally known as "Old Kwethluk River"

The mouth appeared to be about 15'-20' wide, unobstructed and filled with an adequate amount of water. However, about 1/4 mile upstream, it became very shallow as evidenced by the grass visible in the channel. There were three beaver dams between the 1/2 mile to one mile point. We did not reach the area of the first Native Allotment F19254 in Sec. 24, T.5N., R. 68 W., SM. We left this area and headed over to the south side of Three Step Mountain to view a right bank tributary of the Kwethluk River. (Photos 11-12)

Right bank tributary of the Kwethluk River

Beginning in Sec. 8., T. 5N., R. 67 W., we began our flight at the mouth. The stream looked to be about 10'-15' wide and very shallow. The effluent into the Kwethluk was a darker color on the right bank. We could see the bottom of this brown colored stream. Green grass and some brush lined the banks. There was a beaver dam located about 100 yards upstream. Because the stream appeared to be too shallow, we did not fly upstream to the site of the Native Allotment F16012 in Sec. 17., T. 5N., R. 67 W., SM.

We headed back to the Akulikutak River and continued to fly upstream from where we left off that morning before we returned to Bethel for lunch and fuel. (Photos 13-14)

Akulikutak River

The stream continued to be very sinuous, about 15' wide, muddy brown and lined with brush and willows. We flew near the area of mile 32 (Storett Map) or Sec. 26, T. 6N., R. 67 W., before heading toward Lumavik River.

Lumavik River

We flew west until we were above the large lakes in T. 6 N., R. 70 W. Because the Lumavik had been previously determined navigable through T. 7N., R. 70 W., there was no need to follow it from the mouth. Beginning around section 29 of T. 7N., R. 70 W., the river became increasingly narrower, shallower and grass was visible in the channel. In Sec. 35 there was a beaver dam; and about two miles upstream, the grass almost completely blocked the channel. The surrounding area was very flat with a myriad of lakes, some of which fed into this river but their accesses appeared to be very shallow. We left this area and headed over to an unnamed stream in the NE section of Eek Lake. (Photos 15-16)

Unnamed Stream in the northeast corner of Eek Lake

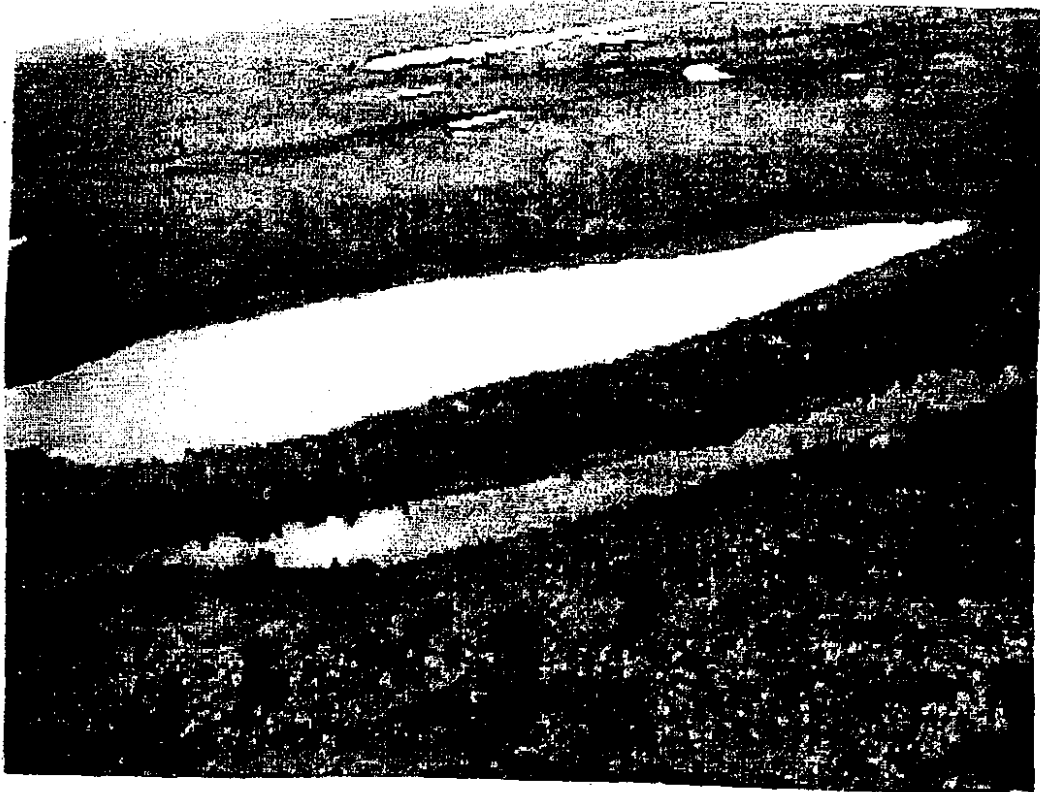
The wind was blowing and foam was visible along the shoreline of the lake. We began our inspection of this unnamed stream at its mouth in the northeast corner of Eek Lake. The water flowing into the lake was visibly darker and initially appeared to be wide and deep for navigation, however, a short distance upstream, it appeared to be very shallow as evidenced by the mud and grass in the channel and the water changing from a dark brown to light brown. The stream also became very narrow. The shorelines were less defined and very muddy. The surrounding lakes were very shallow and congested with mud islands and grass. We followed the stream on the left bank for a few miles but the channel was filled with grass and it appeared very shallow. We headed back to its junction with the main stream and headed north. The stream was clearly very shallow all the way to the larger lake in the north. Mud islands appeared in the stream channel and grass was seen growing in and all along the channel. (Photos 17-20)

Leo notified us we were running out of fuel so we left this area and headed back to Bethel. This concludes the field report for Part I of Window 2029.

Laurie Hapton



1. Native Allotment AA8966, Albert Olick at the effluent of Columbia Creek into the Kasigluk River in Sec. 7., T. 8N., R. 66 W., SM. Photograph taken facing southeast.



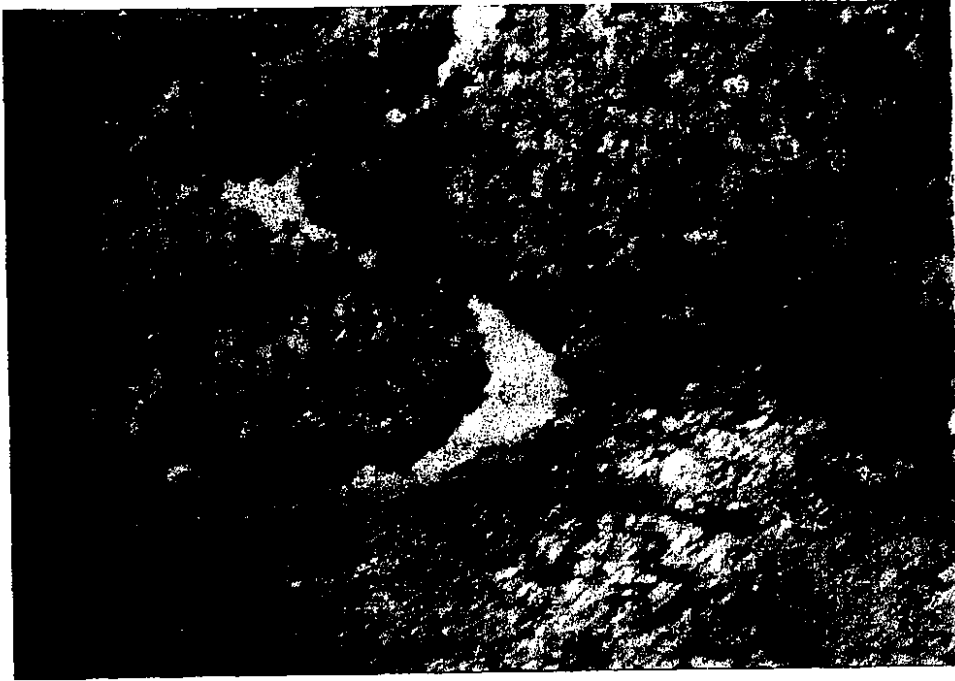
2. Native Allotment F16009, Madrona Helmick on the Kushluk River. Isolated lake lies parallel to the river. Located in Sec. 33., T. 8 N., R. 68 W., SM.



3. Effluent of Kushluk River into Akulikutak River in Sec. 32., T. 8 N., R. 68 W., SM.



4. Akulikutak River at the effluent with Kushluk River (left-right) in Sec. 32., T. 8 N., R. 68 W., SM. Photograph facing south.



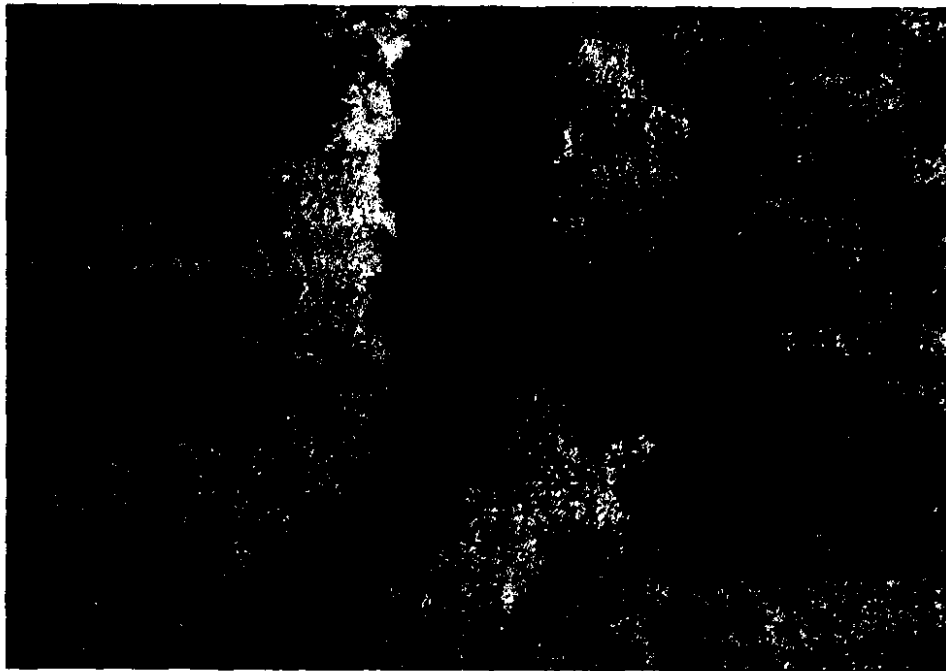
5. Akulikutak River within village selection F14883 in Sec. 13., T. 7 N., R. 68 W., SM.
Photograph taken facing northeast.



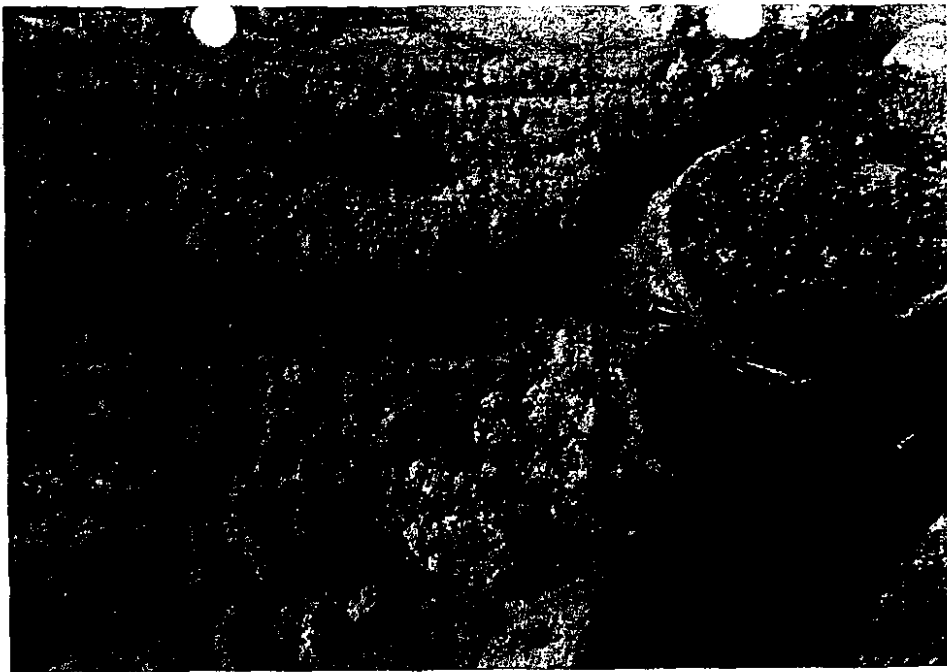
6. Anabranch of the Kwethluk River or locally known as "Net Creek". Photograph shows the
lake access in Sec. 12., T. 7 N., R. 69 W., SM.



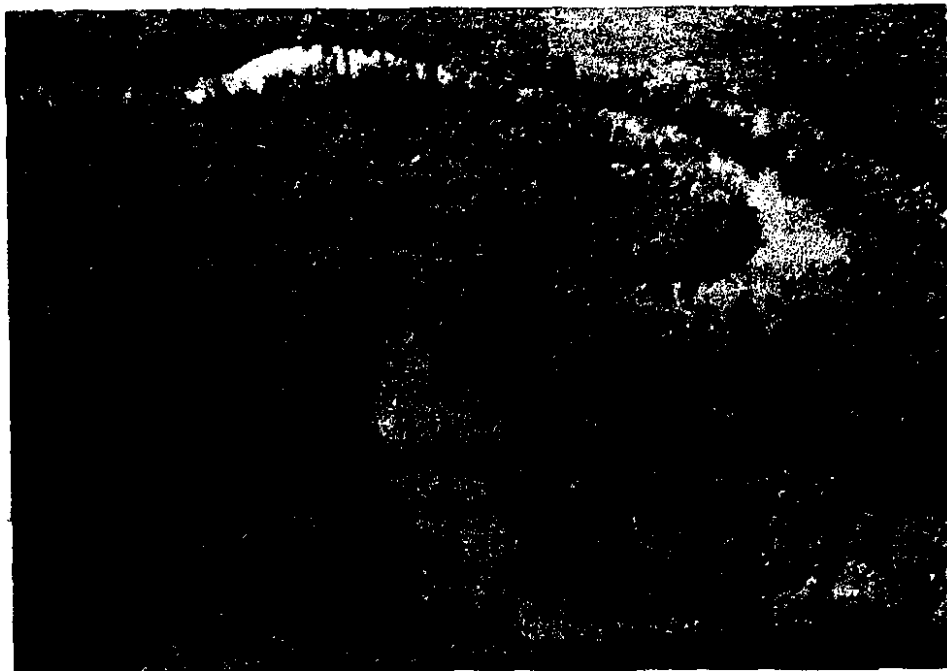
7. Native Allotment F-17052 Annie Alexie on an unnamed anabranch of the Kwethluk River in Sec. 12., T. 7 N., R. 69 W., SM. The overflight from its northern effluent into the Kwethluk River revealed the creek to be deep, unobstructed and sometimes narrow.



8. Additional photographs of the anabranch of Kwethluk River locally known as Net Creek.



9. Left bank tributary of the Kwethluk River in Sec. 15, T. 6N., R. 68 W., SM. Photographs shows the mouth to be very shallow and filled with sediment.



10. Left Bank tributary of the Kwethluk River in Sec. 15., T. 6N., R. 68 W., SM. Photograph facing southwest.



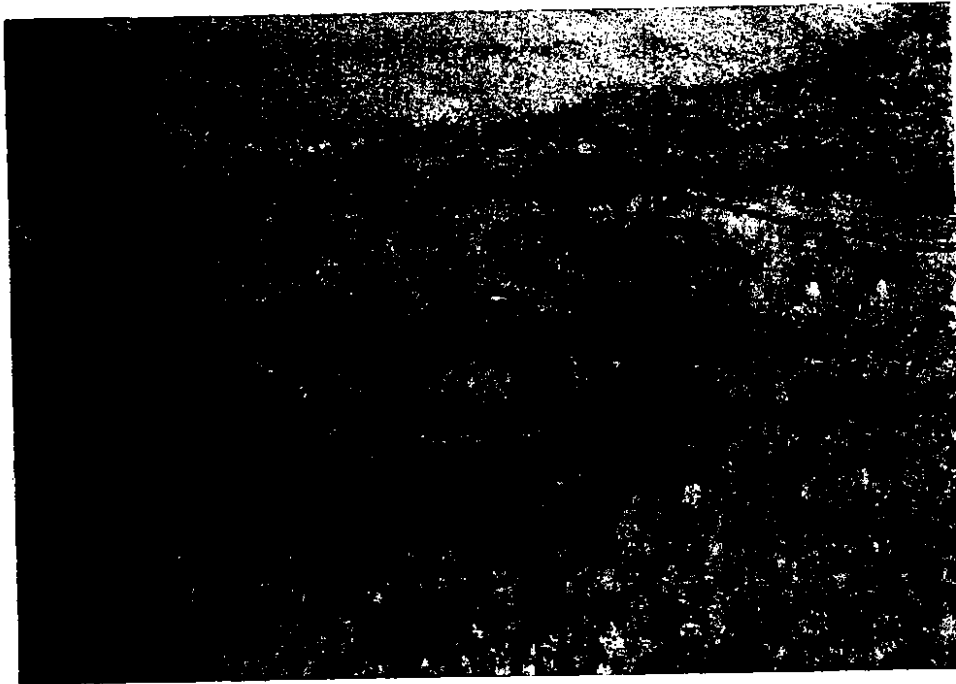
11. Left bank tributary of Kwethluk River locally known as "Old Kwethluk River". The mouth is located in Sec. 36., T. 6N., R. 68 W., SM. The photograph shows the first of three beaver dams located within 1/2 mile of its mouth. Picture taken facing southwest



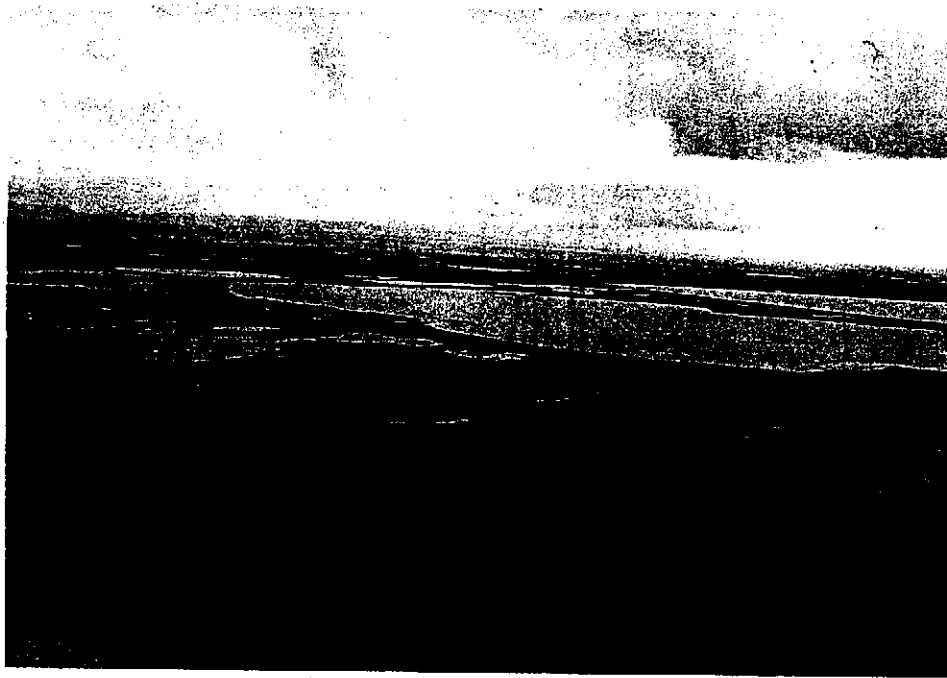
12. Additional photography showing the second beaver dam and vegetation growing within the stream.



