

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER

FINAL FINDING AND DECISION

of a

Reconveyance of Alaska Native Allotment Case File

ADL 414789

BLM F 000412

This Final Finding and Decision (FFD) complements and updates the Preliminary Decision (PD) for ADL 414789, issued on April 30, 2026. This FFD supersedes any prior decisions regarding this allotment.

I. Recommended Action

On April 30, 2026, the State of Alaska (State), Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) proposed to voluntarily reconvey to the United States of America, a parcel of wrongfully conveyed state land located within Section 11, Township 4 South, Range 6 West, Fairbanks Meridian. The parcel is described as Lot 5, SE1/4NW1/4, and SW1/4NE1/4, of Section 11, Township 4 South, Range 6 West, Fairbanks Meridian, according to the plat approved by the U.S. Surveyor General's Office in Juneau, Alaska, on May 18, 1921, containing 100.59 acres, more or less, and Lots 2a, 3a, of Section 11, Township 4 South, Range 6 West, Fairbanks Meridian, according to the plat accepted by the United States Department of the Interior, Bureau of Land Management, Anchorage, Alaska, on June 7, 2005, containing 43.24 acres, more or less, for an aggregate acreage of 143.83, in the Nenana Recording District. The parcel is claimed by Luke Thomas (deceased) as his Native Allotment. There are no changes to the stipulations outlined in the attached PD.

II. Authority

This reconveyance is being adjudicated pursuant to Alaska Statute (AS) 38.05.020 Authority and Duties of the Commissioner, AS 38.05.035 Power and Duties of the Director, AS 38.05.830 Land Disposal in the Unorganized Borough, 11 Alaska Administrative Code (AAC) 67.930 Purpose and Procedure, and the settlement authority of the Attorney General in accordance with the Stipulated Procedures for Implementation of Order, *Ethel Aguilar v. United States of America*, 474 F. Supp. 840 (D. Alaska 1979) (herein cited as *Aguilar*). The authority to execute this Final Finding and Decision has been delegated to the Section Chief, LCS, DMLW, DNR, pursuant to AS 38.05.035(b)(1) Power and Duties of the Director.

III. Public Notice

Pursuant to AS 38.05.945 Notice, a public notice announcing the PD for the proposed Native allotment reconveyance along with the solicitation for public comment was published and distributed in compliance with the above statute in the following manner:

- Posted on the State of Alaska Online Public Notice and the LCS website from April 30, 2026, to June 4, 2026, per AS 38.05.945(b)(3) Notice;
- Mailed, with a request to post for 30 days, to the postmasters in Nenana per AS 38.05.945(c)(4) Notice;
- Mailed to the regional and village corporations per AS 38.05.945(c)(2)-(3) Notice (Doyon Limited, Nenana Native Association, and Toghoththele Corporation); and

Final Finding and Decision

ADL 414789

Page 2 of 4

- Mailed to the known heirs of Luke Thomas (allottee), Tanana Chiefs Conference, Alaska Legal Services Corporation, Bureau of Land Management, and Bureau of Indian Affairs.

The public notice stated that written comments must be received by 3:00 p.m. Thursday, June 4, 2026, in order to ensure consideration and eligibility to appeal. For more information, refer to the attached PD.

IV. Comments Received

No written comments were received during the public comment period.

V. Traditional Use Finding

This parcel is in the Unorganized Borough, and a traditional use finding is required pursuant to AS 38.05.830. No information was received concerning traditional use outside the use by the Native allottee.

VI. Modifications to Decision and Stipulations

The recommended action has not been modified from the original intended proposed action described in the PD of April 30, 2026. However, a correction is needed for page 3 of the PD. Lots 2a and 3a were incorrectly listed as submerged lands. The submerged lands are Lots 2b and 3b. This error was carried to page 5 for the easement description. This error is corrected below. This parcel is described as:

Lot 5, SE1/4NW1/4, and SW1/4NE1/4, of Section 11, Township 4 South, Range 6 West, Fairbanks Meridian, according to the plat approved by the U.S. Surveyor General's Office in Juneau, Alaska, on May 18, 1921, containing 100.59 acres, more or less.

Lots 2a, 3a, of Section 11, Township 4 South, Range 6 West, Fairbanks Meridian, according to the plat accepted by the United States Department of the Interior, Bureau of Land Management, Anchorage, Alaska, on June 7, 2005, containing 43.24 acres, more or less.

Aggregating 143.83 acres, more or less.

Situated in the Nenana Recording District.

It is in the best interest of the State to reconvey the land to the United States subject to the reservations, exceptions, and restrictions, as stated below. This will allow the heirs to the Native allottee to obtain title to the land while the State will retain public access on the property as prescribed by statute and thus avoid title recovery litigation by the federal government. The State may proceed with the reconveyance of this parcel, to the United States of America subject to the following easements, reservations, exceptions, and restrictive covenants:

Subject to:

- (a) An easement fifty (50) feet in width for public access, upland, abutting, and running in common with the ordinary high-water mark along Tanana River within Lot 2a, 3a, and 5 of Section 11, Township 4 South, Range 6 West, Fairbanks Meridian, Alaska, pursuant to AS 38.05.127 Access to Navigable and Public Water, 11 AAC 51.045 Easements To and Along Navigable and Public Water;

Final Finding and Decision

ADL 414789

Page 3 of 4

- (b) All other valid existing rights, including reservations, and exceptions in the U.S. Patent, or other state or federal conveyance, and in acts authorizing the issue thereof; easements, rights-of-way, covenants, conditions reservations, notes of the plat, and restrictions of record, if any.

The Division of Oil and Gas and DMLW have determined that it is not in the State's best interest to retain the mineral estate. The mineral estate will not be retained pursuant to AS 38.05.035(e) Powers and Duties of the Director. The State will receive an acreage credit for the land.

The following condition will be included in the conveyance document and pertains to this reconveyance. The following interest will merge with the title once the land is conveyed back to the United States:

Any reservations in the patent the State received from BLM will merge with the title once the land is conveyed back to the United States.

Recommendation and approval of the Final Finding and Decision follow.

