Appendix F Leasehold Location Order #20

STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF LAND

MINERAL LEASEHOLD LOCATION ORDER NO. 20

1.0 ORDER RESTRICTING TO LEASEHOLD LOCATION

After the effective date of this order (see paragraph 5), and unless otherwise closed to mineral entry, rights to locatable minerals in the land covered by this order may be acquired only under the leasehold location system, AS 38.05.205, and may not be acquired by locating a mining claim under AS 38.05.195.

2.0 LAND SUBJECT TO THE TERMS OF THIS ORDER IS DESCRIBED AS FOLLOWS:

<u>Land Description</u> Acreage (Approximate)

See Table 1 and 7,248

Maps 1 & 2

3.0 AUTHORITY FOR THE ORDER

This order is issued under the authority granted by AS 38.05.185 to the Department of Natural Resources of the State of Alaska.

4.0 FINDINGS AND DETERMINATIONS

The following findings and determinations are made:

- 4.1 The land described in paragraph 2.0 is found to be subject to potential use conflicts which require that mining only be allowed under written leases under AS 38.05.205. These potential use conflicts include, but are not necessarily limited to, the following:
- a) These lands encompass areas that are immediately adjacent to the Kenai River, Trail River, and tributaries to the aforementioned streams and Kenai River and Kenai Lake. The Kenai river is a premier, world class fishery which is extensively used for recreation and economic uses. In excess of 125,000 sport fishers annually use the Kenai River It is considered a world class salmon fishing stream and the premier King salmon fishing stream in the world. Economic uses dependent on the fishery resources of the Kenai River include the sport fishing guide, commercial (drift and set) fishing, and seafood processing industry. In addition, the importance of this fishery to attracting recreational fishers has created an extensive and growing recreation support industry. It is estimated that annually over \$50 million is generated by the commercial fishing industry and \$60 million by vistors using recreation support industries. Damage to the fishery or its habitat would have significant affects on the fishery as well as its dependent economic and recreational uses.
- b) Because of the potential mineralized nature of the lands subject to this leasehold location order, mining may be a use of these lands. Mining activity within these lands must avoid direct and indirect impacts on fish passage, spawning, or rearing; wildlife resources; or recreational use. Leasehold location is an appropriate measure to allow mineral development with minimal impacts on the Kenai River, including significant tributary streams and lakes to this river.

- 4.2 The land described in paragraph 2.0 is found and determined to have mineral potential.
- 4.3 The stipulations identified in the Kenai River Comprehensive Management Plan (Revised, December 1997) relating to leasehold location orders (Recommendation 4.5.4.8) are to apply to all mining leases in the area affected by this leasehold location order and are to be used in approving plans of operations by DNR. Attachment A lists the stipulations identified in the Kenai River Management Plan.

5.0 EFFECTIVE DATE

This order is effective as of:	
[] (thirty days after the first p	ublic notice of this action)
[] The following (later) date:13e1/3	
Director, Division of Vand	Date: 12/12/97
Director, Division of Mining and Water Management	Date:
	d bur
Approved and ratifie Commissioner, Department of Natural Resources	Date: $\frac{12/(5/97)}{}$

ATTACHMENT A (LEASEHOLD LOCATION ORDER NO. 20)

STIPULATIONS

to be applied in the approval of

PLANS OF OPERATIONS

- 1. The plans of operations must be consistent with the most recent version of the ADFG Best Management Practices for Placer Mining.
- 2. No surface entry will be allowed for mining operations or facilities within 200 feet or the ordinary high water mark of the Kenai and Trail Rivers, their tributaries¹, and Kenai as well as Lower & Upper Trail lakes, within the area affected by the Leasehold Location Order except that water pipes and pumps will be allowed if necessary to supply water to the mining operation, and underground mining operations may be allowed if they do not cause subsidence or other surface disturbance.
- 3. No living accommodations, either temporary or permanent, will be authorized within the area subject to the leasehold location order.
- 4. DNR will approve a plan of operations only when it can be demonstrated that the proposed mining operation will result in minimum practicable disturbance to the existing vegetation, and minimum construction and use of access roads and operational structures.
- 5. DNR will not approve a plan of operations that adversely affects fish passage, spawning, or rearing; other fish habitat; wildlife resources; recreational use; or use by the owner of adjacent private or municipal parcels. The ADFG must concur with all such approvals.
- 6. DNR will require reclamation to at least the minimums set by state reclamation law (AS 27.19 and 11 AAC 97), including revegetation by reseeding or replanting with appropriate species. Reclamation shall enhance fish passage and fish habitat and restore damaged riparian habitat.
- 7. The Kenai River Advisory Board will have the opportunity to review mining plans of operation.