13. Right bank tributary of Kwethluk River located on the south side of Three Step Mountain whose mouth is located in Sec. 8, T. 5N., R. 67 W., SM. The photograph is facing north.



14. Additional photography showing a beaver dam less than 100 yards from its mouth.



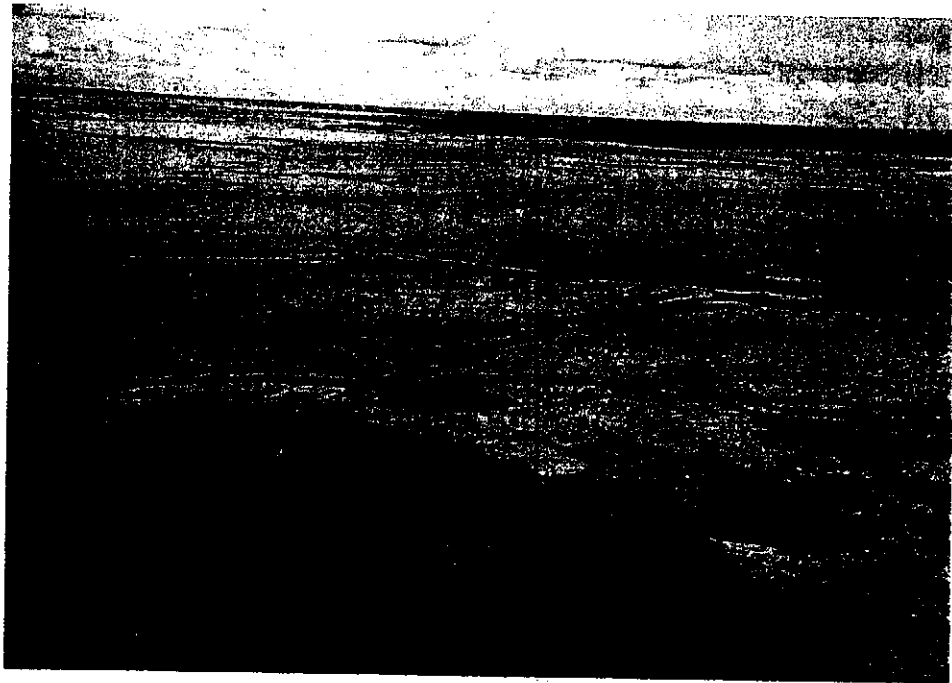
15. Unnamed stream locally known as Lomavik River. Photograph taken from a helicopter facing east within Sec. 29, T 7N., R 70 W., SM.



16. Additional photography on the Lomavik River facing west in Sec. 35., T. 7N., R. 70 W., SM.



17. Mouth of unnamed stream in the northeast corner of Eek Lake in Sec. 13 T. 5N., R. 71 W., Seward Meridian.



18. Additional photographs of the same stream in the same section and township.



19. Left bank stream of the unnamed stream in photographs 17 and 18. The stream flows southeasterly through Secs 17 & 18, T. 5N., R. 70W., SM. Photo faces southeast.



20. Additional photographs of the unnamed stream between Eek Lake and the unnamed lake to the north. The photograph was taken facing north in Sec. 12, T. 5N., R. 71 W., SM. Although this section is within IC675, the overflight was made to see if the stream was open and could be used as a route of travel, trade and commerce between the two lakes.

NAVIGABILITY REPORT: AKULIKUTAK RIVER in Village Selection in F-14883
Mouth in Sec. 32, T. 8N., R. 68 W., SM.
Window 2029; Group Survey 284

BACKGROUND INFORMATION

Local Name: Pronounced Ah'ku'li'ku'tak which in the Yu'pik dialect means "the one between."

Nearest Settlement: Twenty miles southwest of Bethel and lies within the Yukon Delta National Wildlife Refuge.

Length of Water Body: The "Dictionary of Alaska Place Names" states that it flows NW 40 miles to the Kushluk River.¹ The Storet map plots it to 66 miles which this report is based on.

Watershed: Heads at 60°30'N. 160°32' W., or Sec. 33, T. 5 N., R. 64 W., SM.

USGS Quadrangle(s) in selected area: Bethel (B-5), (C-5-7)

Aerial Photo (s) in selected area: CIR 60, R. 10, Frame 377, July 1980

Was the water body Photo Interpreted? Yes, July 1997

**Akulikutak River Interim
 Summary Report
 Attachment 5**

Was a Field Report/Interview Report created? An interview report was created December 8, 1997.² A field report was created on December 4, 1997.³

SUBMERGED LAND STATUS

Township	Section Number	Mile	Status and Remarks
T. 8N., R. 68 W.	32	0-2	IC213/214 Non-nav 7/12/79 YDNWR
T. 7N., R. 68 W.	5,4,9,10,15,11,14	2-9	IC213/214 Non-nav 7/12/79 YDNWR
T. 7N., R. 68 W.	13	9-11	VS F-14883 (Formerly NA F16010)
T. 7N., R. 67 W.	18,19,20,29,28,32,33	11-21	IC213/214 Non-nav 7/12/79 YDNWR
T. 6N., R. 67 W.	5,4,9,16,21,22,27	21-32	IC213/214 Non-nav 7/12/79 YDNWR
T. 6N., R. 67 W.	26,35,36	32-37	VS F-14883
T. 6N., R. 66 W.	31	37-38	YDNWR
T. 5N., R. 66 W.	5,4,9,16,15,22,23,26,35,36	38	YDNWR

PHYSICAL CHARACTERISTICS

Type of Water Body: River

Vegetation: The lands adjacent to the river are wooded with dwarf spruce and willow. The remainder of the land is tundra.

Water Body Bottom Characteristics: Sandy gravel

Velocity of Water Body: Unknown

Discharge Volume (max, min, mean): Unknown

Gradient: Negligible

Channel Width (mile to mile; max, min, mean):

Source	Bank to Bank Width	Mile
Ilarion Nicolai	15 feet	30-40
CIR: 60, roll 10, frame 377, July 1980	30-35 feet	0-2
CIR 60, roll 10, frame 377, July 1980	25-35 feet	2-11

Source	Impediments (nature)	Mile
Ilarion Nicholai	None through this selection	0-11
John Andrew	None	0-11

Source	Depth (ft)	Mile
Ilarion Nicolai	1'-2' during June and July; 5'-6' end Aug. to beg. Sept. for 4-5 weeks	0-30
John Andrew	1'-2' deep in July	0-30
John Andrew	during exceptionally high water conditions which can last between 2-4 weeks, the river reached 3'-5' near mile 48;	48
Carl Nose	knee high to waist high during spring and fall	0-32
Nick Epchook	2' -3' during June and July (the lowest water level)	0-30

Other:

USES

Commercial (who, what, why, when, where, how): No commercial use

Indirect Evidence: None available

Historical Use: None available

Field Inspection: On September 15, 1997, a field examination by air through the selected area showed the river to be unobstructed, and appeared wide and deep enough for navigation.

Direct Evidence: (who, what, why, when, where, how):

Ilarion J. Nicolai boats the Akulikutak almost every year for subsistence hunting and gathering wood. He uses a 18' Lund with a 40-horsepower propeller motor. Ilarion said the best time to boat the river is between the 20th of August to the beginning of September when the water is about 5'-6' deep. This high water lasts four to five weeks. His load normally includes one or two other people, food, sleeping bags, extra clothes and a drum of gas. He generally boats beyond Three Step Mountain but has boated as far as "Reindeer Corral" near mile 48 which is by Coral Creek in Sec. 26, T. 5N., R. 66 W.

John Andrew has a Native Allotment within Sec. 4, T. 5 N., R. 66 W. About five years ago he went moose hunting and boated up to a locally known landmark, "Reindeer Corral" near Coral Creek. The river was exceptionally high (3'-5' deep) after the rain in August. He believed it stays this high for 2-4 weeks. John used a 18' Lund with a 40-horsepower Yamaha propeller motor. His load normally includes another person, camping gear and 30-45 gallons of gas. He believes the river is about 1'-2' deep during July. He said the Akulikutak is boatable up to Three Step Mountain for 2-4 weeks in the fall and 3-4 weeks after spring break up.

In another interview John Andrew said before he owned an aluminum boat, he owned a 20'-24' plywood boat with a 30 to 40-horsepower propeller motor. His load many times included two other people and camping gear for a week. He feels that one could use a boat carrying 1,000 pounds to mile 37 during spring, summer and fall. Impediments such as sweepers are removed every year with a chainsaw. During July when the river is low, jet units go beyond Coral Creek. He said there is no guiding or commercial activity on this river.

Carl Nose said that people reach Three Step Mountain near mile 32 during spring and fall when the river is about knee-high to waist-high deep. People do boat past Three Step Mountain but only during high water which lasts about two weeks. When hunting, Carl uses a 18' Lund with a 40-horsepower Yamaha propeller motor. There are normally three people in the boat, camping gear and extra gas. They stay anywhere from one to three days.

Johns Owens said the Akulikutak was boatable during high water periods past Three Step Mountain and during low water periods to just below Three Step Mountain, or around mile 32.

Nick Epchook boated this river after spring breakup in May 1996 for hunting/birch fungus. He boated to just below Three Step Mountain with a 18' Lund Aluminum boat with a 50 horsepower Honda motor. He said during June and July during the "no rain season" the river drops down to 2'-3' deep. He feels one can only use a canoe during this time.

CONCLUSION (Gulkana River Standard) (at least three facts should support conclusion)

Navigable (explain)

I find the Akulikutak River navigable within the Village Selection for Kwethluk, Inc. (F-14883) in Sec. 13, T. 7N., R. 68 W., SM. This land is located about nine miles upstream from its confluence with the Kushluk River. Local people affirm that one is able to boat to at least 32 miles upstream or to the north base of Three Step Mountain during low water. Most people, however, use the Akulikutak River during fall when the river is deeper to reach hunting, fishing and food gathering areas.

Report prepared by:

Paul J. Kaptain Date: *1/8/98*

NOTES

1. Donald J. Orth, Dictionary of Alaska Placenames, U.S. Geological Survey Professional Paper 567, Washington D.C., GPO 1967, p. 58.
2. Laura Lagstrom, Interview Report, Memorandum to the File FF-14883, Kwethluk Incorporated, (75.4), December 8, 1997, 7pp.
3. Laura Lagstrom, Field Report, Memorandum to the File FF-14883, Kwethluk Incorporated, (75.4), December 4, 1997, 14pp.
4. Sarah Baker, Realty Specialist, Casefile Report for NA F-16010 by dated 1/23/75. The allottee selected an area one mile west of the lands originally described.



United States Department of the Interior

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

**Akulikutak River Interim
Summary Report
Attachment 6**

Bethel -GS-FY98
Baird Inlet -GS-FY98
FF-14883 (75.4)
FF-14824 (75.4)
FF-014838 (75.4)
FF-14901 (75.4)
FF-14902 (75.4)
FF-14916 (75.4)¹

Memorandum

JAN 13 1998

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

From: Chief, Branch of Mapping and Science (AK924)

Subject: Navigability Review for Waters in Window 2029 Bethel (Group 284) Part I

This memorandum identifies navigable waters on public lands selected under the Alaska Statehood Act, Alaska Native Claims Settlement Act, and the Native Allotment Act. This memorandum does not consider the navigability of water bodies on the following Interim Conveyances: 142, 213, 610, 616, 633 and 675. By letter dated September 21, 1990, the Calista Corporation informed the BLM that no new navigability redeterminations be made on previously conveyed lands within the Calista Region.

Survey window 2029 consists of 238 inholdings located in 48 townships. To allow for a manageable survey project, the window was divided into a two-year project. Part I, known as the east half consisting of 114 selections is scheduled for survey in 1998 and Part II, known as the west half consisting of 124 selections is scheduled for survey in 1999. This report covers Part I.

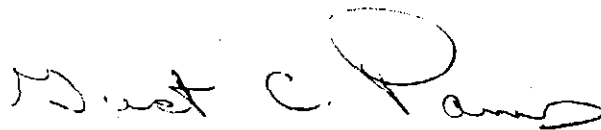
The BLM-Alaska's navigability criteria are based upon federal title navigability law. In a March 16, 1976, memorandum, Hugh Garner, Associate Solicitor, summarized the law for the purpose of administering the Alaska Native Claims Settlement Act. In general, BLM considers nontidal water bodies navigable 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.

The window lies within the Yukon Delta National Wildlife Refuge created in 1980. The following paragraphs discuss the status of several water bodies within this window.

An unnamed stream locally known as Lomavik River was determined navigable in amended navigability determinations dated 10/14/82 and 10/22/82. The supporting historical documentation dated 7/16/82 refers to David Maxie's landing site in Sec. 26, T. 7 N., R. 71 W., Seward Meridian as the furthest extent of navigability. Based on the supporting documentation, I affirm the determinations from 1982 that this unnamed stream be determined navigable through the Native Allotment selection for F-15666 in Sec. 33, T. 7 N., R. 72 W., Seward Meridian.

The Kasigluk River has been meandered (tidal) through Tps. 8-9N., Rs. 66 & 67 W., SM., (IC 610); and an unnamed stream in T. 5N., R. 72 W., SM., (IC633). Bethel Swampy Lake, previously excluded in IC142, was determined non-navigable. (See navigability report 3/26/83 Bethel Quad File).

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 meandered on the survey plat. The slough with its mouth in Sec. 24, T. 7N., R. 72W., SM that flows through Native Allotment F-16827 is tidal and therefore, falls in this category. Only streams three chains or less in width and lakes fifty acres or less in size are included in Appendix I.



Attachments (2):

1. Appendix (1 pp)
2. Maps (4 pp)

cc:

Jim Culbertson
State of Alaska DNR
Navigability Unit
3601 C Street, Suite 980
Anchorage, Alaska 99503-5936

State of Alaska
Department of Natural Resources
Realty Services Section
3601 C Street, Suite 960
Anchorage, Alaska 99503-5936

Robin Willis
State of Alaska, Dept. F&G
Habitat Division
333 Raspberry Road
Anchorage, Alaska 99518

Matthew Nicolai, President
Calista Corporation
601 W. 5th Avenue, Suite 200
Anchorage, Alaska 99501-2225

Nick Ayapan, President, CEO
Kwethluk Incorporated
P.O. Box 109
Kwethluk, Alaska 99621

John Owen, Realty Specialist
Kwethluk IRA
P.O. Box 127
Kwethluk, AK 99621

Sammy G. Jackson, Executive Director
Akiak Native Community
P.O. Box 52127
Akiak, Alaska 99552

Mary Pavil, Executive Director
Orutsararmuit Native Council (ONC)
P.O. Box 127
Bethel, Alaska 99559

Myron Naneng, President
Association of Village Council Presidents (AVCP)
P.O. Box 219
Bethel, Alaska 99559

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 2029 (Group Survey 258) by Township in Native Allotments and
on Selected Lands

Seward Meridian

Tps. 5 -8 N., R 66 W.
None in selection.

Tps. 5-8 N., R. 67 W.
None in selection.

Tps. 5-6 N., R. 68 W.
None in selection.

T. 7 N., R. 68 W.
Akulikutak River within village selection F-14883.

T. 8 N., R. 68 W.
Kushluk River within Native allotment F-16009.

Tps. 5-6 N., R. 69 W.
None in selection.

T. 7 N., R. 69 W.
Anabranh of the Kwethluk River, local name "Net Creek" within Native allotment F-17052B.

T. 8 N., R. 69 W.
None in selection.

Tps. 5-8N., R. 70 W.
None in selection.

Tps. 5-8 N., R. 71 W.
None in selection

Tps. 5-6 N., R. 72 W.
None in selection.

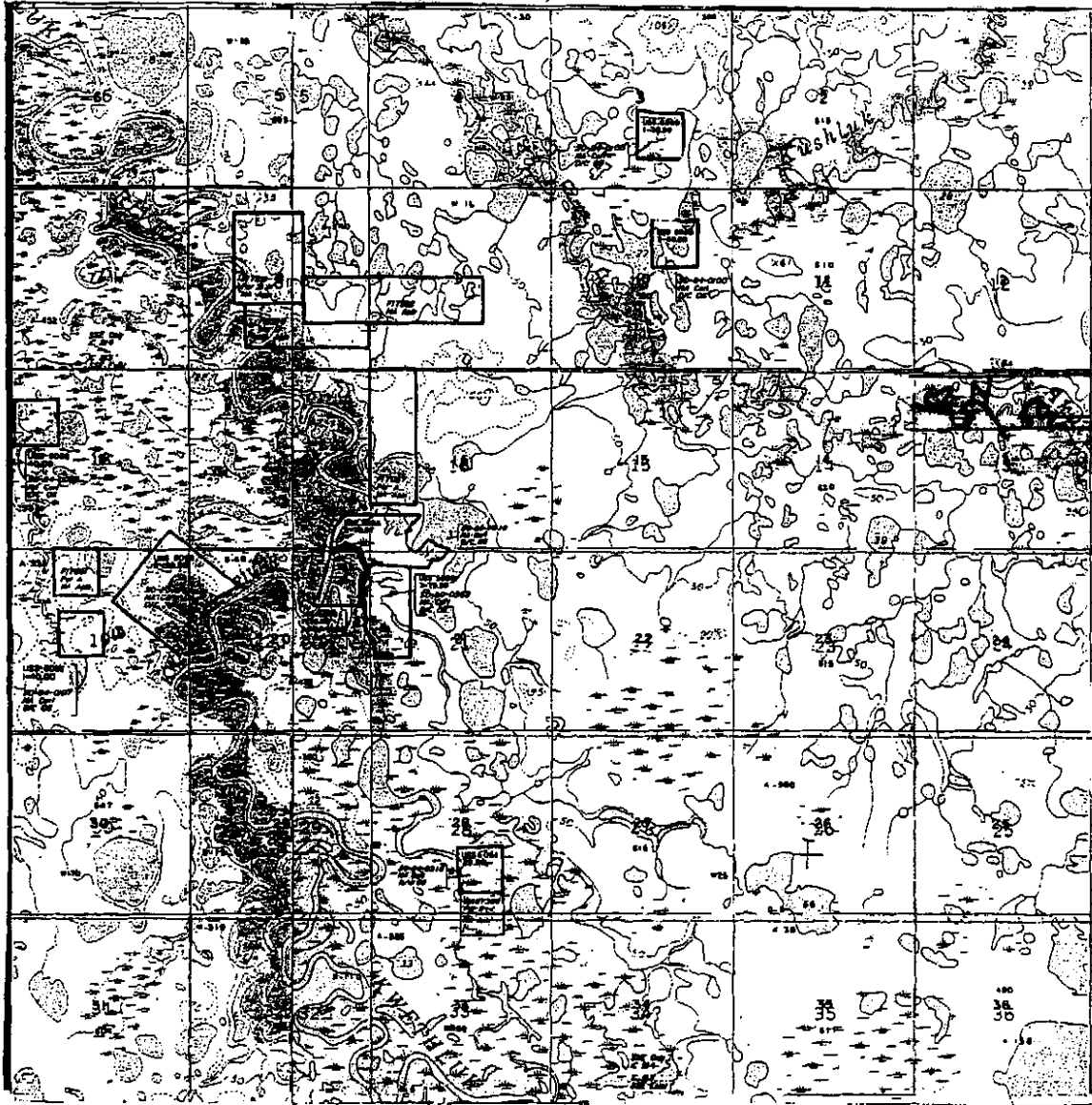
T. 7N., R. 72 W.
Unnamed Stream locally known as Lomavik River within Native Allotment F15666.