VII. Final Finding and Decision

LCS recommends proceeding with the proposed action as described in the Preliminary Decision. This action is undertaken pursuant to relevant authorities. Public notice has been accomplished in accordance with AS 38.05.945 Notice, and comments received were considered. The case file has been found to be complete and the requirements of all applicable statutes, regulations, and court orders have been satisfied.



June 15, 2026

Recommended by: Kathryn Young
Native Allotment Coordinator
Land Conveyance Section
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

Date

Under the authority of the applicable statutes and *Aguilar*, it is hereby found to be in the best interest of the State of Alaska to proceed with the recommended action as described and referenced herein.



June 15, 2026

Approved by: Hannah Uher-Koch
Section Chief
Land Conveyance Section
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

Date

Final Finding and Decision

ADL 414789

Page 4 of 4

Appeal Provision

An eligible person affected by this decision, and who provided timely written comment or public hearing testimony to the department, may appeal the decision to the DNR Commissioner per AS 44.37.011 and 11 AAC 02. Any appeal must be received within twenty (20) calendar days after issuance of this decision under 11 AAC 02.040. An eligible person must first appeal a decision to the Commissioner before seeking relief in superior court. The Alaska Court System establishes its own rules for timely appealing final administrative orders and decisions of the department.

Appeals may be mailed or hand-delivered to the DNR Commissioner's Office, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska, 99501; or faxed to (907)-269-8918; or sent by electronic mail to dnr.appeals@alaska.gov. Appeals must be accompanied by the fee established in 11 AAC 05.160(d)(1)(F), which has been set at \$200 under the provisions of 11 AAC 05.160 (a)-(b). A copy of 11 AAC 02 is available on the department's website at <https://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf>.

**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER**

**Proposed Reconveyance of an
Alaska Native Allotment in the Unorganized Borough**

PRELIMINARY DECISION

**ADL 414789
BLM F 000412**

PUBLIC COMMENT PERIOD ENDS 3:00 P.M., THURSDAY, JUNE 4, 2026

I. Proposed Action

Preliminary Decision: Luke Thomas – ADL 414789

Attachment A: Vicinity Map

Attachment B: Public Notice

Attachment C: Section 11 and 12 Resurvey

Proposed Action: The primary proposed action of this Preliminary Decision (PD) of the State of Alaska (State), Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) is to voluntarily reconvey to the United States of America Lots 2a, 3a, 5, SE1/4NW1/4, and SW1/4NE1/4 in Section 11, Township 4 South, Range 6 West, Fairbanks Meridian, containing 143.830 acres, more or less, of wrongfully conveyed state land. See *Attachment A: Vicinity Map* for a depiction of the project area.

The subject parcel is an Alaska Native allotment, Bureau of Land Management (BLM) Serial No. F 000412 claimed by Luke Thomas (deceased). The claim is being settled in accordance with the Stipulated Procedures for Implementation of Order approved by the Court to implement the decision in *Ethel Aguilar v. United States of America*, 474 F. Supp. 840 (D. Alaska 1979) (herein cited as *Aguilar*) and Alaska Statute (AS) 38.05.035(b)(9) Powers and Duties of the Director.

Public Notice of Proposal: In accordance with AS 38.05.945 Notice, during a period of at least 30 consecutive days, the public will have the opportunity to submit written comment on this proposal.

See **Section XVI. Submittal of Public Comments** at the end of this document and *Attachment B: Public Notice* for details on how to submit a comment for consideration. If, after consideration of timely, written comments, DNR DMLW LCS moves forward with the proposal, a Final Finding and Decision (FFD) will be issued.

II. Authority

This reconveyance is being adjudicated pursuant to AS 38.05.035(b)(9) Power and Duties of the Director, AS 38.05.830 Land Disposal in the Unorganized Borough, and the settlement authority of the Attorney General in accordance with *Aguilar*.

Preliminary Decision

ADL 414789

Page 2 of 8

III. Administrative Record

The DNR case file ADL 414789, and BLM case file F 000412, constitute the administrative record for this proposed action. Also incorporated by reference are:

- Yukon Tanana Area Plan (YTAP, adopted January 2014) and associated land classification files; and
- DNR case files: GS 21.

IV. Scope of the Proposal

The scope of this proposal, under the statutes described in the preceding **Section II. Authority**, is limited and specific to DNR DMLW's proposal to voluntarily reconvey this land to the United States of America in accordance with the Stipulated Procedures for Implementation of Order approved by the Court to implement the decision in Aguilar and AS 38.05.035 Power and Duties of the Director, and whether the reconveyance should be made subject to any stipulations to best serve the interests of the public and the State.

V. Location

Located within DNR's Northern Region, approximately 12 miles east of Nenana, along the south bank of the Tanana River, the subject parcel is within Section 11, Township 4 South, Range 6 West, Fairbanks Meridian, within the Unorganized Borough. The subject parcel consists of approximately 143.830 acres identified for reconveyance by this proposed action. See *Attachment A: Vicinity Map* for a depiction of the subject parcel.

USGS Map Coverage: Fairbanks C-4

Borough/Municipality: Unorganized Borough

Native Councils and Corporations: The project area is within the boundaries of the Doyon, Limited regional corporation. Nenana is within 25 miles of this proposed action, and notice will be sent to the Nenana Native Association, Toghoththele Corporation, and Tanana Chiefs Conference.

VI. Legal Description

Lot 5, SE1/4NW1/4, and SW1/4NE1/4, of Section 11, Township 4 South, Range 6 West, Fairbanks Meridian, according to the plat approved by the U.S. Surveyor General's Office in Juneau, Alaska, on May 18, 1921, containing 100.59 acres, more or less.

Lots 2a, 3a, of Section 11, Township 4 South, Range 6 West, Fairbanks Meridian, according to the plat accepted by the United States Department of the Interior, Bureau of Land Management, Anchorage, Alaska, on June 7, 2005, containing 43.24 acres, more or less.

Aggregating 143.83 acres, more or less.

Situated in the Nenana Recording District.

VII. Title

The State selected the land on November 25, 1959. Patent 1220532 was issued on June 15, 1961. The State file is GS 21. Title Report No. 21112 was issued on August 20, 2020. No third-party interests were identified. The parcel is subject to the reservations, easements, and

Preliminary Decision

ADL 414789

Page 3 of 8

exceptions contained in Patent 1220532 dated June 15, 1961. Title report No. 23171 was issued on June 18, 2025. No concerns were discovered.