December 3, 1997

Tributaries' inclues (only) the following: Bean, Crescent, Juneau, Shackleford, Slaughter, Quartz, Dry, Indian, and Dave's Creek.

Table 1 - Units Affected by Leasehold Location Order #20

19-Nov-98

Unit	MTRS	Size	Location	Legal
378	T. 003 N., R. 001 E., Sec. 7	15.13	Mouth of Victor Creek	T. 003 N., R. 001 E., Section 7: SW1/4 lying north and west of USS 9002 excluding USS 1774.
380A	T. 004 N., R. 001 W., Sec. 13	0.086	Lower Trail Lake, south end, boat launch	T. 004 N., R. 001 W., Section 13: Tract B of ASLS 86-6.
380D	T. 005 N., R. 001 E., Sec. 31	98.91	East side Upper Trail Lake	T. 005 N., R. 001 E., Section 31: That portion of the west half of Lots 1, 2, and 5. T. 005 N., R. 001 W., Section 36: That portion of Lots 1, 5, and 6 excluding a 200 foot wide lakeshore buffer.
380E	T. 005 N., R. 001 W., Sec. 24	83.89	Upper Trail Lake, south arm, east shore (opposite Moose Pass town center)	T. 005 N., R. 001 W., Section 24: Lot 8; Section 25: Lots 1, 8, 9, and 14; Section 36: 200 feet from ordinary high water of Lots 1, 5, and 6.

Unit	MTRS	Size	Location	Legal
380G	T. 004 N., R. 001 E., Sec. 06	651.9	Lower Trail Lake, narrow channel	T. 004 N., R. 001 E., Section 06: Lots 1-6, 8, and 9, SE1/4SW1/4, SW1/4SE1/4; Section 07: Lots 1, 2, 5 and 6, NW1/4NE1/4, NE1/4NW1/4; Section 18: Lots 1-3; T. 004 N., R. 001 W., Section 01: Lots 1, 4-8, that portion of Lot 3 within the SE1/4; Section 12: Lots 1-4, that portion of Lots 5 and 6 as shown on State status plats, Lots 7, 8, 11 and 12; Section 13: Lot 1, that portion of USS 1778 and USS 7391 lying within the N1/2SE1/4; T. 005 N., R. 001 E., Section 31: Lot 6.
380J	T. 004 N., R. 001 W., Sec. 13	209.14	Trail River and Kenai Lake shore between USFS work center & campground	T. 004 N., R. 001 W., Section 13: Lots 5, 7, and 9; Section 24: Lot 2, Portion of Lots 3, 4, and 9, Lots 5, 7, 8, 10 and 11; Section 25: Lots 3-5.
380K	T. 004 N., R. 001 W., Sec. 04	8.14	Kenai Lake South of USFS work center	T. 004 N., R. 001 W., Section 25: Lot 8
382A	T. 005 N., R. 001 W., Sec. 24	31.36	Upper Trail Lake Ball diamond, boat launch and lake shore access	T. 005 N., R. 001 W., Section 24: Portions of Lots 4 and 5, Lot 6; Section 25: Lots 2, 6, and Tract I of USS 2529.
382D	T. 005 N., R. 001 W., Sec. 25	3.171	Lakefront Moose Pass	T. 005 N., R. 001 W., Section 25: USS 2676 Block 7