T. 8N., R. 72 W.
None in selection

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

NAVIGABILITY MAP - PPP WINDOW 2029

T.7N., R. 68 W., Seward Meridian



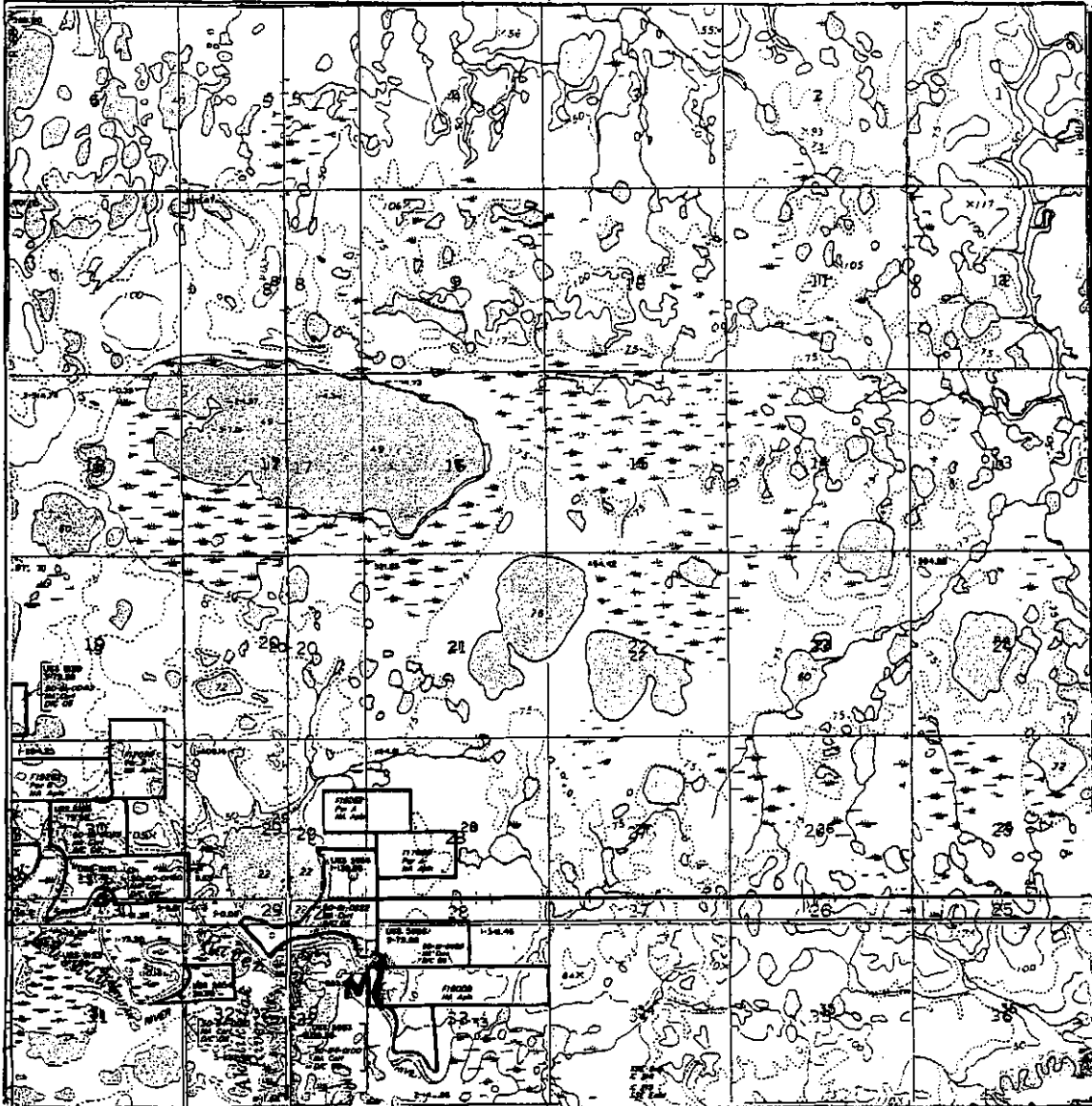
SCALE: 1" = 1 Mile

USGS MAPS	AERIAL PHOTOS	
Bethel C 6-7	CIR 60, R.10, Fr. 377, 7/80	IC 213 Village Sel. F-14883

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

NAVIGABILITY MAP - PPP WINDOW 2029

T.8N., R. 68 W., Seward Meridian



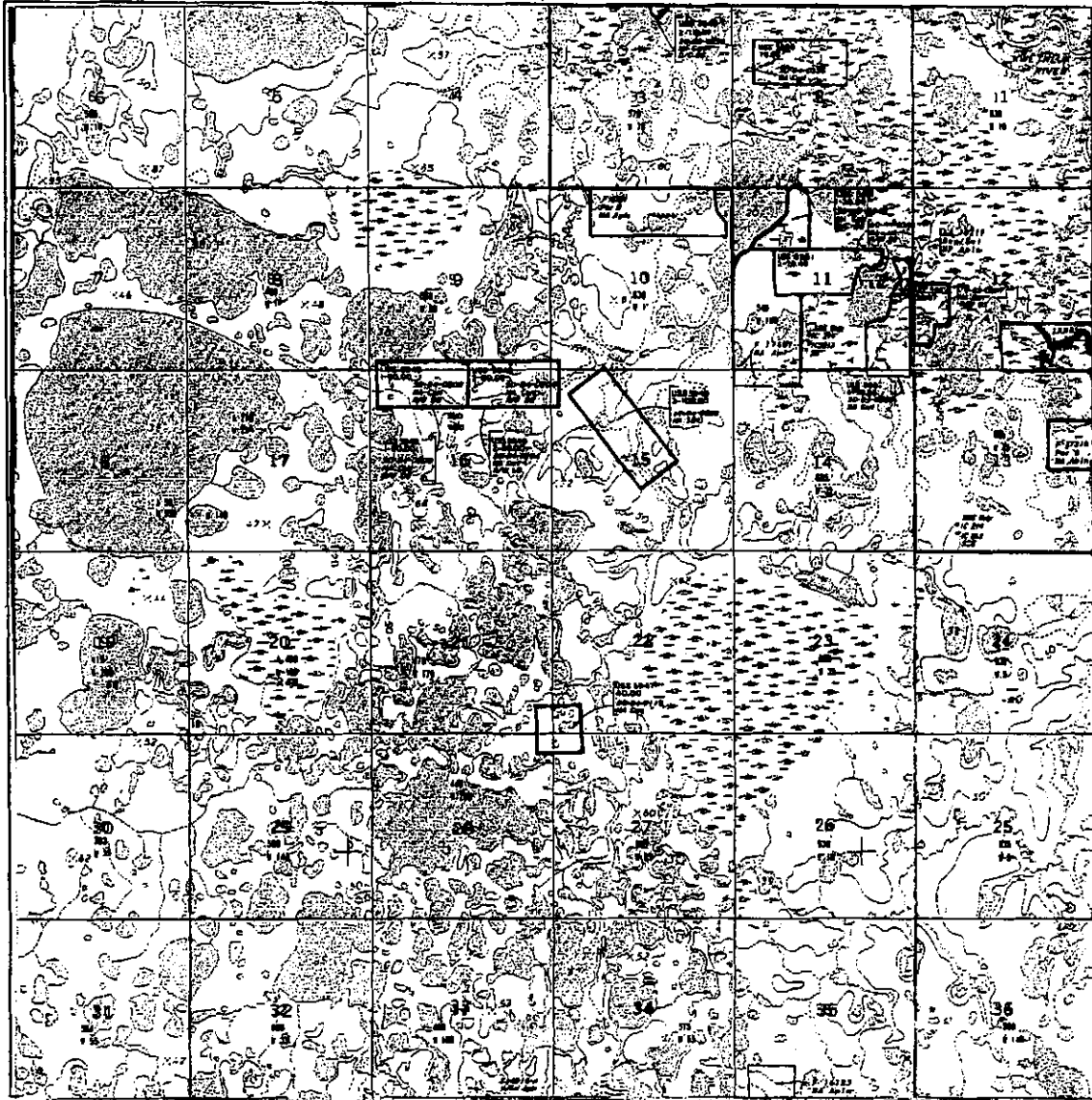
SCALE: 1" = 1 Mile

USGS MAPS	AERIAL PHOTOS	
Bethel C 6-7, D 6-7	CIR 60, R.10, Fr. 377, 7/80	IC 213 NA F-16009

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

NAVIGABILITY MAP - PPP WINDOW 2029

T.7N., R.69 W., Seward Meridian



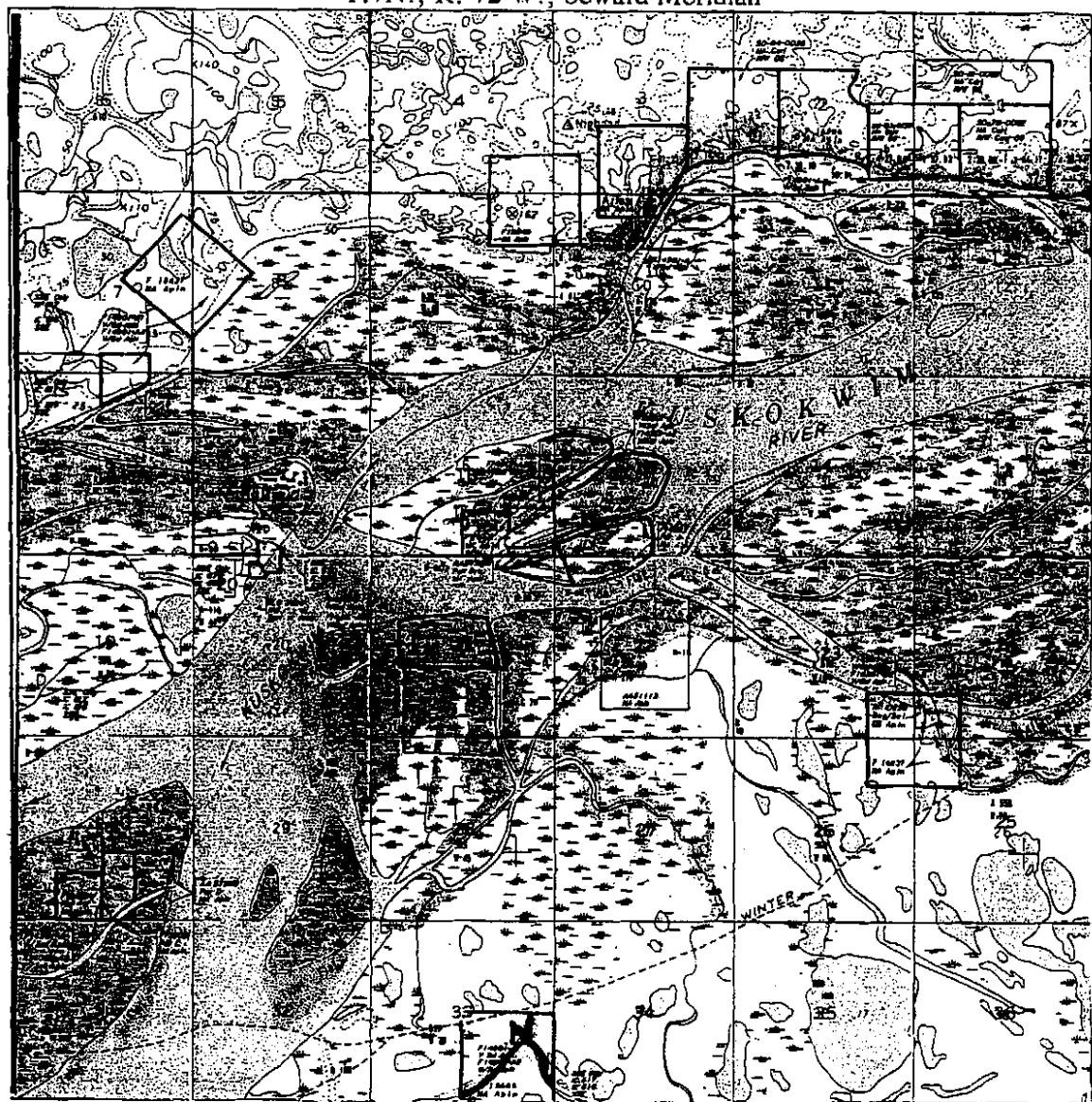
SCALE: 1" = 1 Mile

USGS MAPS	AERIAL PHOTOS	
Bethel C 7	CIR 60, R.10, Fr. 376, 7/80	IC 213 NA F-17052

UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT

NAVIGABILITY MAP - PPP WINDOW 2029

T. 7N., R. 72 W., Seward Meridian



SCALE: 1" = 1 Mile

USGS MAPS	AERIAL PHOTOS	
Bethel C-8	CIR 60, R. 10, Fr. 298, 7/80	IC 616 NA F-15666



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>

**Akulikutak River Interim
Summary Report
Attachment 7**

F-14883-EE (75.4)
F-14883-A (2651)
F-14883-A2 (2651)
(964) wbh/sla

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FEB 07 2007

NOTICE

Kwethluk, Incorporated	:	F-14883-A
P.O. Box 80	:	F-14883-A2
Kwethluk, Alaska 99621	:	Village Selection Applications
	:	
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, Suite 1050A	:	
Anchorage, Alaska 99501-3579	:	

Notice of Proposed Easements and Request for
Easement Nominations for Lands Selected and to be Conveyed to
Kwethluk, Incorporated

Pursuant to Departmental Regulation 43 CFR 2650-4.7, notice is hereby provided of public easements identified on lands selected by Kwethluk, Incorporated.

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 lands described below.

Subject to valid existing rights, the following lands, selected under 12(a) and 12(b) of ANCSA will be conveyed in the near future to Kwethluk, Incorporated for the Native village of Kwethluk. This prioritized land description is intended to take the village corporation to full entitlement. The lands described below are only a portion of the total selected lands which are shown on the easement maps.

Seward Meridian

T. 6 N., R. 67 W.

Secs. 1 to 3, inclusive;
 Secs. 6 and 7;
 Secs. 10 to 15, inclusive;
 Secs. 18 and 19;
 Secs. 23 to 26, inclusive;
 Secs. 29 and 30;
 Secs. 32 and 33;
 Secs. 35 and 36.

T. 7 N., R. 67 W.

Secs. 8 to 10, inclusive;
 Secs. 13 to 16, inclusive;
 Secs. 21 to 27, inclusive;
 Sec. 31;
 Secs. 34 to 36 inclusive.

T. 8 N., R. 67 W.

Secs. 15 and 16;
 Secs. 21 to 28, inclusive.

T. 6 N., R. 68 W.

Secs. 17 to 21, inclusive;
 Secs. 27 to 34, inclusive.

MAJOR WATERWAYS:

The Akulikutak River was determined to be a navigable waterway.

EASEMENTS TO BE RESERVED:

There are no Sec. 17 (B) easements recommended.

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. Please recommend easements you believe should be reserved in the conveyance document by drawing them on the enclosed map 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 West Seventh Avenue, Box 13, Anchorage, Alaska 99513, no later than MAY 08 2007.

Your recommendations should identify the serial number of the application. If you have any questions, please contact William Hall at 1-907-271-3163 or locally at 271-3163.

/s/ KJ Mushovic

KJ Mushovic
Easement Coordinator
Branch of Adjudication II

Attachments:

Easement and Navigability Legend
Justification Statement Form
Easement Quads: Bethel C-6, C-7 and D-6

Copy furnished to: (w/attachments)

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

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

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

Anchorage Field Office (040)

Easement Reading File (964)

KJ Mushovic (964)

UNSURVEYED TOWNSHIP 7 NORTH, RANGE 67 WEST OF 100. STEREO PENTAGONAL, ALASKA

PROTRACTION DIAGRAM NO 59-9 OFFICIALLY FILED 8/29/1959

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 UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

PL 52-203 W# F14863 L# W# F14863-A, F14863-A2

PL 58-484 W# C1 affects L# W# does not convey

PL 56-487 W# Yukon Delta NWR 50th Tp

F14863-A2 V/S# Ash N.A. & U.S. L# W# F14863

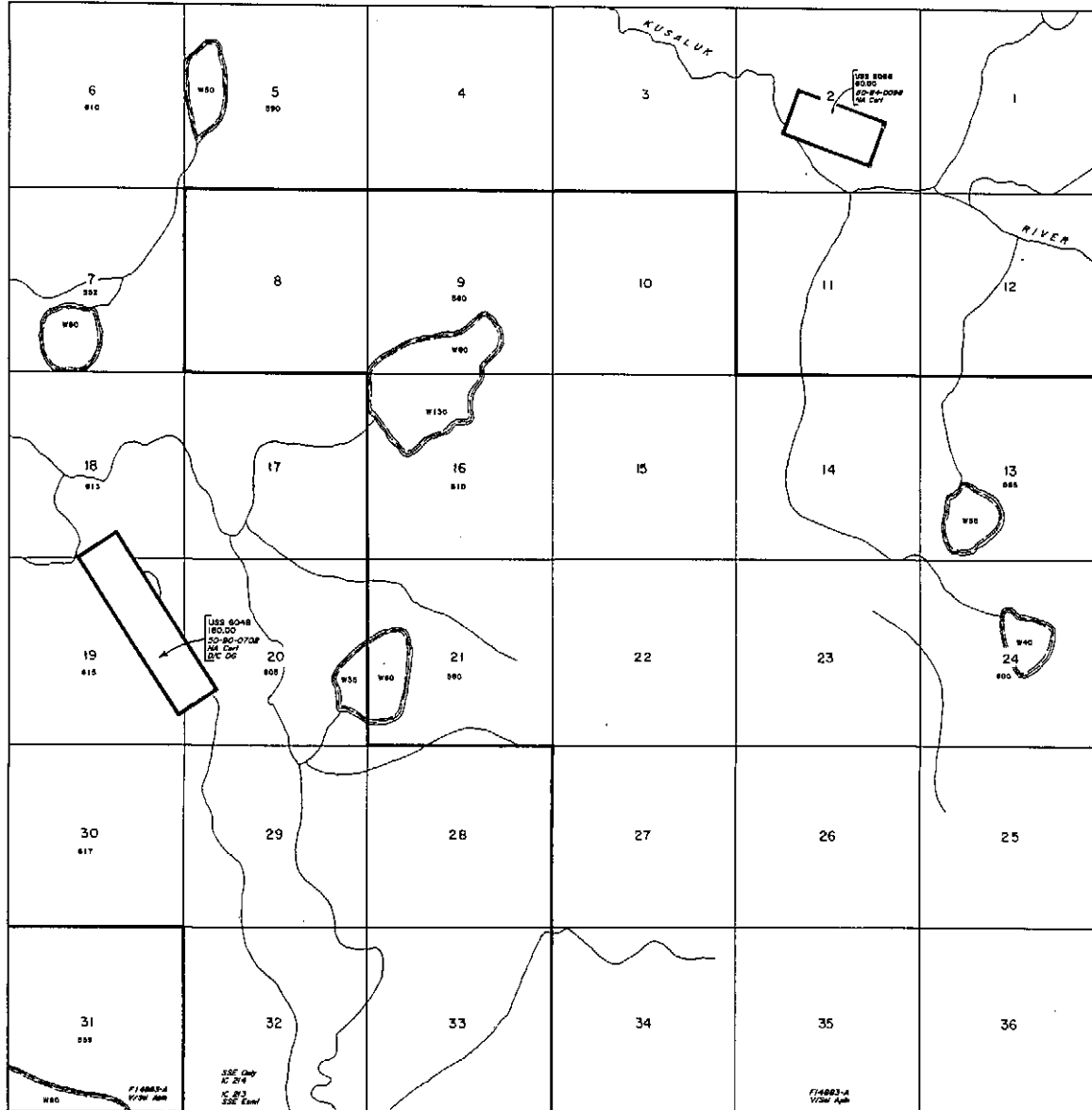
Sec 8-10

Sec 13-16

Sec 21-27

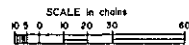
Sec 31

Sec 34-36



**Akulikutak River Interim
Summary Report
Attachment 8**

Lat. 60°38'48.869"N
Long. 160°56'38.234"W



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.