Acquisition: The State filed selection application GS 21 (BLM Serial No. F 024583) for Township 4 South, Range 6 West, Fairbanks Meridian on November 25, 1959.

Restrictions: Any reservations in the Patent 1220532 the State received from BLM will merge with the title once the land is conveyed back to the United States.

VIII. Background and Discussion

The following events for this case are:

- Luke Thomas began his use and occupancy of the subject land in January of 1914, according to documentation in the DNR case file ADL 414789.
- The Native allotment application was signed and filed on May 24, 1915.
- The State filed selection on November 25, 1959, for Township 4 South, Range 6 West, Fairbanks Meridian, and received Patent 1220532 on June 15, 1961.
- BLM determined the parcel surveyed by the U.S. Rectangular Survey for the township on March 18, 1991.
- BLM determined Native allotment application F 000412 valid on March 2, 1992, and requested reconveyance from the State on the same day.
- The State received a request for reconveyance using an updated legal description on July 30, 2024.

The State issued a Final Finding and Decision approving the reconveyance on February 11, 1997. For the next 15 years, there were repeated attempts to have the Settlement and Release Agreement (SRA) signed. On July 1, 2013, the State reversed its decision and declined to reconvey the land due to the failure of involved parties to sign the SRA and because the parcel is within the Tanana Valley State Forest. These factors are no longer considered valid reasons to decline reconveyance of a native allotment. The State reopened the case on October 14, 2019.

A review of the file shows that the subject parcel was resurveyed in the early 2000s with the Resurvey and Subdivision of the USRS for Section 11 and 12, Township 4 South, Range 6 West, Fairbanks Meridian, officially filed on June 22, 2005. Portions of Lots 2 and 3 were adjusted due to the changes in the bed and meanders of the Tanana River. Lot 2 became Lots 2a and 2b. Lot 3 became Lots 3a and 3b. Lots 2a and 3a are now submerged lands due to the erosion of the banks of the Tanana River in this location. See *Attachment C: Section 11 and 12 Resurvey* for a depiction of the resurvey of Lots 2 and 3.

Lot 5 also abuts the Tanana River. There were no survey adjustments to Lot 5, so the original 1921 USRS is the ruling document for this lot.

According to state law, LCS cannot convey the bed of inland navigable waterways (shorelands) out of state ownership. Therefore, this decision reapproves the reconveyance of this Native allotment under the revised legal description of the lands originally approved for reconveyance. The new legal is described in **Section VI. Legal Description**.

Preliminary Decision

ADL 414789

Page 4 of 8

IX. Planning, Classification, and Mineral Orders

Planning: The subject parcel is located within the Tanana Valley State Forest. It is listed in the Legislatively Designated Areas of the Yukon Tanana Area Plan adopted on January 2014, and located in unit L-01. As the plan states, the previous land classification order NC-82-065 is retained and still in effect. Recommended land use within this unit continues with management according to the Tanana Valley State Forest management plan and in accordance with the purposes for establishment of the forest in AS 41.17.400. The designation for the subject parcel continues to be Forestry. This designation converts to the classification of Forest Land.

Land Use Classification: The State classified the subject parcel as Forest Land under Classification Order CL NC-82-065 based on AS 41.17.400, the Tanana Valley State Forest, dated July 1, 1983. As this reconveyance falls under AS 38.05.035(b)(9) Powers and Duties of the Director, and pursuant to AS 38.05.035(c) Powers and Duties of the Director, this parcel of land may be reconveyed without classification or reclassification under AS 38.05.300 Classification of Land.

Mineral Order: The subject parcel is not subject to a mineral order.

Local Planning: This parcel does not exist within any local planning unit.

X. Traditional Use Finding

In accordance with AS 38.05.830 Land Disposal in the Unorganized Borough, a traditional use finding is required if the subject parcel is within the Unorganized Borough. This parcel is in the Unorganized Borough, and a traditional use finding is required. Information on traditional use is welcome during the public comment period, and if this proposal is approved, LCS will address the information received in a subsequent FFD. See the **Section XVI. Submittal of Public Comments** at the end of this document and *Attachment B: Public Notice* for details on how to submit comment.

XI. Access, including Access To and Along Public or Navigable Water

Public Access: This parcel has public access via the Tanana River.

Access To and Along Public or Navigable Waters: In accordance with AS 38.05.127 Access To Navigable or Public Water, DNR will determine if a water body is navigable or public and establish easements or rights-of-way as necessary to ensure unobstructed access to and along the body of water. Regulations dictating the creation of easements or rights-of-way under this statute include 11 AAC 51.035 Determination of Navigable and Public Water, 11 AAC 51.045 Easements To and Along Navigable and Public Water, and 11 AAC 53.450 Buffer Strips, Reserved Areas, and Public Easements. In addition, an affected landowner may, under 11 AAC 51.065 Vacation of Easements, file a request with DNR to vacate, modify, or relocate a public access easement.

The subject parcel sits on the Tanana River, which has been determined to be navigable. A 50-foot public access easement under AS 38.05.127 Access To Navigable or Public Water is required. A review of the subject parcel, the surrounding area, and land ownership shows this easement is continuous. The adjacent Native allotment for Noah Albert, BLM F 000828, ADL 416148, to the east already has a decision approving reconveyance and was made subject to the 50-foot public access easement under AS 38.05.127 Access To Navigable or Public Water. The state land to the west is unencumbered. Therefore, a 50-foot public access easement from

Preliminary Decision

ADL 414789

Page 5 of 8

ordinary high water (OHW) is required per AS 38.05.127 Access To Navigable or Public Water. To decline a 50-foot public access easement on the subject parcel would create a discontinuous easement along the river.

Easements and Setbacks: Under AS 19.10.010 Dedication of Land for Public Highways, the application of a 50-foot section line easement is required on all protracted or surveyed section or township lines on State land. There are no provisions under the law to exclude this 50' section line easement dedication at conveyance or reconveyance back to the federal government. However, an affected landowner may, under 11 AAC 51.065 Vacation of Easements, file a request with DNR to vacate, modify, or relocate a section line easement.