Unit	MTRS	Size	Location	Legal
383A	T. 004 N., R. 001 W., Sec. 22	730.96	Kenai Lake shore at mouth of Schilter Creek	T. 004 N., R. 001 W., Section 22: S1/2S1/2; Section 23: S1/2S1/2 excluding USS 7391; Section 26: N1/2 excluding USS 7391; Section 27: N1/2 excluding USS 2065.
384	T. 005 N., R. 001 W., Sec. 22	141.16	Moose Creek & Upper Trail Lake Wayside & Hatchery water source at Seward Hwy Mile 32	T. 005 N., R. 001 W., Section 26: That portion of Lot 2 USS 7371 within State Selection NFCG 192; Lot 3 USS 7371; Section 27: Lot 1, NW1/4NE1/4.
387	T. 005 N., R. 001 W., Sec. 36	0.49	Upper Trail Lake	T. 005 N., R. 001 W., Section 36: Lot 4
388	T. 003 N., R. 002 W., Sec. 06	1471.39	Cooper Lake, southeast end	T. 003 N., R. 002 W., Section 06: Lots 1 - 3, NE1/4, E1/2NW1/4, NE1/4SW1/4, N1/2SE1/4 (457.74 acres) T. 003 N., R. 003 W., Section 01: Lots 1 - 4, E1/2NE1/4, NE1/4SE1/4 (249.71 acres) T. 004 N., R. 002 W., Section 31: W1/2E1/2, E1/2SE1/4; T. 004 N., R. 003 W. Section 36: All (483.94 acres) Total Acres

Jnit	MTRS	Size	Location	Legal
390	T. 004 N., R. 002 W., Sec. 18	1710.08	Kenai Lake, West Shore	T. 004 N., R. 002 W.,
				Section 18: Lots 1-3,
				Section 19: NW1/4, NE1/4SW1/4, SW1/4SE1/4
				lying south and west of Kenai Lake;
				Section 30: NE1/4, E1/2SE1/4 lying south and
				west of Kenai Lake;
				Section 31: E1/2NE1/4;
				Section 32: Lots 1-3, SW1/4NW1/4, W1/2SW1/4,
				SE1/4SW1/4.
				T. 004 N., R. 003 W.,
				Section 01: Lots 2-4, W1/2SW1/4;
				Section 02: Lot 1, W1/2NE1/4, SE1/4NE1/4,
				E1/2SE1/4;
				Section 12: Lots 1-4, W1/2W1/2, SE1/4SW1/4;
				Section 13: Lots 1 and 2, SW1/4NE1/4,
				E1/2NW1/4, NW1/4SE1/4, E1/2SE1/4.
91A	T. 005 N., R. 003 W., Sec. 30	36.13	Three parcels	T. 005 N., R. 003 W.,
	,		r	Section 30: Tract E;
				Section 31: Lots 1 and 12.
891B	T. 005 N., R. 003 W., Sec. 30	70	North of river, both sides of Bean Creek	T. 005 N., R. 003 W.
			Road	Section 30: NE1/4SE1/4SW1/4, S1/2SE1/4 that
				portion lying North of the Kenai River and
				excluding USS 1442.

Unit	MTRS	Size	Location	Legal
391C	T. 005 N., R. 003 W., Sec. 29	6.58	South of river along highway	T. 005 N., R. 003 W., Section 29: Tract D of USS 5105, Lot 5 of USS 2527; Section 30: That portion of Tract B of USS 5105 within the SE1/4SE1/4SE1/4; Section 31: That portion of Tract B of USS 5105 within the NE1/4NE1/4 lying south of the Kenai River and North of the Sterling Highway; Section 32: That portion of Tract B of USS 5105 within the NW1/4NW1/4 lying south of the Kenai River and North of the Sterling Highway.
391D	T. 005 N., R. 003 W., Sec. 29	25	North of Kenai River	T. 005 N., R. 003 W., Section 29: That portion of Tract A of USS 5105 lying south of Bean Creek right-of-way excluding ASLS 96-6.
391E	T. 005 N., R. 003 W., Sec. 28	7.5	South of Kenai River	T. 005 N., R. 003 W., Section 28: That portion of Tract B of USS 5105 lying south of the Kenai River and north of the Sterling Highway right-of-way.
391G	T. 005 N., R. 003 W., Sec. 28	22	North of Kenai River	T. 005 N., R. 003 W., Sections 28 and 29: Tract B of ASLS 91-6, that portion of Tract A of USS 5105 lying south and west of USS 3306, north and west of USS 2524, and south and west of ASLS 81-183 and North and west of ASLS 81-197.
391H	T. 005 N., R. 003 W., Sec. 28	5	North of Kenai River	T. 005 N., R. 003 W., Section 28: That portion of Tract A of USS 5105 lying south of USS 3306, north and west of USS 2524, and east of USS 2524, west of USS 2523 and south of Bean Creek Road.