CURRENT TO	FWS, BHL, AVCP	Sew Mer
12-17-1999		T 7 N R 67 W

UNSURVEYED TOWNSHIP 7 NORTH RANGE 68 WEST OF THE SEWARD MERIDIAN, ALASKA
 PROTRACTION DIAGRAM NO. 59-9 OFFICIALLY FILED 6/29/1959

STATUS OF PUBLIC DOMAIN
 LAND AND MINERAL TITLES

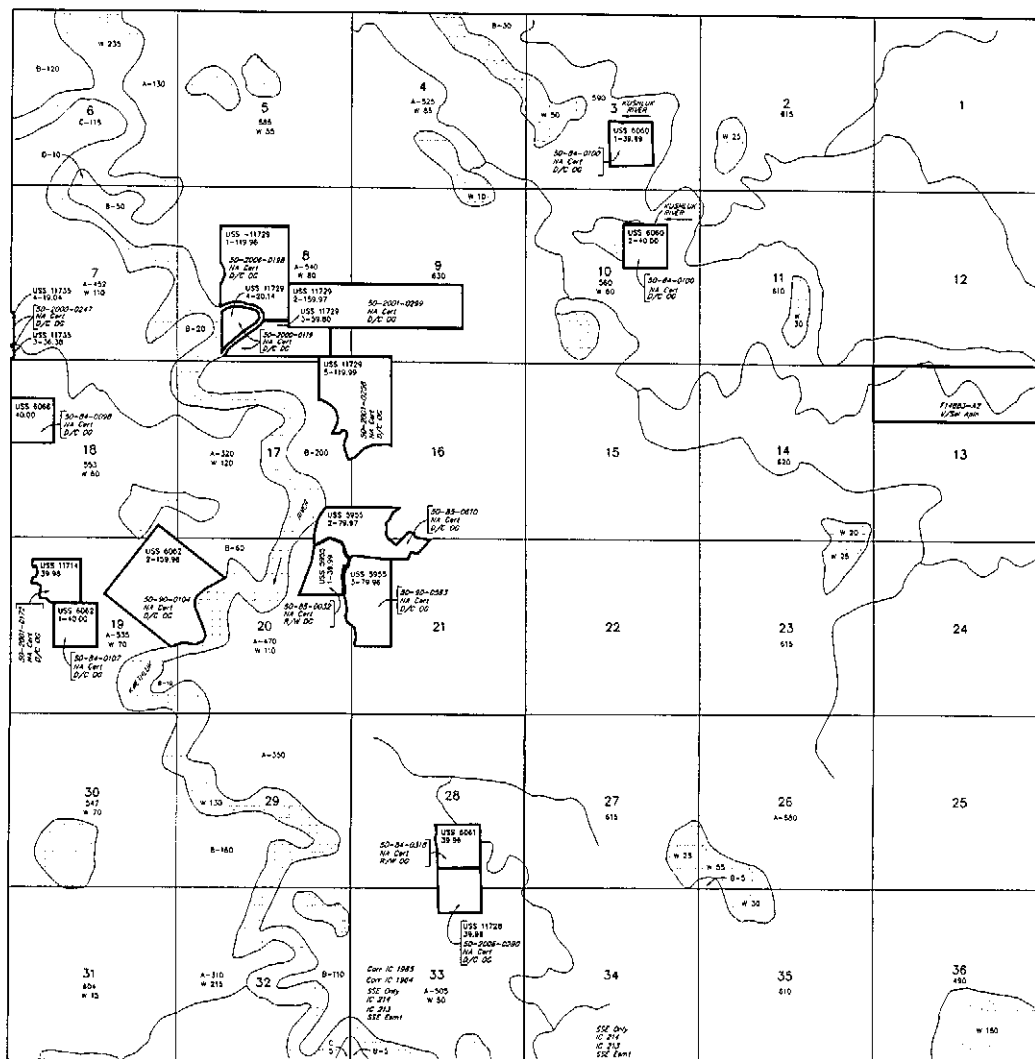
MTP

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

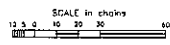
PL 92-203 HAS EFFECTS. SEE W/F 714813-714823-A2

PL 92-518A HAS EFFECTS. SEE INTEREST NOT CONVEYED

PL 96-487 HAS EFFECTS. SEE NMR 72



.d1 60°38'48.859"N
 .cng 161°07'10.237"W



WARNING:
 This plan is the Bureau's record of this land and should be used
 only as a general guide to the location of the land. It is not
 intended to reflect any changes which may have been
 made by the Bureau or other agencies of the Government.
 Refer to the correct Bureau file for official survey information.

CURRENT TO	Sew Mer
11-13-2006	T 7 N
	R 68 W

ACAD

SURVEYED TOWNSHIP 8 NORTH RANGE 68 WEST OF THE SEWARD MERIDIAN, ALASKA

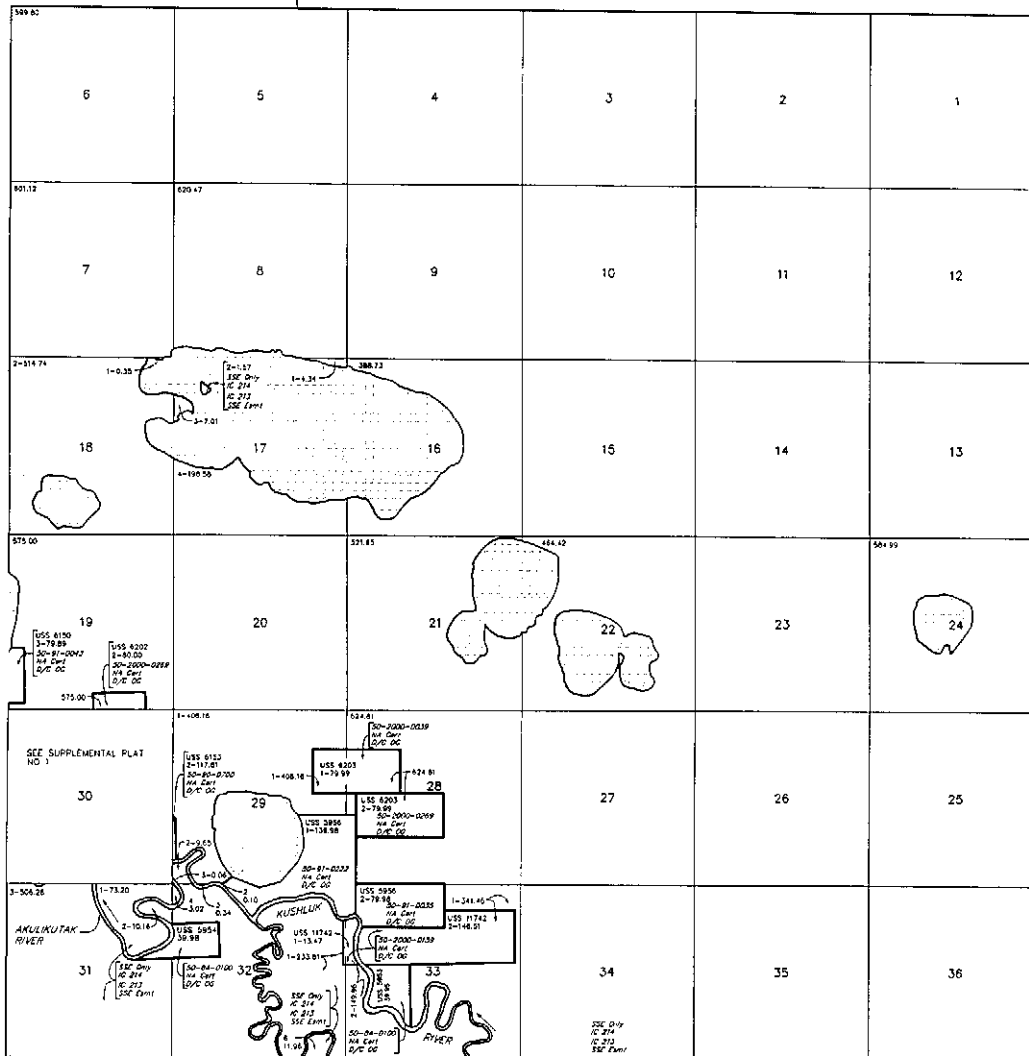
R 68 W R 67 W

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

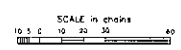
MTP

FOR ORDERS EFFECTIVE 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 AND F14883 L&M W/ F14883-A2
- PLD 3184 W&D affects L&M Interest not conveyed
- F14883-A2 10/21 AMN SECS 1-36 AN EXCL USS 8150
LOT 1, R. 3, USS 5858 LOT 1
- PL 96-487 W&D 15/00 DATA N&M notice TP



Lot 60°47'00.84"N
Long 161°07'10.24"W

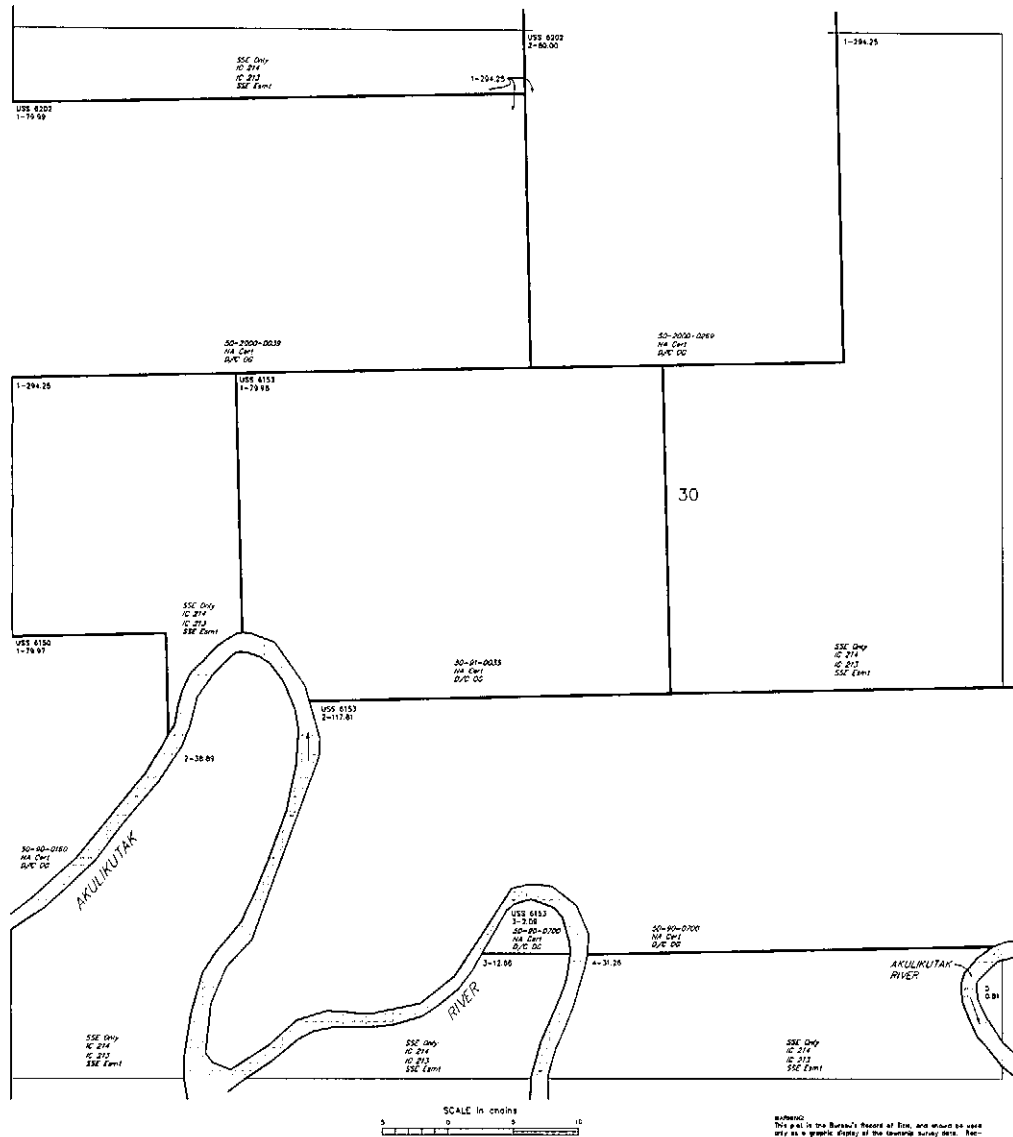


WARNING:
This plat is the Bureau's Record of Title, and should be used
only as a graphic check of the boundary survey data. Plat-
ees herein do not represent the changes which may have been
effected by other measurements of deeds or other books of title.
Refer to the original surveys for official survey information.

CURRENT TO	Sec Mer
8-8-2006	T 8 N
	R 68 W

ACAD

SURVEYED TOWNSHIP 8 NORTH RANGE 68 WEST OF THE SEWARD MERIDIAN, ALASKA



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

**MTP
SUPPL SEC 30**

NO 1

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 NW F14853 Lvs W/D F14853-A2

PL 92-5184 NW CI affects Lvs/Interests, not conveyed

F14853-A2 W/SH Adm Spec 1-36 48 Encl USS 6150
Lot 1 R. J. USS 3936 Lot 1

PL 95-487 NW Tuleo Delta NMD entire TP

CURRENT TO	NO 1
8-9-2008	Sew Mer
	T 8 N
	R 68 W
	ACAD

REMARKS:
This plat is the Bureau's Record of Sale, and should be used
only as a graphic display of the proposed survey data. It
does not, and should not, reflect the changes which may have been
authorized by subsequent instruments or laws or other bodies of law.
Refer to the appropriate surveys for official survey information.