The subject parcel is unaffected by any section lines and the accompanying easements.

The reconveyance will except, reserve, or be subject to the reservations brought forth by the public notice, if any, and the following:

Subject to:

- (a) An easement fifty (50) feet in width for public access, upland, abutting, and running in common with the ordinary high-water mark along Tanana River within Lot 2b, 3b, and 5 of Section 11, Township 4 South, Range 6 West, Fairbanks Meridian, Alaska, pursuant to AS 38.05.127 Access to Navigable and Public Water, 11 AAC 51.045 Easements To and Along Navigable and Public Water;
- (b) All other valid existing rights, including reservations, and exceptions in the U.S. Patent, or other state or federal conveyance, and in acts authorizing the issue thereof; easements, rights-of-way, covenants, conditions reservations, notes of the plat, and restrictions of record, if any.

XII. Reservation of the Mineral Estate

The Division of Oil and Gas (DOG) and DMLW have determined that it is not in the State's best interest to retain the mineral estate. The mineral estate will not be retained pursuant to AS 38.05.035(e) Powers and Duties of the Director. The State will receive an acreage credit for the lands.

XIII. Hazardous Materials and Potential Contaminants

The Department of the Interior, BLM, is expected to inspect the parcel and familiarize itself with the condition and quality of the land. The State makes no representations and no warranties, express or implied, concerning the existence or absence of any hazardous substances, hazardous wastes, contaminants, or pollutants on the land here proposed for reconveyance. The State does not assume any liability for the removal of hazardous substances, hazardous wastes, contaminants, or pollutants, nor for the remediation of the site should such substances ever be identified.

XIV. Survey

The parcel is adequately surveyed for reconveyance to the United States of America. See *Attachment C: Section 11 and 12 Resurvey*.

Preliminary Decision

ADL 414789

Page 6 of 8

XV. DMLW and Agency Review

Information and comments received from multiple agencies prior to and during agency review have been considered and included in the preparation of this preliminary decision. Agency review was conducted from March 29, 2023, to April 19, 2023. Comments pertinent to this proposed action received during agency review have been considered and addressed below. Additional timely comments received during the Public Notice period will be considered and addressed in a subsequent Final Finding and Decision (FFD).

DNR DMLW LCS received brief comments of non-objection from the following agencies: DNR Division of Parks and Outdoor Recreation, DNR State Historical Preservation Office, and Department of Transportation and Public Facilities.

DNR DMLW LCS response: Thank you for your review of this reconveyance.

Comments from DNR Division of Oil and Gas: DOG has no objection. There are no third-party interests. DOG does not request reservation of the mineral estate as the energy potential around the parcel is minimal to low for gas and none for oil and geothermal.

DNR DMLW LCS response: Thank you for the information. The mineral estate will not be reserved.

The following agencies or groups were included in the agency review, but no comment was received:

- DNR Division of Agriculture
- DNR Division of Forestry and Fire Protection
- DNR Division of Geological and Geophysical Surveys
- Alaska Department of Fish and Game
- Alaska Department of Environmental Conservation
- US Fish and Wildlife Service

XVI. Submittal of Public Comments

See Attachment B: Public Notice for specific dates and conditions.

Pursuant to AS 38.05.945 Notice, LCS is issuing public notice inviting comment on this Preliminary Decision.

In accordance with AS 38.05.946(a) Hearings, a municipality or corporation entitled to receive notice under AS 38.05.945(c) may hold a hearing within 30 days after receipt of the notice. If a hearing is held, the Commissioner (or representative) shall attend the hearing. The Commissioner has discretion whether or not to hold a public hearing.

LCS will consider all timely, written comments received. If analysis of such comments indicates the need for significant changes to the Preliminary Decision, additional public notice for the affected lands will be given. Reducing the amount of land offered and making minor changes to any of the proposals will not be considered significant changes requiring additional public notice.

If the proposal is approved and no significant change is required, the Preliminary Decision, including any deletions, minor changes, and summary of comments and LCS responses will be issued as a subsequent Final Finding and Decision, without further notice.

Preliminary Decision

ADL 414789

Page 7 of 8

Only persons from whom DNR DMLW LCS receives timely, written comment during the identified comment period will be eligible to file an appeal of the Final Finding and Decision. Upon approval and issuance of a Final Finding and Decision, a copy of the decision will be made available online at <http://landsales.alaska.gov/> or <https://aws.state.ak.us/OnlinePublicNotices/> and sent with an explanation of the appeal process to any party who provides timely written comment.

DNR is prepared to accommodate individuals with disabilities by providing auxiliary aids, services, or special modifications in order to participate in this review. Individuals who may need such assistance should contact DNR's Public Information Center. For more information, refer to *Attachment B: Public Notice*.

DEADLINE TO SUBMIT WRITTEN COMMENT IS 3:00 P.M., THURSDAY, JUNE 4, 2026

XVII. Alternatives

The following alternatives were considered:

Alternative 1: Reconvey

Reconvey the land to the United States subject to the reservations, exceptions, and restrictions as stipulated in **Section XI. Access, Including Access To and Along Public or Navigable Water, Easements and Setbacks**. This will allow the Native allottee to obtain title to the land while the State will retain public access on the property as prescribed by statute and thus avoid title recovery litigation by the federal government. Therefore, it is in the best interest of the State to reconvey the parcel as proposed in this decision, and this is the preferred alternative.

Alternative 2: Retain

Retain ownership and withhold reconveyance. DNR currently does not have a persuasive reason to pursue this option. This alternative may lead to title recovery litigation brought by the United States on behalf of the Native Allottee, thus subjecting the State to an uncertain expenditure of resources and an uncertain result of litigation. This alternative is not preferred.

In accordance with the Stipulated Procedures for Implementation of Order in *Aguilar*, BLM reviewed and determined Mr. Thomas' Native Allotment application to be valid on March 2, 1992. Based on documentation within BLM's case file and subsequent comments received from agency review, LCS has found no legal reason for denying this reconveyance subject to public notice and a final decision.

For the reasons outlined above, Alternative 1 is the preferred alternative.

Recommendation follows.