Unit	MTRS	Size	Location	Legal
3911	T. 005 N., R. 003 W., Sec. 28	4.41	North of River	T. 005 N., R. 003 W., Section 28: Lot 3 of USS 2523
391 J	T. 005 N., R. 003 W., Sec. 28	1	North of Kenai River	T. 005 N., R. 003 W., Section 28: That portion of Tract A of USS 5105 lying between Lot 4 of USS 2523 and Tract A of USS 2361 and the south boundary of the Sterling Highway.
391K	T. 005 N., R. 003 W., Sec. 27	0.75	North of Kenai River	T. 005 N., R. 003 W., Section 27: That portion of Tract A of USS 5105 lying south of the Sterling Highway and west of USS 2521 Tract A.
391L	T. 005 N., R. 003 W., Sec. 25	75	North Kenai Lake Shoreline	T. 005 N., R. 003 W., Section 25: That portion of Tract A of USS 5105 lying south of the Sterling Highway right-of-way; Section 26: That portion of Tract A of USS 5105 lying south of the Sterling Highway right-of-way excluding PLO 829; Section 27: That portion of Tract A of USS 5105 lying south of the Sterling Highway right-of-way and west of USS 2934 and south and east of ASLS 80-103; Section 36: That portion of Tract A of USS 5105 within the NW1/4 lying south and west of the Sterling Highway right-of-way excluding ASLS 85- 339.
391 M	T. 004 N., R. 002 W., Sec. 6	9.18	North Kenai Lake shoreline	T. 004 N., R. 002 W., Section 6: Lots 1 and 2 excluding ASLS 85-339 and that portion conveyed under ADL 201307.

Unit	MTRS	Size	Location	Legal
391N	T. 005 N., R. 003 W., Sec. 34	65	South of Kenai Lake, west end shoreline	T. 005 N., R. 003 W., Section 34: That portion of Tract B of USS 5105 lying east of ASLS 79-126 and between the north side of Snug Harbor Road and the south side of Kenai Lake.
391Q	T. 004 N., R. 002 W., Sec. 06	5.91	Kenai Lake frontage	Tracts B, C, D, and E of ASLS 85-339 These tracts are within: T. 004 N., R. 002 W., Section 6; T. 004 N. 003 W., Section 1; T. 005 N., R. 002 W., Section 31; T. 005 N. R. 003 W., Section 36;
392A	T. 005N., R. 003 W. Sec. 31	8.56	Cooper Creek	T. 005 N., R. 003 W., Section 31: All State-owned shorelands and water known as Cooper Creek and the riparian corridor of State-owned land 200' landward from the ordinary high water on each side of Cooper Creek.
392B	T. 005 N., R. 003 W. Sec. 29	44.12	Bean Creek	T. 005 N., R. 003 W., Sections 29 and 30: All State-owned shorelands and water known as Bean Creek and the riparian corridor of State-owned land 200' landward from the ordinary high water on each side of Bean Creek.