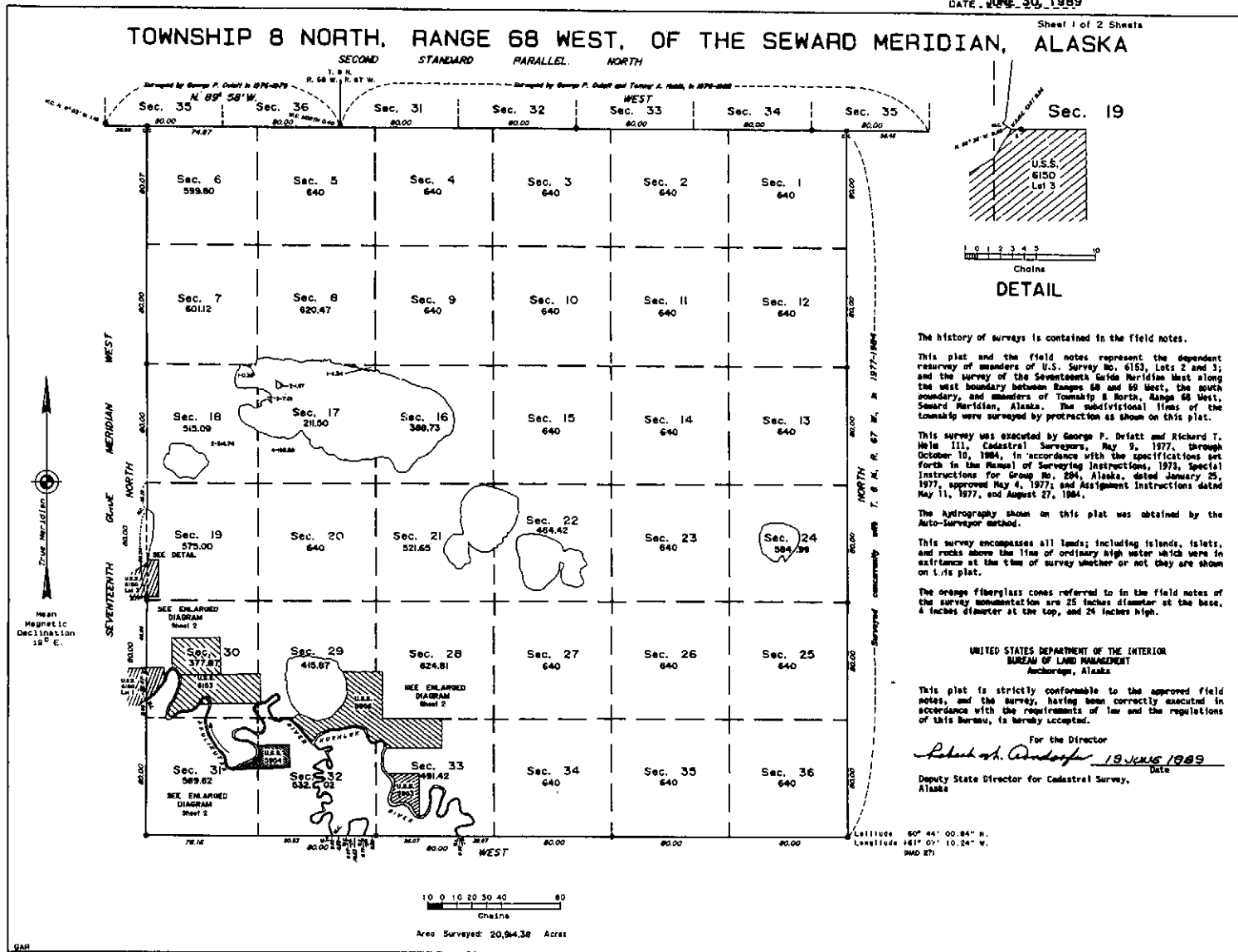
Officially Filed
DATE JUNE 30, 1989

ORIGINAL

Sheet 1 of 2 Sheets

TOWNSHIP 8 NORTH, RANGE 68 WEST, OF THE SEWARD MERIDIAN, ALASKA

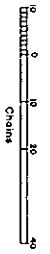
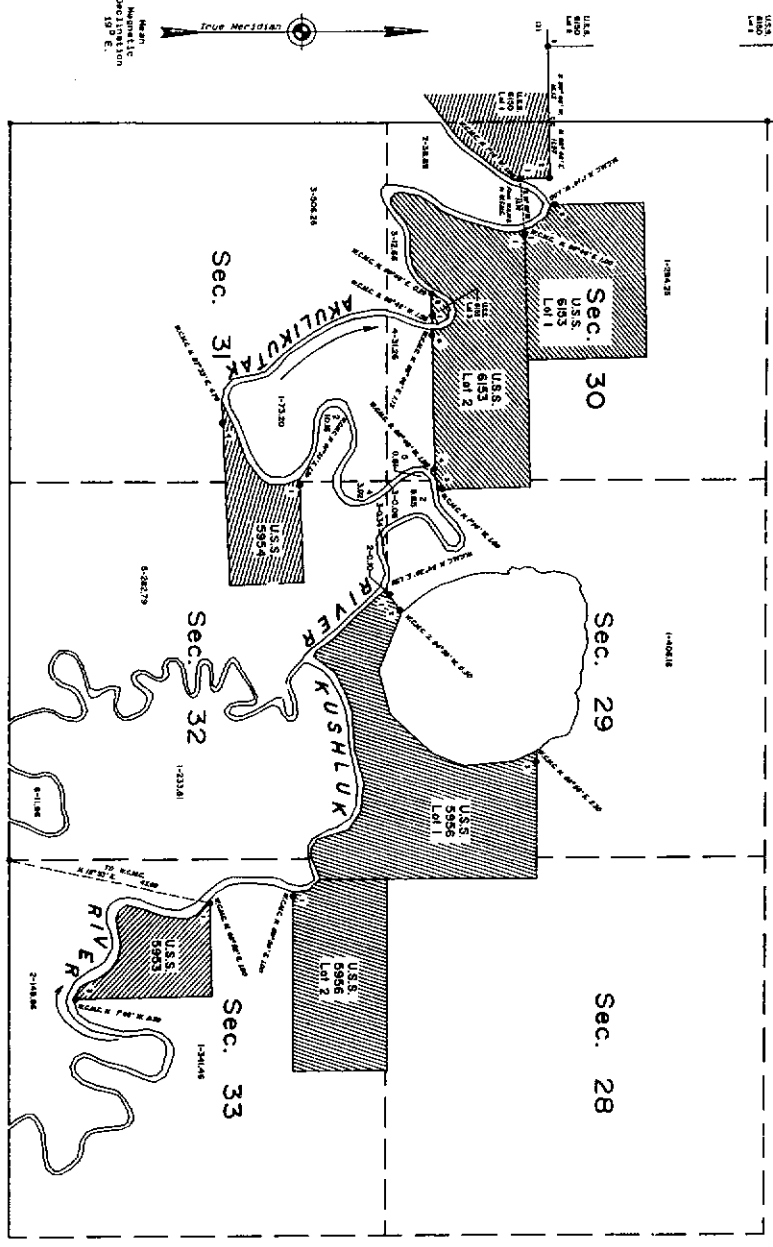
SECOND STANDARD PARALLEL NORTH



TOWNSHIP 8 NORTH, RANGE 68 WEST, OF THE SEWARD MERIDIAN, ALASKA

ENLARGED DIAGRAM

Officially Filed
 DATE: JUNE 30, 1989
 Sheet 2 of 2 Sheets
 ORIGINAL



REFERENCE SHOULD BE MADE TO SHEET NO. 1
 FOR SURVEY INFORMATION
 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.

Robert A. Anderson For the Director
 Deputy State Director for Cadastral Survey, Alaska
 19 JUNE 1989

6183

**NAVIGABILITY REPORT: KUSHLUK RIVER in
Native Allotment F-16009, Mouth in Sec.25, T. 8N., R. 69 W., SM
Window 2029, Group Survey 284**

BACKGROUND INFORMATION

Local Name: The people interviewed for this report said that the name Kushluk is wrong on the USGS maps. Local people call this *Ill'ling'uth'lik* (many birch trees), Birch Creek or the North Fork of the Kwethluk. The river is within the Yukon Delta National Wildlife Refuge.

Nearest Settlement: Kwethluk

Length of Water Body: Flows 25 miles to Kwethluk River. ¹ This report is based on the Storet map which plots it at 40 miles.

Watershed: Unknown

USGS Quadrangle(s) in selected area: Bethel C-6

**Akulikutak River Interim
Summary Report
Attachment 9**

Aerial Photo (s) in selected area: CIR 60, Roll 10, Frame 377, July 1980

Was the water body Photo Interpreted? Yes, July 1996

Was a Field Report/Interview Report created? An interview report was created on December 8, 1997.² A field report was created on December 4, 1997.³

SUBMERGED LAND STATUS

Township	Section Number	Mile Storet	Status and Remarks
8N., R. 69 W	25	0-1	IC 213/214 Non-Nav 7/12/79 YDNWR
8N., R. 68 W	29, 30, 31, 32	1-6	IC 213/214 Non-Nav 7/12/79 YDNWR
8N., R. 68 W	33	6-6.25	NA F-16009 YDNWR
8N., R. 68 W	33	6.25-8	IC213/214 Non-Nav 7/12/79 YDNWR
7N., R. 68 W	1, 2, 3, 4, 10, 11	8-15	IC 213/214 Non-Nav 7/12/79 YDNWR
8N., R. 68 W	36	15-17	IC 213/214 Non-Nav 7/12/79 YDNWR
8N., R. 67 W	31, 32, 33, 34	17-22	IC 213/214 Non-Nav 7/12/79 YDNWR
7N., R. 67 W	1, 2, 3, 12	22-28	IC 213/214 Non-Nav 7/12/79 YDNWR
7N., R. 66 W	7,17,18,19,20,29,33	28-36	Not Selected YDNWR
6N., R. 66 W	4,3,10,15,16,21,22,27	36-40	Not Selected YDNWR

PHYSICAL CHARACTERISTICS

Type of Water Body: Tributary of the Kwethluk River

Vegetation: Tundra and birch trees

Water Body Bottom Characteristics: Unknown

Velocity of Water Body: Local residents say it is slow moving.

Discharge Volume (max, min, mean): Unknown.

Gradient: 4' per mile

Source	Bank to Bank Width	Mile
Laura Lagstrom - Field Exam 9/97	30'	0-6
CIR: 60, roll 10, frame 377, July 1980	approx. Two chains	6

Source	Impediments (nature)	Mile
John Andrew	none	6
John Owen	none	6
Phillip Guy	shallow water, underwater logs, beaver dams, fallen trees	10

Pool/Riffle: Unknown

Source	Depth (ft)	Mile
John Andrew	unknown but deep enough to be boated	0-6
John Owen	unknown but deep enough to be boated	0-6
Phillip Guy	unknown but deep in the Spring and Fall	0-10

USESHistorical:

In the early 1920's the Alaska Road Commission placed ferry boats on the trail crossings of the Kisaralik and Kushluk rivers.⁴ Additionally, a Division of Highways 1926 Operations Report states, "Two ferry boats were installed on the Kiselakik [sic] and Kusluk [sic] Rivers."⁵ However, neither report gave an indication of where these ferry boats were installed.

Direct Evidence (who, what, why, when, where, how):

On September 15, 1997 a field inspection by air revealed this river to be about 25'-30" wide from its confluence with Akulikutak River to just beyond Madronna Helmicks allotment. There were no obstructions within the channel.

John Andrew, a YDNWR employee said he has frequently traveled up and down the Kushluk or more correctly *Ill'ling'uth'tu'lik*, Birch Creek or the North Fork of the Kwethluk River. People hunt, berry pick and fish in this area. He was aware of Madrona Helmick's Native allotment at mile six and said the creek is boatable during spring, summer and fall from the mouth of the river to her place and beyond. Last fall he was caribou hunting in this area with a 18' Lund with a 45 horsepower Yamaha propeller motor. He was carrying more than 1,000 pounds.

Phillip Guy, a Land Planner for Kwethluk, said that the river is called *Ill'ling'uth'tu'lik* which means "many birch trees" and that the name Kushluk is a misnomer. The river is high in the spring (April and May) because of ice dams on the Kuskokwim and high in the fall (August and September) after the rainy season. Last August he took his wife to pick berries and to scout for hunting in this area. He was able to boat ten miles upriver before the river became narrow, shallow and obstructed by beaver dams, underwater logs and overgrown banks. He was using an 18' Lund with a 30 horsepower propeller motor.

Public Opinion (susceptibility to use):

John Owen, a BIA Realty Specialist in Kwethluk said the river is open from spring to fall for boat travel. He said they are able to carry loads of 1,000 pounds or more with no problem. He said people are boating to and beyond Madronna Helmick's Native allotment for berry picking, hunting and fishing. It is wide, deep and free of obstructions.

CONCLUSION (Gulkana River Standard)
(at least three facts should support conclusion)

Navigable (explain):

I find the Kushluk River navigable within Madrona Helmick's Native Allotment F-16009 in Sec. 33, T. 8 N., R. 68 W., SM. The river is wide, deep and free of obstructions through Sec. 3, T. 7 N., R. 68 W., SM. Local residents consistently use this river from spring to fall during low and high water conditions to reach their allotments, fish camps and hunting areas and are able to carry heavy loads.

Report Prepared By:

Laura J. Hagstrom

Date:

1/8/98

NOTES

1. Donald J. Orth, Dictionary of Alaska Place Names, U.S. Geological Survey Professional Paper 567, Washington D.C.: GPO 1967, p. 554.

2. Laura Lagstrom, Interview Report, Memorandum to the File FF-14883-A, Kwethluk Incorporated (75.4), December 8, 1997, 8pp.

3. Laura Lagstrom, Field Report, Memorandum to the File FF-14883-A, Kwethluk Incorporated (75.4), December 4, 1997, 14pp.

4. A History, Alaska's Kuskokwim River Region by C. Michael Brown, BLM, State Office, Anchorage, Alaska 1985, pp 527 & 756.

5. Fifty Years of Highways, Alaska Department of Public Works, Division of Highways, Graced Edman, Alice Hudson, Sam Johnson, Nome, 1960.



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE
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JJG 6/17/98
JK 6/17/99
LS 6/17/99

**Akulikutak River Interim
Summary Report
Attachment 10**

Bethel-NA-FY'98
Goodnews Bay-NA-FY'98
JUN 17 1998 9600 (924)

Memorandum

To: Chief, Branch of Survey Preparation and Policy Interpretation (AK925)
From: Chief, Branch of Mapping Sciences (AK924)
Subject: 19 Additional Native Allotments in Survey Window 2700

The memorandum supplements our navigability report dated 11/7/97 for survey window 2700 that identifies navigable waters on lands selected under the Alaska Native Claims Settlement Act, and the Native Allotment Act. After review, I found no navigable waters within the 19 Native Allotment selections that lie in eight townships situated within either the Yukon Delta or Togiak National Wildlife Refuge.

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 following appendix lists those townships added to window 2700.

/s/ William C. Johnston
Acting

Appendix I

19 Additional Native Allotments in Window 2700 by Township
Seward MeridianT. 1 N., R. 62 W.

None on selected lands

T. 1 N., R. 63 W.

None on selected lands

T. 1 N., R. 64 W.

None on selected lands

T. 1 S., R. 62 W.

None on selected lands

T. 2 S., R. 62 W.

None on selected lands

T. 1 S., R. 63 W.

None on selected lands

T. 3 S., R. 63 W.

None on selected lands

T. 8 S., R. 67 W.

None on selected lands

cc:

Jim Culbertson
State of Alaska DNR
Navigability Unit
3601 C Street, Suite 980
Anchorage, Alaska 99503-5936

State of Alaska
Department of Natural Resources
Realty Services Section
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Robin Willis
State of Alaska, Dept. F&G
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Matthew Nicolai, President
Calista Corporation
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Nick Ayapan, President, CEO
Kwethluk Incorporated
P.O. Box 109
Kwethluk, Alaska 99621

John Owen, Realty Specialist
Kwethluk IRA
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A. Carter, President
Native Village of Eek
P.O. Box 87
Eek, Alaska 99578

Myron Naneng, President
Association of Village Council Presidents (AVCP)
P.O. Box 219
Bethel, Alaska 99559

Mike Reardon, Refuge Manager
Yukon Delta NWR
Post Office Box 346
Bethel, AK 99559

Aaron Archibeque, Refuge Manager
Togiak NWR
Post Office Box 270
Dillingham, AK 99576

Warren Keogh, Navigable Waters Specialist
Water Resources Branch
USFWS, Region 7
1011 E. Tudor Road
Anchorage, Alaska 99503

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)

AK924:LLagstrom:ljl:addition.wp6

NAVIGABILITY REPORT: Eek River

BACKGROUND INFORMATION

There is one Native allotment that straddles the river near mile 126 within Sec. 18, T. 1 N., R. 63 W., SM. Two other Native allotments meander the river in T. 1 N., R. 64 W., SM.

A previous BLM navigability report for Window 1562 (Baird Inlet Quad File) dated 2/21/89 determined Eek River navigable to and through F-15812C in T. 1 N., R. 67 W., SM.

Local Name: Eek River - Var. Reka Ik., Eskimo name published as Ik by Lt. Sarachev (1826, map 3) It has been spelled Eek since 1880.¹

Nearest Settlement: Eek

Length of Water Body: Heads at 59°59' N., 160°05' W., flows NW 108 miles and joins Eenayarak River to form Eek Channel Kuskokwim River, 45 miles SW of Bethel, Yukon-Kuskokwim Delta.² This report is based on the storet map which plots it over 150 miles.

Watershed: Eek Mountains

USGS Quadrangle(s) in selected area: USGS Bethel A-4, 1954

Aerial Photo (s) in selected area: CIR 60, Roll 10, July 1980, Frame 46

Was the water body Photo Interpreted? Yes by Scott Guyer - April 8, 1998. He began his photointerpretation at the end of the navigability determination dated 2/21/89. CIR 60, Roll 10, July 1980, Frames 51-44. Beginning at Sec. 19, T. 1 N., R. 66 W., the channel ranges between 1-2 chains wide, is clear except for occasional gravel bars and islands. The river begins to be predominately one chain wide southwest of Eek lake within Sec. 10, T. 1 N., R. 64 W. The channel increases meandering and is characterized by oxbows, sloughs and gravel bars. It continues to be one chain wide. Within Sec. 19, T. 1 N., R. 63 W., gravel bars increase and the width remains at a chain but shallowness from gravel bars may impede navigability. The stream appears open to Sec. 11, T. 1 S, R. 64 W., SM.

Was a Field Report/Interview Report created? An interview report was created March 13, 1998.

SUBMERGED LAND STATUS

Township	Section Number	Mile	Status and Remarks
T. 1 N., R. 63 W.	18	126	NA FF-017241, YDNWR

PHYSICAL CHARACTERISTICS

Type of Water Body: River

Water Body Bottom Characteristics: Gravel

Source	Bank to Bank Width	Mile
Kenneth Henry	20'-30' wide through the allotments	126
Fritz Petluska	30'-50' wide through the allotments	126
Scott Guyer	66'	122-134

Source	Impediments (nature)	Mile
Steven White	Few Strainers and sweepers along the edges	100
Kenneth Henry	Rocks and boulders	100
Fritz Petluska	Rocks, boulders, strainers, sweepers when you enter the mountains or near the Great Ridge	100

Source	Depth (ft)	Mile
Steven White	1½'-3' in September- this deepest period lasts 6-8 days; During June, July and part of August it is about 6" and one has to drag the boat.	est. 45 air miles or 100 river miles
Kenneth Henry	1'-2' in shallow areas; 6' which lasts between 2-3 weeks in the fall.	118-128
Fritz Petluska	2' in shallow areas; 6'-8' deep around bends. This high water lasts about 2 weeks in September. It is too shallow in June, July and August to reach these allotments.	118-128
Johnny Hawk	3'-4' in September; the river becomes very narrow but deep beginning in T. 1 N., R. 66 W to mouth of a creek in Sec. 4, T. 1 N., R. 65 W. After this point, the river meanders and becomes so shallow one must traverse it with a jet boat.	3'-4' depth near mile 93 (below report area)

Commercial (who, what, why, when, where, how): No commercial use.

Historical:

In 1948 the Bureau of Mines began to prospect and mine at Rainy Creek which flows into Eek River near mile 140. They accessed the area by small aircraft from Bethel, a dozer along a winter trail from Cripple Creek via Canyon Creek and by dozer along a winter trail from Goodnews Bay in 1945 and 1946. The author reports: "It would be possible to reach this area during high water by ascending the Eek River from the Kuskokwim. This would not be practical because of the time required and the necessity for using a canoe or small poling boat on the upper reaches of the river. The exact distance has not been determined but it is estimated to be not less than 200 miles." ³

Direct Evidence (who, what, why, when, where, how):

Steven White used to hunt around Breast Mountain every fall during September until four or five years ago. He used a 18' Lund with a 40-Horsepower propeller motor to reach this area when the river was at its highest. The deepest areas were about 3' deep and the shallowest areas 1½' deep. The river stayed high between 6-8 days.

Kenneth Henry said he will not boat to the Sawtooth Mountains unless there is another boat along because of the swift current and hidden boulders. In September 1996 during his hunting trip it rained every day and the river became very deep, however, as soon as the rain stopped, the river dropped very quickly. He stressed if there is no rain you cannot reach this area.

Fritz Petluska feels this area is accessible for about a two week period after the rain. He states, "If there is no rain, you cannot even reach the mountains."

The two sons of Alfred Alexie whose Native allotment straddles Eek River, live in Kwethluk and have not been to their fathers parcel. They said traditionally, families would leave the villages near the end of January or February and travel by dog team to their "spring camps" situated in the mountains where they would hunt, trap and fish. Shortly after the ice went out and the rivers were high from snow run off, they would build wooden framed skin boats and drift downstream.