Preliminary Decision

ADL 414789

Page 8 of 8

XVIII. Recommendation

This Preliminary Decision for the proposed reconveyance of state lands described throughout this document and its attachments may be within the State's best interest. Reconveyance under the conditions in Alternative 1 is preferable to title recovery litigation. The State's reconveyance will allow the BLM to transfer title of the land to the Native Allottee and will eliminate any further title recovery action. As represented by the preferred alternative, the PD described above has been reviewed and considered. I find that the recommended action may be in the best interest of the State and that it is hereby approved to proceed to public notice.

This is a Preliminary Decision, and analysis of subsequent public review may result in changes to the preferred alternative of the proposed reconveyance of state lands. If the decision is approved, a Final Finding and Decision may be issued.



April 30, 2026

Recommended by: Kathryn Young
Native Allotment Coordinator
Land Conveyance Section
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

Date



April 30, 2026

Approved by: Hannah Uher-Koch
Acting Section Chief
Land Conveyance Section
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

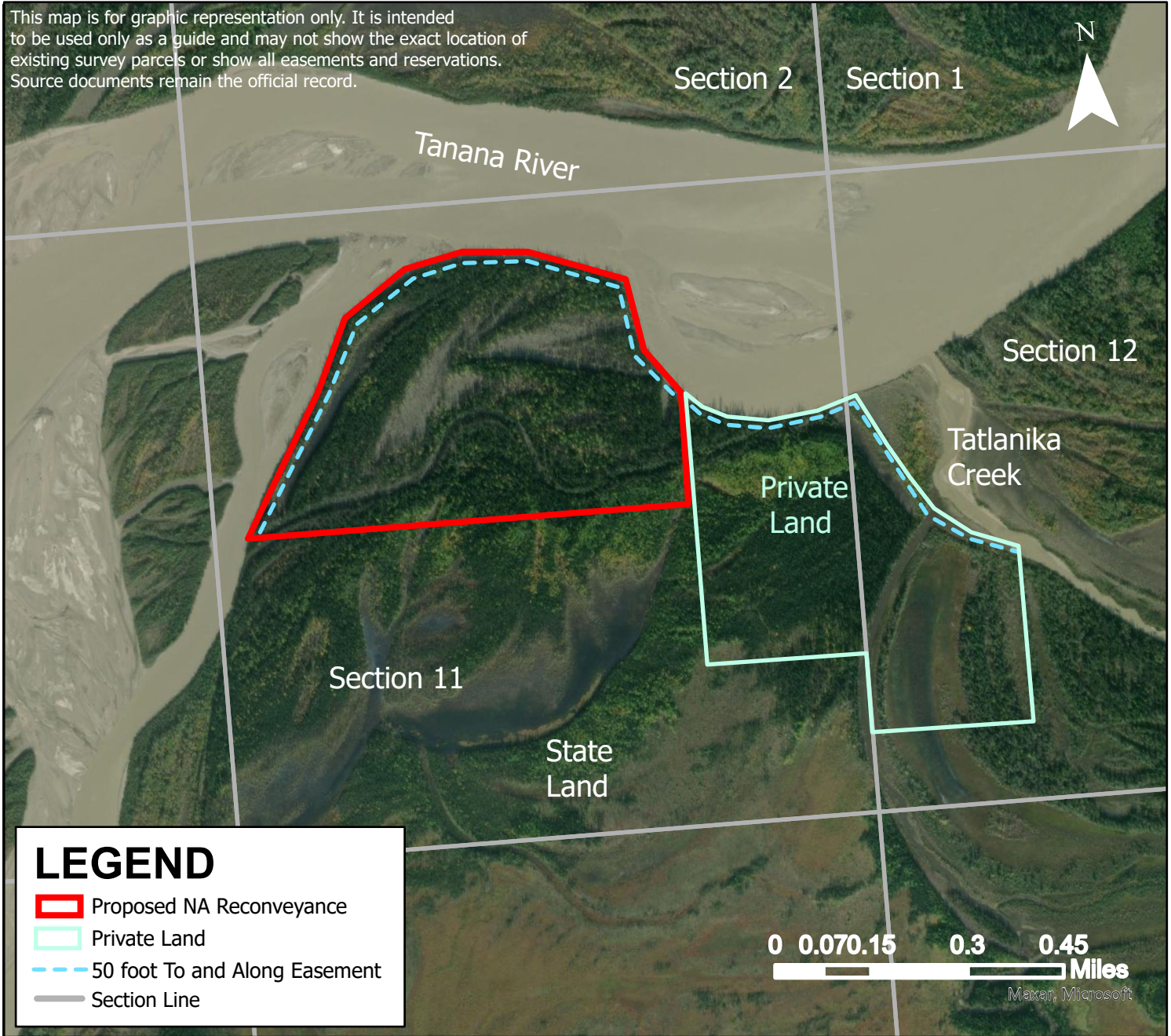
Date



Attachment A: Vicinity Map

Luke Thomas, ADL 414789 / BLM F 000412

This map is for graphic representation only. It is intended to be used only as a guide and may not show the exact location of existing survey parcels or show all easements and reservations. Source documents remain the official record.



Section 11, Township 4 South, Range 6 West, Fairbanks Meridian

USGS Quad 1:63,360 Fairbanks C-4

For more information contact:
 Kathryn Young
 Department of Natural Resources
 Division of Mining, Land and Water
 Land Conveyance Section
 Phone: 907-269-8574
 Fax: 907-269-8916
 Email: kathryn.young@alaska.gov



**STATE OF ALASKA,
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER**

ATTACHMENT B: PUBLIC NOTICE

**Requesting Input for Proposed
Native Allotment Reconveyance - ADL 414789
AS 38.05.035**

COMMENT PERIOD ENDS 3:00 PM, THURSDAY, JUNE 4, 2026

The Alaska Department of Natural Resources (DNR), Division of Mining Land and Water (DMLW), Land Conveyance Section (LCS) is conducting a public notice to reconvey the following erroneously conveyed State land to the United States of America for conveyance to the Native allotment applicant. The parcel of land is approximately 12 miles east of Nenana, along the south bank of the Tanana River. The legal description for the parcel is Lot 5, SE1/4NW1/4, and SW1/4NE1/4, of Section 11, Township 4 South, Range 6 West, Fairbanks Meridian, according to the plat approved by the U.S. Surveyor General's Office in Juneau, Alaska, on May 18, 1921, containing 100.59 acres, more or less; Lots 2a, 3a, of Section 11, Township 4 South, Range 6 West, Fairbanks Meridian, according to the plat accepted by the United State Department of the Interior, Bureau of Land Management, Anchorage, Alaska, on June 7, 2005, containing 43.24 acres, more or less; and aggregating 143.83 acres, more or less.