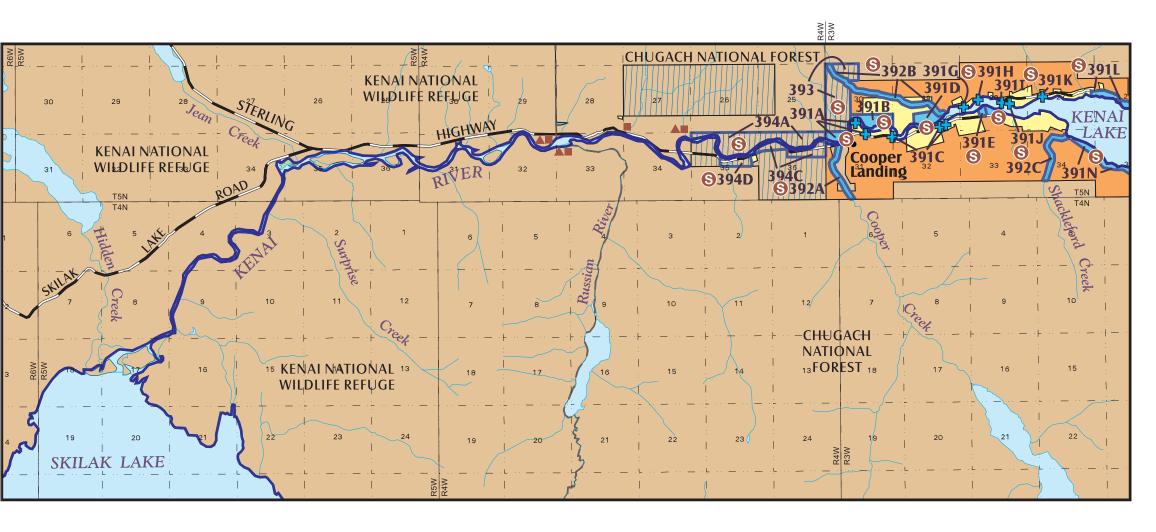
Unit	MTRS	Size	Location	Legal
392C	T. 005 N., R. 003 W. Sec. 34	39.47	Shackleford Creek	T. 005 N., R. 003 W., Section 34: All State-owned shorelands and water known as Shackleford Creek and the riparian corridor of State-owned land 200' landward from the ordinary high water on each side of Shackleford Creek.
392D	T. 005 N., R. 002 W. Sec. 19	144.75	Quartz Creek	T. 005 N., R. 002 W., Sections 19, 20, 29 and 30; T. 005 N., R. 003 W., Section 36: All State-owned shorelands and water known as Quartz Creek and the riparian corridor of State- owned land 200' landward from the ordinary high water on each side of Quartz Creek.
392E	T. 005 N., R. 003 W. Sec. 19	26.82	Daves Creek	T. 005 N., R. 002 W., Sections 19 and 20: All State-owned shorelands and water known as Daves Creek and the riparian corridor of State-owned land 200' landward from the ordinary high water on each side of Daves Creek.
392F	T. 005 N., R. 002 W. Sec. 29	40.4	Crescent Creek	T. 005 N., R. 002 W., Sections 29 and 30: All State-owned shorelands and water known as Crescent Creek and the riparian corridor of State-owned land 200' landward from the ordinary high water on each side of Crescent Creek.

Unit	MTRS	Size	Location	Legal
392G	T. 005 N., R. 002 W. Sec.30	52.53	Dry Creek	T. 005 N., R. 002 W., Sections 30 and 31: All State-owned shorelands and water known as Dry Creek and the riparian corridor of State-owned land 200' landward from the ordinary high water on each side of Dry Creek.
392H	T. 005 N., R. 002 W. Sec. 30	22.22	Indian Creek	T. 005 N., R. 002 W., Sections 30 and 31: All State-owned shorelands and water known as Indian Creek and the riparian corridor of State-owned land 200' landward from the ordinary high water on each side of Indian Creek.
393	T. 005 N., R. 003 W., Sec. 30	260	Mouth of Juneau Creek & Bean Creek	T. 005 N., R. 003 W., Section 30: E1/2NE1/4NW1/4, W1/2W1/2, W1/2E1/2W1/2
394A	T. 005 N., R. 004 W., Sec. 35	220	North of Kenai River	T. 005 N., R. 004 W., Section 35: that portion of USS 1559 within the N1/2 and lying north of the Kenai River, N1/2 that portion lying north of the Kenai River; Section 36: N1/2 that portion lying north of the Kenai River.
394C	T. 005 N., R. 004 W., Sec. 35	280	River and Highway frontage between Cooper Creek Campground and Gwyn's Lodge	T. 005 N., R. 004 W., Section 35: E1/2NE1/4 lying north and east of USS 3392, south of the Kenai River and north of the Sterling Highway; Section 36: USS 7286 Lot 1; that portion of the N1/2 lying between the south bank of the Kenai River and the north side of the Sterling Highway right-of-way; that portion of the N1/2S1/2NE1/4 and the NE1/4SE1/4NW1/4 lying south of the Sterling Highway.