CONCLUSION (Gulkana River Standard)
(at least three facts should support conclusion)

Navigable (explain):

I find the Eek River non-navigable within Native Allotment selection FF-017241 in T. 1 N., R. 63 W., SM. A majority of the villagers of Eek use 18' Lunds with 30-90 horsepower jet units to enable them to boat upstream to the base of Breast Mountain and the mouth of Kapon Creek in Sec. 20, T. 1 N., R. 63 W., SM. This can only be done after a significant amount of rain has fallen, usually in the fall during September. This high water period only lasts between 2-3 weeks. The river is only inches deep in the summer. They have reported there are years when they are not able to reach this far because of the lack of rain.

Report Prepared By:

Laura J. Layton

Date:

June 17, 1998

NOTES

1. Orth, Donald J., Dictionary of Alaska Place Names, U.S. Geological Survey Professional Paper 567, Washington D.C., GPO 1967, p. 302
2. Ibid
3. Rutledge, F.A., Investigation of Rainy Creek Mercury Prospect, Bethel District, Kuskokwim Region, Southwestern Alaska, R.I. 4361, 7pp.

**NAVIGABILITY REPORT: Kwethluk River in
T. 1 N., Rs. 62 & 63 W., SM. and T. 1 S., Rs. 62 & 63, W., SM.**

BACKGROUND INFORMATION

There are three Native allotments that straddle the river between miles 117-125 (approximates). It was previously determined navigable within selected lands, "through T. 7 N., R. 69 W., and upstream to T. 3 N., R. 66 W., SM." See navigability report 11/6/91 for Group Survey 253, Window 1837 (Bethel Quad File).

Local Name: Kwethluk River

Nearest Settlement: Kwethluk situated 20 river miles upstream on the Kuskokwim from Bethel

Length of Water Body:

The Dictionary of Alaska Place Names states it flows 85 miles to Kuskokuak Slough which is 10 miles east of Bethel.¹ The store map and several historical documents list it more than 135 miles long. A document by USFWS states the Kwethluk River is 138 miles long from its origin the Kilbuck Mountains to its mouth at the Kuskokwim River. It heads at an elevation of approximately 2000 ft. and flows 18 miles through glacially formed mountains, 62 miles through foothills, and finally through low tundra. The river is snow fed and clear for the first 60 miles below the headwaters before it becomes murky, slow and meandering.²

Watershed: Kilbuck Mountains

USGS Quadrangle(s) in selected area: Bethel A 4, B 4-5

Aerial Photo(s) in selected area: CIR 60, Roll 10, July 1980, Frames 186-188-189-191-193; CIR 60, Roll 3397, August 1984, Frames 8060 & 8061; CIR 60, Roll 3391, August 1984, Frame 44.

Was a Field Report/Interview Report created? An interview report was created March 13, 1998.

SUBMERGED LAND STATUS

Township	Section Number	Mile	Status and Remarks
1 N., R. 63 W.	24	117	NA F-17051A, YDNWR
1 N., R. 62 W.	32, 33	121	NA F-19255, F-19257 B, YDNWR
1 S., R. 62 W.	6, 18, 7	127	AA8287, AA8288, AA8289, YDNWR
1 S., R. 62 W.	19,22,23, 25,26-30	127-135	Togiak National Wildlife Refuge, Togiak Wdns.
1 S., R. 63 W.	1	125	NA F-19253 A, F-19261, YDNWR

PHYSICAL CHARACTERISTICS

Type of Water Body: River

Source	Bank to Bank Width	Mile
Alexander Nicori	30'-45' & 60' wide	Beyond Elbow Mt. (73+)
John Andrew	150'-200'	73 to spring camps (117-125)
Richard Long	100'	73 (Elbow Mountain)
Scott Guyer (photo-interpret)	66'-198' 66'-100' 50'-66' 20'+	73-105 Elbow Mt. to Crooked Cr. 105-117 Crooked Cr. To F-17051A 117 Anna Z. Andrew F-17051A 128 (approx. mileage)

Impediments

Source	Impediments (nature)	Mile
Alex Nicori	Gravel Bars and Shallow areas above Three Step Mountain	50+
John W. Andrew	Sweepers before Elbow Mountain Boulders and gravel bars above Crooked Creek	73- 105+
Richard Long	A few boulders	117+
John McDonald	Logs and sweepers	73
Max Angellon	Trees and boulders in places	

Source	Depth (ft)	Mile
Max Angellan	high water May 15-end of May for 2-3 weeks and Mid August-end of August for 2-3 weeks	to Breast Mt. (117)
Alexander Nicori	8'-15' High water 8'-9'-10'-15' Mid-May for a couple of weeks 1½'-2' from latter part of June to mid-July 2½'-12' in the fall after rains; 12' is around deep holes	to Breast Mt. (117+) to Breast Mt. (117+) to Breast Mt. (117+)
John W. Andrew	6" - 2' during June and July 10'-12' August or Sept.	above Elbow Mt. (73+) near mile 105
Richard Long	10' during high water in September- lasts 3-4 weeks	above Elbow Mt. (73+)

Other:

USES

Commercial (who, what, why, when, where, how): No commercial use.

Historical:

During 1986-87 Michael Coffing with the Department of Fish and Game studied the subsistence wildlife harvest and use for the community of Kwethluk. Michael interviewed seven elders from Kwethluk who described the seasonal subsistence activities between 1900 to 1930. Beginning in late January or early February, families would leave the community of Kwethluk and head eastward over the Kuskokwim Mountains to Togiak Lake, Tikchik Lake and to the upper Aniak and Holitna River drainages hunting furbearers, moose, caribou and brown bear. Squirrel were hunted near Heart Lake near the headwaters of Kwethluk River. As snow melted, the men headed back west over the mountains to their camps where the women and children were trapping squirrel, and snaring ptarmigan and hare. The families left these camps and headed over to the Kwethluk, Kisaralik, Eek or Kanektok rivers where they built skin covered wooded-framed boats to drift downstream. The boats were made with spruce or cottonwood frames lashed together and covered with skin of caribou, reindeer, moose, brown bear or seal. These boats were capable of carrying several people, their gear, dried meat, and furs. The trip was often dangerous and the skin boats punctured easily. Swift water carried the rafts downstream at a relatively rapid speed. It took families approximately three days to reach Three Step Mountain, about 25 miles southeast of Kwethluk.³ In this report I did not find any references to the width, depth or the number of days, weeks, or months of ordinary or low/high water conditions.

Direct Evidence (who, what, why, when, where, how):

Max Angellan uses a 20 Yukon Lund with a 40 horsepower jet drive and said he only boats up to this area of the allotments during high water conditions which last from mid-May to the end of May and from mid-August to the end of August.

Alexander Nicori said that people from Bethel use jet boats near the end of August and into September to hunt moose and caribou around Crooked Creek. Nicori said the allottees and their families now fly in and fly out in the fall when they go to subsistence hunt.

John Andrew said that during June and July one cannot boat past Elbow Mountain which is 73 miles upstream but only during high water conditions which occur after spring melt and fall rain. Even then, it is only deep between two to four weeks.

Willie Andrew has not been up to Crooked Creek or Breast Mountain since he was a little boy but reported that because of the Alaska Native Claims Settlement Act, local people chose these allotments far up the Kwethluk River because that is where they traditionally had their spring

camps. During March-April they would travel to their spring camps by dog team and near the end of May, descend in a skin boat. But since 1990, local people have used jet outboards because the river is too shallow for propeller driven boats.

Indirect Evidence: The casefile field exams for F-19253, F-19261, AA-8288, AA-8289 contain pictures of the BLM markers and a few pictures of the river which show it to be very shallow as evidenced by the riffles and gravel bars. The field exams were done July 30, 1974.

Susceptibility
Public Opinion (susceptibility to use): In 1995 the USFWS decided to permit commercial rafting down the Kwethluk River. Kuskokwim Wilderness Adventures applied for a permit, however, a coalition called "The Kwethluk Joint Group" successfully opposed the plan because they felt that opening up this commercial activity would further encourage commercial uses which would harm salmon habitat. To date, no commercial rafting activities are permitted on the river. *

John McDonald with Kuskokwim Wilderness Adventures said under normal water flow, propeller driven boats could reach Three Step Mountain and during a high water period to Elbow Mountain but beyond that, the river is very shallow and can only be ascended during periods of extremely high water which only last a short time.

CONCLUSION (Gulkana River Standard)
 (at least three facts should support conclusion)

Navigable (explain):

I find the Kwethluk River non-navigable within three Native Allotment selections that straddle the Kwethluk River in T. 1 N., Rs. 62 & 63 W., and T. 1 S., R. 63 W., SM. Kwethluk and Bethel residents report that this area can only be boated during spring and fall high water conditions which last 2-3 weeks and only with jet boats with light loads. Additionally, a local commercial rafting company has stated that it would be impossible to reach this far upstream unless the river was extremely high and if so, only for a short period of time. Beyond Elbow Mountain the river is filled with sweepers, boulders, gravel bars and logs. The evidence presented doesn't support its use or susceptibility for use as a route for travel, trade and commerce.

Prepared By: *Laura J. Leighton* Date:

NOTES

1. Orth, J. Donald, Dictionary of Alaska Place Names, U.S. Geological Survey Professional Paper 567, Washington D.C.: GPO 1967, p. 558.
2. Brown, Mike, Paniyak, Phillip, Lapin, Marc, "General Biological Inventory of the Kwethluk River" 1985, U.S. Fish and Wildlife Service, YDNWR, Bethel, AK 99559
3. Coffing, Michael W., Kwethluk Subsistence: Contemporary Land Use Patterns, Wild Resource Harvest and Use, and the Subsistence Economy of a Lower Kuskokwim River Area Community, Alaska Department of Fish and Game, Division of Subsistence, Juneau, AK 1991, p. 30
4. Raft trips rile village of Kwethluk, *The Tundra Drums*, Thursday, 12 January 1995.
Kwethluk River controversy may go to court, *The Tundra Drums*, Thursday, 19 January 1995.



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
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Bethel-NA-FY98
Goodnews Bay-NA-FY98
9600 (924)

March 13, 1998

**Akulikutak River Interim
Summary Report
Attachment 11**

Memorandum

To: File

From: Laura Lagstrom, Navigability Section AK924

Subject: Interviews for Native Allotment selections added to Window 2700 which straddle Kwethluk and Eek River

Kwethluk River in T. 1 N., Rs. 62-63 W. & T. 1 S., R. 63 W., SM.

April 8, 1998

Aerial review by Scott Guyer on Kwethluk River- Beginning at the last BLM navigability determination (mile 80) to the Crooked Creek Mouth (mile 103) - Aerials CIR 60, Roll 10, July 1980, Frames 186-188-189-191-193, the river ranges from 1-3 chains wide and is unobstructed except for a few gravel bars and debris to include trees and downed trees in the channel. Aside from these obstructions, the width appears to be sufficient to allow passage. Beyond the Crooked Creek mouth the river heads south and the width in the main channel ranges between 1- 1 ½ chains wide with occasional gravel bars and islands. Around Anna Z. Andrew's Native Allotment (mile 117) it is approximately ¾ to 1 chain wide but an increase in gravel bars constricts the channel to 20+ feet through Sec. 18, T. 1 S., R. 62 W. (CIR 60, Roll 10, July 1980, Frame 46, Roll 3391; CIR 60, Roll 3391, August 1984, Frame 44)

A previous navigability report dated 11/6/91 administratively determined the Kwethluk River navigable within selected lands up to T. 3 N., R. 66 W., SM.

December 12, 1997

Willie Andrew, AVCP (907)543-7352 said he hasn't boated to Crooked Creek (mile 103) or Breast Mountain (mile 117) since he was a little boy. During the summer it is too shallow to reach this area and there are places that have a strong current. Andrew said villagers from Kwethluk and Akiak, including his uncle, used to travel by dog team in early spring (March-April) to their "spring camps" in the mountains. Eventually, these areas were chosen under ANCSA. After hunting, trapping and fishing, they would make skin boats to drift downstream to their villages near the end of May. Andrew said beginning in the early 90's, people began to use jet outboards to reach this far upriver because the river is too shallow for propeller driven boats.

January 7, 1998.

John Owen (907)757-6216 believes local people boat to Anna Z. Andrew's (mile 118) allotment by jet units. He boated to Greenstone Ridge 10 years ago (mile 100). He had no reason to go further. He thinks others go just to see how far they can go. He said to call Anna S. Andrew at 757-6229. After several phone calls, I was told that I needed to be talking to Anna Z. Andrew and also to her son, John W. Andrew, who works in Bethel for the USFWS.

March 18, 1998

Max Angellan (907) 757-6216 said the last time he boated this river was about two years ago between late August to early September. He said to reach Breast Mountain (mile 117) you have to wait for high water conditions. During June and July there is not enough water. He said why would one go somewhere where you have to work and end up cussing because it is too shallow. One could reach that area after spring break up which occurs between May 15 and the end of May and after the fall rain which occurs between mid-August to end of August. If there is a lot of sunshine, the river drops quickly. He felt it stayed high for 2-3 weeks. If there is little rain, the river is very shallow up there. He uses a 20' boat 2020 Yukon Lund with a 40-HP jet drive. His load included three people, two drums of gas or about 110 gallons of gas and camping gear. They stayed about 4-5 days and climbed Breast Mountain, T. 1 N., R. 63 W.

March 25, 1998

Alexander Nicori, who works at the Organized Village of Kwethluk Office Ph: (907) 757-6216, FAX (907) 757-6073, said the last time he was at the spring camps of Anna Z. Andrew, Wassillie Andrew, Evan Kopuk, Evan Wassillie, Lola Evan was during the Spring of 1988. He had traveled by snow machine and then drifted down by skin boat sometime near May 23rd.

Alex said the last time anybody floated the Kwethluk River was four or five years ago. They traveled by snowmachine to the spring camps and after hunting and trapping they drifted downstream in a wooden-framed boat covered with skins. The boats were about 17' long and about 15' wide, a more oval shape. Their snowmachines were stored on top of tree branches situated on solid ground, safe from rising water. In early January the young men from the village would go up and pick up the snowmachines.

Long before snowmachines were used, villagers from Kwethluk and Akiak traveled to their spring camps by dog team. A common practice was to plan a time and place to meet after they were finished hunting and trapping so they could drift downstream together in several boats. This was done in order to share in the preparation and construction of the boats, to share loads and to ensure safe travel. They normally met at a spring camp located furthest downstream such as Anna Z. Andrew's allotment. As soon as the Kuskokwim River ice had gone out, usually around the 23rd of May, they began their descent downstream. He believes the depth ranged between 10'-15' and as shallow as 8'-9' deep. This deep water lasted a couple of weeks.

He feels that in the area around and above Breast Mountain during the latter part of June to mid July the river varies in depth between 1½'-2'. Some people are able to get up there with jet units.

He said above Elbow Mountain the river changes to one well defined channel versus the meandering and murky waters especially around Three Step Mountain. Between 1970's - 1980's before Alex was married, he used to go with his friends every weekend in July upstream with a 17' Wooden Boat with a 30-HP Mariner. They did not reach as far as Elbow Mountain (mile 73).

Alex said that after the fall rain, the river can vary in depth from 2½'-12'. The 12' depth is around deep holes. He said people from Bethel use jet boats near the end of August and into September to hunt moose and caribou around Crooked Creek. They also sport fish. He said that the allottees and their families now fly in and fly out in the fall when they go to subsistence hunt.

March 30, 1998

John W. Andrew, USFWS Bethel Phone 1-800-621-5804, FAX (907) 543-4413. John, his mother, Anna Z. Andrew and his father, Wassillie J. Andrew have allotments near Breast Mountain (mile 117).

John Andrew and Mike Coffing, who works for AKDF&G Bethel, boated the Kwethluk River near the end of either August or September 1995 or 1996 to hunt caribou and moose. He used a 20' aluminum Lund with a 40-HP Yamaha propeller motor. His load included the other person, 60 gallons of gas and camping gear. They camped at the mouth of a small creek near Greenstone Ridge which is just below the mouth of Crooked Creek. The river was between 10'-12' deep. They shot two bull caribou and did boat up to Crooked Creek but turned around for several reasons: the river became too shallow, there were too many large boulders that could ruin the propeller, there were too many gravel bars and they were running out of time. John said around the spring camps beginning at his mothers allotment (Anna Z. Andrew, mile 117) the river is between 6"- 2' during June and July. It would be hard to drag a boat against the current and it would ruin the propeller. He said one can reach Elbow Mountain (mile 73) during June and July but after that it would be too shallow.

John said that between Nicolai Andrew's allotment and Elbow Mountain (mile 73) there are sweepers which boaters do clear with chainsaws. Above Elbow mountain and Crooked Creek (mile 105) there are good size boulders in the river. He thought Wilderness Adventures has been up this river but they were not listed in Bethel phone book. They were not listed in Anchorage directory either.

John said high water conditions occur after the spring ice melt between the end of May to the 1st of June for two to three weeks and also after the fall rain beginning in August for three or four weeks depending on the rainy season. One time it lasted during August and September. He said that Wassillie Evan has boated at least three times to the spring camps. (Wassillie Evan does not have a phone). I faxed a copy of my notes on our telephone interview to John to verify his statements and said I would call him back tomorrow.

March 31, 1998

Second telephone interview with **John W. Andrew.** John said beginning around 1920 families would leave the villages around the end of March or the beginning of April and travel by dog team

and sometimes by foot to their spring camps in the Eek and Kilbuck Mountains. They usually stopped along the way at places such as Old Corral which is off the Akulikutak River or at the junction of Crooked Creek and Kwethluk River and stay a week or so hunting before continuing to their spring camps. They would hunt bear, caribou and trap beaver, ptarmigan, ground squirrel and fish in the lakes. Near the latter part of May they would begin heading downstream which took several days. They used to use wooden framed boats covered with skin. He remembers their boat being covered by three brown bear hides. They also used caribou and moose skins, but bear was more desirable since it did not puncture as easily. They would drift and paddle downstream and camp near the mouth of Crooked Creek, Devil's Elbow or Three Step Mountain. Before outboard motors were available, the families would drift all the way to the villages.

John remembers going by dog team to spring camp with his family in 1952 when he was seven years old. They had between 9-14 dogs. When they were ready to drift down the river, his father would break down their sled and use the sled material for the floor boards of the boat. The frame was covered with skins of a native brown bear, an adult moose and a yearling calf. Their load included his mom and dad, his sister, David Evan, Nicori and himself, their dogs and the subsistence harvest they had hunted and trapped. John said the men and families had a time schedule they kept. The hunting, trapping, food preparation and preservation, the building of the boats and preparation of the skins and all had to be timed and coordinated in order to leave when the ice had gone out of the Kuskokwim and the river was high enough to drift down. Because the boats were made of skin, they were easily punctured. He said the families would gather at the lowest downstream camp and caravan down. This could be seven or more families all together. John said beginning in the 1960's families began to travel by snow machine to their spring camps

John said the Kwethluk River used to be deeper but because of the increase of the beaver population and the decreasing snow pack in the mountains the Kwethluk river is much lower than it used to be. He estimates the river above Elbow Mountain to be between 150'-200' wide.