To obtain the notice, Preliminary Decision, or instructions on submitting comment, go to <http://dnr.alaska.gov/mlw/landsale/> or <http://aws.state.ak.us/OnlinePublicNotices/>. For assistance in obtaining the documents by an alternative method, to request auxiliary aids, services, or special accommodations, contact DNR's Public Information Centers on State work days, Monday through Friday, between 10:00 AM and 5:00 PM in Anchorage at (907) 269-8400 or Fairbanks at (907) 451-2705 or the Southeast Land Office in Juneau at (907) 465-3400 or TTY: 711 for Alaska Relay or 1-800-770-8973 or go to <http://dnr.alaska.gov/commis/pic/> for additional contact information. Individuals who require special assistance must request assistance from the Public Information Center in Anchorage no later than 4:00 PM, Thursday, May 28, 2026.

Pursuant to AS 38.05.945 Notice, the public is invited to submit comments on the Preliminary Decision (PD). **The deadline for public comment is 3:00 PM, THURSDAY, JUNE 4, 2026.** Only persons from whom DNR DMLW LCS receives timely, written comment during the identified comment period will be eligible to file an appeal of the Final Finding and Decision (FFD). Written comments may be received by fax, email, or postal mail. To submit comments or for direct inquiries, contact Kathryn Young by mail at 550 West 7th Ave, Suite 640, Anchorage, AK 99501 or by fax at (907) 269-8916 or by email at kathryn.young@alaska.gov. If you have questions, call Kathryn Young at (907) 269-8574.

If no significant change is required, the APD, including any minor changes and a summary of comments and responses, will be issued as the AFFD, without further notice. A copy of the AFFD will be sent to any persons who commented timely on the APD.

DNR reserves the right to waive technical defects in this notice.

Attachment C: Section 11 and 12 Resurvey

Officially Filed
DATE JUNE 22 2005

ORIGINAL

TOWNSHIP 4 SOUTH, RANGE 6 WEST, OF THE FAIRBANKS MERIDIAN, ALASKA DEPENDENT RESURVEY AND SUBDIVISION

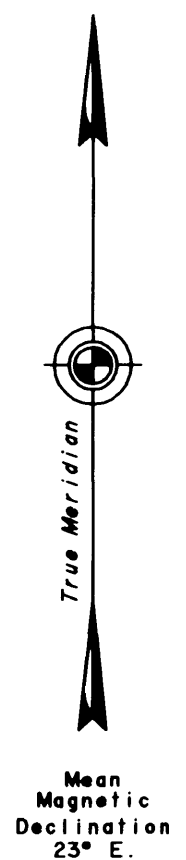
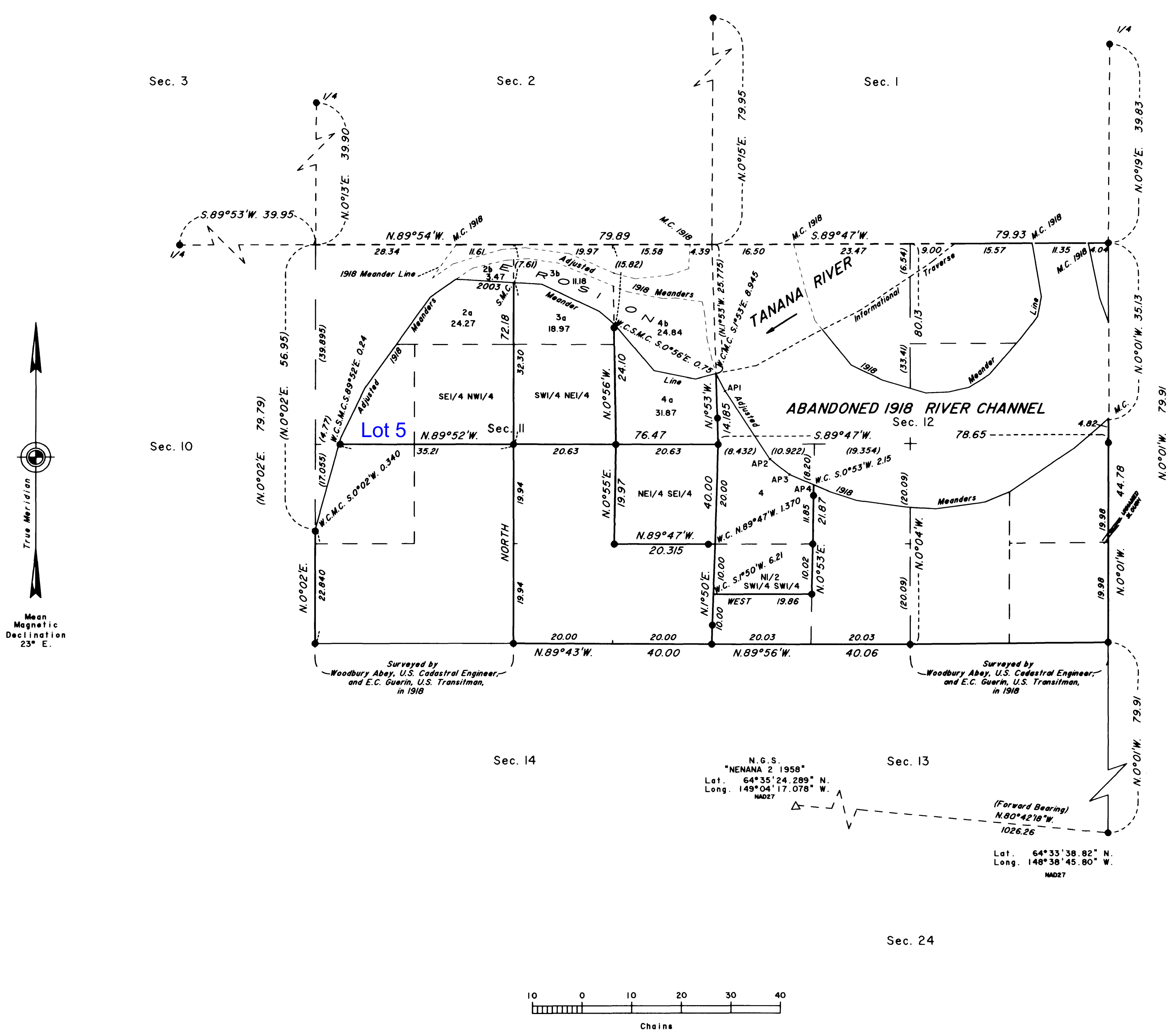
A history of surveys is contained in the field notes.