Unit	MTRS	Size	Location	Legal
394D	T. 005 N., R. 004 W., Sec. 35	32.5	Wetland's west of Gwyn's Lodge on Sterling Hwy	T. 005 N., R. 004 W., Section 35: That portion of the S1/2N1/2NE1/4 and a portion of the E1/2E1/2NW1/4 lying south of the Kenai River; S1/2NE1/4 lying south of the Kenai River excluding USS 3392.
397	T. 005 N., R. 002 W., Sec. 31	3.28	East Quartz Creek Tract A; parcel 1 mile SE of Quartz Creek on Kenai Lake shore	T. 005 N., R. 002 W., Section 31: Tract A of ASLS.85-339.
405	T. 005 N., R. 001 E., Sec. 05	754.2	North shore Upper Trail Lake, including Johnson Pass Trail & Johnson Creek outlet	T. 005 N., R. 001 E., Section 05: S1/2SW1/4; Section 07: Lot 1, SE1/4 of Lot 2, Lots 5, 7, 9-12; Section 08: N1/2NW1/4; Section 18: Lots 3 - 7; T. 005 N., R. 001 W., Section 13: Lots 1-4, E1/2NE1/4NE1/4, S1/2SW1/4NE1/4, NW1/4SE1/4; Section 22: Lot 2, S1/2NE1/4SE1/4; Section 23: S1/2 of Lot 1, Lots 2-5, S1/2SE1/4NW1/4; Section 24: Lots 1-3.
407	T. 005 N., R. 001 E., Sec. 07	6.19	Slivers of land between Upper Trail Lake shore & Alaska RR	T. 005 N., R. 001 E., Section 07: Lots 13 and 14; Section 18: Lot 2; Section 19: Lot 2; T. 005 N., R. 001 W., Section 24: Lot 7, Section 25: Lot 7
408B	T. 005 N., R. 002 W, Sec. 15	378.5	Quartz and Daves Creek Lowlands, mile 38.5 to mile 40 along Sterling Hwy.	T. 005 N., R. 002 W., Section 15: S1/2N1/2; Section 16: S1/2N1/2, NE1/4NW1/4, NW1/4NE1/4 excluding Unit 408A; and N1/2S1/2.

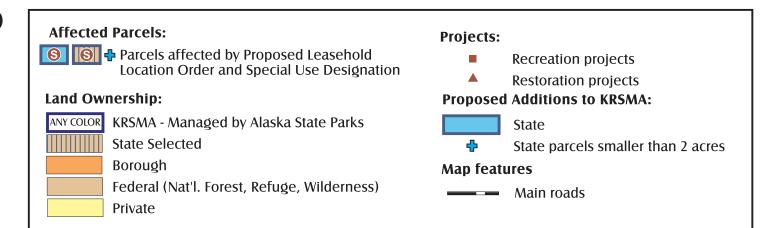
Unit	MTRS	Size	Location	Legal
608	T. 004 N., R. 001 E, Sec. 6	643.72	Trail River and Upper and Lower Trail	All State-owned shorelands and water known as
			Lakes	Trail River and Upper and Lower Trail Lakes within:
				T. 004 N., R. 001 E.,
				Sections 6, 7, 18, 19;
				T. 004 N., R. 001 W.,
				Sections 1, 12, 13, 24 and 25;
				T. 005 N., R. 001 E.,
				Sections 7, 18, 19, 31;
				T. 005 N., R. 001 W.,
				Sections 13, 22 - 27, and 36.