April 1, 1998

Alex Nicori received the fax regarding our telephone interview done on March 25, 1998 and made a few minor changes. He estimated the river to be about 30'-45' wide and 60' wide in shallow places between Elbow and Breast Mountain based on his last trip during the spring of 1988. Impediments included gravel bars and shallow areas above Three Step Mountain. His uncle told him a long time ago they used to use skin boats with frames made out of cottonwood trees that were 15'-20' tall. The men would split and quarter the wood before bending it into a frame. They would cover the frame with skins before boarding the families and drifting downstream. At the village they would strip the boat of the skins and the following spring when they returned to their spring camps, they would bring the boat frame with them.

April 2, 1998

Richard Long, Organized Village of Kwethluk Office (907)757-6023 said that he doesn't like to boat either the Akulikutak or Kwethluk Rivers but the last time he boated above Breast Mountain (mile 117) was in the beginning of September 1989. There were two other people with him and their camping gear which he estimated to be about 400-500 lb. They stayed one week.

He used a 18' Lund with a 40-HP propeller motor. He said above Breast Mountain (117 miles) it was around 10' deep which lasts between 3-4 weeks. He said it is around 100' wide from bank to bank above Elbow to Breast Mountain. He doesn't remember too many boulders in the river.

April 3, 1998

During the last interview I failed to ask **Max Angellon** about the width and depth of the Kwethluk river. He was hesitant to give approximate numbers. He said that the river can be as narrow as 10' and as wide as 50' or more. When I mentioned that other people said that it is about 100-150' wide, he said it could be that wide in places but he wasn't going to make a blanket statement that it is this wide here and this wide there. When I asked him about the depth, he said he didn't have a measuring stick and couldn't tell me how deep the river was. When I asked him about impediments, he said there are trees and boulders in places and some side tributaries have beaver dams. He was not very responsive so I thanked him for his time.

April 13, 1998

Richard Long said that the reason he doesn't like to boat the Kwethluk is because the channel changes every year, especially above Three Step and Elbow Mountain. When I asked him about the 400-500 pounds, he said this included everything, the three people and their gear.

Dot Tideman also talked with Richard who stated he has taken a 18' Lund boat with a 40-HP motor only once in 1989. There were only a few boulders in the river. He only stayed a week in the fall, however, people can stay three-four weeks. He was with his uncle and cousin and estimates their total weight between 400-500 pounds. He said the river is not hard to boat, however, he hates to boat the river as the channel changes constantly and the current is fast and one must know the channel. Another reason he does not boat the river is that it busts a lot of motors if they are not jet motors. These cost about \$2,500. When he was younger, he went every year by dog team and floated downstream.

May 7, 1998

There were two newspaper articles in the *The Drums* 1/12 & 1/19 in 1995 regarding potential commercial guided float trips down the Kwethluk River. The USFWLS had decided to allow two commercial outfitters three trips apiece between August 1 to the end of September. Kuskokwim Wilderness Adventures applied for a permit but a coalition called "The Kwethluk Joint Group" formed to oppose the plan on the basis that commercial uses will open the door to ever increasing commercial rafters that would harm the spawning grounds of the salmon.

Paul Liedberg with the USFWLS 1-800-621-5804 Permitting Section in Bethel said the conflict for commercial rafting on the Kwethluk River occurred before his time. Currently there are no commercial activities allowed on the Kisaralik, Kwethluk, Eek and Kasigiuk Rivers which lie inside refuge lands (Yukon Delta and Togiak NWR). These commercial activities would involve use on refuge lands. There are some who do a "pickup service" on the lower end, no higher than corporation lands. He said there is a River Management Plan on the Kisaralik but not on the Kwethluk. Just recently, there has been interest by the Kwethluk IRA Council to develop a river management plan for the Kwethluk similar to the Kisaralik.

Dennis Strom who was the **YDNWR Deputy Manager** PH: 1-800-621-5804 FAX 543-4413 at the time the article was written said at the present time there are no commercial permits for the Kwethluk River. At the time of the article, the permits would have allowed rafters to float the river after portaging from a small lake that USFWS refers to as "Boundary Lake" aptly named because of its location between the boundaries of YDNWR and Togiak NWR. The lake can be landed with a loaded 185 or 206 but take off must be with a light load. The portage to the river is about 1/4 of a mile. Dennis floated the river once from Boundary Lake to Three Step Mountain during July 1996 but plans to float it twice this summer from Boundary Lake to Three Step Mountain to study fish. About six miles above Three Step Mountain there are several oxbows which continuously erode and dump mud and silt into the river. Upstream the river is clear.

Villagers have traditionally reached their "spring camps" by dog team and drifted down in boats. In the past few years they have reached these camps by airplanes with *skies* but must leave before the ice goes out. During the spring, snow runoff raises the river but not enough to allow boat use to Breast Mountain or to these allotments. During June and July one can reach Elbow Mountain with a jet boat but the river characteristics instantly change to a stream heavily braided with several different channels, sharp corners and nasty sweepers. The rainy season begins mid-July and lasts through August until freeze-up or late September early October. In a normal year by mid to end-August the river is very high. There was a fish weir about 5-6 miles above Three-Step Mountain that overflowed mid-August. Fall or September is the best time to boat to the Native Allotment selections south of Breast Mountain. Dennis feels the river stays high in this area between 5-6 weeks although he has not been up in this area in the fall. He said to talk with John Andrew. The river receives a significant amount of water, as much as a 1/3 from Crooked Creek. Above Crooked-Creek and Kwethluk Rivers the characteristics of both water bodies change. They become significantly shallower.

May 11, 1998

I talked with **John McDonald** with **Kuskokwim Wilderness Adventures 543-3900** regarding his request for one of two permits to raft the Kwethluk River re: *The Drums* article of January 1995. He said the USFWS canceled the permits because of the opposition and political hassle with the villagers. Ideally, he wanted the Kwethluk Village to use one permit and he the other. He said one could not boat to the area of the Native Allotments around Breast Mountain except in extremely high water conditions and only for a short period of possibly two weeks. He said that one could boat to Three Step and maybe to Elbow Mountain with a jet unit during high water but it would be too difficult to boat further. Last year on overflight he saw just beyond Elbow Mountain a large blockage created by logs and sweepers from beaver activity on side tributaries. He said people would have a difficult time boating beyond this during normal flow.

Eek River - Alfred Alexie's allotment straddles the Eek River in Sec. 18, T. 1 N., R. 63 W., SM.

December 12, 1997

His son, **Arthur Alexie** at 757-6829 said he has not been to his fathers allotment. He said to call his brother Alexie A. Alexie who does volunteer work at the city office 757-6022. He also mentioned that his uncle, Abraham Alexie Sr. has been up this area.

Alexie A. Alexie -757-6022 said he has not boated Eek River because one would have to go downstream from the village of Kwethluk then upstream on the Eek River to reach his father's allotment. I faxed a copy of the sketch diagram to him (757-6497) since he was not aware that his father's application was still valid. It had been approved based on the 1906 Act.

April 16, 1998

Johnny Hawk (907) 536-5128, ANA Project Manager in the Eek Tribal Office has three allotments along Eek River, one on the North Fork, one at South Fork and one at the mouth of ... He said other good people to talk to would be Steven White (younger brother of Carlie White) Eek Council member, Joshua White, younger brother of Steven White, and Fritz Petluska at the City Office (907) 536-5129. They have been up the river many times.

Johnny boated Eek River last September 1997 to hunt and fish. He was not aware of the location of the Native allotments and wasn't sure if he reached Breast Mountain. I offered to mail him a map so we could identify the area he boated to. Continuing on with our conversation, Hawk said he used a 18' Woolridge with a 150HP jet unit. His load included two other people, 150 gallons of gas, their tent and food. They were gone one week. He saw about ½ dozen other boaters with 16'-18' Lunds mounted with 40-50 Horsepower propeller motors. The river was between 3'-4' deep during September. There is an area beyond the ridge where the river narrows to 15'-20' but it also becomes very deep. Beyond this area the river widens again. There are beaver dams on side tributaries but none on Eek because the river is too swift. The bottom of the river is gravel with lots of good fishing for all five species of salmon, whitefish, grayling, trout and arctic char. He said high water occurs after spring breakup around the 2nd or 3rd week of May and again during the latter part of August until freeze-up which occurs during the 2nd or 3rd week of October.

He said that one could use a propeller driven boat during the summer if you wanted to go "all the way" if you wanted to get out and walk your boat. Again, we will discuss this when he gets the map. The shallowest he has seen the river during a dry spell was 1' or less.

He said the river gets narrow when you get to the first mountain on the left (shaped like a "c") but it is fairly deep (3'-4') because it is so narrow, sometime he touches the bottom. He said his boat can still travel in water as shallow as 6". He is looking at establishing a fly-fishing/eco-tourism business and someday he would like to build a lodge at one of his allotment sites. He said the "window of opportunity" would be during July, August and September for 90-120 days. He presently has 7 - 18' boats with 40 horsepower outboards (propeller). He said he will be taking AVCP and USFWS personnel up the Eek river this summer to get an "index of the fish population." He will be traveling with Tim Andrew with AVCP and maybe Mike Reardon with USFWS. He mentioned he goes to his first allotment about eight times a year during June and July and in September to his North & South fork allotments.

April 20, 1998

Steven White (907) 536-5426, younger brother of Carlie White wasn't sure where Carlie's allotment was. The last time he boated to Breast Mountain was about 4 or five years ago in September. He used to go subsistence hunting every year during the 2nd week of September with

Carlie in a 18' Lund with a 40-Horsepower propeller motor. Their load included camping gear which they had to take because the bears have traditionally demolished anything left behind. He said during September when the river is the highest, the deepest parts are about 3' deep and the shallowest areas are 1½' deep. It stays high a good 6-8 days. Low water conditions occur during June, July and part of August before the August rain. During this time the shallowest areas are about 6" where you have to drag the boat. He said during low water one can reach the 1st mountain (on the right bank near mile 93). Impediments include strainers and sweepers.

April 22, 1998

Kenneth Henry who works at the corporation store but happened to be in Johnny Hawks office, Ph 536-5128, said he normally boats to the Sawtooth Mountains in the area of these allotments every September to moose hunt didn't last year because he didn't have another boat tagging along with them. He said the river can be dangerous because of the swift current and hidden boulders which can tear you boat or motor up. Locals refer to this reach of the river as "North Fork" and the Middle Fork as "South Fork".

The previous year in the middle of September 1996 Henry and another person boated to the area around Kapon Creek. He used a 18' Lund with a 90-horsepower Evinrude jet. His load included two people, gas, tent, food, sleeping bags and rifles. They were gone one week but didn't have any luck hunting. Because it rained every day, the river was very deep. He estimated the deeper areas to be about 6' deep and shallow areas about 1'-2' deep. He estimated it to be about 20'-30' wide. He feels the high water conditions last between 2-3 weeks. Impediments included rocks that begin to get bigger after the 1st mountain (on the right bank near mile 93 before the Great Ridge). Sometimes if it rains continuously during the month of September, the river can stay high a week longer. But as soon as the rain stops, the river goes down fast. Again, if there is not much rain, you can't reach this area. He said another good reference would be Johnny White.

Henry feels one can reach about halfway to the mountains in the spring after the snow has melted and the river is high. In the summer if you have a light load and use a jet unit one can reach the 1st mountain but after that it would be too dangerous. In the fall one could reach the Rainy Creek if you had a light load and four people to pull the boat when it became too shallow. Some people do boat up there in August but most are out commercial fishing. Around the end of August when it begins to rain they start to get ready for hunting. Sometimes in September when it rains continuously, one could stay an extra week or as long as the river stays high.

April 21, 1998

Fritz Petluska (907)536-5129 FAX 536-5711, City Clerk and acting City Administrator for Eek. Said he has been up Eek River hunting moose and caribou many times. He usually leaves about the middle of September and stays between one and two weeks and usually with one or two other people. He said you have to have at least another person along for when it gets swift. He uses a 18' Lund with a 55-horsepower jet unit. Other residents of Eek use 18' Lunds with 30-90 horsepower jet units. Three people have "Roughnecks" which are flat bottomed boats. Two are 17' and one is a 15'. Two have 40HP and 70 HP jet units but he's not sure what the other has. I faxed him a map showing the allotments and will call him back this afternoon.

April 24, 1998

Second conversation with Fritz Petluska. Fritz boated to the area of the Native allotments in September 1995 to hunt caribou and moose. There were three people including him plus their gas (80 gallons), tents and camping gear. They stayed over a week in this area. He estimated the shallowest areas to be about 2' deep and the deepest 6'-8' which are normally around the bends of the river. He said it stays deep for about a two week period. He stressed if it doesn't rain, you cannot reach these allotments. Near the allotments the river is between 30'-50' wide.

Impediments include rocks, boulders, strainers (underwater trees), sweepers (trees hanging in the river) which begin at the mountains or near the Great Ridge. The rocks and boulders in the river are very dangerous because they can easily puncture the aluminum boats, canoes and rafts. During June and July one could reach the mountains but you could not go further until the river gets more water from the rain. He said that Eek residents boat the river to reach subsistence areas, not to just sightsee or for any other reason. The rainy season starts in August to mid-September and sometimes runs through September. When the beaver dams along side tributaries begin to overflow from the rain, they add water to the river. The moose season lasts 9/1-9/30. He stressed if there is no rain you can't even reach the mountains.

When asked if one can use a boat, canoe or raft on the creek carrying about 1,000 pounds for travel, trade and commerce, he said he wouldn't recommend using any unmotorized boat such as canoes or rafts. But one could reach these allotments with a 18' aluminum boat with a jet unit loaded with 1,000 pounds if there is sufficient water. He emphasized again, to reach this area, if it doesn't rain, you can't get up this far. There are no commercial activities on the river. He said Johnny White has been up the river many times (907)536-5150 but he is out hunting today.

April 27, 1998

Fritz said the fax I sent to him regarding the interview conducted 4/21/98 was correct. He said that if BLM wanted to survey the allotments in the spring by boat they could make it but they needed to take a cordless drill and some patches in case they hit boulders and tore the boat. I told him BLM most likely will use a helicopter. I also agreed to mail him a map of Eek River.

April 30, 1998

Johnny Hawk received the map of Eek River and said he normally boats to "Crescent Mountain" a personal name he gave to describe the mountain situated within Secs. 20,21,28,29,30, T. 1 N., R. 67 W., SM. He said beginning in R. 66 W., the river becomes very deep and stays deep to the mouth of an unnamed creek in Sec. 4, T. 1 N., R. 65 W. After that point the river begins to meander and become so shallow that you have to traverse it with a jet boat. Kenneth Henry who happened to be in the office was in agreement with Johnny.

Awayak Creek

January 7, 1998. Scott Guyer looked at the Aerials for Awayak Creek in the Goodnews Bay Quad B-5. Roll 3112, Frame 560, CIR 60, August 1982 and said that there were multi gravel bars, downed trees, strainers, sweepers and the stream was too shallow.



United States Department of the Interior

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

**Akulikutak River Interim
Summary Report
Attachment 12**

Bethel FY'98
Baird Inlet FY'98
FF-14824 (75.4)
FF-014838 (75.4)
FF-14901 (75.4)
FF-14902 (75.4)
FF-14916 (75.4)¹

December 8, 1997

Memorandum:

To: File FF-14883 (75.4) Kwethluk Incorporated

From: Laura Lagstrom, Navigability Section (AK924)

Subject: Interviews for selected lands within Window 2029 Part I

Akulikutak River - mouth in Sec. 32, T. 8N., R. 68 W., SM. There are two village selections on this river. One is located at mile 9 and the other at mile 32. (Based on the Storet Map).

Local people of Kwethluk depend on the Akulikatak to reach hunting, fishing and berry picking areas and to gather wood. Most Kwethluk residents boat the river near the end of August when the river is five to six feet deep. This lasts between two-four weeks. The river is also used during the spring when ice dams on the Kuskokwim cause the river to rise. This usually lasts three to four weeks. Most of those interviewed are able to boat to the north of Three Step Mountain in Sec. 21, T. 6 N., R. 67 W., SM.

January 23, 1997

Ilarion J. Nicolai (757-6019) said he boats the Akulikatak just about every year for subsistence hunting and gathering wood. He uses a 18' Lund with a 40-horsepower propeller motor. Ilarion said the best time to boat the river is between the 20th of August to the beginning of September when the water is about 5'-6' deep. This high water lasts four to five weeks. His load normally includes one or two other people, food, sleeping bags, extra clothes and a drum of gas. He boats to just beyond Three Step Mountain, but once he went above the "Reindeer Corral" which is by Coral Creek in Sec. 26, T. 5 N., R. 66 W., or mile 48. During the summer months of June and July the river is about 1'-2' deep and 15' wide. He said David Michael of Kwethluk is very familiar with the Akulikatak but he lives at fish camp year round and has no phone.

¹File in Native Allotments F16009, F17052, F15666

John Andrew-Yukon Delta National Wildlife Refuge (1-800-621-5804) Bethel. John has a Native allotment within Sec. 4, T. 5N., R. 66W. About five years ago he went moose hunting and boated up to a locally known landmark, "Reindeer Corral" near Coral Creek which is in Sec. 26., T. 5N. R. 66W. The river was exceptionally high (3'-5' deep) after the rain in August. He believed it could stay this high for 2-4 weeks. John used a 18' Lund with a 40-horsepower Yamaha propeller motor. His load included another person, camping gear and 30-45 gallons of gas. He believes during July when the river is about 1'-2' deep, one could reach about half way up the river. He said the Akulikutak is boatable up to Three Step Mountain for 2-4 weeks in the fall and 3-4 weeks after spring breakup.

January 28, 1997

In another interview **John Andrew** said before he owned an aluminum boat, he owned a 20' to 24' plywood boat with a 30 to 40-horsepower propeller motor. He used this to hunt moose, caribou, and black bear in the fall. His load many times included two other people and camping gear for a week. High water conditions begin near the end of August and last several weeks. He feels that one could use a boat carrying 1,000 pounds to mile 37 during spring, summer and fall. If there are sweepers, they use chain saws to remove them every year. During July when the river gets as low as one foot, jet units go beyond Coral Creek. He said there is no guiding or commercial activity on this river.

February 20, 1997

Carl Nose 757-6279 said that people can reach Three Step Mountain near mile 32 during the spring and fall when the river is about knee-high to waist-high deep. People could boat past Three Step Mountain but only when the river is higher which lasts about two weeks. When he goes hunting, Carl uses a 18' Lund with a 40-horsepower Yamaha propeller motor. There are normally three people in the boat, camping gear and extra gas. They stay anywhere from one to three days.

John Owens (757-6216) BIA Realty Specialist was in the BLM State office in December 1996. He said the Akulikutak was boatable during high water periods past Three Step Mountain and during low water periods to just below Three Step mountain. He pointed on the map to the area just below the village selection in T. 6N., R. 67 W., or around mile 32.