This plat represents the retracement and dependent resurvey of portions of the east boundary and the subdivisional lines, the survey of a portion of the subdivisional lines in section 11 and 12, a portion of the present day meanders of Lots 2, 3, and 4 in section 11, the adjusted 1918 meander line of the left bank of the Tanana River in sections 11 and 12, and the informational traverse of a portion of the left bank of the present day ordinary high water line of the Tanana River in section 12, Township 4 South, Range 6 West, Fairbanks Meridian, Alaska.

Except as indicated hereon the lottings and areas are as shown on the plat of survey accepted May, 18, 1921. Lottings affected by erosion are shown in parts, denoting land and water areas, for informational purposes only.

This survey was executed by Kurt D. Huhta, Cadastral Surveyor, September 1 through September 24, 2003, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, and Supplemental Special Instructions for Group No. 753, Alaska, dated May 16, 2002, and Amended Special Instructions dated July 16, 2003.

Attachment C: Section 11 and 12 Resurvey



Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 6(m) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

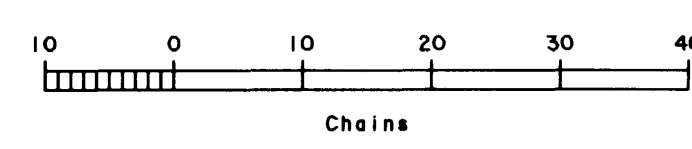
For the Director

John Smith 6/7/05
Date

Deputy State Director for Cadastral Survey, Alaska

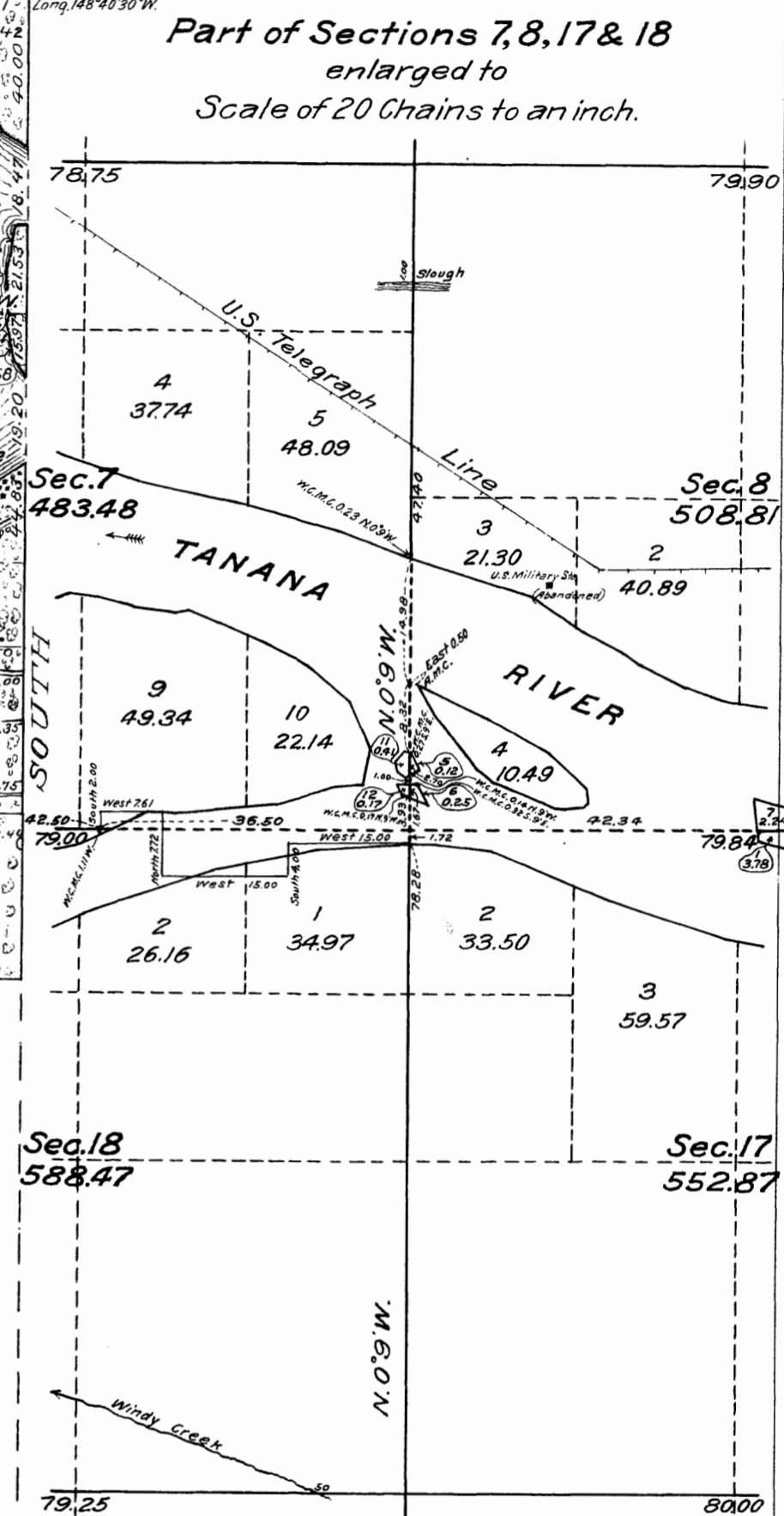
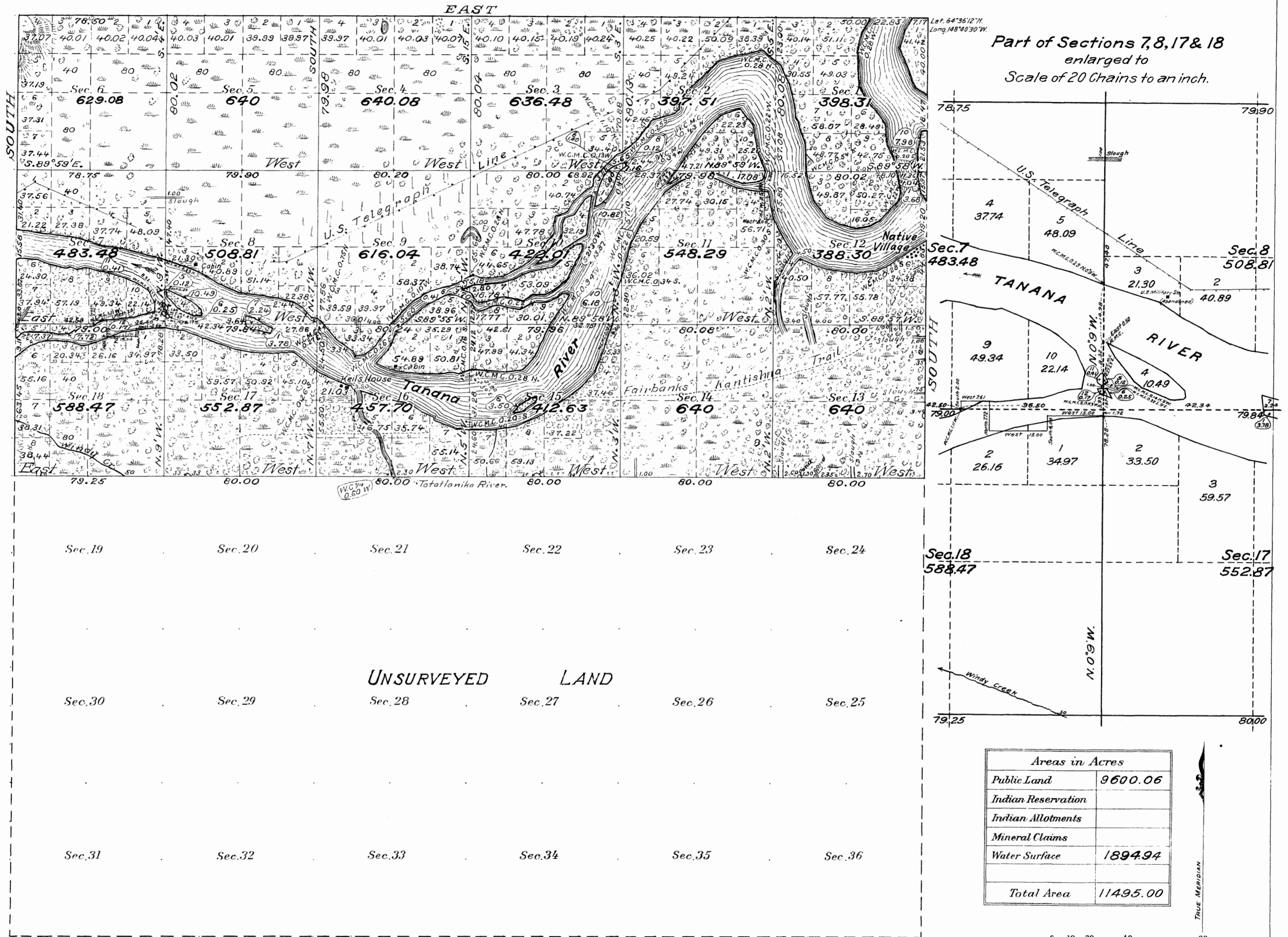
N. G. S.
"NENANA 2, 1958"
Lat. 64°35'24.289" N.
Long. 149°04'17.078" W.
MAD27