Map 1 **Upper River Segment**





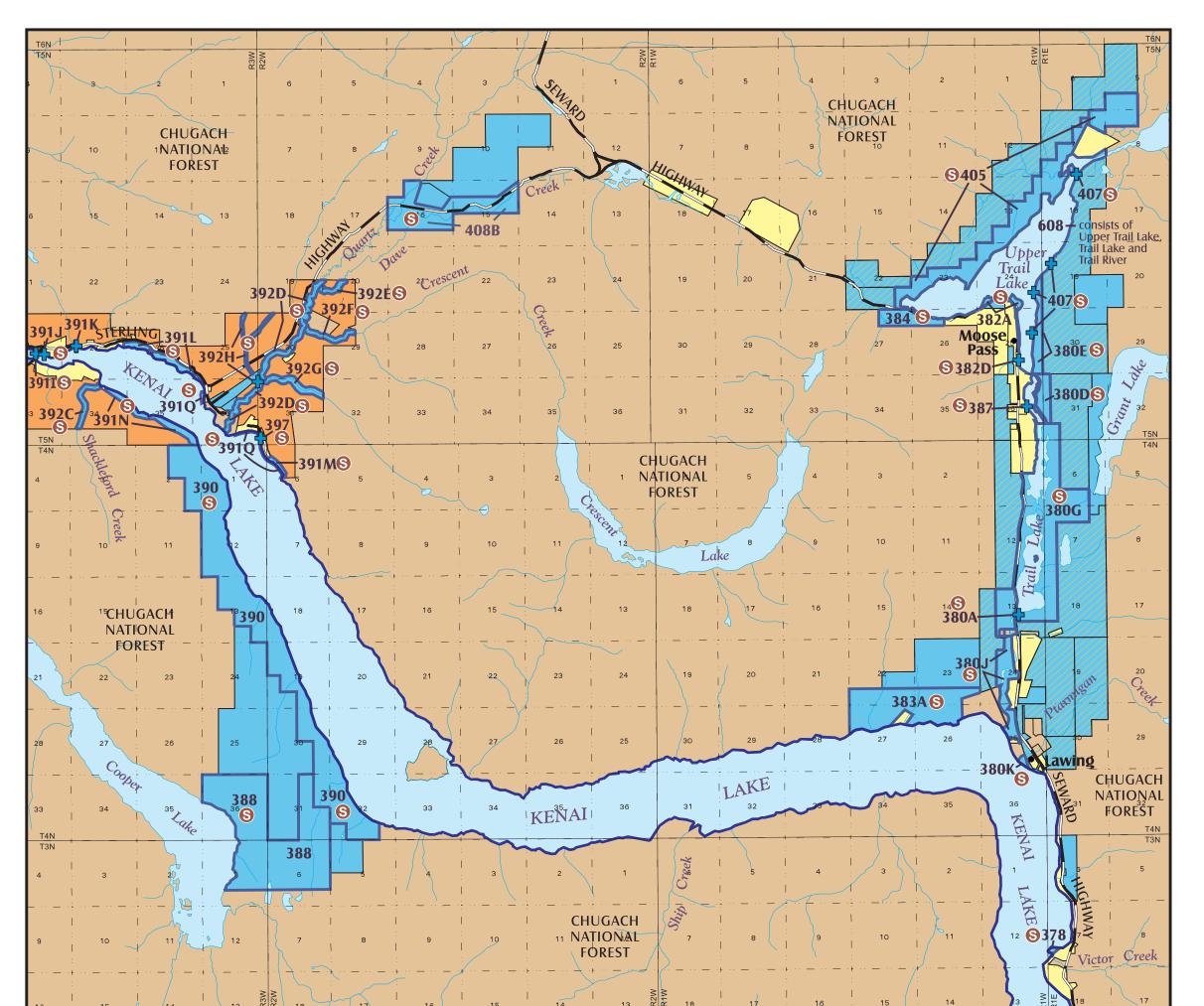
LEGEND





Note 1: Parcel numbers reference the revised Kenai River Comprehensive Management Plan (December 1997).

Note 2: See also Table 1, attached, for further parcel description. Note 3: Parcels 393, 394A, and 394D are in state selected status. When these parcels are conveyed to the state, they will be administered consistent with the Leasehold Location Order and Special Use Designation.



Map 2 Kenai Lake

LEGEND

Affected Parcels:



Parcels affected by Proposed Leasehold Location Order and Special Use designation

Land Ownership:

ANY COLOR KRSMA - Managed by Alaska State Parks Other State Owned Borough

Borough selected

Federal (Nat'l. Forest, Refuge, Wilderness) Private

Proposed Additions to KRSMA:

State

State parcels smaller than 2 acres

Map features



Note 1: Parcel numbers reference the revised Kenai River Comprehensive Management Plan (December 1997). Note 2: See also Table 1, attached, for further parcel description.