October 1, 1996

Nick N. Epchook 757-6498 the Manager of the Native Store sent in a questionnaire that states he last boated this river after spring breakup during May 1996 for hunting/birch fungus. He reached just below Three Step Mountain with a 18' Lund Aluminum boat with a 50 horsepower Honda motor. He said during the "no rain season" in June and July the water drops down to about 2'-3'. He feels one can only use a canoe during this time.

Columbia Creek - mouth in Sec. 7, T. 8 N., R. 66 W., SM. Located 28 miles east of Bethel and flows northwesterly 18 miles into the Kasigluk River. There is one Native Allotment located at its mouth and another two miles further.

September 1996

Yako Fisher Sr. - (907- 757-6314 wk; 757-6223 home) - P.O. Box 27, Kwethluk AK 99621 heir to David Fisher's allotment located about two miles upstream. Yako said he uses Columbia Creek in the spring during March to look for caribou by snow machine.

October 9, 1996

Joseph Guy - (907) 757-6827, President, Kwethluk IRA, said last fall he boated less than a mile on the Columbia to pick cranberries. He used a 16'-18' LUND with a 30-40 Horsepower propeller motor. In August the creek is about two to three feet deep which lasts from three to four weeks. For one month between June and July the creek is about one foot deep. Overall, he believes that one could use a boat, canoe or raft on the creek carrying about 1,000 pounds for travel, trade and commerce for about 3/4 of a mile or less from the mouth. He felt after two miles it would be too shallow and narrow for a 21' boat to turn around.

On December 5, 1996

John Owen, BIA Realty Specialist, came into the Alaska State office. He said that during the summer, one could go through Albert Olick's Native Allotment, but after that one would run into two or three beaver dams and it would be very shallow.

January 17, 1997

Frank Alfred (907) 757-6419 said he went hunting less than two miles upstream last September. He used a 18' Lund boat with a 40-Horsepower propeller motor and carried a load that included three people and camping gear for three days. It was about six feet wide at the mouth and there were beaver dams about a mile upstream but Frank said one could go over them. The creek is about 3' deep during June/July and 2½-3' deep during August/beginning of September. Low water occurs in late September until the beginning of winter or October. During that time he feels no one can use the creek.

January 17, 1997

In an interview by phone, **John Owen** (907)757-6216 said that last fall he went upstream about 3/4 of a mile to hunt for moose and caribou. He used a 18' LUND with a 45 horsepower propeller motor. His load included two people and an extra 12 gallons of gas. He said the water was about five feet deep but that is always dependent on the rain. He said there was a lagoon at the mouth which narrowed to 10' wide. There was a beaver dam about 1/4 mile upstream but he went over the dam. High water occurs in April/May and August/September. Low water occurs June and July.

Kushluk River - mouth in Sec. 25, T. 8 N., R. 69 W., SM. Local residents call this the Ill'ling'uth'tu'lik River or the North Fork of the Kwethluk. It is about 30 miles from Kwethluk and used to reach berry picking, hunting and trap-fishing grounds. The NASA aerials show it to be about two chains wide for a mile from its mouth. There is one Native Allotment located near mile six.

January 28, 1997

John Andrew-Yukon Delta National Wildlife Refuge 1-800-621-5804, said he has frequently traveled up and down the Kushluk or more locally known as either *Ill'ling'uth'tu'lik*, Birch Creek or the North Fork of the Kwethluk River. He went caribou hunting in the fall of 1996 with a 18' Lund with a 45-HP Yamaha propeller motor. His load was more than 1,000 pounds. Other local people also hunt, berry pick and fish in this area. He knew where Madrona Helmick's Native allotment was and said the river is boatable spring, summer and fall from the mouth to her allotment and beyond.

February 3, 1997

John Owen (907)757-6216, a BIA Realty Specialist in Kwethluk, said the river is open from spring to fall for boat travel. He said they are able to carry loads of 1,000 pounds with no problem. I asked him specifically about reaching Madrona Helmick's Native allotment and he said people are boating beyond her allotment for berry picking, hunting and fishing. It is wide, deep and free of obstructions.

February 11, 1997

Phillip Guy (907) 757-6613, a Land Planner for Kwethluk, said that the river is called Ill'ling'uth'tu'lik which means "many birch trees" and the name Kushluk is a misnomer. The river is high in the spring during April and May because of ice dams on the Kuskokwim and high in the fall during August and September after the rainy season. He boated this area last fall around the middle of August to take his wife berry picking and to scout out hunting areas. He used his 18' Lund with a 30-HP propeller motor. He also owns a 15HP and 25HP motor which he mounts on his boat according to how deep the water is in the area he is planning to travel to. He said that the river is wide and deep up to Sec. 3, T. 7N., R. 68 W., which is about four miles beyond Madrona's allotment. At this point, the river gets very narrow and shallow to where he had to tilt the motor to keep going. He said, "sometimes it's not much wider than a boat and you have to find a wider spot to turn around." Impediments at this point include shallow water, underwater logs, beaver dams and fallen trees. Low water conditions occur during June and July.

Anabranh of Kwethluk River locally known as "Net Creek" or "Kuviak'ya'chal'vick."

Approximately 13 miles long, its upstream mouth is located in Sec. 17, T. 7N., R. 68W., and its downstream mouth is located in Sec. 15, T. 8N., R. 69 W., SM. Annie Alexie's Allotment, F-17052B straddles the creek near mile 10 in Sec. 12, T. 7N., R. 69 W., SM.

September 17, 1997

Wassillie Evan in an interview at the Organized Village of Kwethluk office said he took three people up the river in August 1997 with his 20' Alumaweld boat with a 45 horsepower propeller motor. The river was 10'-15' deep and about 20' wide. He said this high water condition occurs during the spring and fall. During June and July the river is between 6'-8' deep.

February 20, 1997

Carl Nose (757-6279) said Kwethluk residents call this creek "Kuviak'ya'chal'vick" or Net Creek. Carl said the creek is navigable from spring to fall. He goes hunting every year for ducks, geese, swan, white fish, pike and grayling. He uses an 18' Lund with a 40 horsepower propeller motor. There are no obstructions however, there are some narrow portions 10-12' wide. The last time he boated the creek was in May of 1996. There were three people in the boat plus extra gas, food, camping gear and lots of ammunition. The river is 6' deep or more.

Frank Frank (hm 757-6920) said that the Kuviak'ya'chal'vick is open for boat traffic during the spring, summer and fall. He has used 16' and 18' Lunds with a 40 horsepower motor to fish and hunt along this creek. He mentioned that it is a very narrow creek, 12' wide or more in places, but it is deep enough for boat traffic. (about 4'-5' deep). Sometimes he carries over 1,000 pounds. One can enter the river from either side with no problem.

A photograph in the historical site AA-010219 in Sec. 11, T. 7N. R. 69 W. SM, for 2.5 acres shows Okfirpaunlik emptying into a well defined and unobstructed "Net Creek." The name (*Okfirpaunlik*) means "place of willow trees" and references the area rather than a specific place. The investigation of this historical site revealed that this area was occupied in the late 1800s if not earlier.

Left bank tributary of an anabranch of Kwethluk River locally known as "Vigauthtalik"-Mouth in Sec. 12, T. 7 N., R. 69 W., SM. This stream flows through two lakes before exiting into an anabranch of Kwethluk River. There are two Native allotments that straddle it within one mile of it's mouth. The overflight in September 1997 revealed a very shallow effluent evidenced by the riffles across its mouth and grass growing adjacent to it.

March 19, 1997

John Owen, BIA Realty Specialist (907) 757-6216 said local residents know this area as (*Okfirpaunlik*) and the stream is called "Vigauthtalik." One can reach this stream via Net River or "Kuviak'ya'chal'vick" which is an anabranch of the Kwethluk River. John boated to the lake in Sec. 25, T. 7N., R. 69 W. of this township last spring with a 18' Lund with a 50 horse power motor. His load was about 500 pounds. Within Annie Alexie's allotment is Section 12 of this township, he says this stream is about 30'-40' wide during the spring (May & June) and about 10'-15' deep. Because he only boats this area during the spring, he guesses during the summer months of July to the beginning of August it is probably about 2'-5' deep. And again in the fall it

is probably 5'-10' deep. He thinks people could use the stream during the summer to get to their allotments including the furthest upstream, Henry Frank in Sec. 19 T. 7N. R. 68W. SM.

Martin Andrew at (907) 757-6216 has boated to Sec. 25, T. 7N., R. 69 W. of this township with a 14' aluminum boat with a 25HP propeller motor during the spring (May). His load included 150 pounds of camping gear for less than a week. He believed people who have allotments along this stream could get to them during high water which occurs in the spring and fall and also during high water conditions in the summer. High water lasts 2-2 1/2 weeks

September 17, 1997

Wassillie Evan came into the Kwethluk office while I was working with John Owen and said he boated this stream last month around the middle of August. He used a 20' aluminum welded tunnel boat with a 45 horsepower propeller motor. There were three people in the boat with no load. He said high water conditions are normally between April/May and August/September and last between one and two weeks. During this time it can get about 10'-15' deep. During June and July it is about 1'-2' deep. He didn't feel anyone could use it during low water. I asked him if he believed one can use a boat, canoe, raft on the creek carrying 1,000 pounds for travel trade and commerce and he said only during high water conditions. He commented that there is some grass in the water. One could use a canoe but with no load.

On October 7, 1997

Frank Nicori's (907-757-6088) questionnaire stated he was berry picking in this area last August with three other people in his 16' aluminum boat with a 40-horsepower propeller motor. He estimates the following water levels: April-frozen; May-10'; June 6'-7'; July 4'-5'; August 7'-8'; September 10' or less. There are no known impediments. He does not believe one can use a boat, canoe or raft on the stream carrying 1,000 pounds for travel, trade and commerce during the summer, but only during fall or spring high water conditions which last about a month.

Left Bank Tributary or "Old Kwethluk River" - mouth in Sec. 36, T. 6N., R. 68W., SM. It is about 10 miles to the Native Allotments of John Andrew (F19254A), Elizabeth Nicolai (F18289C), Anna Nicolai (F15926) and the Regional Selection 14(h)1 AA10429. The aeriels (CIR 60, Roll 10, Frame 290, July 1980 & CIR 60, roll 03112, Frame 414, August 1982) show the river to be open to Section 24, T. 5N., R. 68W., SM.

John Andrew who works for YDNWR (1-800-621-5804), has an allotment in Sec. 24, T.5N., R. 68 W., SM. John said he does not use the Old Kwethluk River to reach his allotment to moose hunt in August because the river is too shallow (1'-2') and has too many sweepers and beaver dams. He boats the Kwethluk River and walks a mile to his parcel. He describes the vegetation as spongy tundra which makes packing out 1,000-1200 pounds of moose very difficult.

There is a 14(h)1 AA-10429, claim located between F19254A and F18289C. Oral accounts and cultural remains indicate this was a small year round settlement which began at an unknown date and ended in the early 1940s. The report stated the area is now used seasonally by subsistence hunters, especially by former site residents and their descendants.

Albert Nicolai (message through John Owen (907)757-6216) said the river is too shallow and filled with beaver dams to boat in the spring and summer. His mother, Anna Nicolai, has an allotment on this river. After the August rain, the river can get two feet deep, however, this only last about two-three weeks. He uses a 16' Lund boat with 25 horsepower propeller motor. He has seen others boat the river but they were using light boats with jet motors. When asked if he believed one can use a boat, canoe or raft on the creek carrying 1,000 pounds for travel trade and commerce, his response was, "One could use a small boat with about 300 pounds."

January 28, 1997

Anna Jacobson (907) 479-3482 said her nephew, Nick Epchuck Jr., took her and her husband up the Old Kwethluk last year during the end of June/beginning of July to pick berries. She remembers they had to wait until the water was high enough. They used a 16' Lund aluminum boat with a 25-horsepower motor and their load included camping gear. She said because Nick was familiar with the channel, they were able to reach John Andrew's Native allotment, however, the river was very shallow, about 1-2' deep. She estimated the river to be about 20' wide. She remembered seeing a fish counting station there but when I interviewed others familiar with this river, they did not remember seeing a fish counting station.

Right bank Tributary of Kwethluk River - mouth in Sec. 8, T. 5N., R. 67 W., SM. There is one Native Allotment that straddles it about a mile upstream.

October 30, 1996

Nick Epchuck, manager of the Native store and the son-in law 757-6220 said he went up to Balassia's allotment last summer to pick salmon berries. He said the creek could be used during early spring, June and between the end of August to the end of September. He feels it is usable for 3-4 weeks in the spring and the fall. High water is about 3-4 feet. Low water is ½' - 1' deep. One could go part way in the summer.

October 31, 1996

Ruth Nelson said when her parents lived up there all the time, they used to drift down the Kwethluk in a skin boat. She said her parents used to walk from the Kwethluk River to get to their parcel. Ruth said if the creek was usable, they would have used that. When I called her again on November 29, 1996, Ruth affirmed her earlier statement that the allotment was accessible by camping along the Kwethluk and walking to her mother's native allotment.

Laura Lagstrom

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF LAND

TONY KNOWLES, GOVERNOR

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ANCHORAGE, ALASKA 99503-5947
PHONE: (907) 269-8503
FAX: (907) 269-8904

June 3, 1998

**Akulikutak River Interim
Summary Report
Attachment 13**

Gust C. Panos, Chief
Branch of Mapping Sciences
Bureau of Land Management
Alaska State Office
222 W. 7th Avenue, #13
Anchorage, AK 99513-7599

RE: Survey Window 2029 /IC's 142, 213, 610, 633, and 675

Dear Mr. Panos:

We have reviewed your memorandum, dated January 13, 1998, for Survey Window 2029, identifying navigable waters on public lands selected under ANCSA. It does not address waters within already conveyed lands. Survey Window 2029 is described as consisting of 238 inholdings located in 48 townships within the Yukon Delta National Wildlife Refuge. The state would like to offer the following comments to be considered before survey.

First, the state agrees that the Kasigluk River and an unnamed stream in T. 5 N., R. 72 W., S. M. are meanderable. The state also agrees that Lomavik River is navigable along with the Kasigluk, Akulikutak, and Kushluk rivers and Net Creek.

Next, BLM stated that they were not considering the navigability of waterbodies associated with Native allotments that were encompassed by land previously conveyed by Interim Conveyances 142, 213, 610, 633, and 675. This was in response to Calista Corporation's request that no navigability redeterminations be made on previously conveyed lands within the Calista region. Regardless of Calista Corporation's request, the BLM is required to review navigability based on the current applicable standards. At a minimum, waters adjacent to or crossing selected allotments within this survey window should be evaluated consistent with the Department of the Interior's policy summarized in the March 16, 1976 memorandum from Associate Solicitor Hugh C. Garner, as well as the Ninth Circuit Court decision *Alaska v. Ahtna, Inc.*, 891 F.2d 1401 (9th Cir. 1989). The allotments that have been selected in this area remain in federal ownership until conveyed to the individual allottee. They do not constitute previously conveyed lands. The state suggests that BLM invite Calista Corporation to reconsider their request in light of the fact that

BLM is required to review navigability on these allotments before conveying them into private ownership.

The state has examined the information BLM provided in conjunction with the appropriate Master Title Plats and the U.S.G.S quadrangle maps. In general we found that it was almost impossible for the state to verify the allotment locations in relation to surrounding waters without reviewing individual aerial photographs. Because we have not reviewed the aerial photographs we may have inadvertently excluded an allotment from our review. However, based on available information, the state asserts that most of the waters in this region are continually used as an integral part of the communities transportation system, meet the standard of susceptibility as a highway of commerce and, consequently, should be meandered from any allotment survey.

The obviously navigable waters within this survey window are the Akulikutak, Kwethluk, and Kushluk rivers as well as Kuskokuak Slough. In addition to these rivers there are hundreds of tributaries and lakes that are susceptible to navigation. Numerous allotments within the survey window are located on or near each of these rivers. (See attached table)

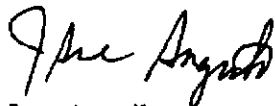
The Kuskokwim drainage is the second largest watershed in the state. Draining the slopes of the Alaska Range and the Kuskokwim Mountains, the main channel flows 680 miles to the Bering Sea south of the Yukon River. The Kuskokwim River and its interconnecting sloughs have been used for thousands of years for travel, subsistence, hunting and fishing. According to the Yukon Delta Refuge Final Comprehensive Conservation Plan (CCP), the U.S. Fish and Wildlife Service acknowledges the state's ownership of navigable water within the refuge. In the CCP, the U.S.F.W.S. acknowledged that the Kasigluk, Kuskowim, and the Tuluksak rivers are navigable..

Occupation of the Yukon Delta has been dated back to 7000 BC. Five to six groups of Yupik-speaking Eskimos lived in this area. Transportation among the groups was provided in open water seasons by both open skinboats and kayaks. Today, during the summer season boats are used on all the major rivers in the refuge. The most important use of these rivers is for travel. The lack of a road system within the refuge makes the locals even more dependent on the waterways to transport food and supplies. Locals use the rivers for hunting, fishing, subsistence, and travel to fish camps, allotments, and between communities. All types of boats are used including riverboats, canoes, and other small watercraft. The Kuskokwim, Kwethluk, and Kasigluk rivers are the most heavily used for commercial purposes, subsistence, and recreation. The Kwethluk, Kisaralik, and Andreafsky Rivers are the primary rivers used by non-local sport anglers. The Akulikutak and the Kushluk rivers are tributaries of the Kwethluk River. They also receive documented boat use.

In conclusion, based on the information gathered, both locals and non-locals use all the rivers previously mentioned for a variety of activities which clearly demonstrates their susceptibility to use as a highway of commerce. Travel on these waterways is vital to the survival of the communities. All the waterways noted for this survey window meet the minimum BLM standards for navigability and should therefore, be meandered from the survey.

We appreciate your attention to the state's request to evaluate these waters consistent with your policy. If you would like to discuss our position or need additional information, please contact Kamie Simmons by phone at 267-2242.

Sincerely,



Jane Angvik
Director

cc: Jim Culbertson, DL
Bill Brown, DL
Terry Petterson, DL
Joanne Grace, DOL
Tina Cuning, ADF&G
Robin Willis, ADF&G
Calista Regional Corporation
Kokarmuit Corporation
Oscarville Native Corporation
Bethel Native Corporation
Napakiak Corporation
Napaskiak Corporation
Kwethluk Incorporated

TABLE A

Native Allotment Applications in Survey Window 2029
Adjacent to or straddling a River

<u>AKULIKUTAK RIVER</u>	F-19256
F-16010	F-17056
F-14883-A2	F-17075
	F-17051

KWETHLUK RIVER

F-13559
F-16012
F-16483
F-19254
F-18289 Parcel C
F-15926
F-17221
F-17210
F-17222
F-17057

Tributaries of Kwethluk River

F-16181
F-17052
F-17210 Parcel B
F-17607
F-17078
F-17217

KUSHLUK RIVER

F-16009

KUSKOKUAK SLOUGH

F-17052 Parcel B
F-17217
F-17206
F-17066
F-18288