(Forward Bearing)
N.80°42'18"W.
1026.26
Lat. 64°33'38.82" N.
Long. 148°38'45.80" W.
MAD27



Township No 4 South, Range No 6 West of the Fairbanks Meridian, Alaska.

Attachment C: 1921 USRS F004S006W



| Areas in Acres | |
|--------------------|-----------------|
| Public Land | 9600.06 |
| Indian Reservation | |
| Indian Allotments | |
| Mineral Claims | |
| Water Surface | 1894.94 |
| Total Area | 11495.00 |

Scale 40 Chains to an inch
Mean Magnetic Declination

| Surveys Designated | By Whom Surveyed | Group | | Amount of Surveys | | | When Surveyed | |
|--------------------|-------------------------|-------|--------------|-------------------|------|------|---------------|---------------|
| | | No. | Date | Mls. | chs. | fks. | Begun | Completed |
| North Boundary | E.C. Guerin U.S.T. | 8 | June 1, 1918 | 5 | 78 | 50 | June 29, 1918 | July 18, 1918 |
| East Boundary | Woodbury Abbey U.S.G.E. | 8 | June 1, 1918 | 3 | 00 | 00 | July 18, 1918 | July 23, 1918 |
| West Boundary | E.C. Guerin U.S.T. | 8 | June 1, 1918 | 3 | 00 | 00 | June 20, 1918 | Sep. 30, 1918 |
| Subdivisions | Abbey & Guerin | 8 | June 1, 1918 | 32 | 77 | 47 | July 1, 1918 | July 23, 1918 |
| Meanders | Abbey & Guerin | 8 | June 1, 1918 | 30 | 33 | 56 | July 1, 1918 | July 23, 1918 |
| Connections | Woodbury Abbey U.S.G.E. | 8 | June 1, 1918 | 0 | 45 | 97 | July 2, 1918 | July 2, 1918 |

The above map of Township No. 4 South, Range No. 6 West of the Fairbanks Meridian, Alaska is strictly conformable to the field notes of the survey thereof on file in this office, which have been examined and approved

U. S. Surveyor General's Office.
Juneau, Alaska. May 18 1921

R.P. Dammann
Surveyor General.

Attachment C: 1921 USRS F004S006W

E.P.Y. Check
E.C.G. Calc. & Plot